

1976/148



THE PHEASANT FARMING REGULATIONS 1976

DENIS BLUNDELL, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 14th day of June 1976

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to sections 15A and 18 of the Poultry Act 1968, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

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| <ol style="list-style-type: none"> 1. Title and commencement 2. Interpretation 3. Application for licence | | <ol style="list-style-type: none"> 4. Pheasant farming licences 5. Conditions of licence 6. Transfer of licence 7. Revocation of licence |
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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Pheasant Farming Regulations 1976.

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. Interpretation—In these regulations, unless the context otherwise requires,—

“The Act” means the Poultry Act 1968:

“Director-General” means the Director-General of Agriculture and Fisheries:

“Licence” means a pheasant-farm licence granted under these regulations; and “licensed” and “licensee” have corresponding meanings:

“Pheasant” means any bird of the genus *Phasianus* and any cross of any such bird with any other species, variety, or kind of pheasant:

“Pheasant farm” means premises licensed under these regulations on which pheasants are kept, held, raised, or bred for sale for human consumption.

3. Application for licence—(1) Every application for a licence shall be made in writing to the Director-General in a form to be provided by him.

(2) Every such application shall—

(a) Be accompanied by a fee of \$10:

(b) Contain a description of the location of the proposed pheasant farm:

(c) Specify the right of the applicant to occupy the area of the proposed pheasant farm:

(d) Specify the number of pheasants proposed to be kept, held, raised, bred, and sold in each year:

(e) Specify the sources from which the applicant intends to obtain any breeding stock, pheasant chicks, or hatching-eggs.

(3) The Director-General may require an applicant for a licence to supply him with such further information of any kind as the Director-General thinks relevant, including information concerning the methods proposed to be adopted in operating the pheasant farm, and the suitability of the applicant, having regard to his qualifications, experience, and resources, to operate the pheasant farm.

4. Pheasant farming licences—(1) The Director-General on receiving any application may, in his absolute discretion, grant or refuse a licence as he thinks fit.

(2) Every licence shall be issued on a form provided for the purpose by the Director-General, and shall remain in force until it is revoked or surrendered.

5. Conditions of licence—Every licence granted under these regulations shall be granted subject to the conditions that the licensee shall—

(a) Keep full records, which shall be made available for inspection to any person authorised in that behalf by the Director-General, giving details of all pheasants raised on or transferred to the pheasant farm and all pheasants sold or otherwise disposed of by the licensee, and the names of persons from whom pheasants were received or to whom pheasants were sold:

(b) Facilitate the implementation of the provisions of the Act as they apply to the presence or suspected presence of disease of any pheasant on the pheasant farm:

(c) Cause the pheasants or any product derived from the pheasants to be marked or tagged or otherwise identified in such manner and by such method as the Director-General directs pursuant to the Act:

(d) Ensure that only pheasants lawfully obtained are kept on the pheasant farm:

(e) Comply with the bylaws and any requirements of the appropriate local authority for the area in which the pheasant farm is situated:

(f) Comply with such other conditions as may be decided by the Director-General and notified to the licensee in writing.

6. Transfer of licence—(1) The Director-General may accept an application for the transfer of a licence to any person who has become the occupier of the pheasant farm, if—

- (a) The application is made in writing and is accompanied by a fee of \$10; and
- (b) The Director-General is satisfied that the new occupier would have been granted a licence in respect of that pheasant farm if the new occupier had made an original application instead of an application for the transfer of the licence to him.

(2) A certificate, issued on a form provided for that purpose by the Director-General and attached to the original licence, shall be sufficient evidence that the transferee is the new licensee of the pheasant farm.

7. Revocation of licence—(1) The Director-General may revoke any licence and authorise the disposal of any pheasants remaining on the pheasant farm if the licensee fails to comply with the provisions of these regulations or of the Act.

(2) A conviction for an offence against these regulations or the Act pursuant to section 16 of the Act shall not be a condition precedent to the Director-General exercising his power of revocation of a licence under subclause (1) of this regulation.

P. G. MILLEN,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations provide for the licensing of premises on which pheasants are kept, held, raised, or bred for sale for human consumption, and set out the conditions subject to which a licence will be granted by the Director-General of Agriculture and Fisheries.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 17 June 1976.

These regulations are administered in the Ministry of Agriculture and Fisheries.