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The following Act was passed by Parliament on 5th November 2014 and assented to by the President on 12th December 2014:—

REPUBLIC OF SINGAPORE

No. 46 of 2014.

I assent.

TONY TAN KENG YAM,
President.
12th December 2014.



An Act to amend the Animals and Birds Act (Chapter 7 of the 2002 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act may be cited as the Animals and Birds (Amendment) Act 2014 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 2

2. The Animals and Birds Act (referred to in this Act as the principal Act) is amended by renumbering section 2 as subsection (1) of that section, and by inserting immediately thereafter the following subsection:

“(2) Nothing in this Act affects a police officer’s powers or duties under the Criminal Procedure Code (Cap. 68).”.

Amendment of heading of Part IV

3. Part IV of the principal Act is amended by inserting, immediately before the word “PREVENTION” in the Part heading, the words “ANIMAL WELFARE AND”.

Repeal and re-enactment of section 41 and new sections 41A, 41B and 41C

4. Section 41 of the principal Act is repealed and the following sections substituted therefor:

“Interpretation of this Part

41. In this Part, unless the context otherwise requires —

“animal” includes any beast, bird, fish or reptile, whether wild or tame;

“animal-related business” means —

(a) the operation of any place or establishment for the purpose of —

(i) using or holding animals for display, sport, entertainment, sale, breeding or conservation; or

- (ii) the care, boarding, grooming, treatment, vaccination, inoculation, training or destruction of animals, for reward;
- (b) the provision of any service relating to the care, boarding, grooming, treatment, vaccination, inoculation, training, transportation, capture or destruction of animals, for reward; or
- (c) the operation of any animal rescue or welfare organisation or facility,

but does not include any business in respect of animals intended for consumption;

“code of animal welfare” means any code of animal welfare issued, adopted or amended by the Director-General and in force under section 41A;

“owner”, in relation to an animal, includes a person in charge of the animal;

“person in charge”, in relation to an animal, means a person who has, whether permanently or on a temporary basis, the animal in the person’s possession, custody or control, or under the person’s care or supervision, and includes an individual who has the animal in such a manner in the course of the individual’s employment;

“reward” means any payment or other benefit (whether monetary or otherwise).

Codes of animal welfare

41A.—(1) The Director-General may, from time to time, for the purposes of this Part —

- (a) issue one or more codes of animal welfare;
- (b) adopt as a code of animal welfare, with or without any modification, any document (or any part of such document) prepared by any person in or outside Singapore; or

- (c) amend or revoke any code of animal welfare issued or adopted under this subsection,

with respect to the standards of care to be provided or observed in respect of any animal or class of animals.

(2) Upon issuing, adopting, amending or revoking a code of animal welfare under subsection (1), the Director-General must —

- (a) publish a notice of the issue, adoption, amendment or revocation, as the case may be, in such manner as will secure adequate publicity for such issue, adoption, amendment or revocation;
- (b) specify the date of the issue, adoption, amendment or revocation, as the case may be, in the notice; and
- (c) ensure that the code of animal welfare (including any amendment made to the code of animal welfare) remains available for access or inspection without charge by the public.

(3) Any issue, adoption, amendment or revocation of a code of animal welfare under subsection (1) does not have any force or effect until the notice relating to it has been published in accordance with subsection (2)(a) and (b).

(4) If any provision of any code of animal welfare in force under this section is inconsistent with any provision of this Act or any rule made under this Act, the provision in the code of animal welfare does not, to the extent of the inconsistency, have effect.

(5) The Director-General may, either generally or for such time as the Director-General may specify, waive the application of any code of animal welfare (or any part of such code) issued, adopted or amended under this section to any animal owner or class of animal owners, or in respect of any animal or class of animals.

(6) Any code of animal welfare issued under this section shall be deemed not to be subsidiary legislation.

Use of codes of animal welfare in proceedings

41B.—(1) A person shall not be liable to any criminal proceedings by reason only that the person has failed to observe any provision of a code of animal welfare.

(2) In any criminal proceedings, any party to the proceedings may rely upon —

- (a) the failure of a person to comply with a provision of a code of animal welfare which applies to that person; or
- (b) that person's compliance with that provision,

as tending to establish or negate any liability which is in question in the proceedings.

Duty of care of animal owners

41C.—(1) Every owner of an animal —

- (a) must take reasonable steps to ensure that —
 - (i) the animal is provided with adequate and suitable food and water, taking into account its dietary needs;
 - (ii) the animal is provided with adequate shelter;
 - (iii) the animal is not kept in confinement, conveyed, lifted, carried or handled in a manner or position that subjects the animal to unreasonable or unnecessary pain or suffering; and
 - (iv) the animal is protected from, and rapidly diagnosed of, any significant injury or disease;
- (b) must not abandon the animal, or cause or permit the animal to be abandoned, whether permanently or temporarily, without reasonable cause or excuse;
- (c) in the case where the animal is missing, must make reasonable efforts to recover the animal; and
- (d) must take reasonable steps to ensure that the animal is cared for in accordance with the codes of animal welfare applicable to the animal.