

Memorandum by the Minister of JusticeAnimal Welfare

In 1958 a Committee, called the Animal Welfare Committee was appointed "to study what measures, including any legislative and administrative changes, should be taken in connexion with animal welfare in these islands".

The Committee submitted its report in June, 1959 to the Legal and Administrative Assistant (Red 12 on OPM/942/58) and as the draft legislation recommended in the report was left by the previous administration at the Attorney-General's Office, it is perhaps time that some progress should be made in the matter as the R.S.P.C.A. is very anxious that that legislation should be adopted.

The legislation in question consists of the following:-

- a) A Bill to amend the Code of Police Laws.
- b) A Bill to amend the Criminal Code.
- c) Disembarkation of Animals (Minimum Standards) Regulations.

Copies of the drafts are attached.

Draft A deals with animal fighting, the unnecessary clipping of dogs' ears, ill-treatment of watch dogs and failure to provide domestic animals with sufficient food and water.

Draft B deals with the shooting of doves or pigeons.

Draft C deals with the minimum standards to be observed in the disembarkation of animals.

It is proposed that the Draft Regulations at C should be approved for immediate publication and that the Draft Bills at A and B should be approved for presentation in the Legislative Assembly at a more opportune moment.

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A B I L L  
entitled

AN ACT further to amend the Code of Police Laws,  
Cap. 13.

ENACTED by the Legislature of Malta:-

Short title.

1. This Act may be cited as the Code of Police Laws (Amendment) Act, 1963. and shall be read and construed as one with the Code of Police Laws, hereinafter referred to as "the principal law".

Amendment of section 139 of the principal law.

2. Subsection (3) of section 139 of the principal law shall be repealed.

Insertion of new section 139A in the principal law.

3. Immediately after section 139 of the principal law there shall be inserted the following section:-

"Fighting of animals etc.

139A. (1) It shall be an offence for any person -

- (a) to cause, procure or assist at the fighting of any animal or to be in control of any place designed or adapted for use in connection with the fighting of any animal;
- (b) except for good cause the proof whereof shall lie on such person, to clip a dog's ears or to cause, procure or assist at the clipping of a dog's ears;
- (c) to keep a watch-dog in the open unless it is provided with protection from the sun, rain and cold by means of a wooden or stone structure and unless it is given sufficient regular exercise;
- (d) to fail to provide the domestic animals in his possession with a sufficient quantity of water and proper food.

(2) Any person who commits any of the offences referred to in subsection (1) of this section shall be deemed to have used cruelty to animals.

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(3) In the case of a conviction for an offence under paragraph (a) of subsection (1) of this section the Court may, besides awarding punishment, make such order for the disposal of the animal or animals to which the offence relates as the Court thinks fit, even though such animal or animals do not belong to the accused."

Amendment of section 189 of the principal law.

4. In paragraph (c) of section 189 of the principal law, immediately after the words "the provisions of this Part" there shall be added the words "or against paragraph (a) of section 354 of the Criminal Code."

Objects and Reasons

The object of this Bill is to deal more effectively with certain specific forms of cruelty to animals and to provide special sanctions for certain specific acts of cruelty.

31st January, 1963.

A B I L L  
entitled

AN ACT further to amend the Criminal Code,  
Cap. 12.

ENACTED by the Legislature of Malta:-

Short title.

1. This Act may be cited as the Criminal Code (Amendment) Act, 1963 and shall be read and construed as one with the Criminal Code, hereinafter referred to as "the principal law".

Inserts new section 355B in the principal law.

2. Immediately after section 355A of the principal law there shall be inserted the following section:-

"Disqualification on conviction under section 354(a). 355B. On conviction for a contravention under paragraph (a) of section 354, the Court shall, besides awarding punishment, order the offender to be disqualified for holding or obtaining a licence to carry a fire-arm of the type used in the commission of the contravention for a period of twelve months."

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Objects and Reasons

The object of this Bill is to provide for the disqualification of any person who is convicted of shooting doves or pigeons belonging to other persons for holding or obtaining a Police licence to carry a fire-arm of the type in question for a period of twelve months.

## CODE OF POLICE LAWS (CAP.13)

Disembarkation of Animals (Minimum Standards)  
Regulations, 1963

Date of commencement:

IN exercise of the powers conferred by section 152 of the Code of Police Laws, the Governor has made the following regulations:-

- Citation. 1. These regulations may be cited as the Disembarkation of Animals (Minimum Standards) Regulations, 1963.
- Interpretation. 2. In these regulations, unless the context otherwise requires -  
 "animal" means horse, ass, mule, bull or cow;  
 "cow" includes pregnant heifer;  
 "disembark" means disembark from a vessel on which animals are carried by sea to a port or other place in Malta, and "disembarked" shall be construed accordingly;  
 "Malta" includes the Islands of Gozo and Comino.
- Offences. 3. It shall be an offence for any person to disembark or to cause to be disembarked any animal unless the minimum standards prescribed by these regulations are satisfied.
- Disembarkation of horses, asses, mules and bulls. 4. (1) Horses, asses, mules and bulls shall be disembarked by means of slings protected by such material, as, in the opinion of the Principal Government Veterinary Surgeon, will prevent chafing.  
 (2) Horses, asses and mules shall be individually disembarked.  
 (3) Bulls may be disembarked in pairs.
- Disembarkation of cows. 5. Each cow shall be disembarked in a portable box.
- Injured or wild animals. 6. If any animal has a broken limb or is otherwise seriously injured or is in a wild state so as to be incapable of being disembarked in accordance with the provisions of these regulations, the person in

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charge of the disembarkation shall forthwith inform a Government Veterinary Surgeon and the animal shall thereafter be disembarked or slaughtered in accordance with such directions as shall be given by such Government Veterinary Surgeon.