



# Protection of Animals Act 1911

## 1911 CHAPTER 27 1 and 2 Geo 5

### <sup>F1</sup>1 Offences of cruelty.

[<sup>F1</sup>(1) If any person—

- (a) shall cruelly beat, kick, ill-treat, over-ride, over-drive, over-load, torture, infuriate, or terrify any animal, or shall cause or 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) shall 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) shall cause, procure, or assist at the fighting or baiting of any animal; or shall keep, use, manage, or act or assist in the management of, any premises or place for the purpose, or partly for the purpose of fighting or baiting any animal, or shall permit any premises or place to be so kept, managed, or used, or shall receive, or cause or procure any person to receive, money for the admission of any person to such premises or place; or
- (d) shall 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
- (e) shall 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; [<sup>F2</sup>or
- (f) shall tether any horse, ass or mule under such conditions or in such manner as to cause that animal unnecessary suffering;]

such person shall be guilty of an offence of cruelty within the meaning of this Act, and [<sup>F3</sup>shall be liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding level 5 on the standard scale, or both]

*Status: Point in time view as at 06/04/2007.*

*Changes to legislation: There are currently no known outstanding effects for the Protection of Animals Act 1911, Section 1. (See end of Document for details)*

- (2) For the purposes of this section, an owner shall be deemed to have permitted cruelty within the meaning of this Act 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 Act 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.
- (3) Nothing in this section shall render illegal any act lawfully done under [<sup>F4</sup>the <sup>M1</sup>Animals (Scientific Procedures) Act 1986], or shall apply—
- (a) to the commission or omission of any act in the course of the destruction, or the preparation for destruction, of any animal as food for mankind, unless such destruction or such preparation was accompanied by the infliction of unnecessary suffering; or
  - (b) to the coursing or hunting of any captive animal, unless such animal is liberated in an injured, mutilated, or exhausted condition; but a captive animal shall not, for the purposes of this section, be deemed to be coursed or hunted before it is liberated for the purpose of being coursed or hunted, or after it has been recaptured, or if it is under control [<sup>F5</sup>and a captive animal shall not be deemed to be coursed or hunted within the meaning of this subsection if it is coursed or hunted in an enclosed space from which it has no reasonable chance of escape.]]

#### Textual Amendments

- F1** Ss. 1-3 repealed (E.W.) (27.3.2007 for W., 6.4.2007 for E.) by [Animal Welfare Act 2006 \(c. 45\)](#), s. 68(3), [Sch. 4](#) (with ss. 1(2), 58(1), 59, 60); S.I. 2007/499, art. 2(2)(m); S.I. 2007/1030, art. 2(1)(m)
- F2** Words added by [Protection against Cruel Tethering Act 1988 \(c. 31, SIF 4:5\)](#), s. 1
- F3** Words substituted by [Protection of Animals \(Penalties\) Act 1987 \(c. 35, SIF 4:5\)](#), s. 1(1)(2)
- F4** Words substituted by [Animals \(Scientific Procedures\) Act 1986 \(c. 14, SIF 4:5\)](#), s. 27(2), [Sch. 3 para. 1](#)
- F5** Words added by [Protection of Animals Act \(1911\) Amendment Act 1921 \(c. 14, SIF 4:5\)](#), s. 1

#### Modifications etc. (not altering text)

- C1** S. 1 extended by [Animal Boarding Establishments Act 1963 \(c. 43, SIF 4:5\)](#), s. 3(3), and [Breeding of Dogs Act 1973 \(c. 60\)](#), s. 3(3)
- C2** S. 1 restricted by [Animals \(Scientific Procedures\) Act 1986 \(c. 14, SIF 4:5\)](#), s. 26(1)(b)
- C3** S. 1(1) amended as to imprisonment with hard labour by [Criminal Justice Act 1948 \(c. 58, SIF 39:1\)](#), s. 1(2)
- C4** S. 1(1)(e) extended by [Protection of Animals \(Anaesthetics\) Act 1954 \(c. 46, SIF 4:5\)](#), s. 1(1)
- C5** S. 1(3)(b) restricted (E.W.) (18.2.2005) by [Hunting Act 2004 \(c. 37\)](#), s. 15, [Sch. 2 para. 3](#) (with s. 12)

#### Marginal Citations

- M1** 1986 c. 14.

**Status:**

Point in time view as at 06/04/2007.

**Changes to legislation:**

There are currently no known outstanding effects for the Protection of Animals Act 1911, Section 1.