



## ANALYSIS

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1982, No. 150

**An Act to amend the Animals Act 1967**

[16 December 1982]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

**1. Short Title**—This Act may be cited as the Animals Amendment Act 1982, and shall be read together with and deemed part of the Animals Act 1967 (hereinafter referred to as the principal Act).

**2. Interpretation**—(1) Section 2 (1) of the principal Act is hereby amended by repealing the definition of the term “animal product”, and substituting the following definition:

“ ‘Animal product’ means any part of an animal (including the flesh, wool, hair, skin, hide, bones, horns, hooves, feathers, and other portions of the carcass), and any product that is wholly or partly derived from an animal or any part of an animal; but does not include any such part or product that has been shown to the satisfaction of an Inspector to have been treated or sterilised to the stage where it is rendered free from any disease and from carrying any disease:”.

(2) The said section 2 (1) is hereby further amended by repealing the definition of the term “diseased”, and substituting the following definition:

“‘Diseased’, in relation to any animal, means any case where a registered veterinary surgeon has, either by clinical examination or as the result of a diagnostic test or tests used in veterinary practice, found the animal to be actually suffering from or affected by any disease or to have been exposed to the aetiological agent of any disease.”.

(3) The said section 2 (1) is hereby further amended by repealing the definition of the term “subdivision”.

### **3. Restrictions on importation of animals, etc.—**

(1) Section 13 (1) (a) of the principal Act is hereby amended by inserting, after the word “behalf”, the words “or pursuant to an exemption given by the Minister by notice under subsection (4B) of this section”.

(2) Section 13 of the principal Act is hereby amended by inserting, after subsection (4A) (as inserted by section 3 of the Animals Amendment Act 1974), the following subsection:

“(4B) The Minister may from time to time, by notice in the *Gazette* and subject to such conditions as he may impose, exempt all persons from the necessity of obtaining a permit under subsection (1) (a) of this section in respect of the importation of such animal, animal product, packing material, fittings, or fodder from such country or countries as may be specified in the notice; and any such exemption may, in like manner, be amended or revoked.”

(3) The said section 13 is hereby further amended by inserting, in subsection (5) after the words “permit granted”, the words “or exemption given”.

**4. Penalty for offences—**Section 23 (2) of the principal Act is hereby amended by omitting the words “one thousand dollars”, and substituting the expression “\$5,000”.

**5. Veterinary surgeons or owners to give notice of diseased animals—**(1) The principal Act is hereby amended by repealing section 27, and substituting the following section:

“27. (1) Every registered veterinary surgeon or owner who believes or suspects an animal to be diseased shall forthwith advise an Inspector, and the owner shall keep the animal from coming into contact with any other animals.

“(2) Every person who fails to comply with or acts in contravention of subsection (1) of this section commits an offence and is liable on summary conviction to a fine not exceeding \$1,000 for every day during which the offence continues.”

(2) Section 28 of the principal Act (as amended by section 5 of the Animals Amendment Act 1969) is hereby consequentially repealed.

(3) Section 5 of the Animals Amendment Act 1969 is hereby consequentially repealed.

### **6. Declaration of infected place or infected area—**

(1) Section 29 of the principal Act is hereby amended by repealing subsection (5) (as amended by section 10 (1) of the Animals Amendment Act 1974), and substituting the following subsections:

“(5) The Chief Veterinary Officer may, by public notice or appropriate radio or television announcement, declare any specified area surrounding and including an infected place to be an infected area.

“(5A) The Chief Veterinary Officer may also, while a declaration under subsection (5) of this section continues, give notice by public notice or appropriate radio or television announcement that, subject to such conditions as he may impose, the movement into, within, or from the infected area of such animal species, animal product, fodder, fitting, or thing as may be specified in the notice, is restricted or prohibited in the manner and to the extent that may be so specified; and any such notice may be amended or revoked, wholly or in part, while the said declaration continues.”

(2) Section 29 (8) of the principal Act is hereby amended—

(a) By omitting the expression “\$1,000”, and substituting the expression “\$5,000”:

(b) By omitting from paragraphs (b) and (c) the words “by the Inspector in the written instrument granting the permission”, and substituting the words “from time to time in a notice under subsection (5A) of this section”.

(3) So much of the First Schedule to the Animals Amendment Act 1974 as relates to section 29 (5) of the principal Act is hereby consequentially repealed.

### **7. Control of tuberculosis in deer—**(1) Section 53B of the principal Act (as inserted by section 3 of the Animals Amendment Act 1980) is hereby amended by omitting the

words “Tuberculin Testing Officer or a Tuberculin Testing Technician”, and substituting the words “registered veterinary surgeon or Inspector”.

(2) Section 53C of the principal Act (as so inserted) is hereby amended by repealing subsections (1), (2), (3), and subsection (5) (a).

(3) The said section 53C is hereby further amended by repealing subsection (4), and substituting the following subsection:

“(4) Every owner of any deer shall, as often and in such manner as he may be required to do so by the Director-General, submit the deer for tuberculosis testing.”

(4) Section 53D of the principal Act (as so inserted) is hereby repealed.

(5) Section 53E of the principal Act (as so inserted) is hereby amended by omitting the word “affected”, and substituting the words “diseased or infected”.

(6) Section 53G of the principal Act (as so inserted) is hereby amended—

(a) By omitting from subsection (1) the words “or dies before being so slaughtered,”;

(b) By repealing subsections (4) and (5).

(7) Section 53H of the principal Act (as so inserted) is hereby amended by inserting, after subsection (4), the following subsection:

“(4A) The Director-General may, in any notice declaring a herd of deer to be a movement controlled herd, exempt such deer as he may specify from the movement restrictions otherwise imposed.”

(8) The said section 53H is hereby further amended by omitting from subsection (5) (a) the word “Knowingly”, and substituting the words “Except in accordance with an exemption given under subsection (4A) of this section, knowingly”.

**8. Repeal of provisions relating to tuberculosis in swine**—(1) Section 54 of the principal Act and the cross-heading to that section (as inserted by section 3 (3) of the Animals Amendment Act 1980) are hereby repealed.

(2) Section 3 (3) of the Animals Amendment Act 1980 is hereby consequentially repealed.

**9. Offences against Act**—Section 104 of the principal Act is hereby amended by adding the following subsection:

“(3) Notwithstanding section 14 of the Summary Proceedings Act 1957, an information in respect of any offence against this Act may be laid at any time within 2 years after the time when the matter of the information arose.”

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This Act is administered in the Ministry of Agriculture and Fisheries.

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