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ANIMAL WELFARE ACT 2002 - SECT 19

19. Cruelty to animals

(1) A person must not be cruel to an animal.

Penalty: Minimum — \$2 000.

Maximum — \$50 000 and imprisonment for 5 years.

(2) Without limiting subsection (1) a person, whether or not the person is a person in charge of the animal, is cruel to an animal if the person —

- (a) tortures, mutilates, maliciously beats or wounds, abuses, torments, or otherwise ill-treats, the animal;
- (b) uses a prescribed inhumane device on the animal;
- (c) intentionally or recklessly poisons the animal;
- (d) does any prescribed act to, or in relation to, the animal; or
- (e) in any other way causes the animal unnecessary harm.

(3) Without limiting subsection (1) a person in charge of an animal is cruel to an animal if the animal —

- (a) is transported in a way that causes, or is likely to cause, it unnecessary harm;
- (b) is confined, restrained or caught in a manner that —
 - (i) is prescribed; or
 - (ii) causes, or is likely to cause, it unnecessary harm;
- (c) is worked, driven, ridden or otherwise used —
 - (i) when it is not fit to be so used or has been over used; or
 - (ii) in a manner that causes, or is likely to cause, it unnecessary harm;
- (d) is not provided with proper and sufficient food or water;
- (e) is not provided with such shelter, shade or other protection from the elements as is reasonably necessary to ensure its welfare, safety and health;
- (f) is abandoned, whether at the place where it is normally kept or elsewhere;
- (g) is subjected to a prescribed surgical or similar operation, practice or activity;
- (h) suffers harm which could be alleviated by the taking of reasonable steps;
 - (i) suffers harm as a result of a prescribed act being carried out on, or in relation to, it; or
- (j) is, in any other way, caused unnecessary harm.

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