

HYDATIDS AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill amends the Hydatids Act 1968.

Clause 1 relates to the Short Title.

Clause 2: Section 30 (3) of the principal Act includes a provision that if a Hydatids Officer finds on any land the carcass of any animal left to lie about in the open, he may give notice to the owner or occupier of the land requiring him to dispose of that carcass within 24 hours. Under section 43 (3) (a), the owner or occupier commits an offence if he fails to comply with the notice.

In a recent prosecution for such an offence, the charge was dismissed on the ground that in the opinion of the Court the term "carcass" meant a whole carcass, whereas in that particular case the offal had been removed. The same interpretation would apply in the case of an offence against section 43 (2) (a) of leaving the carcass of any animal to lie about in the open.

This clause inserts a definition of "carcass" in the principal Act, which includes in that term any part of a carcass, being a part that comprises or includes any flesh or organ.

Clause 3: Under paragraph (a) of section 43 (3) of the principal Act it is an offence for any person to fail to comply with certain specified notices given by a Hydatids Control Officer, and under paragraph (b) it is an offence for any person to fail within 1 month to comply with the requirements of certain provisions of section 30 (1) including the provisions of paragraph (f). Paragraph (f) authorises a Hydatids Control Officer to give directions to the owner of a dog to give reasonable assistance to enable a dog to be treated for hydatids and to do other acts and things required by the Officer for the control, prevention, and eradication of hydatids.

The effect of the amendments made by this clause is that the failure of the owner to comply with a direction by an officer given under paragraph (f) of section 30 (1) will be an offence against paragraph (a) of section 43 (3) and not against paragraph (b). The only effect of the change is that it will not be subject to the 1 month provision in paragraph (b), and the time for compliance will depend upon the terms of the officer's notice to the owner.

Hon. Mr Carter

HYDATIDS AMENDMENT

ANALYSIS

Title		2. Meaning of "carcass"
1. Short Title		3. Offences

A BILL INTITULED

An Act to amend the Hydatids Act 1968

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 Hydatids Amendment Act 1971, and shall be read together with and deemed part of the Hydatids Act 1968* (hereinafter referred to as the principal Act).
- 10 2. **Meaning of "carcass"**—Section 2 of the principal Act is hereby amended by inserting, after the definition of the term "approved organisation", the following definition:
- 15 " 'Carcass' means the dead body of any animal; and includes any part thereof, being a part that comprises or includes any flesh or organ: ".

*1968, No. 144

3. Offences—Section 43 of the principal Act is hereby amended—

- (a) By inserting in paragraph (a) of subsection (3), after the words “paragraph (a)”, the words “or paragraph (f)”:
- (b) By omitting from paragraph (b) of subsection (3) the words “or paragraph (f)”.

5