Animal Welfare and Protection as regulated in SA: Legislation under the auspices of the National Department of Agriculture, Forestry and Fisheries [DAFF]

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Socio-economic value of animals in the South Africa
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1. Socio-economic value of animals in the South Africa

➢ Sources of nutrients (milk & meat)
➢ Sporting & Recreation
➢ Culture & Religion
➢ Economic value
➢ Symbolism (Wealth & Status)
➢ Tourism / Leisure
➢ Social & therapeutic
2. Animal Welfare Definition

➢ ‘Means how an animal is coping with the conditions in which it lives. An animal is in a good state of welfare if (as indicated by scientific evidence) it is healthy, comfortable, well nourished, safe, able to express innate behaviour, and if it is not suffering from unpleasant states such as pain, fear, and distress.

• Good animal welfare requires:
  i. disease prevention and veterinary treatment,
  ii. appropriate shelter,
  iii. management,
  iv. nutrition,
  v. humane handling and
  vi. humane slaughter/killing.

• Animal welfare refers to the state of the animal

  Adopted from World Organisation of Animal Health (OIE)
3. **Strategic importance of Good Animal Welfare**

1. Improved animal productivity & health (reduced stress-related loses)

2. Improved food safety and security (healthy animals)

3. Improved international market access
   - National Development Plan (NDP)
   - Agricultural Policy Action Plan (APAP)

4. Improved economic growth contribution
4. **Existing Animal Welfare related legislation in South Africa**

1. **Performing Animals Protection Act, 1935 (Act 24 of 1935) as amended**
   - Department of Justice administered the Act until 2017
   - Sections 2 & 3 of the Act were declared unconstitutional (2013)
   - Sections 2 & 3 were amended in 2016 & DAFF assumed Act


   - Administered by the Department of Justice until 1994

   - Gives SPCAs powers to enforce Animals Protection Act

   - Abattoir slaughter welfare
5. OIE Audit on South African Veterinary Services (2012): Animal Welfare

❖ Animal Welfare related findings:
   i. the current legislation is outdated
   ii. legislation is not harmonized with OIE standards
   iii. there are no dedicated staff addressing animal welfare in Veterinary Service

❖ Animal Welfare related recommendations:
   i. Animal Welfare should be provided with a designated point of contact at national and provincial level
   ii. legislation should be updated to harmonize with OIE standards
6. **Animal Welfare Legislation Corrective Action Plan**

1. **The Veterinary Strategy and it’s Pillars**
   - Animal Welfare is an identified stand-alone strategic pillar
   - Review the structure to include Animal Welfare personnel

   - A group composed of national & provincial representatives steering Animal Welfare matters

3. **OIE sponsored Teramo / University of Pretoria Twinning Agreement / Project**
   - Regional / SADC Animal Welfare center for excellence
   - DAFF beneficiation / capacity building
7. Corrective Actions Progress report

1. PAPA Amendment Act of 2016:
   ❖ This was forced, but helped to create legislation drafting capacity
   ❖ PAPA was amended and now administered by DAFF

2. Draft Animal Welfare Bill (DAWB)
   ❖ The AWWG created a first version of the DAWB
   ❖ Experts on the OIE sponsored Teramo / University of Pretoria Twinning Project (April 2018) helped refine the DAWB
   ❖ AWWG members to update refined DAWB with further inputs
   ❖ Updated DAWB will be reviewed by experts on the Twinning Project

3. Review of the personnel structure
   ❖ New Animal Welfare structure has been proposed
8. Challenges

1. Staffing (vacancies & turn-over):
   • Vacant critical positions hinder effective application of existing legislation
   • Progress on on-going legislative review processes is hampered / slowed

2. Provincial Structure that do not mirror national structure:
   • Lack of dedicated animal welfare personnel in the provinces
   • Animal welfare becomes an ancillary responsibility, not a core function

3. Policy Development Framework:
   • Socio-Economic Impact Assessment System (SEIAS) processes are specialised activities beyond the competency of veterinarians

4. Change management:
   • Animal welfare issues challenge societal customs & traditions
9. Opportunities

1. Development of a widely consulted comprehensive animal welfare law

2. Incorporation (in-part or *in-toto*) of existing private welfare standards

3. Improvement of communication & increase awareness to animal welfare matters across the entire population

4. Address perceived biases in favour of some animal welfare organisations against others
10. Expected Outcomes of the Legislative Review

South African Animal Welfare legislation & standards aligned to OIE recommendations through:

1. Promotion of good animal welfare (positive)

2. Discouragement of animal welfare violations (negative)

3. Provision for standards development, adoption (private) & revision (progressiveness)

4. Effective Competent Authority oversight on animal welfare organisations
11. Conclusion

➢ South Africa has some animal welfare legislation whose application may be described as inadequate

➢ The successful amendment of PAPA was a learning and capacity building exercise valuable for the development of the Animal Welfare Bill

➢ Progress with the development of the Animal Welfare Bill is satisfactory and the OIE sponsored Twinning Project assistance is worthy.
End

Thank you