



## LAW OF ANIMALS AMENDMENT ACT 1985

No. 15 of 1985

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**AN ACT to amend the Law of Animals Act 1962.**

[Royal Assent 1 May 1985]

**BE** it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

**1**—This Act may be cited as the *Law of Animals Amendment Act* Short title.  
1985.

Principal Act.      **2**—In this Act, the *Law of Animals Act 1962\** is referred to as the Principal Act.

Amendment of long title to Principal Act.      **3**—The long title to the Principal Act is amended by omitting “ certain enactments relating to trespass by ” and substituting “ and reform certain enactments and rules of common law relating to ”.

Amendment of section 2 of Principal Act (Interpretation).      **4**—Section 2 of the Principal Act is amended by omitting the definition of “ animal ”.

Insertion in Principal Act of new Part IV.      **5**—After Part III of the Principal Act, the following Part is inserted:—

## PART IV

### ANIMALS STRAYING ON TO A HIGHWAY

Interpretation: Part IV.      **18**—In this Part, “ damage ” includes the death of, or injury to, a person.

Liability for negligence for animals straying on to a highway.      **19**—(1) So much of the common law relating to liability for negligence as excludes or restricts the duty which a person may owe to others to take reasonable care to see that damage is not caused by an animal straying on to a highway is hereby abolished.

(2) The common law as amended by subsection (1) applies in respect of damage caused on or after the commencement of the *Law of Animals Amendment Act 1985* by an animal straying on to a highway.

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\* No. 70 of 1962. Subsequently amended by No. 55 of 1965 and No. 75 of 1973.