

ANIMALS AMENDMENT BILL

EXPLANATORY NOTE

Clause 1 relates to the Bill's Short Title.

Clause 2 amends section 13 of the Animals Act 1967, which empowers the Minister of Agriculture, or persons authorised by the Minister, to issue permits authorising the importation of animals into New Zealand; and also empowers the Minister to grant general exemptions from the requirement to obtain permits.

The amendment specifies a number of matters that must be taken into account when the decision is made whether or not to issue a permit or grant an exemption.

No. 155—1

Price
incl. GST \$2.00

Hon. Colin Moyle

ANIMALS AMENDMENT

ANALYSIS	
Title 1. Short Title	2. Restrictions on importation of animals, etc.

A BILL INTITULED

An Act to amend the Animals Act 1967

BE IT ENACTED by the Parliament of New Zealand as follows:

5 **1. Short Title**—This Act may be cited as the Animals Amendment Act 1989, and shall be read together with and deemed part of the Animals Act 1967* (hereinafter referred to as the principal Act).

2. Restrictions on importation of animals, etc.—
10 (1) Section 13 of the principal Act is hereby amended by inserting, after subsection (1), the following subsections:

15 “(1A) In determining whether or not to issue a permit under this section for the importation or introduction into New Zealand of any animal or animals, or give a notice of exemption under subsection (4B) of this section from the necessity of obtaining such a permit, the Minister (or, as the case requires, a person authorised by the Minister to issue such a permit) shall not issue a permit or grant an exemption unless satisfied that it is in the public interest to do so.

20 “(1B) In determining whether or not the Minister or person concerned is satisfied that the issue of a permit or the granting of an exemption is in the public interest, the Minister or person—

“(a) Shall in all cases have regard to the following matters:

*R.S. Vol. 21, p. 73

“(i) The likelihood that the animal or animals concerned might bring diseases or parasites into New Zealand:

“(ii) The nature and effect of any diseases or parasites the animal or animals might bring into New Zealand: 5

“(iii) The possible effect on public and animal health in New Zealand of any diseases or parasites the animal or animals might bring into New Zealand: 10

“(iv) The possible economic effects of the introduction into New Zealand of any diseases or parasites the animal or animals might bring into New Zealand:

“(v) The possible effect on public and animal health of the presence, in the places in which it is intended that they should be, of animals of the species concerned: 15

“(vi) The possible effect on public and animal health of the presence, in the places in which they might become established if they escaped or were released from the places in which it is intended that they should be, of animals of that species: 20

“(vii) Any other matters the Minister or person thinks relevant; and 25

“(b) In the case only of an animal or animals of a species that is not established in New Zealand, shall also have regard to the following matters:

“(i) The ease or difficulty with which animals of that species might escape from the places in which it is intended that they should be: 30

“(ii) The ease or difficulty with which animals of that species might become established in New Zealand if they escaped or were released from the places in which it is intended that they should be: 35

“(iii) The ease or difficulty with which animals of that species might be eradicated if they became established in New Zealand:

“(iv) The extent (if any) to which the establishment in New Zealand of animals of the species concerned might cause in natural resources changes contrary to Maori spiritual or cultural values: 40

“(v) Any other possible harmful effects that the establishment in New Zealand of animals of that species might have on natural resources:

5 “(vi) Any possible beneficial effects that the establishment in New Zealand of animals of that species might have on natural resources:

“(vii) The possible effect on use and enjoyment by members of the public of land and waters to which they have a right of access of the presence, in the places in which it is intended that they should be, of animals of that species:

10 “(viii) The possible effect on the use and enjoyment by members of the public of land and waters to which they have a right of access of the presence, in places in which they might become established if they escaped or were released from the places in which it is intended that they should be, of animals of that species:

“(ix) Any possible harmful economic effects of the presence of animals of that species in the places in which it is intended that they should be:

20 “(x) Any possible harmful economic effects of the presence of animals of that species in the places in which they might become established if they escaped or were released from the places in which it is intended that they should be:

“(xi) Any possible beneficial economic effects of the presence of animals of that species in the places in which it is intended that they should be:

30 “(xii) Any possible beneficial social effects of the presence of animals of that species in the places in which it is intended that they should be.

“(1c) In **subsection (1b)** of this section, ‘natural resources’ means—

35 “(a) Plants and animals of all kinds; and

“(b) The air, water, and soil, in or on which any plant or animal lives or may live; and

“(c) Landscape and land form; and

“(d) Geological features; and

40 “(e) Systems of interacting living organisms, and their environment.

“(1D) Nothing in **subsection (1A)** or **subsection (1B)** of this section affects section 14 of this Act.”

45 (2) **Subsections (1A) to (1c)** of section 13 of the principal Act (as inserted by **subsection (1)** of this section) apply to applications for

a permit or notice of exemption made before the commencement of this Act.

(3) The Customs Import Prohibition (Aquatic Fauna) Order 1988* is hereby revoked.

*S.R. 1988/323