

## Penalty Summary: Animal Welfare Act 1985 (SA)

The information in this table is current as at October 2023.

Gaol terms are maximums and courts may order less and are in addition to any fine. Fines are in addition to court costs and levy.

### [Animal Welfare Act 1985 \(SA\)](#)

Section	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
13(1)	Ill-treatment of animals causing death or serious harm	4 years	\$50,000
13(2)	Ill-treatment of animals	2 years	\$20,000
14	<p><b><i>Prohibited activities</i></b></p> <ul style="list-style-type: none"> <li>• Organised animal fights</li> <li>• Live baiting</li> <li>• Releasing an animal from captivity to be hunted or killed</li> <li>• Selling or supplying an animal for the above purposes</li> <li>• Keeping or preparing an animal for the above purposes</li> </ul>		
14(1)	Taking part in a prohibited activity	4 years	\$50,000
14(2)	Being present at a place where a prohibited activity is occurring	2 years	\$20,000
14AA(1)	Organising, promoting or participating in jumps racing	2 years	\$20,000
14A	Possessing certain items relating to animal fighting without approval of the Minister	2 years	\$20,000
15	Using electrical device to confine or control animal contrary to regulations	1 year	\$10,000

15A	Taking reasonable steps to ensure animal owner is informed of injury to animal in motor vehicle accident	-	\$5,000 Expiation fee: \$315
16	Unlicensed use of animal for teaching or research If a natural person If a body corporate	- -	\$10,000 \$50,000
19(4)	Contravening condition of licence to teach or research involving animals If a natural person If a body corporate	- -	\$10,000 \$50,000 Minister may also revoke or suspend licence: s 22
25(4)	Failing to comply with animal ethics committee conditions If a natural person If a body corporate	- -	\$10,000 \$50,000
29	Failing to return inspector identity card after ceasing to be an inspector	-	\$2,500 Expiation fee: \$210
31B	Refusing or not complying with a direction or requirement in an animal welfare notice	-	\$2,500 Expiation fee: \$210
31E	Hindering or obstructing inspector	-	\$5,000
32A	Failing to comply with court order made on conviction of offence	-	\$5,000
34	Holding a rodeo without a permit or contravening the permit	-	\$5,000
34A	Making a false or misleading statement knowing it was false or misleading in any other case	2 years -	\$10,000 \$5,000

[Animal Welfare Regulations 2012 \(SA\)](#)

Regulation	Offence	Imprisonment (maximum penalty)	Fine (maximum penalty)
5	Non-compliance with code of practice	-	\$2,500 Expiation fee: \$210
7	Selling, leasing, lending an electroimmobiliser without genuine certificate	-	\$2,500 Expiation fee: \$210
9	Using steel jaw traps	-	\$2,500 Expiation fee: \$210
10	Using silicone gel to catch or deter birds	-	\$2,500 Expiation fee: \$210
11	Research using certain substances	-	\$2,500
15	Using animal other than horse or cattle in rodeo event	-	\$2,500 Expiation fee: \$210
17	Regulation of rodeos insufficient safe fencing fencing not designed to minimise risk of injury to animals arena and surface not suitable for event rodeo veterinary surgeon not in attendance, regulations not available etc	- - - -	\$2,500 \$2,500 \$2,500 \$2,500 Expiation fee: \$210
18	Failure of rodeo judge to conduct inspections	-	\$2,500 Expiation fee: \$210
19	Failure to comply with requirements concerning the fitness of an animal used in a rodeo event	-	\$2,500 Expiation fee: \$210
20	Breach of requirements and prohibitions relating to equipment (flank strap, wrapping horns etc.)	-	\$2,500 Expiation fee: \$210
20(4)	Use of animal handling equipment with intent to excite animal or other misuse	-	\$2,500

22	Failure to give domestic fowls reasonable access to water and food	-	\$2,500
23	Failure to comply with regulations concerning caging of domestic fowls	-	\$2,500 Expiation fee: \$210
27	Contravening a condition of exemption	-	\$2,500 Expiation fee: \$210
28	Failure to keep written record of keeping a pig	-	\$2,500 Expiation fee: \$210
29	Day to day care of pigs Failure to provide adequate food and water Failure to administer colostrum after birth Failure to inspect pig to assess its health and wellbeing daily Failure to clear faeces and urine in the pig's housing, tether the pig, avoid exposure to dogs Failure to ensure carers of pigs are qualified and to establish a herd health program for the pig	- - - - -	\$2,500 \$2,500 \$2,500 Expiation fee: \$210 \$2,500 Expiation fee: \$210 \$2,500 Expiation fee: \$210
30	Failure to ensure medical or surgical procedure carried out by qualified person	-	\$2,500 Expiation fee: \$210
32	Individual pig housing	-	\$2,500 Expiation fee: \$210
33	Group pig housing	-	\$2,500 Expiation fee: \$210
34	Indoor housing for pigs	-	\$2,500 Expiation fee: \$210
38	Livestock not fit for transport	-	\$2,500 Expiation fee: \$210
39	Failure to advise receiver of livestock the estimated time of arrival	-	\$2,500 Expiation fee: \$210

40	Failure to minimise risk of harm due to impacts of weather	-	\$2,500
41	Failure to comply with regulations concerning livestock handling facilities	-	\$2,500 Expiation fee: \$210
42	Failure to comply with requirements for animal transport vehicles	-	\$2,500 Expiation fee: \$210
43	Failure to adequately handle livestock for transport	-	\$2,500 Expiation fee: \$210
44	Non-compliance with use of dogs for movement of livestock for transport	-	\$2,500 Expiation fee: \$210
45	Failure to comply with loading density of certain livestock during transport	-	\$2,500 Expiation fee: \$210
46	Density of emus, ostriches or poultry in containers	-	\$2,500 Expiation fee: \$210
47	Failure to comply with driver's duties when transporting livestock	-	\$2,500 Expiation fee: \$210
48	Failure of driver to keep records of transport of livestock	-	\$2,500 Expiation fee: \$210
49	Failure to spell livestock	-	\$2,500 Expiation fee: \$210
50 - 61	Failure to comply with regulations concerning transporting livestock Alpacas Buffalo Camels Cattle other than bobby calves Bobby Calves Deer Emus and ostriches Goats Horses Pigs Poultry Sheep	-	\$2,500 Expiation fee: \$210
63	Failure to minimise harm to cattle	-	\$2,500 (reg 63(2) is expiable: \$210)

64	Cattle facilities and equipment not fit for purpose	-	\$2,500
65	Inappropriate use of dogs with cattle	-	\$2,500 Expiation fee: \$210
66	Inappropriate identification of cattle	-	\$2,500 Expiation fee: \$210
67	Castration and spaying of cattle without appropriate analgesic	-	\$2,500 Expiation fee: \$210
68	Dehorning and disbudding of cattle without appropriate analgesic	-	\$2,500 Expiation fee: \$210
69	Breeding management of cattle by qualified persons only	-	\$2,500 Expiation fee: \$210
70	Health and wellbeing of calf in calf rearing system	-	\$2,500 Expiation fee: \$210
71	Health and wellbeing of lactating dairy cow	-	\$2,500 Expiation fee: \$210
72	Health and wellbeing of cattle in cattle feedlots	-	\$2,500 Expiation fee: \$210 (reg 72(3) is not expiable)
74	Failure to comply with general care requirements for sheep	-	\$2,500 (reg 74(5) is expiable: \$210)
75	Sheep facilities and equipment not fit for purpose	-	\$2,500
76	Inappropriate use of dogs for sheep	-	\$2,500 Expiation fee: \$210
77	Tail docking of sheep without appropriate analgesic	-	\$2,500 Expiation fee: \$210
78	Castration of sheep without appropriate analgesic	-	\$2,500 Expiation fee: \$210
79	Mulesing of sheep	-	\$2,500 Expiation fee: \$210
80	Artificial breeding procedures on sheep	-	\$2,500 Expiation fee: \$210
81	Health and wellbeing of sheep in intensive sheep production systems	-	\$2,500 Expiation fee: \$210

**Notes:**Offences by bodies corporate

Prescribed offences (offences against ss 13(1), (2), 14(1), (2), (4), or 40) committed by a body corporate attract the same penalty as is prescribed for the principal offence, subject to some exceptions: s 38.

Continuing offences

A person convicted of an offence in respect of a continuing act or omission is liable to a penalty for each additional day, which must not exceed one-tenth of the maximum penalty prescribed for the offence: s 39.

Vicarious liability of employers

If a person commits an offence in the course of their employment, their employer will be guilty of an offence and liable to the same penalty, unless they could not have prevented the offence: s 40.