

South Australia

Prevention of Cruelty to Animals Variation Regulations 2007

under the *Prevention of Cruelty to Animals Act 1985*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Prevention of Cruelty to Animals Variation Regulations 2007*.

2—Commencement

These regulations will come into operation on 1 September 2007.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Prevention of Cruelty to Animals Regulations 2000*

4—Variation of regulation 8—Use of certain other electrical devices for controlling animals

- (1) Regulation 8(b) and (c)—delete paragraphs (b) and (c) and substitute:
 - (b) subject to these regulations, apply an electrical prod or goad to an animal.
- (2) Regulation 8—after its present contents as amended by this regulation (now to be designated as subregulation (1)) insert:
 - (2) A person may only apply an electrical prod or goad (whether or not switched on) to an animal in the following circumstances:
 - (a) if the animal is to be used or is being used in a rodeo event and the prod or goad complies with, and is applied to the animal in accordance with, Part 3A;
 - (b) in any other case—
 - (i) the animal is of the genus *Sus*, *Bos* or *Bubalus*; and
 - (ii) the prod or goad is not applied to the face, udders or genitals of the animal; and
 - (iii) the prod or goad is applied as sparingly as possible and (in any event) with restraint.

5—Insertion of Part 3A

After regulation 13B insert:

Part 3A—Regulation of rodeos

13C—Interpretation

In this Part—

animal handling equipment means bridles, whips, prods and goads (whether electrical or not), ropes and any other article used to handle or direct an animal or to get an animal to move;

application means an application for a permit to conduct a rodeo;

designated permit holder means the person designated in an application as the person who will be conducting the rodeo;

designated person, in relation to a rodeo, means—

- (a) the designated permit holder; or
- (b) the designated rodeo judge; or
- (c) the designated rodeo veterinary surgeon; or
- (d) the designated stock contractor;

designated rodeo judge means the person designated in an application as the person who will officiate as the judge at the rodeo, or, if that person does not do so, the person who acts in the place of that person;

designated rodeo veterinary surgeon means the veterinary surgeon designated in an application as the veterinary surgeon who will provide veterinary treatment at the rodeo, or, if that veterinary surgeon does not do so, the veterinary surgeon who acts in the place of that veterinary surgeon;

designated stock contractor means the person designated in an application as the stock contractor who will provide horses and cattle for the rodeo events, or, if that stock contractor does not do so, the person who acts in the place of that stock contractor;

rodeo event means any of the following events:

- (a) saddle bronc riding;
- (b) bareback bronc riding;
- (c) bull riding;
- (d) steer riding;
- (e) roping or tying;
- (f) team roping;
- (g) steer wrestling.

13D—Only horses and cattle to be used in rodeo events

It is an offence to use an animal other than a horse or cattle in a rodeo event.

Maximum penalty: \$1 250.

13E—Permit to conduct rodeo

- (1) An application for a permit to conduct a rodeo must be made at least 28 days before the day on which it is proposed to conduct the rodeo.
- (2) The application must contain the name and address of—
 - (a) the designated permit holder; and
 - (b) the designated rodeo judge; and
 - (c) the designated rodeo veterinary surgeon; and
 - (d) the designated stock contractor,and be signed by the designated permit holder.

13F—General requirements for conducting rodeos

- (1) A person must not conduct a rodeo at a venue at which there is not sufficient fixed fencing so as to ensure (so far as is reasonably practicable) the safety of competitors and other participants, spectators and animals at the rodeo.
Maximum penalty: \$1 250.
- (2) A person conducting a rodeo must ensure that the fencing (whether fixed or portable) erected at the venue where the rodeo is to be conducted is designed, constructed and maintained so that—
 - (a) it minimises the risk of injury to animals at the rodeo; and
 - (b) it is clearly visible to animals at the rodeo; and
 - (c) each chute is at least 0.75 metres wide at the gate end of the chute; and
 - (d) it facilitates the quiet and efficient handling of animals at the rodeo.Maximum penalty: \$1 250.
- (3) A person conducting a rodeo must ensure that no rodeo event is conducted unless the arena and arena surface at the venue where the rodeo is to be conducted are suitable for the purposes of the event.
Maximum penalty: \$1 250.
- (4) A person conducting a rodeo must ensure that no rodeo event is conducted at the rodeo unless—
 - (a) the designated rodeo veterinary surgeon is in attendance during the event; and
 - (b) appropriate transport is available to transport sick, lame or injured animals from the rodeo.Maximum penalty: \$1 250.
- (5) A person conducting a rodeo must ensure that a copy of these regulations is made available free of charge at the rodeo for inspection by the competitors, the designated rodeo judge, the designated rodeo veterinary surgeon and the designated stock contractor.
Maximum penalty: \$1 250.
Expiation fee: \$160.

13G—Inspections by designated rodeo judge

The designated rodeo judge for a rodeo must, before the rodeo is conducted, carry out the following inspections at the venue where the rodeo is to be conducted to ensure compliance with this Part:

- (a) an inspection of the animals to be used in the rodeo events;
- (b) an inspection of the arena and arena surface;

- (c) an inspection of the fencing (both fixed and portable).

Maximum penalty: \$1 250.

13H—Regulation of use and care of rodeo animals

- (1) The designated stock contractor for a rodeo must ensure that each animal supplied by the stock contractor that is to be used in a rodeo event complies with the following requirements:
- (a) the animal must have a body weight of at least 200 kilograms;
 - (b) the animal must not be sick, lame, injured or suffering from defective eyesight;
 - (c) the animal, if female, must not have dependant offspring at foot;
 - (d) any horse to be used in a rodeo event that involves bucking must be at least 3 years of age;
 - (e) any animal to be used in a rodeo event that involves wrestling, roping or tying the animal must have a body weight of at least 200 kilograms but less than 300 kilograms;
 - (f) the animal must be otherwise fit to be used in the rodeo event.

Maximum penalty: \$1 250.

- (2) The designated stock contractor for a rodeo must also ensure that—
- (a) horses supplied by the stock contractor are penned and managed in separate enclosures from cattle supplied by the stock contractor during transport to and from the rodeo; and
 - (b) an animal is removed from the arena immediately following the rodeo event in which the animal is used; and
 - (c) an animal is immediately removed from a chute if—
 - (i) the animal fails to enter the arena from the chute within 60 seconds after the chute gate to the arena is opened; or
 - (ii) more than once, the animal goes down on a knee in the chute or part of the animal's hindquarters from or above the animal's hock touches the ground in the chute; or
 - (iii) more than once, the animal attempts to jump from, climb out of, or otherwise escape from, the chute; or
 - (iv) the animal is obviously distressed; or
 - (v) the designated rodeo judge or designated veterinary surgeon so orders; and

- (d) no animal supplied by the stock contractor is used in more than 3 rodeo events in a day; and
- (e) an animal supplied by the stock contractor that is used in a day in 1 of the following rodeo events is not used on the same day in either of the other 2 rodeo events:
 - (i) roping or tying;
 - (ii) team roping;
 - (iii) steer wrestling; and
- (f) an aggressive animal or an animal that is injured is managed in such a manner as to minimise harm (or further harm) occurring to the animal, a person or any other animal; and
- (g) the attention of the designated rodeo veterinary surgeon is immediately drawn to any sick or injured animal.

Maximum penalty: \$1 250.

- (3) Without limiting the generality of subregulation (1)(f), an animal will be taken not to be fit to be used in a rodeo event if, in the opinion of the designated rodeo judge or designated rodeo veterinary surgeon, the animal is not fit to be so used.

13I—Requirements and prohibitions relating to equipment

- (1) A person must not attach a flank strap to an animal that is to be used or is being used in a rodeo event unless the flank strap—
 - (a) is lined, soft and flexible, with a quick release mechanism; and
 - (b) is set such that the lined portion of the strap covers the flanks and the belly of the animal.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (2) A person must not use an animal in a rodeo event that involves roping, tying or wrestling the animal unless the animal's horns are properly wrapped to protect the animal's ears, eyes and horn base from injury.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (3) A person must not use on an animal, or include in the equipment worn by or attached to an animal, that is to be used or is being used in a rodeo event, any sharp or cutting object.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (4) A person must not—
- (a) use animal handling equipment with the intent to excite an animal before the animal enters the arena for a rodeo event;
or
 - (b) otherwise misuse animal handling equipment on an animal at a rodeo (whether or not during a rodeo event).

Maximum penalty: \$1 250.

13J—Special restrictions relating to use of electrical prods and goads

- (1) A person must not apply an electrical prod or goad (whether or not switched on) to the face, udders or genitals of an animal that is to be used or is being used in a rodeo event.
- (2) A person must not apply an electrical prod or goad (whether or not switched on) to an animal that is to be used or is being used in a rodeo event unless—
 - (a) the prod or goad is more than 30 centimetres in length; and
 - (b) the prod or goad is not connected to an external power source; and
 - (c) the prod or goad is applied as sparingly as possible and (in any event) with restraint; and
 - (d) in the case where the animal is in a chute prior to entering the arena—the prod or goad is only applied if—
 - (i) the animal fails to leave the chute immediately the chute gate to the arena is opened; or
 - (ii) the animal goes down on a knee in the chute; or
 - (iii) part of the animal's hindquarters from or above the animal's hock touches the ground in the chute; or
 - (iv) the animal is leaning on the side of the chute or the chute gate; or
 - (v) the use of the prod or goad is otherwise necessary to protect the animal or a person from injury.

13K—Reports to Minister on conduct of rodeo

- (1) Within 21 days after the completion of a rodeo, the designated permit holder must forward to the Minister a written report about the conduct of the rodeo, including—
 - (a) the name and address of any person who acted in the place of a designated person at the rodeo; and
 - (b) the report of the designated rodeo judge; and

- (c) the report of the designated rodeo veterinary surgeon.
Maximum penalty: \$1 250.
Expiation fee: \$160.
- (2) The report of the designated rodeo judge must include details—
 - (a) of the number and type of rodeo events and the animals used at the rodeo; and
 - (b) of any contravention of or non-compliance with these regulations that has come to his or her attention; and
 - (c) of any action taken to correct any such contravention or non-compliance.
- (3) The report of the designated rodeo veterinary surgeon must include details—
 - (a) of any injury to an animal that occurred at the rodeo; and
 - (b) of any veterinary treatment for sickness or injury provided to an animal at the rodeo; and
 - (c) of any contravention of or non-compliance with these regulations that has come to his or her attention; and
 - (d) of any action taken to correct any such contravention or non-compliance.

6—Revocation of regulation 17

Regulation 17—delete the regulation

7—Variation of Schedule 2—Codes of practice

Schedule 2, item 25—delete item 25

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 16 August 2007

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