

HYDATIDS AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill amends the Hydatids Act 1968. The principal changes are that power is given to Hydatids Control Officers to require the provision of dog-proof killing facilities in certain circumstances, and the Act will now bind the Crown. Maximum fees and penalties are also increased.

Clause 1 relates to the Short Title and commencement. The Act will come into force on 1 January 1981.

Clause 2 inserts a definition of the term "dog-proof killing facility", and makes minor amendments to other definitions.

Clause 3 provides that the Act shall bind the Crown.

Clause 4: Subclause (1) gives a Hydatids Control Officer power to require the provision of a dog-proof killing facility on any property where animals are killed if hydatids have been found, within the previous 12 months, twice in any dog or once in any 2 or more dogs kept there.

Subclause (2) gives a Hydatids Control Officer power to inspect, and require alteration of, any dog-proof killing facility.

Clause 5 gives owners and occupiers the right to appeal to the National Hydatids Council against the requirements of a Hydatids Control Officer relating to dog-proof killing facilities.

Clause 6: Subclause (1) increases from \$10 to \$15 the maximum annual hydatids control fee that may be set by a Hydatids Control Authority without obtaining the approval of the Minister.

Subclause (2) increases from \$10 to \$20 the fee payable where material purged from a dog after testing is found to contain hydatids.

Clause 7: Subclause (1) makes it an offence to knowingly sell or offer or expose for sale raw offal for feeding to dogs.

Subclause (2) makes it an offence to fail to comply with a notice requiring the provision of a dog-proof killing facility.

Clause 8 extends the circumstances in which permits may be granted allowing the feeding of untreated meat to dogs. Permits may now be granted for any type of mustering operations, or wild animal control operations under the Wild Animals Control Act 1977, where inaccessibility renders it impracticable to feed treated meat. Previously this was confined to the mustering of sheep.

Clause 9: Subclause (1) increases from \$400 to \$500 the maximum fine to which a person may be liable for offences relating to the feeding of raw offal or untreated meat to dogs, and the sale or exposure of such offal or meat.

Subclause (2) increases the maximum penalty for other offences from \$100 to \$200.

Subclause (3) increases from \$40 to \$100 the maximum fine that may be prescribed for offences against regulations made under the Act.

Right Hon. Mr MacIntyre

HYDATIDS AMENDMENT

ANALYSIS

Title	5. Appeal against requirement relating to dog-proof killing facility
1. Short Title and commencement	6. Hydatids control fees increased
2. Interpretation	7. Offences
3. Act to bind the Crown	8. Circumstances in which permit may be granted allowing untreated meat to be fed to dogs
4. Provision of dog-proof killing facility	9. Penalties increased

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
5 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).

10 (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—

15 (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”:

*Reprinted 1976, Vol. 5, p. 3917

- (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— 5
- “(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: 10
- “ ‘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.”. 15

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, 20 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, twice in any dog or once in any 2 or more dogs kept there, to give notice 25 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 30 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)”, 35 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
5 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 expres-
10 sion “\$10”, and substituting the expression “\$20”.

7. Offences—(1) Section 43 (1) (b) of the principal Act (as substituted by section 10 (1) of the Hydatids Amendment Act 1972) is hereby amended by inserting, after the word
“any”, the words “raw offal or”.

15 (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
20 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—

25 (a) By omitting the words “mustering sheep”, and substituting the words “mustering operations, or wild animal control operations under the Wild Animal
30 Control Act 1977”:

(b) By inserting, after the word “muster”, in each place where it occurs, the words “or wild animal control operation”.

35 **9. Penalties increased**—(1) Section 43 (1) of the principal Act (as substituted by section 10 (1) of the Hydatids Amendment Act 1972) is hereby amended by omitting the expression “\$400”, and substituting the expression “\$500”.

(2) Section 43 (3) of the principal Act is hereby amended by omitting the expression "\$100", and substituting the expression "\$200".

(3) Section 46 (2) (f) of the principal Act is hereby amended by omitting the expression "\$40", and substituting the expression "\$100". 5