

ANIMALS AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill amends the Animals Act 1967.

Clause 1 relates to the Short Title.

Clause 2 amends section 6 of the principal Act to make it clear that the powers of Inspectors under the Act extend to examining animal products, animal manure, packing material, fittings, fodder, and other things that are the subject of the principal Act. Although the principal Act defines the term "animal" to include a carcass, and defines the term "carcass" to include an animal product, some sections of the principal Act, notably sections 13 (1) and 19 (3), are more explicit than others. The amendment to section 6 of the principal Act is therefore in the interests of clarity and consistency.

Clause 3 amends section 13 of the principal Act by inserting a new subsection (4A) to provide that no permit issued under the section may be transferred from the person to whom it is issued to any other person.

Clause 4 amends section 16 of the principal Act. The effect of this amendment is to enable the Minister of Agriculture and Fisheries to grant a permit for the introduction of any animal specified in section 14 of the principal Act for the purpose of any research or experiment approved by the Minister.

Clause 5 amends section 18 of the principal Act to expressly mention "animal product", and to provide that the owner, charterer, agent, and master and captain of a ship or aircraft is under a duty not only to prevent the landing of an animal (or animal product) from the ship or aircraft unless permitted by an Inspector, but also under a similar duty in relation to animal manure, packing material, fittings, fodder, or other things that are the subject of the principal Act.

Clause 6 amends the First Schedule to the principal Act by including swine vesicular disease in that Schedule. Compensation is payable under section 42 of the principal Act for animals slaughtered on account of First Schedule diseases (other than scrapie).

Clause 7 amends section 53 of the principal Act to enable earlier payment of compensation to be made for a tubercular animal that is to be slaughtered under the provisions of that section. At present, compensation can only be paid after the animal has been slaughtered, but the amendment will enable compensation to be paid on the direction being given by the Director-General of Agriculture and Fisheries that the animal be slaughtered.

Clause 8 relates to metrication, and substitutes for imperial measurements mentioned throughout the principal Act, their nearest or most conveniently near metric equivalents. The sections of the principal Act amended in this way are set out in the First Schedule to the Bill, together with their amendments. The Second Schedule to the Bill sets out a new Third Schedule to the Act representing ear marks of sheep and cattle in millimetres instead of sixteenths of an inch.

Hon. Mr Moyle

ANIMALS AMENDMENT

ANALYSIS

Title	5. Duty to prevent animals from being landed
1. Short Title	6. Diseases to which Act applies
2. Powers of Inspectors	7. Tuberculosis and tuberculin testing of cattle
3. Restrictions on importation of animals, etc.	8. Metrication Schedules
4. Importation of animals for research	

A BILL INTITULED

An Act to amend the Animals Act 1967

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

1. **Short Title**—This Act may be cited as the **Animals Amendment Act 1973**, and shall be read together with and deemed part of the **Animals Act 1967*** (hereinafter referred to as the principal Act).

10 **2. Powers of Inspectors**—(1) Section 6 of the principal Act is hereby amended by omitting from subsection (1) the word “animals”, and substituting the words “animal, animal product, animal manure, packing material, fittings, fodder, or other thing that is the subject of this Act”.

*1967, No. 50
Amendment: 1969, No. 50

(2) The said section 6 is hereby further amended by inserting in subsection (2), after the word "acts", the words "in relation to those animals or to any other animal, animal product, animal manure, packing material, fittings, fodder, or other thing that is the subject of this Act,". 5

3. Restrictions on importation of animals, etc.—Section 13 of the principal Act is hereby amended by inserting, after subsection (4), the following subsection:

"(4A) No permit issued under this section may be transferred from the person to whom it is issued to any other person." 10

4. Importation of animals for research—Section 16 of the principal Act is hereby amended by omitting from paragraph (b) of subsection (1) the words "under section 13 of this Act". 15

5. Duty to prevent animals from being landed—Section 18 of the principal Act is hereby amended by inserting in paragraph (a), after the word "animal", the words "animal product, animal manure, packing material, fittings, fodder, or other thing that is the subject of this Act". 20

6. Diseases to which Act applies—The First Schedule to the principal Act is hereby amended by inserting, after the words "Swine fever", the words "Swine vesicular disease".

7. Tuberculosis and tuberculin testing of cattle—
(1) Section 53 of the principal Act is hereby amended by 25
omitting from subsection (5) the words "has been slaughtered", and substituting the words "is directed to be slaughtered, or has been slaughtered,".

(2) The said section 53 is hereby further amended by inserting in paragraph (b) of subsection (5), after the words 30
"animal when it is", the words "directed to be slaughtered or is".

(3) The said section 53 is hereby further amended by inserting in subsection (7), after the word "animal", the words "directed to be slaughtered or". 35

8. Metrication—(1) The principal Act is hereby further amended in the manner indicated in the First Schedule to this Act.

(2) The principal Act is hereby further amended by 5 repealing the Third Schedule to it, and substituting the Schedule set out in the Second Schedule to this Act.

SCHEDULES

FIRST SCHEDULE

Section 8 (1)

AMENDMENTS TO PRINCIPAL ACT ARISING FROM METRICATION

Section of Principal Act Amended	Amendment
2 (1)	To omit from the definition of the term "Destroy" the words "three feet", and substitute the words "1 metre".
29 (5)	To omit the words "thirty miles", and substitute the words "50 kilometres".
30 (4)	To omit from paragraph (a) the words "five miles", and substitute the words "8 kilometres".
53 (12)	To omit the word "pound", and substitute the word "kilogram".
69 (1)	To omit subparagraph (i) of paragraph (b) of the definition of the term "Brand", and substitute the following subparagraph: "(i) A distinct and plain mark (other than numerals alone) of approved design burnt into the hide with a heated branding iron (the marking face of which does not exceed 4 millimetres in width), or by a branding fluid or paste spread on a branding iron (the marking face of which does not exceed 13 millimetres in width), and the impression of either of which can be contained either within a circle not exceeding 102 millimetres in diameter or within a rectangle the measurements of which do not exceed 127 millimetres by 64 millimetres, or by any other approved instrument; or".
87 (1)	To omit from the first proviso the words "one and a half inches", and substitute the words "38 millimetres".

SCHEDULES—*continued*Section 8 (2)

SECOND SCHEDULE

NEW THIRD SCHEDULE TO PRINCIPAL ACT

Sections 82, 87

"THIRD SCHEDULE

RESERVED MARKS

Type of Mark	Design	Dimensions in Millimetres			
		Sheep		Cattle	
		Greatest Horizontal Measurement	Greatest Vertical Measurement	Greatest Horizontal Measurement	Greatest Vertical Measurement
Age mark		4	10	7	26
Tag hole		10	7	10	7 "