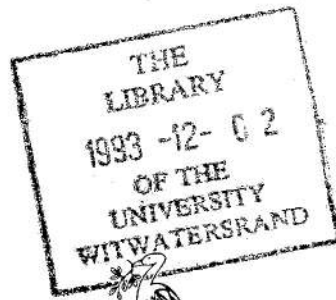


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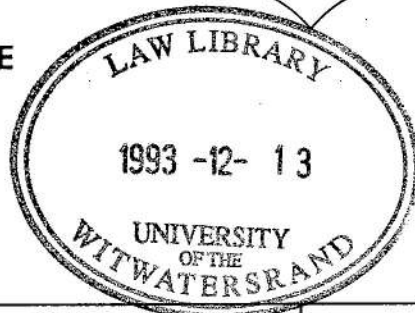
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DEPARTMENT OF THE COUNCIL OF STATE

GOVERNMENT NOTICE No. 94 OF 1993

It is hereby notified that the Chairman of the Council of State has assented to the following decree which is hereby published for general information:-

ANIMALS AMENDMENT DECREE, 1993
(Decree No. 27 of 1993)

COUNCIL OF STATE — REPUBLIC OF CISKEI

ANIMALS AMENDMENT DECREE, 1993

DECREE

To amend the Animals Protection Act, 1986, the Pounds Act, 1984, the Animal Diseases Act, 1986 and the Restriction of Livestock on Public Roads Decree, 1990.

[English text signed by the Chairman of the Council of State. Assented to on 1 November 1993.]

BE IT DECREED by the Council of State of the Republic of Ciskei, as follows:-

1. Amendment of section 1 of Act 20 of 1986. — Section 1 of the Animals Protection Act, 1986 (hereinafter referred to as the principal Act) is hereby amended -

- (a) by the substitution for the definition of "Minister" of the following definition:
" 'Minister' means the Minister of Justice;";
- (b) by the substitution in the definition of "police official" for the expression "Ciskeian Road Traffic Act, 1977 (Act 10 of 1977)" of the expression "Ciskeian Road Traffic Act, 1989 (Act 18 of 1989)";
- (c) by the insertion after the definition of "train" of the following definition:
" 'vermin' means problem animals within the meaning of section 18 of the Nature Conservation Act, 1987 (Act 10 of 1987) and 'vermin club' shall be construed accordingly;";
- (d) by the substitution for the definition of "veterinarian" of the following definition:
" 'veterinarian' means a veterinarian registered as such in accordance with law;";

2. Amendment of section 2 of Act 20 of 1986. — Section 2 of the principal Act is hereby amended in subsection (1) -

- (a) by the substitution for paragraph (a) of the following paragraph:
"(a) overload, overdrive, override, illtreat, neglect, infuriate, torture, maim or terrify or cruelly beat, kick or goad any animal; or"
- (b) by the substitution in subparagraph (i) of paragraph (e) for the words "dirty or parasitic condition" of the words "a dirty or parasitic condition";
- (c) by the substitution in subparagraph (ii) of paragraph (e) for the words "deliver of young" of the words "delivery of young";
- (d) by the substitution for paragraph (m) of the following paragraph:
"(m) convey, carry, confine, secure, restrain or tether 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 the sun, wind or rain or other inclement weather, or to heat, cold or dust or exhaust gases or noxious fumes; or
 - (iii) without making adequate provision for food, water and rest for that animal; or"

3. Amendment of certain laws. — The laws mentioned in the Schedule are hereby amended as indicated therein.

4. Short title. — This decree shall be called the Animals Amendment Decree, 1993.

ANIMALS AMENDMENT DECREE, 1993

SCHEDULE

LAWS AMENDED

(section 3)

1. The Pounds Act, 1984 (Act 43 of 1984) amended -
 - (a) in section 1 -
 - (i) by the substitution for the definition of "by-laws" of the following definition:
" 'by-law' means a by-law of a municipal council made or adopted, or deemed to have been made or adopted, under Chapter 16 of the Municipal Act;";
 - (ii) by the deletion of the definition of "Gazette";
 - (iii) by the substitution for the definition of "Municipal Ordinance" of the following definition:
" 'Municipal Act' means the Municipal Act, 1987 (Act 17 of 1987);";
 - (iv) by the substitution for the definition of "municipal pound" of the following definition:
" 'municipal pound' means a pound established or deemed to have been established in terms of section 164 of the Municipal Act;";
 - (v) by the substitution for the definition of "owner" of the following definition:
" 'owner', in relation to any animal, includes an agent of or caretaker for the owner and any other person in lawful possession, of such animal;";
 - (vi) by the substitution for the definition of "police official" of the following definition:
" 'police official' means any member of the Ciskeian Police and includes a traffic officer as defined in section 1 of the Ciskeian Road Traffic Act, 1989 (Act 18 of 1989);";
 - (vii) by the substitution for paragraph (b) of the definition of "poundmaster" of the following paragraph:
" (b) to a municipal pound, means a poundmaster appointed under section 164(1)(b) of the Municipal Act;";
 - (viii) by the substitution for the definition of "stallion" of the following definition:
" 'stallion' means any male horse, mule or donkey, which has not been castrated, whether wholly or partially;";
 - (b) in section 5, by the substitution in subsection (1) for the expression preceding paragraph (a) of the following expression:
"Subject to the provisions of this Act and the Animal Diseases Act, 1986 (Act 21 of 1986)-"; and
 - (c) in section 17 -
 - (i) by the substitution in paragraph (a) of subsection (2) for the words "Municipal Ordinance" of the words "Municipal Act"; and
 - (ii) by the substitution in paragraph (b) of subsection (2) for the expression "section 190 of the Municipal Ordinance" of the expression "Chapter 16 of the Municipal Act".
2. The Animal Diseases Act, 1986 (Act 21 of 1986) amended -
 - (a) in section 6, by the substitution for subparagraph (ii) of the following paragraph:
" (ii) shall in respect of any animal or animal product referred to in section 16(1) of the Livestock Improvement Act, 1977 (Act 25 of 1977) or any animal contemplated in Chapter 6 of the Agricultural Development Act, 1989 (Act 14 of 1989) be issued only if the authority or approval contemplated in the provision concerned has been granted; and"; and

ANIMALS AMENDMENT DECREE, 1993

- (b) in section 16, by the substitution for subparagraph (i) of paragraph (a) of subsection (1) of the following subparagraphs:

“(i) enter upon any land; or

(ii) order to stop and enter upon or board and take control of any conveyance at any place in Ciskei or within its territorial waters as defined in section 1 of the Territorial Waters Act, 1986 (Act 12 of 1986).”.

3. The Restriction of Livestock on Public Roads Decree, 1990 (Decree 49 of 1990) amended -

- (a) in section 1 -

- (i) by the substitution for the definition of “police official” of the following definition:

“‘police official’ means any member of the Ciskeian Police and includes a traffic officer as defined in section 1 of the Ciskeian Road Traffic Act, 1989 (Act 18 of 1989);” and

- (ii) by the substitution for the definition of “public road” of the following definition:

“‘public road’ means a public road as defined in section 1 of the Ciskeian Road Traffic Act, 1989.”; and

- (b) by the substitution for section 5 of the following section:

“5. Saving. — The provisions of this decree shall be in addition to, and not in substitution for, the provisions of section 99 of the Ciskeian Road Traffic Act, 1989.”.

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