

A BILL

To

Amend the Prevention of Cruelty to Animals Ordinance and the Prevention of Cruelty to Animals Regulations to increase the penalty for cruelty to animals.

Enacted by the Legislative Council.

1. Short title

This Ordinance may be cited as the Prevention of Cruelty to Animals (Amendment) Ordinance 2006.

2. Penalty for cruelty to animals

Section 3(1) of the Prevention of Cruelty to Animals Ordinance (Cap. 169) is amended by repealing “of \$5,000 and to imprisonment for 6 months” and substituting “at level 6 and to imprisonment for 12 months”.

3. Orders by magistrate

Section 5(4) is amended by repealing “of \$5,000 and to imprisonment for 6 months” and substituting “at level 6 and to imprisonment for 12 months”.

4. Power to make regulations

(1) Section 8(1) is amended by repealing everything after “such place” and substituting a full stop.

(2) Section 8 is amended by adding—

“(1A) Regulations made under subsection (1) may provide that a contravention of a specified provision of the regulations is an offence punishable by a fine not exceeding level 4 and, in the case of a continuing offence, a further fine not exceeding \$200 for every day during which the offence continues.”.

Prevention of Cruelty to Animals Regulations

5. Regulation amended

Regulation 21(1) of the Prevention of Cruelty to Animals Regulations (Cap. 169 sub. leg. A) is amended—

- (a) by repealing “of \$2,000 or” and substituting “at level 4 and”;
- (b) by repealing “the sum” and substituting “to a further fine”.

Explanatory Memorandum

The purpose of this Bill is to increase the maximum penalty for the offences under the Prevention of Cruelty to Animals Ordinance (Cap. 169) and the Prevention of Cruelty to Animals Regulations (Cap. 169 sub. leg. A).

- 2. Clauses 2 and 3 increase the maximum penalty for the offences under the Ordinance to a fine at level 6 and to a term of imprisonment of 12 months.
- 3. Clause 4 increases the maximum penalty that may be prescribed under the Regulations and clarifies the fine imposed in respect of a continuing offence.
- 4. Clause 5 increases the maximum penalty for the offences under the Regulations to a fine at level 4.