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REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

Registered at the Post Office as a Newspaper — *As 'n Nuusblad by die Poskantoor Geregistreer*

PRICE (GST included) 30c PRYS (AVB ingesluit)
ABROAD 40c BUITELANDS
POST FREE · POSVRY

VOL. 215 — CAPE TOWN, 4 MAY 1983 / KAAPSTAD, 4 MEI 1983 — No. 8691

OFFICE OF THE PRIME MINISTER

No. 917. 4 May 1983

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

No. 54 of 1983: Animals Protection Amendment Act, 1983.

KANTOOR VAN DIE EERSTE MINISTER

No. 917. 4 Mei 1983

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 54 van 1983: Wysigingswet op Dierebeskerming, 1983.

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GENERAL EXPLANATORY NOTE:

[ ] Words in bold type in square brackets indicate omissions from existing enactments.

________ Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the Performing Animals Protection Act, 1935, and the Animals Protection Act, 1962, so as to further regulate certain penalties that may be imposed thereunder; and to provide for matters connected therewith.

(English text signed by the State President.)
(Assented to 27 April 1983.)

BE IT ENACTED by the State President and the House of Assembly of the Republic of South Africa, as follows:—

Amendment of section 7 of Act 24 of 1935, as amended by section 4 of Act 7 of 1972.

1. Section 7 of the Performing Animals Protection Act, 1935, is hereby amended by the substitution for paragraph *(e)* of the following paragraph:

"*(e)* a penalty of a fine not exceeding **[fifty]** one thousand rand or imprisonment for a period not exceeding **[three]** twelve months for a contravention of any regulation,".

Amendment of section 8 of Act 24 of 1935, as amended by section 5 of Act 7 of 1972.

2. Section 8 of the Performing Animals Protection Act, 1935, is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) Any person contravening the provisions of this Act or any regulation made thereunder for which a penalty has not been prescribed or any condition of a licence or certificate shall be guilty of an offence and liable on conviction to a fine not exceeding **[two hundred]** one thousand rand or to imprisonment for a period not exceeding **[three]** twelve months **[for a first offence and to a fine not exceeding four hundred rand or to imprisonment for a period not exceeding six months for any subsequent offence]**.".

Amendment of section 2 of Act 71 of 1962, as amended by section 21 of Act 102 of 1972.

3. Section 2 of the Animals Protection Act, 1962, is hereby amended by the substitution in subsection (1) for the words following paragraph *(s)* of the following words:

"shall, subject to the provisions of this Act and any other law, be guilty of an offence and liable on conviction to a fine not exceeding **[two hundred]** one thousand rand or in default of payment to imprisonment for a period not exceeding **[six]** twelve months or to such imprisonment without the option of a fine, or, where any such act or omission is of a wilful and an aggravated nature, to a whipping not exceeding six strokes or to both such a fine and such a whipping or to both such imprisonment without the option of a fine and such a whipping.".

Amendment of section 10 of Act 71 of 1962.

4. Section 10 of the Animals Protection Act, 1962, is hereby amended by the substitution for subsection (2) of the following subsection:

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ALGEMENE VERDUIDELIKENDE NOTA:

[ ] Woorde in vet druk tussen vierkantige hake dui skrappings uit bestaande verordenings aan.

________ Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordenings aan.

WET

Tot wysiging van die Beskerming van Gedresseerde Diere Wet, 1935, en die Dierebeskermingswet, 1962, ten einde sekere strawwe wat daarkragtens opgelê kan word, verder te reël; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 27 April 1983.)

DAAR WORD BEPAAL deur die Staatspresident en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

Wysiging van artikel 7 van Wet 24 van 1935, soos gewysig deur artikel 4 van Wet 7 van 1972.

1. Artikel 7 van die Beskerming van Gedresseerde Diere Wet, 1935, word hierby gewysig deur paragraaf *(e)* deur die volgende paragraaf te vervang:

„*(e)* 'n boete van hoogstens **[vyftig]** duisend rand of gevangenisstraf vir 'n tydperk van hoogstens **[drie]** twaalf maande vir 'n oortreding van 'n regulasie,".

Wysiging van artikel 8 van Wet 24 van 1935, soos gewysig deur artikel 5 van Wet 7 van 1972.

2. Artikel 8 van die Beskerming van Gedresseerde Diere Wet, 1935, word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

„(1) Iemand wat die bepalings van hierdie Wet of 'n regulasie daarkragtens gemaak waarvoor 'n straf nie voorgeskryf is nie of 'n voorwaarde van 'n lisensie of sertifikaat oortree, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens **[tweehonderd]** duisend rand of met gevangenisstraf vir 'n tydperk van hoogstens **[drie]** twaalf maande **[vir 'n eerste oortreding en van hoogstens vierhonderd rand of met gevangenisstraf vir 'n tydperk van hoogstens ses maande vir enige verdere oortreding]**.".

Wysiging van artikel 2 van Wet 71 van 1962, soos gewysig deur artikel 21 van Wet 102 van 1972.

3. Artikel 2 van die Dierebeskermingswet, 1962, word hierby gewysig deur in subartikel (1) die woorde wat op paragraaf *(s)* volg, deur die volgende woorde te vervang:

„is, behoudens die bepalings van hierdie Wet en enige ander wetsbepalings, aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens **[tweehonderd]** duisend rand of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens **[ses]** twaalf maande of met daardie gevangenisstraf sonder die keuse van 'n boete of, ingeval so 'n handeling of versuim van 'n opsetlike en verswarende aard is, met lyfstraf van hoogstens ses houe of met so 'n boete en sodanige lyfstraf of met sodanige gevangenisstraf sonder die keuse van 'n boete sowel as sodanige lyfstraf.".

Wysiging van artikel 10 van Wet 71 van 1962.

4. Artikel 10 van die Dierebeskermingswet, 1962, word hierby gewysig deur subartikel (2) deur die volgende subartikel te vervang:

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"(2) Such regulations may prescribe penalties for contravention thereof or failure to comply therewith not exceeding a fine of **[two hundred]** one thousand rand or imprisonment for a period of **[six]** twelve months.".

Short title.

5. This Act shall be called the Animals Protection Amendment Act, 1983.

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„(2) Sodanige regulasies kan vir oortreding daarvan of versuim om daaraan te voldoen strawwe voorskryf wat 'n boete van **[tweehonderd]** duisend rand of gevangenisstraf vir 'n tydperk van **[ses]** twaalf maande nie te bowe gaan nie.".

5. Hierdie Wet heet die Wysigingswet op Dierebeskerming, 1983. Kort titel.