[As Reported from the Lands and Agriculture Committee]

*House of Representatives, 14 June 1972.*

**Words struck out by the Committee are shown in italics within bold round brackets, or with black rule at beginning and after last line; words inserted are shown in roman underlined with a double rule, or with double rule before first line and after last line.**

[As Reported From the Committee of the Whole]

*House of Representatives, 4 October 1972.*

**Words struck out by the Committee are shown in italics within double bold round brackets; words inserted are shown in roman underlined with a triple rule, or with triple rule before first line and after last line.**

*Hon. Mr Carter*

# HYDATIDS AMENDMENT (NO. 2)

ANALYSIS


Title
1. Short Title
2. Meaning of "untreated sheep or goat meat"
3. Functions and powers of Council
4. Appeal against decision of Council
5. Age of dogs to be treated
6. Powers of Hydatids Control Officers
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## 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:

*Struck Out*

**1. Short Title**—This Act may be cited as the Hydatids Amendment Act (No. 2) 1971, and shall be read together with and deemed part of the Hydatids Act 1968* (hereinafter referred to as the principal Act).

*New*

**1. Short Title and commencement**—(1) This Act may be cited as the Hydatids Amendment Act 1972, and shall be read together with and deemed part of the Hydatids Act 1968 (hereinafter referred to as the principal Act).

(2) Sections 5, 7, and 10 of this Act shall come into force on the 1st day of (*October*) November 1972.

*1968, No. 144



*Price 5c*

*New*

(3) Except as provided in subsection (2) of this section, this Act shall come into force on the date of its passing.

**2. Meaning of "untreated sheep or goat meat"**—Section 2 of the principal Act is hereby amended by adding the following definition:

" 'Untreated sheep or goat meat' means any sheep or goat meat, not being offal, that has not been treated in any one of the following ways:

"(a) By being heated throughout to a temperature not lower than 72 degrees Celsius; or

"(b) By being frozen throughout to a temperature not higher than minus 10 degrees Celsius and held at that temperature for not less than 7 days:

"(c) By being treated in any other manner approved by the Minister by notice in the *Gazette*."

*New*

**2A. Meaning of "raw offal" and "treatment unit"**—Section 2 of the principal Act is hereby further amended—

(a) By omitting from the definition of the expression "raw offal" the words "one hundred and sixty degrees Fahrenheit" wherever they occur, and substituting in each case the words "72 degrees Celsius":

(b) By omitting from the definition of the expression "treatment unit" the words "one hundred and sixty degrees Fahrenheit", and substituting the words "72 degrees Celsius".

**2B. National Hydatids Council**—(1) Section 3 of the principal Act is hereby amended by repealing paragraph (h) of subsection (2).

(2) Section 3 of the principal Act is hereby further amended by inserting in subsection (2), after paragraph (i), the following paragraph:

"(ia) One person, to be nominated by the New Zealand Institute of Hydatids Control Officers Incorporated:".

**3. Functions and powers of Council**—Section 10 of the principal Act is hereby amended by inserting in subsection (1), after paragraph (c), the following paragraph:

"(ca) To require the diagnostic testing in respect of hydatids of any specified dog or any specified

class or classes of dogs, either generally or in any specified hydatids control district or districts, by such methods and at such intervals as the Council considers necessary or expedient:".

5 **4. Appeal against decision of Council**—Section 26 of the principal Act is hereby amended by adding to subsection (1) the following proviso:

"Provided that there shall be no appeal against any decision of the Council—

10 "(a) Refusing to approve any plan on the ground that any requirement of the Council under paragraph (ca) of subsection (1) of section 10 of this Act for the diagnostic testing of dogs is not adequately provided for in the plan; or

15 "(b) Requiring an approved plan to be modified to make provision for any requirement of the Council under the said paragraph (ca)."

**5. Age of dogs to be treated**—Section 30 of the principal Act is hereby amended—

20 (a) By omitting from paragraph (a) of subsection (1) the words "six months", and substituting the words "3 months":

(b) By repealing the proviso to the said paragraph (a).

**6. Powers of Hydatids Control Officers**—Section 30 of 25 the principal Act is hereby further amended—

*Struck Out*

(a) By inserting in subparagraph (ii) of paragraph (a) of subsection (3), after the words "raw offal", the words "or untreated sheep or goat meat":

30 *New*

(a) By inserting in subparagraph (i) of paragraph (a) of subsection (3), after the words "any land", the words "or premises":

(aa) By repealing subparagraph (ii) of paragraph (a) of 35 subsection (3), and substituting the following subparagraphs and proviso:

"(ii) On any land for the purpose of ascertaining whether or not the carcass of any animal is left to lie about in the open; and

*New*

"(iii) On any land or premises for the purpose of ascertaining whether or not there is on the land or premises any raw offal or untreated sheep or goat meat that is accessible to dogs or whether or not there is on the land or premises any dog 3 months of age or over that has not been inspected, examined, or treated for hydatids:

"Provided that a Hydatids Control Officer shall not enter any dwellinghouse, unless he is authorised in writing by a Justice in that behalf, who shall not grant such an authority unless he is satisfied that the Hydatids Control Officer has reasonable grounds for requiring entry into the dwellinghouse; and":

(ab) By inserting in paragraph (b) of subsection (3), after the words "the open or", the words "on that land or those premises":

(ac) By inserting in paragraph (c) of subsection (3), after the words "the land", the words "or premises".

(b) By inserting in paragraph (b) of subsection (3), after the words "raw offal" and also after the words "or offal", the words "or untreated sheep or goat meat":

(c) By omitting from paragraph (c) of subsection (3) the words "within that time, dispose of the carcass", and substituting the words "or untreated sheep or goat meat within that time, dispose of the carcass or offal or untreated sheep or goat meat".

*New*

(d) By omitting from subsection (4) the words "subsection (2)", and substituting the words "subsection (3)".

**7. Hydatids control fees and charges and other fees**—(1) Section 32 of the principal Act is hereby amended by repealing subsection (1), and substituting the following subsections:

"(1) Any Hydatids Control Authority may from time to time, by resolution publicly notified in 1 or more newspapers circulating in the hydatids control district, fix a hydatids control fee at such rate or rates as it thinks fit, ((*not exceeding $4 per dog per annum,*)) payable in any financial year in respect of every dog in the district of 3 months of age or over:

*New*

"Provided that the Hydatids Control Authority shall not fix a hydatids control fee at a rate exceeding $5 per dog per annum except with the approval of the Minister given after consideration by the Minister of any recommendation in respect thereof made to him by the National Hydatids Council.

*Struck Out*

"(1A) In addition to the hydatids control fee payable in respect of any dog, there shall be payable by the owner of the dog to the Hydatids Control Authority—

((*"(a) A charge of $10 for the further treatment of the dog if it has been treated for hydatids and the purged material from the dog has been found on examination to contain hydatids; and*))

"(a) There shall be payable by the owner of the dog to the Hydatids Control Authority an additional fee of $10 if the dog has been diagnostically tested for hydatids and the purged material from the dog has been found on examination to contain hydatids; and

"(b) A charge of an amount fixed by regulations made under this Act in respect of the treatment of the dog for the tapeworm *Taenia ovis*; and

"(c) Where the dog has been treated for hydatids by the Hydatids Control Authority at the request of the owner, the actual costs incurred by the Authority in providing that treatment."

*New*

"(1A) In addition to the hydatids control fee payable in respect of any dog—

"(a) There shall be payable by the owner of the dog to the Hydatids Control Authority—

"(i) An additional fee of $10 if the dog has been diagnostically tested for hydatids and the purged material from the dog has been found on examination to contain hydatids; and

*New*

"(ii) An annual charge in respect of the treatment of the dog for the tapeworm *Taenia ovis* of such amount as the Hydatid Control Authority fixes with the approval of the Minister; and

"(b) If the Hydatids Control Authority so decides, an amount not exceeding the actual costs incurred by the Authority in treating the dog for hydatids at the request of the owner."

(1A) Section 32 of the principal Act is hereby further amended by repealing subsection (2).

(1B) Section 32 of the principal Act is hereby further amended by adding to subsection (3) the following paragraph:

"(c) Fix lower fees in respect of dogs under 12 months of age or any lower age."

(2) Section 32 of the principal Act is hereby further amended—

(a) By omitting from subsection (5) the words "six months", and substituting the words "3 months":

(aa) By inserting, after the words "hydatids control fee", the words "and the charge under subparagraph (ii) of paragraph (a) of subsection (1A) of this section:

(b) By omitting from subsection (7) the words "a charge under paragraph (b) of subsection (1)", and substituting the words "a charge or other amount payable under subsection (1A)".

*New*

(c) By omitting from subsection (8) the words "charge for treatment", and substituting the words "fee or charge payable under paragraph (a) of subsection (1A) of this section".

**8. Offences**—(1) Section 43 of the principal Act is hereby amended by repealing subsections (1) and (2), and substituting the following subsections:

"(1) Every person commits an offence, and is liable on summary conviction to a fine not exceeding $400, who—

"(a) Knowingly feeds or causes to be fed to any dog any raw offal or any untreated sheep or goat meat; or

"(b) Knowingly sells or offers or exposes for sale any untreated sheep or goat meat for feeding to dogs; or

"(c) By himself, his servant, or agent, without just cause of excuse,—

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

5 "(ii) By any act or omission enables any dog to obtain access to any raw offal or any untreated sheep or goat meat.

*New*

"(1A) Nothing in paragraph (a) of subsection (1) of this 10 section shall apply with respect to the feeding, pursuant to a permit in writing issued by the Hydatids Control Authority and in compliance with every condition express or implied subject to which the permit is issued, of untreated sheep or goat meat to any dog used for the time being in 15 mustering sheep. Every such permit may be granted solely on the ground that, because of the inaccessibility of the area in which the muster is to be carried out, it is impracticable to feed the dog with treated meat, and, without limiting the conditions that the Authority may impose, shall 20 be deemed to be subject to the condition that the dog shall be treated for hydatids, by a method approved by the Council, by a Hydatids Control Officer within the period of 14 days immediately before the commencement of the muster and again not later than 42 days after the date 25 on which the dog was so treated.

"(1B) Nothing in paragraph (b) of subsection (1) of this section shall apply with respect to the sale or offering for sale of untreated sheep or goat meat to the licensee of any premises approved for the preparation of pet foods 30 under regulations made pursuant to paragraph (hh) of subsection (1) of section 83 of the Meat Act 1964 (as inserted by section 14 (2) of the Meat Amendment Act 1968)."

"(2) For the purposes of paragraph (b) of subsection (1) 35 of this section, untreated sheep or goat meat sold or offered or exposed for sale as pet food shall be deemed to be for feeding to dogs unless the package or container in which it is sold or offered or exposed for sale is clearly labelled with a statement that it is not to be fed to dogs."

*New*

(2) Section 43 of the principal Act is hereby further amended by omitting from paragraph (c) of subsection (3) the words "hydatids control fee or treatment charge payable", and substituting the words "hydatids control fee payable or any fee or charge payable pursuant to paragraph (a) of subsection (1A) of section 32 of this Act".

*Struck Out*

**9. Regulations**—Section 46 of the principal Act is hereby amended by inserting in subsection (2), after paragraph (e), the following paragraph:

"(ea) Prescribing the fee to be collected by Hydatids Control Authorities in respect of the treatment of dogs for the tapeworm *Taenia ovis,* being a fee of such an amount as in the opinion of the Governor-General is sufficient to recover half the costs incurred in operating a scheme to control *Taenia ovis*:".

**10. Amendments of Dogs Registration Act 1955**—(1) Section 3 of the Dogs Registration Act 1955 is hereby amended by omitting from subsection (1) the words "six months", and substituting the words "3 months".

(2) The Dogs Registration Act 1955 is hereby further amended—

(a) By omitting from section 13 the words "six months", and substituting the words "3 months":

(b) By omitting from subsection (1) of section 15 and also from subsection (2) the words "six months", and substituting in each case the words "3 months".

*New*

(3) Section 8 of the Dogs Registration Act 1955 is hereby amended by adding the following paragraph:

"(c) Fix lower fees in respect of dogs under 12 months of age or any lower age."

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