

CAP. 47.

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CRUELTY TO ANIMALS

CHAPTER 47 OF THE LAWS

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1959

CHAPTER 47.

CRUELTY TO ANIMALS.

ARRANGEMENT OF SECTIONS.

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FOR THE PREVENTION OF CRUELTY TO ANIMALS.

1949 Cap.68.
18 of 54.

[15th February, 1910.]

Short title.

1. This Law may be cited as the Cruelty to Animals Law.

Interpreta-
tion.

2. In this Law—

“ animal ” means any domestic or captured animal or bird.

Acts and
omissions
which
amount to
cruelty and
penalties
therefor.
2 of 18/54.

3. (1) If any person shall—

(a) cruelly beat, kick, ill-treat, over-ride, over-drive, over-load, torture, infuriate, or terrify any animal, or shall cause to procure, or, being the owner, permit any animal to be so used, or shall, by wantonly or unreasonably doing or omitting to do any act, or causing or procuring the commission or omission of any act, cause any unnecessary suffering, or, being the owner, permit any unnecessary suffering to be so caused to any animal ; or

(b) convey or carry, or cause or procure, or, being the owner, permit to be conveyed or carried, any animal in such manner or position as to cause that animal any unnecessary suffering ; or

(c) wilfully, without any reasonable cause or excuse, administer, or cause or procure, or being the

owner permit, such administration of, any poisonous or injurious drug or substance to any animal, or shall wilfully, without any reasonable cause or excuse, cause any such substance to be taken by any animal ; or

(d) subject, or cause to procure, or being the owner permit, to be subjected, any animal to any operation which is performed without due care and humanity,

such person shall be guilty of an offence of cruelty within the meaning of this Law, and shall be liable to imprisonment for a period not exceeding three months or to a fine not exceeding twenty-five pounds, or to both such imprisonment and fine :

Provided that where at the commencement of a journey an animal is physically fit and in a healthy condition and a person continues to over-drive or over-ride such animal for the purpose of completing the journey when he has no reasonable opportunity of obtaining another animal for the purpose he shall not be deemed to have committed an offence against this Law.

(2) For the purposes of this section, an owner shall be deemed to have permitted cruelty within the meaning of this Law if he shall have failed to exercise reasonable care and supervision in respect of the protection of the animal therefrom :

Provided that, where an owner is convicted of permitting cruelty within the meaning of this Law by reason only of his having failed to exercise such care and supervision, he shall not be liable to imprisonment without the option of a fine.

4. Any person who shall unlawfully and maliciously kill, maim, wound or mutilate any animal shall be liable to imprisonment for any term not exceeding six months.

Penalty for malicious killing and wounding.

5. (1) If any person shall, by committing any offence under this Law, cause any damage or injury to be done to any animal or to any person or property he shall, on conviction, pay to the owner of the animal (if the offender is not the owner) or to the person who shall sustain damage or injury as aforesaid, such sum of money by way of compensation as the Court shall adjudge.

Compensation for damage done by cruelty to animals.

(2) The payment of such compensation or imprisonment for the non-payment thereof shall not prevent or in any manner affect the punishment to which the offender may be liable for or in respect of the ill-treating or mutilating of the animal.

(3) Nothing herein contained shall prevent any proceeding by action against the offender or his employer where the amount of the damage or injury is not sought to be recovered under this Law.

Governor in Council may make Regulations. 3 of 18/54.

6. The Governor in Council may from time to time make Regulations for the following purposes—

- (a) for ensuring for animals carried by sea or by air a proper supply of food and water and proper ventilation during the passage and on landing ;
- (b) for protecting animals from unnecessary suffering during embarkation and disembarkation ;
- (c) for securing a proper supply of water and food to animals during any detention thereof ;
- (d) for the seizure, detention and disposal (including slaughter) of stray dogs and cats and abandoned or starved animals, and for the recovery from the owners thereof of the expenses incurred in connection therewith ;
- (e) for the prevention of export of diseased or wounded animals or animals suffering with broken or dislocated limbs.

Reward to informer.

7. In any proceeding under this Law a Court may, if it so thinks fit, order that a portion of the fine inflicted upon the accused, not exceeding one-half thereof, shall be paid to the person, not being a police officer, who shall have given the information which shall have led to the conviction.

Complaints to be made within one month.

8. Every complaint under this Law shall be made within one month after the cause of complaint arises.

Disposal of fines.

9. Save in respect of such portions of fines recovered under this Law as may be awarded by the Court to persons under the provisions of this Law, all such fines so recovered shall be paid to the credit of the Committee of the Cyprus Branch of the Royal Society for the Prevention of Cruelty to Animals and shall be expended by such Committee for the purposes for which such Committee is formed.

10. In any proceeding under this Law the Court may order any animal in respect of which such proceeding is taken—

Power of Court to deal with animal.

- (a) to be destroyed by such person and in such manner as the Court shall think fit, if the Court is of opinion that the animal is mortally injured or so severely injured or so diseased or in such a physical condition that it is cruel to keep it alive ;
- (b) to be detained for treatment in such place and at such cost for detention and treatment as the Court may prescribe until it shall have recovered from its injury or ill-treatment.

11. If the owner of any animal ordered to be detained for treatment refuses or neglects to pay any cost in respect of such detention and treatment prescribed by the Court in manner prescribed by the Court, the Court may order such animal to be sold or destroyed. In the event of such animal being sold, the proceeds of sale shall be applied in payment of such cost as aforesaid ; and the surplus, if any, of the proceeds of sale shall, on the application of the owner within two months of the time when the animal ceases to be detained for treatment as aforesaid, be paid to him, and if such application shall not be made it shall be disposed of in such manner as the Court may direct.

Cost of detention and treatment.

12. If the owner of any animal shall be guilty of an offence under section 3, the Court, upon his conviction thereof, may, if it thinks fit, in addition to any other punishment, deprive such person of the ownership of the animal and may make such order as to the disposal of the animal as it thinks fit in the circumstances :

Court may deprive person convicted of cruelty of ownership of animal.
4 of 18/54

Provided that no order shall be made under this section, unless it is shown by evidence as to a previous conviction, or as to the character of the owner, or otherwise, that the animal, if left with the owner, is likely to be exposed to further cruelty.

