

**LAWS OF FIJI**

**Ed. 1978**

**CHAPTER 169**

**PROTECTION OF ANIMALS**

*Ordinances Nos. 26 of 1937, 36 of 1954, 20 of 1955,  
11 of 1957, 23 of 1958, 10 of 1961, 30 of 1965,  
7 of 1966, 24 of 1968, Act No. 24 of 1973.*

**AN ACT TO AMEND THE LAW RELATING TO CRUELTY TO ANIMALS**

[21st December, 1954.]

*Short title*

1. This Act may be cited as the Protection of Animals Act.

*Interpretation*

2. In this Act, unless the context otherwise requires:-

"animal" means any domestic or captive animal;

"authorised person" means any officer of the Society for the Prevention of Cruelty to Animals, Fiji, appointed by the Minister to exercise powers under this Act;

"captive animal" means any animal (not being a domestic animal) of whatsoever kind or species, and whether a quadruped or not, including any bird, fish, or reptile, which is in captivity, or confinement, or which is maimed, pinioned, or subjected to any appliance or contrivance for the purpose of hindering or preventing its escape from captivity or confinement;

"cruelty" means unreasonable, unnecessary, or unjustifiable ill-treatment, and "cruel" and "cruelly", have corresponding meanings;

"domestic animal" means any horse, ass, mule, bull, sheep, pig, goat, dog, cat or fowl, or any other animal of whatsoever kind or species, and whether a quadruped or not, which is tame or which has been or is being sufficiently tamed to serve some purpose for the use of man;

"ill-treat" includes beat, kick, wound, maim, abuse, torment, torture, terrify, infuriate, over-ride, over-drive, over-load, drive when over-loaded, or cause in any manner whatsoever, whether by act or omission, pain, suffering or distress, and "ill-treating" and "ill-treatment" have corresponding meanings;

"license" in relation to a dog means to license a dog under the provisions of the Dogs Act. (*Section amended by 30 of 1965, s. 2.*) (*Cap. 168.*)

## *Offences of cruelty*

### 3.-(1) If any person-

(a) shall cruelly ill-treat or cause or procure, or, being the owner or person in charge, shall permit or suffer to be cruelly ill-treated any animal; or

(b) shall convey or carry, or cause or procure, or, being the owner or person in charge, shall permit to be conveyed, or carried, any animal in such a manner or position as to cause that animal any unnecessary suffering; or

(c) shall cause, procure, or assist at the fighting or baiting of any animal; or shall keep, use, manage or act or assist in the management of, any premises or place for the purpose, or partly for the purpose, of fighting or baiting any animal, or shall permit any premises or place to be so kept, managed, or used, or shall receive or cause or procure any person to receive, money for the admission of any person to such premises or place; or

(d) shall wilfully, without any reasonable cause or excuse, administer, or cause or procure, or being the owner or person in charge, shall permit, such administration of, any poisonous or injurious drug or substance to any animal, or shall wilfully, without any reasonable cause or excuse, cause any such substance to be taken by any animal; or

(e) shall subject, or cause or procure, or being the owner or person in charge, shall permit to be subjected, any animal to any operation which is performed without due care and humanity; or

(f) shall, being the owner or person in charge of any domestic animal, other than one running at large, or any captive animal, fail to provide such domestic or captive animal with proper and sufficient food, drink or shelter; or

(g) shall neglect as the owner or person in charge to exercise or cause to be exercised daily and reasonably, any dog habitually chained up or kept in confinement; or

(h) shall ride, drive, use, convey or carry or cause to be ridden, driven, used, conveyed or carried any animal which is unfit for such purpose; or

(i) shall keep any domestic or captive animal which is in such a condition that it is cruel to keep it alive; or

(j) shall keep for an unreasonable time any animal chained or tethered upon an unreasonably short or unreasonably heavy chain or rope, or use wire, barbed or plain, to tether an animal; or

(k) shall, being the owner or having charge or control of any animal, without reasonable cause or excuse abandon such animal, whether permanently or not, in circumstances likely to cause such animal any unnecessary suffering, or shall cause or procure or, being the owner, permit such animal to be so abandoned,

*(Inserted by 10 of 1961, s. 2.)*

such person shall be guilty of an offence of cruelty within the meaning of this Act and shall be liable to a fine not exceeding one hundred dollars or to imprisonment for any term not exceeding six months or to both such fine and imprisonment.

(2) For the purpose of this section, an owner shall be deemed to have permitted cruelty within the meaning of this Act if he shall have failed to exercise reasonable care and supervision in respect of the protection of the animal therefrom:

Provided that, where an owner is convicted of permitting cruelty within the meaning of this Act by reason only of his having failed to exercise such care and supervision he shall not be liable to imprisonment without the option of a fine.

(3) Nothing in this section shall render illegal any act done by a person licensed under the provisions of the Animals (Control of Experiments) Act, which may lawfully be done under the provisions of that Act, or shall apply to the commission, or omission of any act in the course of the destruction, or the preparation for destruction, of any animal as food for mankind, unless such destruction or such preparation was accompanied by the infliction of unnecessary suffering. *(Amended by 11 of 1957, s. 16.) (Cap. 161.)*

*Court may order destruction of animal*

4. Where the owner of an animal is convicted of an offence of cruelty within the meaning of this Act, it shall be lawful for the court, if the court is satisfied that it would be cruel to keep the animal alive, to direct that the animal be destroyed, and to assign the animal to any suitable person for that purpose; and the person to whom such animal is so assigned shall as soon as possible destroy such animal or cause or procure such animal to be destroyed, in his presence without unnecessary suffering. Any reasonable expenses incurred in destroying the animal may be ordered by the court to be paid by the owner, and thereupon shall be recoverable as a civil debt.

*Court may deprive person convicted of cruelty of ownership of animal*

5. If the owner of any animal shall be guilty of cruelty within the meaning of this Act to the animal, the court, upon his conviction thereof, may, if it thinks fit, in addition to any other punishment, deprive such person of the ownership of the animal and may make such order as to the disposal of the animal as it thinks fit in the circumstances:

Provided that no order shall be made under this section, unless it is shown by evidence as to a previous conviction, or as to the character of the owner, or otherwise, that the animal, if left with the owner, is likely to be exposed to further cruelty.

*Power to disqualify persons convicted of cruelty to dogs*

6.-(1) Any court before which a person is convicted under the provisions of this Act of any offence of cruelty to a dog may order such person to be disqualified from keeping a dog and from licensing a dog under the provisions of the Dogs Act for such period as the court thinks fit. *(Cap. 168.)*

(2) When any person who is disqualified by virtue of an order made under the provisions of this section has licensed a dog or caused a dog to be licensed as being owned by him, the licence shall be suspended for so long as the disqualification continues in force and shall, during the time of the suspension, be of no effect.

(3) If any person who is disqualified by virtue of an order made under the provisions of this section keeps a dog or applies for or obtains the licensing of a dog as being owned by him while he is so disqualified, he shall be liable on conviction to a fine not exceeding fifty dollars or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

(4) For the purposes of subsection (3) any person in whose custody, charge or possession any dog shall be found or seen, or who is the occupier of any building where any dog is ordinarily kept or permitted to live or to remain, or in whose care any dog may temporarily be, whether loose or confined, or who shall harbour a dog shall be deemed to keep such dog.

#### *Removal of disqualification*

7. Any person who by virtue of an order made under the provisions of section 6 is disqualified from keeping a dog and from licensing a dog may, at any time after the expiration of six months from the date of the order, and from time to time, apply to the court by which the order was made to remove the disqualification and on any such application the court may, as it thinks proper, having regard to the character of the person disqualified and his conduct subsequent to the order, the nature of the offence, and any other circumstances of the case, either by order remove the disqualification as from such date as may be specified in the order or refuse the application:

Provided that, where an application under this section is refused, a further application thereunder shall not be entertained if made within three months after the date of the refusal.

#### *Compensation for damage done by cruelty to an animal*

8. If any person shall by cruelty within the meaning of this Act to any animal, do or cause to be done, any damage or injury to the animal or any person or property, he shall upon conviction for the cruelty under this Act, be liable upon the application of the person aggrieved to be ordered to pay as compensation to such person, such sum not exceeding twenty dollars, as the court before which he is convicted may consider reasonable; the sum so ordered to be paid shall be recoverable as if it were a fine:

Provided that this section shall not-

(a) prevent the taking of any other legal proceedings in respect of any such damage or injury, so that a person be not twice proceeded against in respect of the same claim; or

(b) affect the liability of any person to be proceeded against and punished under this Act for an offence of cruelty within the meaning of this Act.

### *Injured animals*

9.-(1) If a district officer, police officer, veterinary officer, livestock officer, veterinary assistant, or authorised person finds on any road or in any public place, any animal so diseased or so severely injured or in such physical condition that, in his opinion having regard to the means available for removing the animal, there is no possibility of removing it without cruelty, such officer may, without the consent of the owner, slaughter the animal, or cause or procure it to be slaughtered, with such instruments or appliances, and with such precautions, and in such manner, as to inflict as little suffering as practicable, and remove the carcass or cause or procure it to be removed from the road or public place.

(2) If a police officer finds any animal in any place other than on any road or in a public place, so diseased or so severely injured or in such a physical condition that, in his opinion, having regard to the means available for removing the animal, such animal should be destroyed, he may, if the owner is absent or refuses to consent to the destruction of the animal, summon a veterinary officer, a livestock officer or a veterinary assistant if any such veterinary officer, livestock officer or veterinary assistant is reasonably available, and, if it appears by the certificate of such veterinary officer, livestock officer or veterinary assistant that the animal is mortally injured or so severely injured or so diseased or in such a physical condition that it is cruel to keep it alive, the police officer may, without the consent of the owner, slaughter the animal or cause or procure it to be slaughtered, with such instruments or appliances, or with such precautions and in such manner, as to inflict as little suffering as practicable.

(3) Where a district officer, police officer, veterinary officer, livestock officer, veterinary assistant or authorised person has slaughtered any animal under the provisions of either of subsections (1) or (2), then-

(a) if the ownership of the animal cannot be ascertained by him within six hours of such slaughter; or

(b) if the owner is known and is notified by him of the slaughter and the owner, after such notification, fails to remove the carcass within six hours of such slaughter,

he may cause the carcass thereof to be buried or destroyed by burning. (*Inserted by 24 of 1968, s. 2.*)

(4) Any expense which may be reasonably incurred in carrying out the provisions of this section may be recovered from the owner of the animal as a civil debt and, subject thereto, any such expense shall be defrayed out of the Consolidated Fund.

(5) For the purpose of this section, the expression "veterinary assistant" means a veterinary assistant authorised in writing by the Permanent Secretary for Agriculture and Fisheries to carry out the functions of a veterinary assistant under the provisions of this section. (*Section amended by 30 of 1965, s. 3.*)

### *Power to provide food for animals in confinement*

10. Where any district officer, police officer, veterinary officer, livestock officer or

authorised person has reasonable cause to believe that any animal is confined on any premises or in any place without proper and sufficient food or water and has been so confined for a period of not less than twenty-four consecutive hours, such officer or person may, without warrant, enter upon such premises or place and may supply such animal with proper and sufficient food and water and the reasonable cost of such food and water shall be recoverable from the owner as a civil debt. (*Amended by 30 of 1965, s. 4.*)

*Inspection of saleyards, etc.*

**11.** Any district officer, police officer, veterinary officer, livestock officer, or authorised person may without warrant enter at any time by day

(a) any place where animals are usually sold or kept for sale, hire or business purposes and may inspect any animal therein and the accommodation for such animal;

(b) any ship or vehicle in or upon which any animal is being conveyed for business purposes and may inspect any animal therein or thereon and the accommodation for such animal.

(*Section amended by 30 of 1965, s. 5.*)

*Search warrant*

**12.-(1)** If a magistrate or justice of the peace, upon information on oath has reason to believe that an offence under this Act is being or is about to be or has been committed in any place, he may by his warrant authorise a police officer to enter such place and inspect any animal confined or kept therein.

(2) The provisions of the Criminal Procedure Code relating to searches under section 103 of that Code shall, so far as those provisions can be made applicable, apply to any search under subsection (1). (*Cap. 21.*)

*Powers of police officers*

**13.** Where a person having charge of a vehicle or animal is apprehended by a police officer for an offence under this Act, it shall be lawful for that or any other police officer, to take charge of such vehicle or animal, and to deposit the same in some place of safe custody until the termination of the proceedings or until the court shall direct such vehicle or animal to be delivered to the person charged or the owner, and the reasonable costs of such detention, including the reasonable cost of veterinary treatment where such treatment is required, shall, in the event of a conviction in respect of the said animal, be recoverable from the owner as a civil debt or, where the owner himself is convicted, shall be directed by the court to be paid by such owner and shall be recoverable in the same manner as a fine.

(*Section amended by 20 of 1955, s. 2.*)

*Owners to produce animals if so required*

**14.-(1)** Where proceedings are instituted under this Act, it shall be lawful for the court to issue a summons directed to the owner or person in charge of the animal requiring him to

produce either at, or at any time before, the hearing of the case, as may be stated in the summons, the animal for the inspection of the court, if such production is possible without cruelty.

(2) Where a summons is issued under the provisions of subsection (1), and the owner or person in charge fails to comply therewith without satisfactory excuse, he shall be liable to a fine not exceeding ten dollars for the first occasion and not exceeding twenty dollars for the second or any subsequent occasion on which he so fails.

#### *Obstruction of officer*

**15.** Any person who assaults, resists or unlawfully obstructs any district officer, police officer, veterinary officer, livestock officer or authorised person in the exercise of any power or authority under or by virtue of this Act shall be guilty of an offence and liable to a fine not exceeding one hundred dollars or to imprisonment for any term not exceeding six months or to both such fine and imprisonment. (*Amended by 30 of 1965, s. 6.*)

#### *Regulations concerning transport of animals*

**16.**-(1) The Minister may make regulations under this Act in respect of all or any of the kinds of animals included in the definition of animal herein and in respect of all or any of the following matters:

- (a) the proper and safe embarkation and disembarkation of animals transported by air or water within Fiji;
- (b) controlling the transport of animals by land, air or by water within Fiji;
- (c) the proper treatment of such animals while being so transported;
- (d) the imposition of obligations and restrictions on owners, masters and captains of vessels or aircraft or owners or drivers of vehicles used in the transport of animals;
- (e) the appointment of officers to carry such regulations into effect.

(*Amended by 23 of 1958, s. 2, 7 of 1966, s. 20 and 24 of 1973, s. 2*)

(2) In this section, "animal" includes cattle, horses, sheep, pigs, goats and poultry. (*Section formerly sections 2 and 3 of the Transport of Animals Ordinance, 26 of 1937.*)

*Controlled by Ministry of Agriculture and Fisheries*

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**Subsidiary Legislation**

## **SECTION 16 TRANSPORT OF ANIMALS REGULATIONS**

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### Schedule - Cattle Movement Records

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*Regulations 20 April 1938, 18 September 1940, 7 May 1959  
Legal Notices Nos. 88 of 1979, 22 of 1981*

#### *Short title*

1. These Regulations may be cited as the Transport of Animals Regulations.

#### *Stockyard for cattle, etc., shipped by swimming*

2. Where cattle or horses are shipped by means of swimming from the shore an adequate stockyard on the shore with a race leading to the water shall be provided by the shipper of such cattle or horses.

#### *Transport of horses and cattle by sea*

- 3.-(1) This regulation applies to the carriage of horses and cattle in vessels engaged in interinsular, coasting or river trade within Fiji.

(2)

- (a) No vessel which is not fitted as required by these Regulations shall carry horses or cattle;



(b) cattle or horses shall not be carried on forecastle heads, or in any part of the vessel where in the ordinary course of navigation they would interfere with the proper management of the vessel, or with efficient use of lifeboats;

(c) a clear space free from bollards and other fittings and not less than 2.3 m in length and 760 mm in width shall normally be provided for each animal, but where the width of horned cattle is such that there is a danger of knocking horns with the next animal, sufficient width shall be provided to prevent this occurring;

(d) suitable fittings shall be provided in all cases so that each animal can be securely fixed by a head rope; poll cattle shall be secured by a head-stall;

(e) all cattle and horse decks shall be provided with a sufficient quantity of sand, gravel or other suitable substance to give foothold;

(f) for a journey exceeding 12 hours, fresh drinking water to allow a minimum of 25 litres per day for each animal shall be carried and such animals shall be provided with water; for journeys of 18 hours or more such animals shall be provided with food as well as water;

(g) for watering cattle or horses, troughs or other water-tight receptacles shall be used;

(h) all cattle and horse decks shall be properly ventilated;

(i) a vessel shall not be overcrowded so as to be likely to cause injury or unnecessary suffering to the animals carried;

(j) no animal which appears about to give birth or which is obviously seriously injured or unfit shall be embarked;

(k) animals shall not be carried, if in the judgment of the master, weather conditions are such as might cause serious injury or suffering to, or loss of life among, the animals;

(l) if any animal whilst being carried has a limb broken, or is otherwise seriously injured, and in pain, the master shall forthwith have the animal slaughtered in a manner to cause as little pain as possible and shall not be liable to the owner or to any other person for so doing;

(m) slings of a pattern approved by the Assistant Director Agriculture (Animal Health and Production) shall be provided for the loading and unloading of cattle and horses, and shall be used whenever it is not practicable to load or unload such animals by means of a gangway.

(3) In the event of a breach of any of the provisions of this regulation by another person the master of the vessel shall also be guilty of an offence and the owner of the vessel shall also be guilty of an offence unless he proves that the offence took place without his knowledge and that he took all reasonable precautions to ensure compliance with this regulation.

4.(1) This regulation applies to the carriage of sheep, pigs, goats and poultry in vessels engaged in interinsular, coasting or river trade within Fiji.

(2)

(a) Pigs shall be confined in pens of reasonable dimensions, and not restrained by tying;

(b) goats shall be confined in pens of reasonable dimensions, or restrained by tying with a neck rope or head stall;

(c) in journeys of over 6 hours fresh drinking water shall be supplied to animals by water trough or other water-tight receptacle;

(d) in journeys of over 18 hours animals shall be supplied with food as well as water;

(e) where only a few pigs or goats are carried, such animals may be carried separately in suitable crates. The crates shall be so secured or fixed as to prevent displacement by the motion of the vessel;

(f) poultry shall, as far as practicable, be protected from exposure to bad weather, sea water or excessive heat;

(g) poultry shall be carried only in such parts of the vessel as are sufficiently ventilated, and receptacles containing the poultry shall be so disposed as to allow sufficient ventilation to reach each receptacle, and so as to afford access to each receptacle for inspection of the poultry as occasion may require;

(h) receptacles containing poultry shall be secured so as not to be shifted by the motion of the vessel;

(i) poultry shall not be overcrowded so as to be likely to cause injury or unnecessary suffering to the poultry;

(j) poultry shall not be restrained by tying by either one or 2 legs;

(k) if any head of poultry be found to be so injured as to be suffering serious pain, the master shall forthwith cause the bird to be destroyed by decapitation with a sharp instrument.

(3) In the event of a breach of any of the provisions of this regulation by another person the master of the vessel shall also be guilty of an offence, and the owner of the vessel shall also be guilty of an offence unless he proves that the offence took place without his knowledge and that he took all reasonable precautions to ensure compliance with this regulation.

*(Substituted by Regulations 7 May 1959.)*

*Shelter from sun*

5. Adequate shelter from the sun shall be provided for all animals carried on deck.

*Protection from steam, etc.*

6. All animals shall be protected from contact with steam or hot water pipes or anything liable to cause injury to such animals.

*Transport of horses and cattle by road*

7.-(1) This regulation applies to the carriage of horses and cattle by road.

(2)

(a) No vehicle which is not fitted as required by these Regulations shall carry horses or cattle;

(b) the interior of every such vehicle shall be divided into at least two parts in a manner approved by the Permanent Secretary for Primary Industries shall be free from bolt-heads, angles or other projections likely to cause injury or suffering to animals carried therein, and shall be padded in a manner approved by the said Permanent Secretary;

(c) every such vehicle shall be constructed to ensure that animals cannot fall off the vehicle whilst standing or in motion; in particular the ends and sides shall be rigidly and strongly attached, and of sufficient height;

(d) every such vehicle shall be provided with facilities for the loading and unloading of animals by means of a suitable falling door, tailboard or ramp, which shall be fitted with battens or shall be suitably constructed or covered with matting or other material to ensure a safe foothold for any animal being loaded or unloaded from such vehicle;

(e) every such vehicle shall be provided with a sufficient quantity of sand, gravel or other substance to ensure foothold;

(f) the vehicle shall not be overloaded so as to be likely to cause injury or unnecessary suffering to animals carried;

(g) no animal which appears about to give birth or which is obviously seriously injured or unfit shall be carried unless for the purpose of taking the animal for treatment;

(h) cattle or horses shall be supplied with clean drinking water if carried for more than 8 hours;

(i) animals carried shall be protected from the sun or weather as far as is practicable.

(3) In the event of a breach of any of the provisions of this regulation by another person the driver of the vehicle shall also be guilty of an offence, and the owner of the vehicle shall also be guilty of an offence unless he proves that the offence took place without his knowledge and that he took all reasonable precautions to ensure compliance with this regulation.

*(Substituted by Regulations 7 May 1959; para. (2) amended by Legal Notice 22 of 1981.)*

*Application of regulations 7B, 7C and 7D*

**7A.** Regulations 7B, 7C and 7D shall apply to the carriage of cattle by sea within the territorial seas and by river and road within Fiji.  
(*Inserted by Legal Notice 22 of 1981.*)

*Records of cattle transported*

**7B.**-(1) The owner of any vehicle or vessel used for the transport of cattle shall keep records in the form set out in the Schedule of all cattle transported in that vehicle or vessel.

(2) Such records shall be kept in booklets with an original and duplicate of each page and all entries therein shall be made clearly and legibly.

(3) The original of the record of cattle transported on each journey shall be delivered to the consignee of the cattle.

(4) On the completion of each booklet containing such duplicate records, the owner of the vehicle or vessel shall deliver the booklet with duplicate records to the Assistant Director of Agriculture (Animal Health and Production) or mail it to him by registered post addressed to him at P.O. Box 358, Suva, Fiji or at such other address as he may from time to time notify for the purposes of this regulation.

(5) Until such booklet has been delivered or mailed pursuant to paragraph (4) the owner of the vehicle or vessel to which it relates shall on demand produce it for examination by an officer of the Department of Agriculture.

(6) The consignee to whom the original of a record has been delivered pursuant to paragraph (3) shall carefully preserve it and on demand produce it for examination by an officer of the Department of Agriculture.  
(*Inserted by Legal Notice 22 of 1981.*)

*Identification of cattle*

**7C.**-(1) Subject to paragraph (3), no cattle shall be placed in any vehicle or vessel or shall be transported thereby unless each animal is identified by means of a metal tag issued in accordance with paragraph (2) bearing a number thereon and affixed to the right ear of the animal.

(2) The owner of any vehicle or vessel used for the transport of cattle shall, subject to paragraph (3), as often as may be necessary apply to the Assistant Director of Agriculture (Animal Health and Production) for the issue to him of metal tags for use in compliance with paragraph (1).

(3) Notwithstanding the foregoing provisions of this regulation when a road vehicle is used only infrequently for the transport of cattle, the owner of the vehicle may by prior arrangement with the officer in charge of the station of the Ministry of Primary Industries nearest to the place of loading any cattle, transport them in the vehicle to that station for the

purpose of having the identifying metal tags fixed to such animals by an officer of the Ministry at that station.

(4) Every application for the issue of metal tags under paragraphs (2) and (3) shall be accompanied by such sum as shall be required to cover the cost of and incidental to the issue of the tags applied for, in accordance with the rate or rates notified by the Assistant Director of Agriculture (Animal Health and Production) for the purposes of this regulation, and receipt of the said sum by the Ministry of Primary Industries shall be a condition precedent to the issue of the tags.

*(Inserted by Legal Notice 22 of 1981.)*

*Identifying number to be entered on record.*

**7D.** The owner of every vehicle or vessel used for transporting cattle shall enter in the record required to be kept under regulation 7B the identifying number of every animal required to be tagged pursuant to regulation 7C.

*(Inserted by Legal Notice 22 of 1981.)*

*Cattle not to be transported on roads between 10 p.m. and 4 a.m.*

**7E.** No cattle shall be transported by road vehicle between the hours of 10 p.m. and 4 a.m. except with the written permission of a Veterinary Officer of the Ministry of Primary Industries.

*(Inserted by Legal Notice 22 of 1981.)*

*Transport of small animals by road*

**8.-(1)** This regulation applies to the carriage of sheep, pigs, goats and poultry by road.

(2)

(a) Where a number of sheep, pigs or goats are carried which is insufficient to fill the interior of the vehicle a batten of sufficient width shall be affixed across the vehicle to enclose the animals in the minimum space required;

(b) sheep and goats may be restrained by tying with a head rope to the side of the vehicle, but pigs shall not be restrained by tying in any manner;

(c) the vehicle shall not be overcrowded so as to be likely to cause injury or unnecessary suffering to animals carried;

(d) in journeys of over 8 hours animals other than poultry shall be supplied with fresh drinking water;

(e) where only one or 2 sheep, pigs or goats are carried each animal may be carried singly in a suitable crate. The crates shall be so fixed as to prevent falling off the vehicle whilst in motion;

(f) animals shall be protected from the sun or weather as far as is practicable and shall

be supplied with fresh drinking water immediately before loading;

(g) poultry shall be carried only in suitable and suitably ventilated receptacles;

(h) a receptacle containing poultry may be placed on another such receptacle only if sufficient ventilation is left for each receptacle;

(i) poultry shall not be restrained by tying by either one or 2 legs;

(j) in journeys of over 6 hours poultry other than day-old chicks shall be supplied with fresh drinking water;

(k) poultry shall be protected from the sun or weather as far as is practicable.

(3) In the event of a breach of any of the provisions of this regulation by another person the driver of the vehicle shall also be guilty of an offence, and the owner of the vehicle shall also be guilty of an offence unless he proves that the offence took place without his knowledge and that he took all reasonable precautions to ensure compliance with this regulation.

*(Substituted by Regulations 7 May 1959.)*

#### *Transport of small animals by air*

9.-(1) This regulation applies to the carriage of sheep, pigs, goats and poultry by air.

(2)

(a) Animals shall be carried only in suitable receptacles;

(b) animals shall be carried only in such parts of an aircraft as are sufficiently ventilated, and receptacles containing animals shall be disposed so as to allow sufficient ventilation to reach each receptacle, and so as to afford access to each receptacle for inspection;

(c) receptacles shall be secured so as not to be shifted whilst the aircraft is in motion;

(d) a receptacle containing animals may be placed on another such receptacle only if sufficient ventilation is left for each receptacle;

(e) no animal carried in a receptacle shall be restrained by tying in any manner;

(f) animals shall not be overcrowded so as to be likely to cause injury or unnecessary suffering;

(g) receptacles containing animals shall be protected from the sun or weather whilst awaiting loading.

(3) In the event of a breach of any of the provisions of this regulation by another person the captain of the aircraft (except in the case of a breach of sub-paragraph (g) of paragraph (2)) shall also be guilty of an offence, and the owner of the aircraft shall also be guilty of an

offence unless he proves that the offence took place without his knowledge and that he took all reasonable precautions to ensure compliance with this regulation.  
(Substituted by Regulations 7 May 1959.)

*Penalty*

**10.** Any person committing a breach of any of these Regulations shall be liable on conviction to a fine not exceeding \$200.  
(Amended by Legal Notice 22 of 1981.)

**SCHEDULE**

(Regulation 7B(1)) (Inserted by Legal Notice 22 of 1981.)

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**THE TRANSPORT OF ANIMALS REGULATIONS**

(Regulation 7B)

**CATTLE MOVEMENT RECORDS**

Name and official No. of vessel .....  
(or) Licence No. of vehicle..... Owner.....  
Date .....  
Collected From .....Delivered to .....  
.....  
.....

| <b>TAG NO:</b> | <b>SEX:</b> | <b>COLOUR:</b> |
|----------------|-------------|----------------|
|                |             |                |

*Controlled by Ministry of Primary Industries*