

FACT SHEET

Animal Welfare Amendment Bill 2014

The *Animal Welfare Act 1993* is being amended as one part of how the Tasmanian Government is acting to improve and modernise the overall animal welfare system in Tasmania.

During 2012 the Animal Welfare Advisory Committee undertook a review of the Animal Welfare Act 1993. Based on substantial public consultation the review ultimately provided a number of recommendations to amend the Act.

This Bill amends the Animal Welfare Act in three key areas.

1. The penalties for animal cruelty.
2. The accountability and professional standards of officers.
3. The operations of the Animal Welfare Advisory Committee.

Penalties are being standardised across the Act and in many cases increased to bring them into line with community expectations and other jurisdictions. This includes establishing a consistent approach for penalties applying to bodies corporate and introducing penalties for continuing offences.

The Bill increases provisions for accountability and oversight of officers appointed under the Act. Requirements regarding written notices, including for seizure (including reasons) are being introduced, and the decisions made by all officers, whether they work in the State Service or in other organisations, would now be subject to review by the Magistrates Court (Administrative Appeals Division).

The 2012 Review noted that the Act should aim to achieve the best animal welfare outcomes, not just punish offenders. In some cases this might mean counselling or training offenders, to reduce the likelihood of re-offending. The Bill therefore introduces the capacity for additional orders other than penalties on conviction to allow Magistrates to require offenders to undergo counselling or training or participate in restorative justice programs.

The operation of the Animal Welfare Advisory Committee is also being updated to bring it into line with modern practices, which reflects that physical meetings are not always the best way to reach decisions and resolutions. The Bill therefore provides for videoconferencing, teleconferencing and decisions out of session.

The membership of the Animal Welfare Advisory Committee is also being amended to include a representative from the racing regulatory body. In practice a representative from the racing regulator has been a member for a number of years, under the "such other persons as the Minister considers appropriate" subsection. Racing (greyhound, thoroughbred and harness) is a major stakeholder in animal welfare in Tasmania.

The second part of the Bill contains consequential amendments to Regulations under the Act. These amendments are necessary to avoid possible conflict with a new provision under the Act which allows for ongoing penalties for continuing offences.