

A BILL

entitled

CARE AND PROTECTION OF ANIMALS AMENDMENT ACT 2018

WHEREAS it is expedient to amend the Care and Protection of Animals Act 1975;

Be it enacted by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Assembly of Bermuda, and by the authority of the same, as follows:

Citation

1 This Act, which amends the Care and Protection of Animals Act 1975 (the "principal Act"), may be cited as the Care and Protection of Animals Amendment Act 2018.

Amends section 8

2 Section 8 of the principal Act is amended by adding after subsection (1) the following—

"(1A) Where an officer of the Department or of a recognized society has reason to suspect that an animal has suffered cruelty in accordance with subsection (1), he may seize the animal pending final determination of the matter complained of under subsection (1)."

Inserts sections 8A and 8B

3 The principal Act is amended by inserting after section 8 the following—

"Entry on premises

8A An officer of the Department or of a recognized society for any purpose connected with the discharge of his duties under section 8(1A) shall have the right to enter at all reasonable times any premises used wholly or partially for the keeping or custody of an animal, and to remain on such premises for such time as may be necessary to determine if an act of animal cruelty has taken place, in contravention of section 8.

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### Inspection of premises

8B An officer of the Department or of a recognized society shall have the right to inspect, at all reasonable times, any premises used wholly or partially for the keeping or custody of an animal, and to remain on such premises for such time as may be necessary to determine if an act of animal cruelty has taken place, in contravention of section 8.”.

### Commencement

4 This Act comes into operation on such day as the Minister may appoint by notice published in the Gazette.

## CARE AND PROTECTION OF ANIMALS AMENDMENT BILL 2018

### EXPLANATORY MEMORANDUM

This Bill amends the Care and Protection of Animals Act 1975 (the “principal Act”) to provide powers for officers of the Department to seize animals, enter premises and to inspect premises to address animal cruelty.

Clause 1 provides the citation.

Clause 2 amends the principal Act to insert a new subsection (1A), which prescribes the power for an officer of the Department or of a recognized society to seize an animal suspected of suffering cruelty pending a final determination of the matter.

Clause 3 amends the principal Act to insert new sections 8A and 8B. Section 8A provides the power for an officer described under section 8(1A) to enter any premises used for the keeping or custody of an animal at all reasonable times and remain on the premises for the time that may be necessary to determine if an act of animal cruelty has taken place. Section 8B provides the power for an officer described under section 8(1A) to inspect any premises used for the keeping or custody of an animal and remain on the premises for the time that may be necessary to determine whether an act of animal cruelty has taken place.

Clause 4 is the commencement provision.