

Dear South Africa is a network of online platforms designed to facilitate government and encourage the public to participate in unbiased decision-making processes or policy formation at SOE, municipal, provincial and national levels.



Draft Animals Protection Amendment Bill

11 September 2020 to 11 October 2020

enviro expert | environmental expert coalition

Mr. Steven Swart, MP acting in accordance with section 73(2) of the Constitution of the Republic of South Africa, 1996, intends to introduce the Animals Protection Amendment Bill, 2020, in Parliament. An explanatory summary of the Bill is hereby published in accordance with Rule 276(1)(c) of the Rules of the National Assembly (9th Edition).

In its current form, the Animals Protection Amendment Bill, 2020 ("draft Bill") therefore seeks to amend two Acts:

- The Animals Protection Act, 1962, (Act No. 71 of 1962) ("Animals Protection Act"), and
- The Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972) ("Foodstuffs and Cosmetics Act").
- The amendment intends to prohibit the sale and manufacturing of cosmetics that were tested on an animals in the Republic and to criminalise the testing of cosmetics on animals.

The above notice in relation to Draft Animals Protection Amendment Bill was released on 11 September 2020 where the closing date for public participation was set to 11 October 2020.

Submissions and enquiries were directed to; speaker@parliament.gov.za , copied to sswart@parliament.gov.za and abouwer@parliament.gov.za. Representations could also be delivered to the Speaker, New Assembly Building, Parliament Street, Cape Town; mailed to the Speaker, P O Box 15 Cape Town 8000.

Dear South Africa's (DearSA's) Enviro Expert Coalition hosted a participation project through our mobile and online platform to facilitate, educate and encourage public participation and comment to shape this amendment.

<https://dearsouthafrica.co.za/animalsprotection/>

Included on the web page was:

- 1 - the published Amendment (notice of intention to introduce the Draft Bill) and related documents as downloadable PDFs
- 2 - a live view of public comments (with a counter and breakdown reflecting number of participants)
- 3 - video summaries
- 4 - links to relevant media articles
- 5 - a portal which posed a single question (with the option of three responses)
- 6 - a comment facility to provide input on the Amendment




Each public entry was individually delivered to speaker@parliament.gov.za , copied to sswart@parliament.gov.za and abouwer@parliament.gov.za. DearSA also captured all public entries which have been used to produce this report.

Note: In order to accurately reflect public comment, DearSA's projects are unbiased and hold no partisan opinion or agenda. Raw captured data is attached as an Excel file.

A total of **5709** comments were received by the set closing date of 11 October 2020 (included in the Excel file). This report reflects the entries received by the closing date.

Questions presented;

Do you support the proposed Animals Protection Amendment Bill?

	Yes, I do	[5110 selected]	89.51%
	No, I do not	[91 selected]	1.59%
	Not fully	[508 selected]	8.90%





Comments

The participants are encouraged to provide comment to justify their selection in order to help shape the policy amendment.

Of the “Yes, I do” comments, the participants in this campaign agreed to the proposed amendments which formed the majority view of the public.

A common theme that shows throughout is that animals require better protection in our country where offenders are given harsher sentencing if guilty. Over the years South Africa has seen animal abuse cases rising across all spheres in relation to dog fighting, illegal poaching, animal testing, ill treatment in captivity and more.

The public do not agree to animals being tested on for cosmetic, foodstuff or disinfectant purposes as the animals suffer both physically and emotionally. It was also highlighted that the living conditions of animals in any form of lab or similar facility are not suitable and can cause the animals long term damage and distress. The animals are being exploited and abused purely for commercial gain.

Further to this, the public have also shown that in live animal trade and export to other countries, the problem can be perpetuated where animals may be used in testing facilities abroad.

Suggestions from the “Yes, I do” comments included;

- 1 – In addition to these amendments, this ban should also be extended to facilities that offer living environments that don't cater to the animal's welfare and well-being.

Of the “Not Fully” comments, the public in this category supported the proposed amendments but stated that more should be done to protect the animals. Although this amendment is a step in the right direction, it is not sufficient to combat the extent of the abuse that animals face daily. Many other countries have banned animal testing and South Africa's legislation should follow suit and be formalised accordingly.

Majority of the Not Fully comments carried conditions, including:

- 1 – Harsher sentencing should be introduced in relation to any acts of animal cruelty which should reflect on a formal criminal record.
- 2 – This ban should be extended to include the animal export and trade where the buyer's purpose of use for the animal must be disclosed prior to any purchases.
- 3 – Resources and strategic programs should be allocated by government to monitor and report on any animal abuse (including animal testing).
- 4 - Animal care and welfare should be introduced into the educational syllabus so that children can learn from a young age how to care for and handle animals. Our fauna and flora biodiversity and conservation create a large amount of wealth in the South African economy and this should be considered when teaching our youth.



Of the “No I do not” comments, the participants' submitted a variety of interpretations to the proposed amendments.

A portion of this public in this category did not agree as they felt that by proposing this legislation, there are still many other sectors that are omitted where the facilities encourage animal abuse and that these amendments should include those types of environments too.

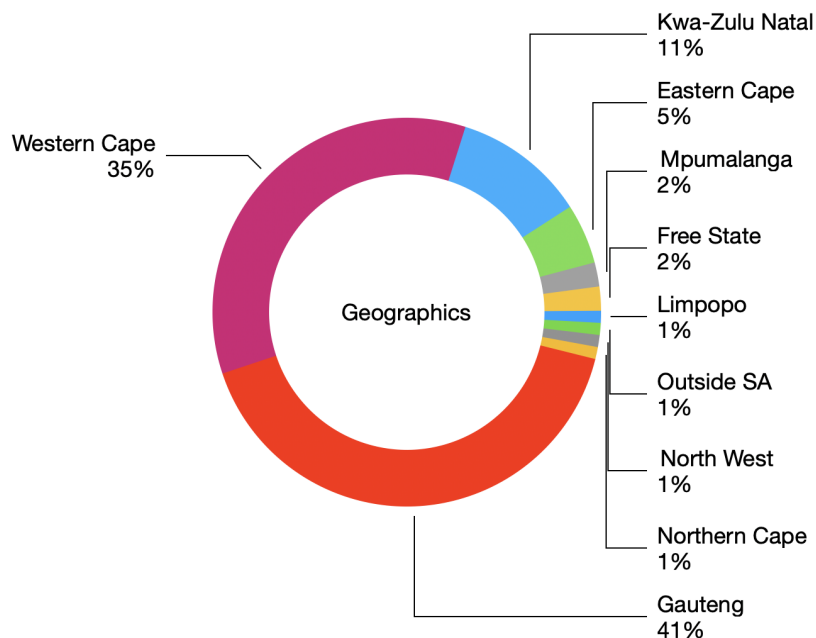
On the contrary, some of the public raised the viewpoint that people's lives should be put above the lives of the animals and that product testing is necessary to make sure a product is safe for human consumption or utilisation. Humanising animals is not viewed as a solution to closing the societal gaps amongst the human race.

Another finding from these views is that the public have a few questions relating to the proposed amendments in line with the following:

- How will the current justice system effectively control and police these amendments in day-to-day operations?
- Should this not rather be managed by market pressures and informed/ ethical product purchases i.e. more detailed product labelling about the origin of the product?

Demographics

Comments originated from all provinces with the greatest input arising from Gauteng, followed by Western Cape and KZN. Demographics can be further broken down into comment options (yes, no, not fully) per region upon request.



Thank you

Chloe Roberts - Environmental Expert Coalition

Rob Hutchinson - Dear South Africa