

Hier is 'n uittreksel van die Wet op Dierebeskerming van kaptein Louis Visser, woordvoerder van die Oudtshoorn-polisie aan ons verskaf het:

2. Offences in respect of animals.—(1) Any person who—

(a)

overloads, overdrives, overrides, ill-treats, neglects, infuriates, tortures or maims or cruelly beats, kicks, goads or terrifies any animal; or
[Para. (a) substituted by s. 13 (a) of Act No. 7 of 1991.]

Wording of Sections

(b)

confines, chains, tethers or secures any animal unnecessarily or under such conditions or in such a manner or position as to cause that animal unnecessary suffering or in any place which affords inadequate space, ventilation, light, protection or shelter from heat, cold or weather; or

(c)

unnecessarily starves or under-feeds or denies water or food to any animal; or

(d)

lays or exposes any poison or any poisoned fluid or edible matter or infectious agents except for the destruction of vermin or marauding domestic animals or without taking reasonable precautions to prevent injury or disease being caused to animals; or

(e)

being the owner of any animal, deliberately or negligently keeps such animal in a dirty or parasitic condition or allows it to become infested with external parasites or fails to render or procure veterinary or other medical treatment or attention which he is able to render or procure for any such animal in need of such treatment or attention, whether through disease, injury, delivery of young or any other cause, or fails to destroy or cause to be destroyed any such animal which is so seriously injured or diseased or in such a physical condition that to prolong its life would be cruel and would cause such animal unnecessary suffering; or

(f)

uses on or attaches to any animal any equipment, appliance or vehicle which causes or will cause injury to such animal or which is loaded, used or attached in such a manner as will cause such animal to be injured or to become diseased or to suffer unnecessarily; or

(g)

save for the purpose of training hounds maintained by a duly established and registered vermin club in the destruction of vermin, liberates any animal in such manner or place as to expose it to immediate attack or danger of attack by other animals or by wild animals, or baits or provokes any animal or incites any animal to attack another animal; or

(h)

liberates any bird in such manner as to expose it to immediate attack or danger of attack by animals, wild animals or wild birds; or

(i)

drives or uses any animal which is so diseased or so injured or in such a physical condition that it is unfit to be driven or to do any work; or

(j)

lays any trap or other device for the purpose of capturing or destroying any animal, wild animal or wild bird the destruction of which is not proved to be necessary for the protection of property or for the prevention of the spread of disease; or

(k)

having laid any such trap or other device fails either himself or through some competent person to inspect and clear such trap or device at least once each day; or

(l)

except under the authority of a permit issued by the magistrate of the district concerned, sells any trap or other device intended for the capture of any animal, including any wild animal (not being a rodent) or wild bird, to any person who is not a bona fide farmer; or

(m)

conveys, carries, confines, secures, restrains or tethers any animal—

(i)

under such conditions or in such a manner or position or for such a period of time or over such a distance as to cause that animal unnecessary suffering; or

(ii)

in conditions affording inadequate shelter, light or ventilation or in which such animal is excessively exposed to heat, cold, weather, sun, rain, dust, exhaust gases or noxious fumes; or

(iii)

without making adequate provision for suitable food, potable water and rest for such animal in circumstances where it is necessary; or

[Para. (m) substituted by s. 13 (b) of Act No. 7 of 1991.]

Wording of Sections

(n)

without reasonable cause administers to any animal any poisonous or injurious drug or substance; or

(o)

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[Para. (o) deleted by s. 2 of Act No. 42 of 1993.]

Wording of Sections

(p)

being the owner of any animal, deliberately or without reasonable cause or excuse, abandons it, whether permanently or not, in circumstances likely to cause that animal unnecessary suffering; or

(q)

causes, procures or assists in the commission or omission of any of the aforesaid acts or, being the owner of any animal, permits the commission or omission of any such act; or

(r)

by wantonly or unreasonably or negligently doing or omitting to do any act or causing or procuring the commission or omission of any act, causes any unnecessary suffering to any animal; or

(s)

kills any animal in contravention of a prohibition in terms of a notice published in the Gazette under subsection (3) of this section,

[Para. (s) inserted by s. 21 (b) of Act No. 102 of 1972.]

shall, subject to the provisions of this Act and any other law, be guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding twelve months or to such imprisonment without the option of a fine.

[Sub-s. (1) amended by s. 3 of Act No. 54 of 1983, by s. 5 of Act No. 20 of 1985, by s. 13 (c) of Act No. 7 of 1991 and by s. 2 of Act No. 33 of 1997.]

Wording of Sections

(2) For the purposes of subsection (1) the owner of any animal shall be deemed to have permitted or procured the commission or omission of any act in relation to that animal if by the exercise of reasonable care and supervision in respect of that animal he could have prevented the commission or omission of such act.

2A. Animal fights.—(1) Any person who—

(a)

possesses, keeps, imports, buys, sells, trains, breeds or has under his control an animal for the purpose of fighting any other animal;

(b)

baits or provokes or incites any animal to attack another animal or to proceed with the fighting of another animal;

(c)

for financial gain or as a form of amusement promotes animal fights;

(d)

allows any of the acts referred to in paragraphs (a) to (c) to take place on any premises or place in his possession or under his charge or control;

(e)

owns, uses or controls any premises or place for the purpose or partly for the purpose of presenting animal fights on any such premises or place or who acts or assists in the management of any such premises or place, or who receives any consideration for the admission of any person to any such premises or place; or

(f)

is present as a spectator at any premises or place where any of the acts referred to in paragraphs (a) to (c) is taking place or where preparations are being made for such acts,
shall be guilty of an offence and liable on conviction to a fine or imprisonment for a period not exceeding two years.

(2) In any prosecution in terms of subsection (1) it shall be presumed, unless the contrary is proved, that an animal which is found at any premises or place is the property or under the control of the owner of that premises or place, or is the property or under the control of the person who uses or is in control of the premises or place.

(3) Notwithstanding anything to the contrary contained in any law, a magistrate's court shall have jurisdiction to impose any penalty provided for in this section.