

HYDATIDS AMENDMENT BILL

EXPLANATORY NOTE

This Bill amends the Hydatids Act 1959.

Clause 2 provides for the appointment of a Deputy Chairman of the National Hydatids Council.

Clause 3 authorises the Council to insure its members against loss from personal accident arising out of and in the course of the exercise of their powers and duties as members.

Clause 4 authorises the Council to expend in any financial year for purposes not authorised by the principal Act or any other Act a total amount not exceeding £150.

Clause 5 authorises the Council to pay a gratuity to the dependants of a deceased servant of the Council who has had at least 10 years' service with the Council, not exceeding six months' pay.

Clause 6 authorises several local authorities to combine for the purpose of hydatid control and to authorise one of those local authorities to act as the hydatid-control authority for the several districts of those local authorities.

Clause 7 provides that where a local authority is a member of an approved organisation, the hydatid-control fees or any of them may, by agreement, be paid to the local authority and paid into its Hydatid Control Account and applied accordingly.

Clause 8: Subsection (1) of section 29 of the Hydatids Act 1959 provides that it is not necessary for any dog to be inspected, examined, or treated for hydatids, or for any owner to have his dog available for inspection, examination, or treatment at a specified time and place pursuant to a notice given by an Inspector, in any case where the owner produces to an Inspector a certificate issued by a registered veterinary surgeon certifying that—

- (a) Not earlier than one month before the date on which the certificate was so produced the dog had been treated in a manner acceptable to the National Hydatids Council and containing a statement setting out the results of the diagnostic tests made at an approved testing station on the evacuated matter from the purging of the dog; or
- (b) The dog will not be in a fit condition to be treated for hydatids for a period specified in the certificate, and that period has not expired.

This clause substitutes a new subsection (1) which is in more limited terms. It relates only to the case where a notice is given by an Inspector requiring the owner of any dog to have his dog available at a specified time and place for inspection, examination, or treatment. The owner shall be deemed to comply with that notice if, at or before the time specified in the notice, he produces to the Inspector who issued the notice or to any other Inspector present at the specified place at the specified time—

- (a) A certificate similar to that described in the present paragraph (a) of subsection (1) but certifying that the dog has been treated not earlier than one month before the time specified in the notice; or
- (b) A certificate similar to that described in the present paragraph (b) of subsection (1) but the reasons why the dog will not be fit for treatment must be set out in the certificate and the period, not exceeding six months, during which the dog will not be in a fit condition to be treated must expire at a time later than that which is specified in the notice.

Clause 9 inserts new *sections 29D* to *29I* in the principal Act.

Section 29D authorises approved organisations to insure their members against loss from personal accident arising out of and in the course of the exercise of their powers and duties as members.

Section 29E authorises approved organisations to provide for their employees pensions under the National Provident Fund Act 1950 and grants on retirement.

Section 29F authorises any approved organisation to pay travelling allowances and expenses to its Chairman and other members.

Section 29G provides that officers employed by an approved organisation may be required to give security for the faithful execution of their duties.

Section 29H authorises local authorities to make grants or loans to approved organisations for any purposes connected with the control, prevention, or eradication of hydatids, and to guarantee the repayment of money borrowed by approved organisations.

Section 29I provides that on the dissolution or winding up of any approved organisation its assets, after payment of its liabilities, are to be disposed of as the members of the organisation agree or, in default of agreement, as the Minister, on the recommendation of the Council, directs.

Clause 10 makes it an offence for any person, without just cause or excuse, knowingly to leave the carcass of any animal to lie about in the open.

The clause also makes it an offence for any person to have in his possession or keep any dog in respect of which any hydatid-control fee payable has not been paid.

Clause 11 extends the power to make regulations, and authorises the making of regulations providing for the production of evidence in cases specified in the regulations that dogs have been treated for hydatids. The clause also authorises regulations made under the principal Act to prescribe fines not exceeding £20 for offences against the regulations.

Hon. Mr Hayman

HYDATIDS AMENDMENT

ANALYSIS

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2. Deputy Chairman	29D. Approved organisations may insure members
3. Insurance of Council members	29E. Pensions and retiring allowances for employees
4. Unauthorised expenditure of Council	29F. Travelling allowances of members
5. Gratuity to dependants of deceased employee	29G. Officers to give security
6. Local authorities may combine for purposes of hydatid control	29H. Local authorities may make grants or advances to approved organisations and guarantee repayment of loans
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A BILL INTITULED

An Act to amend the Hydatids Act 1959

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 Hydatids Amendment Act 1961, and shall be read together with and deemed part of the Hydatids Act 1959* (hereinafter referred to as the principal Act).

*1959, No. 93
Amendment: 1960, No. 65

2. Deputy Chairman—Section 5 of the principal Act is hereby amended by repealing subsection (2), and substituting the following subsections:

“(2) The Minister may from time to time appoint any member of the Council, other than the Chairman, to be the Deputy Chairman of the Council, to hold office as such during the pleasure of the Minister. 5

“(3) During any vacancy in the office of Chairman, or in the absence of the Chairman from any meeting of the Council, or in the event of the Chairman being incapacitated by illness or other cause from performing the duties of his office, the Deputy Chairman shall have and may exercise all the powers and functions of the Chairman.” 10

3. Insurance of Council members—Section 9 of the principal Act is hereby amended by adding to subsection (2) the following paragraph: 15

“(e) Enter into contracts of insurance insuring members of the Council against loss from personal accident arising out of and in the course of the exercise of their powers or duties as members, and pay the premiums payable in respect of such contracts.” 20

4. Unauthorised expenditure of Council—The principal Act is hereby further amended by inserting, after section 16, the following section:

“16A. In any financial year the Council may, for purposes not authorised by this Act or by any other Act, expend out of its funds any sum or sums not amounting in the whole to more than one hundred and fifty pounds.” 25

5. Gratuity to dependants of deceased employee—Section 19 of the principal Act is hereby amended by adding the following subsection: 30

“(3) On the death of any servant of the Council whose total length of service with the Council is not less than ten years, the Council may pay to his dependants or any of them by way of gratuity such amount as it thinks fit, not exceeding six months' pay at the rate payable to him at the time of his death.” 35

6. Local authorities may combine for purposes of hydatid control—(1) The principal Act is hereby further amended by inserting, after section 19, the following section: 40

“19A. Any two or more local authorities may agree that the control, prevention, and eradication of hydatids within their respective districts shall be undertaken by such one of those local authorities as they may agree upon in that behalf, and thereupon the provisions of that agreement shall have effect accordingly according to its tenor.”

(2) Section 2 of the principal Act is hereby amended by inserting, after the definition of the term “disposal unit”, the following definition:

10 “‘District’ means the district of any local authority; and, in relation to any local authority which has undertaken the control, prevention, and eradication of hydatids pursuant to an agreement made under section 19A of this Act, means the area comprising
15 the districts of those local authorities which are parties to the agreement.”

7. Hydatid-control accounts of approved organisations—

Section 27 of the principal Act is hereby amended by adding to subsection (2) the following proviso:

20 “Provided that, where any local authority is a member of an approved organisation, the hydatid-control fees or any of them may, by agreement between the local authority and the approved organisation, instead of being dealt with as aforesaid be paid into the general bank account of the local authority,
25 and shall be credited to a separate account to be called the Hydatid Control Account.”

8. Treatment of dogs by veterinary surgeons—Section 29 of the principal Act is hereby amended by repealing subsection (1), and substituting the following subsection:

30 “(1) Where any owner is given a notice under paragraph (b) of subsection (1) of section 23 of this Act, he shall be deemed to comply with that notice if, at or before the time specified in the notice, he produces to the Inspector who gave the notice or to any other Inspector present at the specified
35 place at the specified time a certificate issued by a registered veterinary surgeon certifying that—

40 “(a) Not earlier than one month before the time specified in the notice the dog had been treated for hydatids in a manner acceptable to the Council, and containing a statement setting out the results of the

diagnostic tests made at a testing station approved by the Council on the evacuated matter from the purging of the dog; or

“(b) For reasons which are specified in the certificate, the dog will not be in a fit condition to be treated for hydatids for a period specified in the certificate, being a period not exceeding six months and expiring at a time later than that which is specified in the notice.”

9. New sections inserted—The principal Act is hereby further amended by inserting in Part III, after section 29c (as added by subsection (1) of section 2 of the Hydatids Amendment Act 1960), the following sections:

“**29D. Approved organisations may insure members**—Every approved organisation may from time to time enter into contracts of insurance insuring members of the organisation against loss from personal accident arising out of and in the course of the exercise of their powers or duties as members of the organisation, and may pay the premiums payable in respect of those contracts.

“**29E. Pensions and retiring allowances for employees**—(1) Every approved organisation shall be deemed to be a local authority for the purposes of the National Provident Fund Act 1950 and section 6 of the Finance Act (No. 2) 1941.

“(2) Every approved organisation may from time to time pay by way of subsidy such sums as the Council approves to the funds of any sick, death, or funeral benefit society or other like institution established by its employees, or any section of them, the benefits of which are confined to those employees and their dependants.

“**29F. Travelling allowances of members**—Every approved organisation may pay to the Chairman and to each member thereof travelling allowances and expenses in accordance with the Fees and Travelling Allowances Act 1951, and the provisions of that Act shall apply accordingly. Every approved organisation is hereby declared to be a statutory Board within the meaning of that Act.

“**29G. Officers to give security**—Before any officer or other person entrusted by an approved organisation with the custody or control of money enters on the duties of his office, the organisation shall obtain such security as it considers sufficient for the faithful execution of his duties.

“29H. Local authorities may make grants or advances to approved organisations and guarantee repayment of loans—

5 (1) Any local authority may out of its general funds make grants of money or advances, upon such terms and conditions as it thinks fit, to any approved organisation for any purpose connected with the control, prevention, or eradication of hydatids.

10 “(2) Any local authority may guarantee the repayment of any money borrowed by an approved organisation for any purpose connected with the control, prevention, or eradication of hydatids, and the payment of interest on any money so borrowed.

15 “(3) Where any local authority becomes liable to make any payment under any such guarantee, it may make the payment out of its general funds.

“29i. Dissolution or winding up of approved organisation—

Where any approved organisation is dissolved or wound up, then, except where provision for the disposal of its assets is made by any other Act, the assets of the organisation after
20 payment of its liabilities shall be disposed of in such manner as may be agreed upon among the members of the organisation or, failing such agreement, as the Minister, on the recommendation of the Council, directs.”

10. Offences—(1) Section 32 of the principal Act is hereby
25 amended by repealing paragraph (a), and substituting the following paragraph:

“(a) By himself, his servant, or agent, without just cause or excuse—

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

“(ii) By any act or omission enables any dog to obtain access to any raw diseased meat or to any raw offal; or”.

35 (2) Section 32 of the principal Act is hereby further amended by inserting, after paragraph (b) (as substituted by subsection (2) of section 3 of the Hydatids Amendment Act 1960), the following paragraph:

40 “(bb) Has in his following or keep any dog in respect of which any hydatid-control fee payable has not been paid; or”.

11. **Regulations**—Section 34 of the principal Act is hereby amended by adding to subsection (2) the following paragraphs:

“(d) Prescribing the cases in which and the manner in which evidence shall be produced that dogs have been treated for hydatids: 5

“(e) Prescribing fines not exceeding twenty pounds for offences against any such regulations.”