

Reprint
as at 1 August 2016



Animal Welfare (Forms) Regulations 1999 (SR 1999/391)

Michael Hardie Boys, Governor-General

Order in Council

At Wellington this 8th day of November 1999

Present:

His Excellency the Governor-General in Council

Pursuant to section 183 of the Animal Welfare Act 1999, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

These regulations are administered by the Ministry for Primary Industries.

Regulations

1 Title

These regulations may be cited as the Animal Welfare (Forms) Regulations 1999.

2 Commencement

These regulations come into force on 1 January 2000.

3 Search warrant

[Revoked]

Regulation 3: revoked, on 1 October 2012, by regulation 4 of the Animal Welfare (Forms) Amendment Regulations 2012 (SR 2012/230).

4 Infringement notices and reminder notices

- (1) An infringement notice issued under section 162 of the Animal Welfare Act 1999 must be in form 1 of the Schedule.
- (2) A reminder notice for an infringement offence for which an infringement notice has been issued under section 162 of the Animal Welfare Act 1999 must be in form 2 of the Schedule.

Regulation 4: replaced, on 1 August 2016, by regulation 14 of the Animal Welfare (Calves) Regulations 2016 (LI 2016/170).

Schedule

Infringement notices and reminder notices

r 4

Schedule: replaced, on 1 August 2016, by regulation 14 of the Animal Welfare (Calves) Regulations 2016 (LI 2016/170).

Form 1

Infringement notice

Section 162, Animal Welfare Act 1999

(Front page)

Notice number:

Details of person served

Full name or company name:

*Date of birth:

Trading name (if different to company name):

Physical address:

Post code:

Business address (if different to physical address):

Electronic address:

*Omit if the notice is served on a company.

Alleged infringement offence

Date of offence:

Time:

Location:

Fee payable to Director-General: \$

This is an infringement offence against [section or regulation number] of the [Act or regulation name].

Charge text: [narrative of events]

Issuing details

Date served:

Issuing inspector's warrant number:

Method infringement notice served by:

Procedure for payment of infringement fee

The infringement fee is payable within 28 days after [earliest date notice served personally or posted].

The infringement fee is payable to the Director-General of the Ministry for Primary Industries by any of the following methods: [*specify payment options*]

Important: Please read the information about infringement offences printed on the back of this notice.

[*Deposit slip is printed here.*]

(Back page)

Information about infringement offences

Note: If there is anything in these notes that you do not understand, you should consult a lawyer immediately.

1 Payment of infringement fee

If you pay the infringement fee for the alleged infringement offence within 28 days after the service of this notice, no further action in respect of the infringement offence will be taken. Payment should be made to the Director-General of the Ministry for Primary Industries in accordance with the instructions on the front page of this notice.

2 Further action

If you wish to raise any matter relating to the circumstances of the alleged offence, you should do so by writing to [*the informant*] at the address shown in the note at the end of this information within 28 days after the service of this notice.

3 Defences

You have a defence against any proceedings for the alleged infringement offence if you prove that the infringement fee has been paid to the Director-General of the Ministry for Primary Industries by one of the payment methods specified on the front of this notice within 28 days after the service of this notice. There may be additional defences available to you.

Note: Late payment, or payment by any other method, will not be a defence.

4 Right to request hearing

- (1) You have the right to request a hearing. A request for a hearing must be made in writing, be signed by you, and be delivered to [*the informant*] at the address shown in the note at the end of this information within 28 days after the service of this notice. If you request a hearing, you may deny liability for the offence or admit liability and make submissions as to penalty or any other matter.
- (2) If you deny liability for the offence, [*the informant*] will serve you with a notice of hearing setting out the place and time at which the matter will be heard by the court (unless [*the informant*] decides not to commence court proceedings).

Note: If the court finds you guilty of the offence, costs will be imposed in addition to any fine.

- (3) If you admit liability for the offence but want the court to consider your submissions, you should, in your request for a hearing,—
- (a) admit the offence; and
 - (b) set out the written submissions you wish the court to consider. [*The informant*] will then file your letter with the court (unless [*the informant*] decides not to commence court proceedings). There will be no oral hearing before the court if you follow this course of action.

Note: Any costs will be imposed in addition to any fine.

5 Consequences of taking no action

If you do not pay the infringement fee and do not request a hearing within 28 days after the service of this notice, you will be served with a reminder notice (unless [*the informant*] decides otherwise).

If you do not pay the infringement fee and do not request a hearing in respect of the alleged infringement offence within 28 days after the service of the reminder notice, you will become liable to pay costs in addition to the infringement fee (unless [*the informant*] decides not to commence court proceedings against you).

6 Questions and other correspondence

In any correspondence, please include—

- (a) the date of the infringement notice; and
- (b) the infringement notice number; and
- (c) the course of action you are taking in respect of the alleged offence; and
- (d) your full address for replies.

Note: All queries and all correspondence regarding this notice must be directed to [*specify full address*]. Further details of your rights and obligations are set out in sections 162 and 163 of the Animal Welfare Act 1999 and section 21 of the Summary Proceedings Act 1957.

Schedule form 1: replaced, on 1 August 2016, by regulation 14 of the Animal Welfare (Calves) Regulations 2016 (LI 2016/170).

Form 2
Reminder notice

Section 21(2), Summary Proceedings Act 1957

(Front page)

Notice number:

Details of person served

Full name or company name:

*Date of birth:

Trading name (if different to company name):

Physical address:

Post code:

Business address (if different to physical address):

Electronic address:

*Driver's licence:

Other identification (if no driver's licence):

Telephone number:

*Omit if the notice is served on a company.

Alleged infringement offence details

Date of offence:

Time:

Location:

Fee payable to Director-General: \$

This is an infringement offence against [section or regulation number] of the [Act or regulation name].

Charge text: [narrative of events]

Service details (to be provided for filing in court)

Date infringement notice served:

Issuing inspector's warrant number:

Reminder notice served by [method of service] on [date of service]

The last day for payment is [date], being 28 days from the date of service of the infringement notice recorded on this notice.

Procedure for payment of infringement fee

Infringement fees may be paid to the Director-General of the Ministry for Primary Industries by any of the following methods: [specify payment options]

Important: Please read the information about infringement offences printed on the back of this notice.

[*Deposit slip is printed here.*]

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Schedule form 2: replaced, on 1 August 2016, by regulation 14 of the Animal Welfare (Calves) Regulations 2016 (LI 2016/170).

Marie Shroff,
Clerk of the Executive Council.

Reprints notes

1 *General*

This is a reprint of the Animal Welfare (Forms) Regulations 1999 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Animal Welfare (Calves) Regulations 2016 (LI 2016/170): regulation 14

Animal Welfare (Forms) Amendment Regulations 2012 (SR 2012/230)