

Mr Knapp

ANIMALS PROTECTION AMENDMENT

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A BILL INTITULED

An Act to amend the Animals Protection Act 1960

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

- 5 **1. Short Title**—This Act may be cited as the Animals Protection Amendment Act 1987, and shall be read together with and deemed part of the Animals Protection Act 1960 (hereinafter referred to as the principal Act).

PART I

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DISCLOSURE

2. Appointment of Inspectors—Section 9 of the principal Act is hereby amended by repealing subsection (2), and substituting the following subsection:

- 15 “(2) The Minister shall appoint—
 “(a) Any officer of the Society for the Prevention of Cruelty to Animals (not being an employee of the public service) to be an Inspector in a part-time capacity for the purposes of this Act; and

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“(b) May appoint any officer of the Society for the Prevention of Cruelty to Animals to be an Inspector in an honorary capacity for the purposes of this Act.”

3. Exemptions—Section 19 (1)(d) of the principal Act is hereby repealed and the following subparagraph substituted: 5

“(d) Any research, experimental, diagnostic, toxicity or potency testing work involving the manipulation of any live animal or any teaching involving the manipulation of any live animal, provided that anaesthetic or analgesic as appropriate is used in all circumstances in which any animal is likely to suffer pain or distress.” 10

4. New section inserted—The principal Act is hereby amended by inserting, after section 19A (as inserted by section 6 of the Animals Protection Amendment Act 1983) the following section— 15

“**19AA. Registration of research or experiment involving the manipulation of a live animal**—(1) Any research, experimental, diagnostic, toxicity or potency testing work, or any teaching involving the manipulation of any live animal shall be registered with the Ministry of Agriculture and Fisheries by filing particulars described in subsection (2) of this section in a form and manner as shall be prescribed by the Minister from time to time by regulations. 20 25

“(2) The information required to be filed under subsection (1) of this section shall include—

“(a) The name and location of the institution involved and the names of any individuals involved; and

“(b) The name of the experiments, or type of research, or type of diagnostic, toxicity or potency testing work, or teaching; and 30

“(c) Full details of the experiment, research, diagnostic, toxicity or potency test, or teaching, including—

“(i) A description of the procedures undertaken; 35 and

“(ii) The compound or compounds administered and their dosages; and

“(iii) The duration of each experiment or test; and

“(iv) The effects of such experiment or test on the animal or animals concerned; and 40

- “(v) Any other relevant information in regard to the conduct of such experiment, research, diagnostic, toxicity or potency test, or teaching; and
- 5 “(d) The type and number of animals used; and
- “(e) The findings or conclusions gained from the experiment, research, diagnostic, toxicity or potency test, or teaching; and
- “(f) The reason for the need to use animals in the research, experimental, diagnostic, toxicity or potency testing, or teaching work; and
- 10 “(g) The provision made for the relief of any pain or distress that may be occasioned for any animal involved; and
- “(h) Any means used to destroy any animals involved.
- 15 “(3) An annual report signed by the Director-General of the Department of Agriculture and Fisheries shall be tabled in Parliament, showing the information required by subsections (1) and (2) of this section.”

PART II

20 PROHIBITIONS

5. New section inserted—The principal Act is hereby amended by inserting, after section 19AA (as inserted by section 4 of this Act) the following section:

25 “19AB. **Prohibitions**—Notwithstanding any provision in this Act the following are prohibited:

- “(a) Research, experiment, diagnostic, toxicity or potency testing work involving any live animal, or any teaching involving any live animal where that work or teaching is:
 - 30 “(i) Merely to demonstrate known facts; or
 - “(ii) Performed where an alternative is available:
- “(b) The LD.50 Test or any lethal dose test:
- “(c) The Draize Ocular Irritancy Test or any other similar eye irritancy test:
- 35 “(d) The Draize Dermal Toxicity Test or any other similar dermal toxicity test:
- “(e) The use of animals in behavioural and psychological experiments.”

40 **6. Codes of ethical conduct**—The principal Act is hereby amended by repealing subsection 19A (5) and substituting the following:

“(5) For the purposes of subsection (4) of this section, the Minister shall, pursuant to section 13 of the Ministry of Agriculture and Fisheries Act 1953, appoint a committee to advise him on matters relating to the content of any code of ethical conduct and to recommend to him that he approve that code: 5

“Provided that—

“(a) Any such committee shall comprise not fewer than four persons:

“(b) Not fewer than half of the persons appointed to any committee are: 10

“(i) Not involved in the conduct of animal research or the supply of animals for use in connection with animal research; and

“(ii) Not associated with any research involving the use of animals otherwise than in such persons’ capacity as members of such committee: 15

“Provided further that, where the committee has changed the content of a code of ethical conduct from that originally proposed, the Minister shall not approve the code unless— 20

“(a) He is satisfied that those persons affected by the changes, or the representatives of those persons, have been consulted and have had the opportunity to consider the possible effects of the changes and to comment on those effects to the committee; and 25

“(b) The committee has considered any such comments made to it.”

7. Offences against regulations—(1) The principal Act is hereby amended by renumbering the present section 19B as section 19B (1) and further amended by adding after the figures “\$1000” in the renumbered section 19B (1), the following words “in the case of a natural person, or \$10,000 in the case of a corporation. 30

(2) The principal Act is hereby amended by adding the following subsection: 35

“(2) Any person may lay charges against any person (natural or otherwise) contravening the provisions of this Act in respect of any animal used in any research, experimental, diagnostic, toxicity or potency testing or teaching work”.