

[AS REPORTED FROM THE LANDS AND AGRICULTURE
COMMITTEE]

House of Representatives, 3 June 1981.

Words inserted are shown in roman underlined with a double rule.

Right Hon. Mr MacIntyre

ANIMALS AMENDMENT (NO. 2)

ANALYSIS

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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
5 the same, as follows:

1. **Short Title**—This Act may be cited as the Animals Amendment Act (No. 2) 1980, and shall be read together with and deemed part of the Animals Act 1967* (hereinafter referred to as the principal Act).

10 2. **Interpretation**—Section 2 (1) of the principal Act is hereby amended—

(a) By inserting, in the definition of the term “animal” after the word “bird,” the word “fish,”:

15 (b) By inserting, in the definition of the term “carcass” after the word “reptile,” the word “fish,”.

*1967, No. 50

Amendments: 1969, No. 50; 1974, No. 17; 1976, No. 52; 1977, No. 142

3. Powers of Inspectors—(1) Section 6 of the principal Act is hereby amended by repealing subsection (2) (as amended by section 2 (2) of the Animals Amendment Act 1974), and substituting the following subsection:

“(2) An Inspector may give notice directing— 5

“(a) The owner of any animal, animal product, animal manure, organism, fitting, fodder, package, packing material, garbage, rubbish, machinery, equipment, article of luggage, land, premises, conveyance, or other thing that is subject to this Act or to any regulations made under it, to take such measures in relation to the inspection, examination, reshipment, being placed in quarantine, disinfection, treatment, or cleaning of any of those things, or to take such other measures in relation to any of those things as may be directed, in each case being such measures as are reasonably necessary to ensure compliance with the provisions of this Act and any regulations made under it: 10 15

“(b) The owner of any animal or animals to muster that animal or those animals at a specified time on a specified date at a specified place, and shall advise the owner of the reason for the muster: 20

“(c) The owner of any diseased or infected animal or animals, or any animal or animals suspected of being diseased or infected, to take such measures as regards their treatment, or to take such other measures in relation to that animal or those animals or to any other animal, animal product, animal manure, packing material, fitting, fodder, or other thing that is the subject of this Act, as in the opinion of the Inspector are necessary to eradicate or check the spread of disease.” 25 30

(2) Section 2 (2) of the Animals Amendment Act 1974 is hereby consequentially repealed. 35

4. Quarantine grounds—Section 11 of the principal Act is hereby amended by inserting, after subsection (1), the following subsection:

“(1A) The Minister may, for the purposes of subsection (1) of this section, purchase or take on lease the estate or interest of any person in any land upon such terms and conditions as may be agreed and, from time to time, sell or otherwise dispose of any such estate or interest; and any estate or interest so purchased or leased— 40

- “(a) Shall be deemed to be a public work under the Public Works Act 1928, and the provisions of section 32 of that Act (with any necessary modifications) shall apply accordingly:
- 5 “(b) Shall, in relation to subsection (1) of this section, be deemed to be land under the control of the Director-General.”

5. Control of arrivals from overseas—Section 22 (2) of the principal Act is hereby amended by adding the words “and
10 subject to such conditions as he may think fit to impose”.

6. Owner to dip sheep—Section 55 of the principal Act (as substituted by section 6 of the Animals Amendment Act 1976) is hereby amended by adding the following subsection:

- 15 “(3) The Director-General may, for the purposes of any experimental or research programme, exempt the owner of any sheep used in that programme from complying with subsection (1) of this section.”

7. Sheep affected by lice or keds—Section 58 (1) of the principal Act (as substituted by section 8 of the Animals
20 Amendment Act 1976) is hereby amended by omitting the words “infected with”, and substituting the words “affected by”.

8. Prohibiting destruction of skins or removal of distinguishing marks—Section 64 (1) of the principal Act is
25 hereby amended—

- (a) By adding to paragraph (a) the words “specified in section 69 (2) of this Act as being an animal to which Part V of this Act applies”:
- (b) By inserting, in paragraph (d) after the words “of
30 any”, the word “such”:
- (c) By omitting from paragraph (e) the words “the skin of any animal”, and substituting the words “any such skin”.

**9. Liability in respect of carcasses left in water or on
35 land**—Section 67 of the principal Act is hereby repealed.

10. Registration of brands—(1) Section 72 of the principal Act is hereby amended—

(a) By repealing subsection (1):

(b) By omitting from subsection (2) the word “other” in both places where it appears: 5

(c) By omitting from subsection (6) the words “sheep and cattle”, and substituting the words “any kind of animal”:

(d) By omitting from subsection (10) the words “sheep, cattle, or horses, or any other”: 10

(e) By omitting from subsection (11) the words “sheep, or of any other”, and substituting the word “any”.

(2) The said section 72 is hereby further amended by repealing subsections (3) and (4), and substituting the following subsection: 15

“(3) The owner of any animals of a kind to which this Part of this Act applies may apply for registration of a brand for those animals to the Registrar for the district where the animals are or are intended to run.”

11. Cancellation of brand that is not used—Section 78 of the principal Act is hereby amended by omitting the words “sheep has not owned sheep during the immediately preceding two years, or that any owner of a registered brand for cattle has not owned cattle”, and substituting the words “any kind of animal has not owned that kind of animal”. 25

12. Earmarking—Sections 80 and 81 (1) of the principal Act are hereby amended by omitting the words “sheep or cattle”, and substituting the words “any kind of animal”.

13. Annual return of sheep—Section 99 of the principal Act is hereby repealed. 30

14. Regulations—Section 107 of the principal Act is hereby amended by adding the following subsection:

“(3) Any regulation under this Act may confer on the Minister, the Director-General, or any Inspector power to issue, in such manner as may be prescribed, instructions, orders, requirements, permits, authorities, or notices for the purposes of this Act, whether by way of written instrument or by oral direction as the regulation shall provide.” 35