

**ANIMAL MATTERS AMENDMENT ACT NO. 42 OF 1993**

[ASSENTED TO 25 MARCH, 1993]

[DATE OF COMMENCEMENT: 16 APRIL, 1993]

(Afrikaans text signed by the State President)

**ACT**

To provide for directions in respect of injuries caused by animals; to amend the Animals Protection Act, 1962, so as to further regulate the prohibition of animal fights; and to provide for matters connected therewith.

1. Directions in respect of injuries caused by animals.

(1) Any person as a result of whose negligence an animal causes injury to another person shall be guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding two years.

(2) Whenever a person is convicted of an offence in terms of subsection (1), the court convicting him may in addition to any punishment imposed upon him in respect of that offence;

(a) make any order relating to the removal, custody, disposal or destruction of the animal concerned and the recovery of any costs incurred in connection therewith;

(b) declare the person convicted to be unfit, for a specified period, to own a certain kind of animal or an animal of a specific breed or to have it under his control or in his custody.

(3) Subsection (2) shall mutatis mutandis apply if any person;

(a) as a result of whose negligence an animal causes the death of another person is found guilty of an offence with regard to such negligence;

(b) as a result of whose deliberate action an animal causes the death of or injury to another person is found guilty of an offence with regard to such action.

(4) The Minister of Justice may from time to time, with the concurrence of the Minister of State Expenditure, appropriate funds to a society for costs incurred relating to the removal, custody, disposal or destruction of an animal.

(5) (a) A person who has in terms of subsection (2) (b) been declared unfit, for a specified period, to own a certain kind of animal or an animal of a specific breed or to have it under his control or in his custody, shall, if at the time of the declaration he owns or has under his control or in his custody such an animal and such animal is not destroyed in terms of subsection (2) (a), within 14 days from the date on which such declaration was made, make alternative arrangements for the caring of the animal for the period for which he is declared unfit to own such an animal or to have it under his control or in his custody.

(b) Subject to the provisions of paragraph (a), any person who owns or has under his control or in his custody an animal in contravention of a declaration made in terms of subsection 2 (b), shall be guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding one year.

(6) Notwithstanding anything to the contrary contained in any law, a magistrates court shall have jurisdiction to impose any penalty which is provided for in this section.

2. Amends section 2 (1) of the Animals Protection Act, No. 71 of 1962, by deleting paragraph (o).

3. Inserts section 2A in the Animals Protection Act, No. 71 of 1962.

4. Short title.

This Act shall be called the Animal Matters Amendment Act, 1993.