



ANALYSIS

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1980, No. 12

An Act to amend the Hydatids Act 1968

[18 September 1980]

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 and commencement—(1) This Act may be cited as the Hydatids Amendment Act 1980, and shall be read together with and deemed part of the Hydatids Act 1968 (hereinafter referred to as the principal Act).

(2) This Act shall come into force on the 1st day of January 1981.

2. Interpretation—Section 2 of the principal Act is hereby amended—

(a) By inserting, in the definition of the term “disposal unit”, after the words “raw offal” in both places where they occur, the words “or untreated sheep or goat meat or both such offal and meat”:

(b) By inserting, after the definition of the term “disposal unit”, the following definition:

“ ‘Dog-proof killing facility’ means any enclosure, building, structure, or other facility where the killing of stock takes place and which—

“(a) Includes a disposal unit or a treatment unit; and

“(b) Is constructed in such a way that a dog cannot enter:”

(c) By repealing the definition of the term “treatment unit”, and substituting the following definition:

“ ‘Treatment unit’ means any apparatus that is capable of being used for treating raw offal or untreated sheep or goat meat or both such offal and meat:”.

3. Act to bind the Crown—The principal Act is hereby amended by inserting, after section 2, the following section:

“2A. This Act shall bind the Crown.”

4. Provision of dog-proof killing facility—(1) Section 30 (1) of the principal Act is hereby amended by inserting, after paragraph (c), the following paragraph:

“(ca) Where the killing of animals is to continue on the property and hydatids has been found, within the previous 12 months, in any dog or other animal that is or has been kept there, to give notice requiring the owner or occupier of the property to provide a dog-proof killing facility on that property:”.

(2) Section 30 (1) of the principal Act is hereby further amended by omitting from paragraph (d) the words “or treatment unit”, and substituting the words “, treatment unit, or dog-proof killing facility”.

5. Appeal against requirement relating to dog-proof killing facility—Section 31 (1) of the principal Act is hereby amended by inserting, after the expression “paragraph (c)”, the expression “or paragraph (ca)”.

6. Hydatids control fees increased—(1) Section 32 (1) of the principal Act (as substituted by section 9 (1) of the Hydatids Amendment Act 1972) is hereby amended by omitting from the proviso the expression “\$10” (as substituted by section 11 of the Hydatids Amendment Act 1975), and substituting the expression “\$15”.

(2) Section 32 (1A) of the principal Act (as substituted by section 9 (1) of the Hydatids Amendment Act 1972) is hereby amended by omitting from paragraph (a) the expression “\$10”, and substituting the expression “\$20”.

(3) Section 11 of the Hydatids Amendment Act 1975 is hereby consequentially repealed.

7. Offences—(1) Section 43 of the principal Act is hereby amended by repealing subsection (1) (as substituted by section 10 (1) of the Hydatids Amendment Act 1972), and substituting the following subsection:

“(1) Every person commits an offence, and is liable on summary conviction to a fine not exceeding \$500, who—

“(a) Feeds or causes to be fed to any dog any offal or sheep or goat meat knowing that offal to be raw offal or that meat to be untreated sheep or goat meat; or

“(b) Sells or exposes for sale any offal or meat for feeding to dogs knowing that offal to be raw offal or that meat to be untreated sheep or goat meat; or

“(c) By himself, his employee, or agent, without just cause or excuse,—

“(i) Knowingly leaves the carcass of any animal to lie about in the open; or

“(ii) Does or omits to do any act that enables any dog to obtain access to any raw offal or any untreated sheep or goat meat.”

(2) Section 43 (3) of the principal Act is hereby amended by repealing paragraph (b), and substituting the following paragraph:

“(b) Fails within 1 month to comply with any notice under paragraph (c) or paragraph (ca) or paragraph (d) of section 30 (1) or under section 31 (5) of this Act:”.

(3) Section 4 (b) of the Hydatids Amendment Act 1971 is hereby repealed.

8. Circumstances in which permit may be granted allowing untreated meat to be fed to dogs—Section 43 (1A) of the principal Act (as substituted by section 10 (1) of the Hydatids Amendment Act 1972) is hereby amended—

- (a) By omitting the words “mustered sheep”, and substituting the words “mustered operations, or wild animal control operations under the Wild Animal Control Act 1977”:
- (b) By inserting, after the word “muster”, in each place where it occurs, the words “or wild animal control operation”.

9. Penalties increased—(1) Section 43 (3) of the principal Act is hereby amended by omitting the expression “\$100”, and substituting the expression “\$200”.

(2) Section 46 (2) (f) of the principal Act is hereby amended by omitting the expression “\$40”, and substituting the expression “\$100”.

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