

House of Representatives  
**Supplementary Order Paper**

**Tuesday, 17 February 2015**

**Animal Welfare Amendment Bill**

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*Proposed amendments*

Mojo Mathers, in Committee, to move the following amendments:

*New clause 31AB*

After *clause 31A* (page 18, after line 32), insert:

**31AB New section 85A inserted (Deprivation of life of non-human hominids)**

After section 85, insert:

**“85A Deprivation of life of non-human hominids**

“(1) Except in self-defence and the defence of others (including non-human hominids), no person, without prior approval in writing from the Director-General, may deprive a non-human hominid of life.

“(2) The Director-General must not give permission under **subsection (1)** unless satisfied that deprivation of life is in the best interests of the non-human hominid.

“(3) A person commits an offence who contravenes **subsection (1)**.”

*New clause 35A*

After *clause 35* (page 20, after line 15), insert:

**35A Section 119 amended (Penalties)**

In section 119, after “section 85(7)”, insert “or section 85A(3)”.

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### Explanatory note

This Supplementary Order Paper amends the Animal Welfare Act 1999. *New clause 31AB* inserts *new section 85A* and *new clause 35A* amends section 119. These amendments provide for a prohibition on killing of non-human hominids and a penalty for the offence. Section 85 of the Animal Welfare Act 1999 prohibits experimentation on non-human hominids. But, by itself, this leaves non-human hominids that can no longer be used for that purpose at greater risk of being killed and more vulnerable to other abuse and to exploitation. A prohibition on killing will also protect non-human hominids in captivity who cease to have a commercial value. The killing ban safeguards the lives of non-human hominids and affirms that it is fundamentally wrong to kill beings who are mentally on a par with young children. As with the experimentation ban, the Director-General has the power to allow the deprivation of life, if it is “in the best interests of the individual” non-human hominid. This allows for mercy killing.

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