

Animal welfare laws and regulation - what we can expect in 2024

By [Rui Lopes](#) and [Michael Jenkins](#)

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Currently, animal welfare in South Africa is legally protected by the Animal Protection Act No. 71 of 1962, which prohibits animal cruelty on all domestic and wild animals in captivity or under the control of humans, and the Performing Animals Act 1935, amended in 2016, which requires the training of animals for exhibitions or performance to be licensed.



Rui Lopes, animal welfare specialist and Equity Principal & Head of Africa Relations at Lopes Attorneys

Despite a number of standards set by the South African Bureau of Standards (SABS) stated to protect certain species of animals and provide them with further protection, there is the urgent need for significant improvement within the legislative and regulatory framework of South Africa to substantively and adequately address animal welfare standards and concerns.

In 2024, here are the main trends that are expected:

Anticipated Animal Welfare Bill

There will be strong debate in 2024 around the much-anticipated Animal Welfare Bill. It is hoped that the Bill will be one which is progressive and, although unlikely, it is hoped that it will essentially ban the sale and manufacturing of cosmetics that were tested on animals in South Africa and to criminalise the testing of cosmetics on animals, which is being done at a rapid pace internationally.

Although this bill is still in the discussion phase, there is no doubt that animal welfare organisations will be pushing for progress on it. Opposition is to be expected from government through this process.

The game meat strategy

The highly contentious Game Meat Strategy (GMS) was approved in September 2023. The driving force behind the GMS is a game meat industry that will support rural economies and nature, whilst at the same time contributing to food security and a purported “sustainable use” of biodiversity.

The GMS will be one of the biggest trends for 2024, from an animal welfare perspective as the GMS allows for ranching and harvesting of a wide list of animals. A close read of the provisions indicate that the GMS is a pseudo hunting regulation which attempts to bypass the current hunting regulations.



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Advanced livestock production systems and animal welfare

There has been an increasing move towards sourcing animal products from ethical sources. A few of the major retailers in South Africa already mark their products as ethically sourced. In 2024, we expect that in order to use the term “ethically sourced” to describe a livestock production, members of the public will expect a higher degree of animal welfare within the production system, which is welcomed.

Furthermore, focusses on and adherence to ESG standards require a higher degree of scrutiny of supply chains, ensuring that suppliers are licensed appropriately and adhere to such ethical practices with a key focus on animal welfare. It is hoped that we continue to see a growing awareness of the role played by animal welfare in ESG.

Commercial pressure into “animal welfare” commitments and judicial precedent

There have already been a number of judgments in recent years that have advanced animal welfare. Some of the key takeaways from these judgments include that animals are sentient beings and the importance of animal welfare.

For 2024, we expect a continuation of such ground-breaking judgments and furthermore that these judgments will be used by various organisations to increase the pressure to ensure that any commercial operation that involves animals, such as factory farms amongst others, conforms to animal welfare standards.

Export of livestock set to continue

The controversial practice of exporting livestock by sea is expected to continue in 2024. Many of the exports are to the Middle East and occur during the Northern Hemisphere summer months. Several organisations have already made attempts to halt this practice.

It is expected that the ships are expected to make more trips to South Africa this year and that there will be more intensive attempts to halt the practice of live export.

Protection of marine environments and the declining penguin population

Overfishing and contamination has led to a sharp decline in the health of South Africa’s marine environments with the current KZN E.coli crises being one example.

There is no doubt that in 2024 the link between overfishing and the declining penguin population in South Africa will be in the spotlight.

Many organisations will aim to bring more attention to this decline as well as also placing more pressure on government to enforce the legislation that is intended to curb harmful practices such as overfishing, and it is hoped that rapid and effective interventions occur in this regard.



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Compliance (Tops Nemba)

Compliance is one of the key factors in ensuring animal welfare. In recent years, numerous examples of non-compliance with various pieces of animal welfare legislation and regulations have been uncovered across all industries, including farming and hunting.

Attempts will be made throughout 2024 by various organisations to ensure improved animal welfare compliance. In terms of the ongoing rhino horn crises facing South Africa, 2024 will see the continued calls from groups for the legalisation of rhino horn trade, which too may lead to contentious and heated debate.

Captive breeding of lions

The South African government will continue its discussion around voluntary exit options for those engaged in captive lion breeding.

A lion task team was set up by the Department of Environment, Forestry and Fisheries (DFFE) in 2023, with the aim of exploring these voluntary exit options. It is hoped that this ongoing process will be finalised with measures aimed at effectively curbing and halting the captive breeding of lions within the country.

Just transition

The recent COP 28 meeting highlighted South Africa's ongoing commitment to the just energy transition (JET), which involves transitioning to low carbon economy at a managed pace.

In 2024, there will more discussion around JET and its implementation. At COP 28, round table discussions were held around areas such as electrical generation, green hydrogen, and skills development.

Economy

The economic trajectory of 2024 will be a big trend in animal welfare. As South Africa's economy continues on a downward trend, there will be an uptick in abandoned and surrendered domestic animals. The economy will also have an effect on the funding of animal welfare organisations.

ABOUT THE AUTHOR

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