

Animal Welfare Act 2002

This Direction is issued under Section ~~40(1)(b)~~ ~~47(1)(d)~~ ~~47(1)(e)~~ 47(1)(j) of the Animal Welfare Act 2002.
(delete whichever is not applicable)

To (Name)

Of (Address)

I, Inspector Maureen Rogers
(Name of Inspector)

Hereby direct you within a period of 30 Days of the date and time
on this Notice to provide and continue to provide such shelter,
shade and any other protection from the elements to all horses
on this property to ensure the welfare, safety and health of
all the horses on this property is maintained this Direction
should be complied with by 10th January 2015.

This Direction must be complied with by (date / time): 10th January 2015 - 5:00pm.

This Direction was issued at: am / pm on: 10 / 12 / 2014 Job number: 83661

Person receiving Direction	Inspector issuing Direction
Name:	Name: <u>Maureen Rogers</u>
Signature:	Signature: <u>[Signature]</u>
Date: <u>10/12/14</u>	Date: <u>10/12/14</u>
Contact:	Contact: <u>or 9309 9328</u>
Direction issued (please circle) <u>By hand</u> By mail Other: <u>Not on table</u>	

Failure to comply with this Direction is an offence with a maximum fine of \$20,000 and imprisonment for one year.
You may object to a Direction in some circumstances in accordance with the provisions of Division 4 of Part 5 of the Animal Welfare Act 2002. See reverse for details.

Animal Welfare Act 2002

This is an official document and requires your immediate attention

Please read the document carefully. If there is anything that you do not understand then please contact the named inspector.

A direction by a general inspector under section 40 (in relation to care or treatment) and any direction under section 47 is a reviewable decision. A person aggrieved by a reviewable decision may object to the decision in accordance with section 72 of the *Animal Welfare Act 2002*. An objection is made by preparing it in the prescribed form and lodging it with the Minister for Agriculture within 28 days after the right to object arose (ie. when the direction notice was issued). The Minister has discretion to extend the period in which an objection may be lodged.

A copy of the objection form and further information about the process may be obtained at www.agric.wa.gov.au under animal welfare.

Alternatively, a person aggrieved by a reviewable decision may apply to the State Administrative Tribunal for a review of that decision in accordance with section 74 of the *Animal Welfare Act 2002*.

Please note:

You cannot object to or seek a review of a direction in relation to the provision of food, water or shelter for a direction issued under section 40(1) of the *Animal Welfare Act 2002*. All animals must be provided with proper and sufficient food and water. Animals must also be provided with such shelter, shade or other protection from the elements as is reasonably necessary to ensure their welfare, safety and health.

If a poor animal welfare outcome results from failing to comply with this direction notice, whether or not you have lodged an objection, then the animal/s that this direction notice refers to may be seized and you may be charged with animal cruelty. The minimum penalty for a person found guilty of animal cruelty is \$2000 and the maximum penalty is \$50,000 and 5 years imprisonment.

For the information of the Recipient of this direction notice, relevant parts of provisions of the *Animal Welfare Act 2002* relating to direction notices are as follows:

40. Care of animals

(1) An inspector may —

- (a) provide to an animal; or
- (b) direct a person in control of an animal to provide to the animal,

any food, water, shelter, care or treatment the inspector considers necessary to ensure the welfare, safety and health of the animal.

(2) A person must comply with a direction given under subsection (1)(b).

Penalty: \$20 000 and imprisonment for one year.

47. Other powers of inspectors

(1) Subject to sections 38, 39, 42 and 43, for the purposes of this Act an inspector may —

- (d) direct a person to take an animal to a specified place, or to put it in a specified vehicle, within a specified time;
- (e) direct a person not to remove an animal from a specified place or vehicle for a specified period;

(j) give any directions to a person in control of an animal that the inspector considers are necessary to protect the welfare, safety and health of the animal;

(2) An inspector exercising, or proposing to exercise, a power under this section must, if asked by a person who is or will be affected by the exercise of the power, explain why the inspector is exercising the power.

(3) A person must comply with a requirement or direction made under subsection (1)(a) to (j).

Penalty: \$20 000 and imprisonment for one year.