DÁIL ÉIREANN

AN BILLE UM SHLÁINTE AGUS LEAS AINMHITHE, 2012
—AN ROGHCHOISTE

ANIMAL HEALTH AND WELFARE BILL 2012
—SELECT COMMITTEE STAGE

Leasuithe Breise agus Ionadacha
Additional and Substitute Amendments

SECTION 8
8. In page 11, subsection (1)(b)(ii), line 19, to delete “kept.” and substitute the following:

“kept,
having regard to shared boundaries or commonage.”.
—An tAire Talmhaíochta, Bia agus Mara.

[Note: This amendment is in substitution for amendment No. 8 on the principal list of amendments dated 7 November, 2012]

SECTION 14
25a. In page 16, subsection (3)(c), lines 27 and 28, to delete subparagraphs (ii) and (iii) and substitute the following:

“(ii) shelter and warmth,
(iii) adequate light and ventilation, and
(iv) adequate exercise.”.
—An tAire Talmhaíochta, Bia agus Mara.

SECTION 15
29a. In page 18, subsection (7), line 2, after “not,” to insert “save for an investigative purpose or”.
—An tAire Talmhaíochta, Bia agus Mara.

29b. In page 18, subsection (7), line 4, after “means” to insert “or supply, display, show or publish such”.
—An tAire Talmhaíochta, Bia agus Mara.
SECTION 16

31. In page 18, before section 16, to insert the following new section:

16.—(1) A person shall not carry out, or cause or permit another person to carry out, on an animal, an operation or procedure which involves interference with, or the removal of, the sensitive tissue or the bone structure of the animal—

(a) for a purpose other than veterinary treatment, unless the operation or procedure is carried out in accordance with—

(i) animal health and welfare regulations, or

(ii) regulations under section 54A (inserted by section 2 of the Veterinary Practice (Amendment) Act 2012) of the Veterinary Practice Act 2005,

(b) for cosmetic reasons, or

(c) in a manner that—

(i) obliterates or obscures any mark identifying the animal, or

(ii) renders the identification of the owner of the animal more difficult.

(2) A person shall not show an animal at an event to which members of the public have access, if an operation or procedure referred to in subsection (1) has been carried out on the animal other than in accordance with animal health and welfare regulations or regulations under section 54A of the Veterinary Practice Act 2005.

(3) A person who contravenes this section commits an offence.

(4) In this section “veterinary treatment” means treatment of an animal carried out by a veterinary practitioner or veterinary nurse (registered under the Veterinary Practice Act 2005), but does not include an operation or procedure—

(a) prohibited by subsection (1)(b) or (c) or animal health and welfare regulations, or

(b) the subject of animal health and welfare regulations, but carried out other than in accordance with those regulations.

(5) Nothing in the Veterinary Practice Act 2005 renders—

(a) lawful anything done in contravention of animal health and welfare regulations, or

(b) unlawful anything done in accordance with subsection (1).”.

—An tAire Talmhaíochta, Bia agus Mara.

[Acceptance of this amendment involves the deletion of section 16 of the Bill.]

[Note: This amendment is in substitution for amendment No. 31 on the principal list of amendments dated 7 November, 2012]

SECTION 19

35u. In page 21, subsection (7), line 24, after “section” to insert “or section 20”.
SECTION 23

43a. In page 23, line 38, to delete subsection (5) and substitute the following:

“(5) In forming an opinion for the purposes of subsection (2), an authorised officer may, among other considerations, have regard to—

(a) veterinary or other reputable opinion or advice which may be of general application or, in a particular instance, be obtained remotely, or

(b) a code of practice.

(6) A person who contravenes subsection (1) commits an offence.”.

SECTION 25

49a. In page 25, subsection (2), lines 2 and 3, to delete paragraphs (f) and (g) and substitute the following:

“(f) the provision of housing and shelter for animals,

(g) allowing animals to exhibit their natural and normal behaviour, or

(h) safeguarding animals from environmental hazards.”.

SECTION 52

89. In page 48, subsection (2), line 15, to delete “16(4)” and substitute “16(3)*”.

[Note: This is a reference to the subsection proposed to be inserted by amendment 31 -circulated on this list of amendments.]

[Note: This amendment is in substitution for amendment No. 89 on the principal list of amendments dated 7 November, 2012]

89a. In page 48, subsection (2), line 15, to delete “23(5)” and substitute “23(6)*”.

[Note: This is a reference to the subsection proposed to be inserted by amendment 43a -circulated on this list of amendments.]

SECTION 73

94a. In page 61, subsection (2), line 34, after “subsection (1)” to insert the following:

“but may not exceed the cost of providing the service, estimated by the Minister, to which the fee relates”.

[Note: This amendment is in substitution for amendment No. 89 on the principal list of amendments dated 7 November, 2012]