

## International Comparison of Animal Welfare Laws

Country and name of legislation	Kinds of animals covered	Offences	Exemptions	Sentencing
<p>United Kingdom: Protection of Animals Act, 2006</p> <p>Note: the Protection of Animals Act is supplemented by strong regulations, including some to prohibit tail docking and licence zoos.</p>	<p>Defines “animal” as any living vertebrate animal, with provision to extend if future scientific evidence shows other kinds of animals are capable of experiencing pain and suffering.</p> <p>Some parts of the act apply to all animals, others (like standards of care) only apply to animals for which a person is responsible.</p>	<ul style="list-style-type: none"> <li>• Causing unnecessary pain and suffering</li> <li>• Poisoning an animal</li> <li>• Arranging animal fighting</li> <li>• Failure of an owner to meet needs of their animals (including suitable environment, diet, normal behaviour patterns and protection from pain, injury, suffering and disease)</li> <li>• Selling or gifting an animal to a person under 16 years old who is not accompanied by someone aged 16 or over</li> </ul>	<p>Anything which occurs in the normal course of fishing (including commercial fishing and angling) is exempted from the Act.</p>	<p>Imprisonment for up to 51 weeks, or a fine of up to £20,000, or both.</p> <p>Animals can be seized.</p> <p>Lifetime prohibition on owning animals can also be ordered.</p>
<p>New Zealand: Animal Welfare Act, 1999</p>	<p>All animals that are capable of feeling pain, including mammals, birds, reptiles, amphibians, fish, crabs, crayfish, squid and octopus (including wild animals, except for those offences that apply exclusively to owned animals)</p>	<ul style="list-style-type: none"> <li>• Failure, by an owner, to ensure the health and behavioural needs of their animal are met and failure to provide treatment to an ill or injured animal</li> <li>• Killing an animal in a manner that causes unnecessary pain and suffering</li> <li>• Keeps an animal alive in such a condition that it is suffering from unnecessary pain and suffering</li> <li>• Sells, attempts to sell or offers for sale (other than for the purpose of being killed) an animal that is suffering unnecessary pain or distress</li> <li>• An owner or person in charge who deserts an animal when no provisions are made to meet its physical, health and behavioural needs</li> <li>• Crops or causes to be cropped the ears of a dog and performs or causes to perform blistering or firing or nicking on a horse.</li> </ul>	<p>The Act does not make it unlawful to carry out pest control or to hunt and fish in the wild if those practices are carried out in a lawful and humane manner.</p>	<p>For an individual, maximum sentence is imprisonment of no more than 6 months or a fine of \$25,000 or both. For corporations, the maximum fine is \$125,000.</p>
<p>Australia: Federal legislation only covers animal exports and transportation of animals. Each state has enacted an animal welfare or animal protection law. This table summarizes the eight state laws.</p>	<p>Most states define animal as vertebrates species including bird, fish, mammals (other than a human being) and reptiles. Many states also add certain types of crustaceans (like crabs, lobsters, crayfish and prawns) destined for human consumption, and cephalopods.</p> <p>Queensland also protects animal fetus and avian mammalian or reptilian pre-hatched eggs, as well as live marsupial young.</p> <p>The South and Western Australia limit “animal” to vertebrates, except fish.</p>	<ul style="list-style-type: none"> <li>• Cruelty: many states make it an offence to commit either cruelty or aggravated cruelty. <ul style="list-style-type: none"> <li>◦ Most states include the following as cruelty: causing unnecessary pain or injury; beating or abusing an animal; overworking; using prohibited electrical devices; inappropriate confinement and killing an animal inhumanely.</li> <li>◦ Some states do not define what is considered cruelty or aggravated cruelty.</li> </ul> </li> <li>• Neglects an animal</li> <li>• Failure to provide food, drink or shelter. Many acts also make it an offence to fail to obtain veterinary care as required.</li> <li>• Failure to provide proper exercise to confined animals</li> <li>• Tethering birds or sows for any length of time (or other animals for unreasonable times)</li> <li>• Abandoning an animal</li> <li>• Poisoning an animal</li> <li>• Most animal welfare acts also have sections governing/prohibiting certain activities like rodeos, fighting of animals, the use of certain electrical devices and the transportation of animals.</li> </ul>	<p>Exemptions vary by province, but can include standard industry practices like livestock tail docking (lambs), branding, hunting and trapping, fishing with live bait, slaughter (including religious slaughter), humane euthanasia or pest control. It should be noted most of these other practices are heavily governed by other legislation.</p>	<p>For cruelty, abandonment or neglect or failure to provide offences, they are generally in the range of 250 penalty units in the case of a corporation and 50-100 penalty units or imprisonment for 6-12 months, or both, in the case of an individual.</p> <p>Penalties for aggravated cruelty offences range from 200-1,000 penalty units in the case of a corporation and 200 penalty units or imprisonment for 18 months to 2 years, or both, in the case of an individual.</p> <p>Penalties for other offences vary widely.</p>
<p>United States: States legislate criminal prohibitions against cruelty and requirements for duty of care. Federal laws focus on specific, nationwide activities that have historically shown to be potential areas of animal abuse. This table will cover the <i>Animal Welfare Act</i></p>	<p><i>Animal Welfare Act:</i> Animal means any live or dead dog, cat, non-human primates), guinea pig, hamster, rabbit or other warm-blooded animal used for research, testing, experimentation or exhibition, or as a pet. This law excludes: birds, rats and mice bred for use in research; horses not used for research and other farm animals intended for use food or fiber and all cold-blooded animals (including fish and reptiles).</p>	<p>Provisions mostly govern who can possess or sell certain animals, and the living conditions of those animals. Provisions include:</p> <ul style="list-style-type: none"> <li>• Permit needed for dealers, exhibitors and research facilities that use listed animals to buy, sell or register animals</li> <li>• Limitations and regulations on the environmental conditions under which the animals are kept</li> <li>• Research facilities must purchase animals from licensed dealers and create Animal Care Committees to oversee the care and use of these animals</li> <li>• Various other provisions requiring research facilities to comply with existing regulations on pain, housing and care</li> <li>• Prohibits sponsoring or exhibiting an animal in an animal fighting venture; interstate shipment of animals to be used in such ventures and the use of US mail or other communication systems to advertise or promote animal fighting.</li> </ul>	<p>Pet owners, agriculture use and retail pet stores don't need a license under the Act.</p>	<p>Licenses that violate provisions can have their licenses suspended or revoked. Subsequently the suspension can be extended, or their permits revoked.</p> <p>Sentencing: civil penalties of no more than \$2,500 for each violation and each day they continue. If warranted, cases can be forwarded to the US Department of Agriculture for further legal action. If convicted, the maximum penalty in such cases is a fine of no more than \$2,500 or one year imprisonment, or both.</p>