

HYDATIDS AMENDMENT (NO. 2) BILL

EXPLANATORY NOTE

THIS Bill amends the Hydatids Act 1968.

Clause 1 relates to the Short Title.

Clause 2 defines the expression “untreated sheep or goat meat” for the purposes of the provisions of *clause 3* prohibiting the feeding to dogs of untreated sheep or goat meat and prohibiting the sale of such meat for feeding to dogs.

Clause 3 extends the functions of the National Hydatids Council to include the issuing of requirements as to the diagnostic testing of dogs in respect of hydatids by such methods and at such intervals as the Council considers necessary or expedient.

Clause 4: Section 26 (1) of the principal Act gives a right of appeal against any decision of the Council refusing to approve a plan for a hydatids control district or approving a plan subject to conditions or requiring an approved plan to be modified.

This clause adds a proviso to section 26 (1) that there will be no appeal against a decision of the Council refusing to approve a plan on the ground that its requirements as to the diagnostic testing of dogs (made under the powers conferred by *clause 3*) have not been adequately provided for, or a decision of the Council requiring an approved plan to be modified to make provision for such requirements.

Clause 5: The effect of this clause is that Hydatids Control Officers will have power to inspect, examine, and treat for hydatids dogs 3 months of age or over. The existing provisions relate to dogs 6 months of age or over.

Clause 6: Section 30 (3) of the principal Act confers power on Hydatids Control Officers to enter on land for the purpose of ascertaining whether or not there is on the land any raw offal that is accessible to dogs, to require any raw offal found to be destroyed, and, if the owner or occupier fails to comply, to cause the raw offal to be destroyed.

This clause extends those provisions to apply to untreated sheep or goat meat also.

Clause 7: Subclause (1) substitutes new subsections (1) and (1A) for subsection (1) of section 32 of the principal Act relating to the fixing of hydatids control fees and of treatment fees for the further treatment of dogs found to be again infected. The fees are to be fixed by the Hydatids Control Authority, and are not to exceed \$4 per dog per annum in the case of a hydatids control fee or \$5 in the case of a treatment fee.

The new subsection (1) repeats the existing provisions as to the hydatids control fee, that is, it is to be fixed by the Hydatids Control Authority at an amount not exceeding \$4 per annum. It will be payable in respect of dogs 3 months of age or over. At present it is payable in respect of dogs 6 months of age or over.

The new subsection (1A) prescribes the amount of the treatment fee at a fixed amount of \$10. It also provides that a fee for *Taenia ovis* treatment of an amount fixed by regulations is also to be paid. Where a dog is treated by a Hydatids Control Authority at the request of the owner, the actual cost of the treatment is also payable to the Authority.

Subclause (2) contains consequential amendments.

Clause 8 substitutes new subsections (1) and (2) for subsections (1) and (2) of section 43 of the principal Act relating to offences. Under the existing provisions it is an offence wilfully to feed raw offal to dogs, or knowingly to leave the carcass of any animal to be about in the open, or by any act or omission to enable any dog to obtain access to any raw offal.

The new subsection (1) re-enacts the existing provisions relating to raw offal and carcasses, and extends to untreated sheep or goat meat the provisions relating to raw offal. It also makes it an offence knowingly to sell or offer for sale any untreated sheep or goat meat for feeding to dogs.

The new subsection (2) provides that any untreated sheep or goat meat sold as pet food is to be deemed as being sold for feeding to dogs unless it is clearly labelled that it is not to be fed to dogs.

Clause 9 authorises the making of regulations fixing the amount of the fee for *Taenia ovis* treatment. The fee fixed is to be such as will be sufficient to recover half the costs incurred in operating a scheme for the control of *Taenia ovis*.

Clause 10: Under section 3 (1) of the Dogs Registration Act 1955, no person may keep any dog of a greater age than 6 months for a period of 14 days or more unless the dog is registered.

This clause reduces the age at which dogs are required to be registered to 3 months, and makes consequential amendments to other provisions of the Act.

This amendment brings the provisions of that Act as to the age at which dogs are to be registered into conformity with the provisions of *clause 5* reducing from 6 months to 3 months the age at which dogs are to be treated for hydatids.

Hon. Mr Pickering

HYDATIDS AMENDMENT (NO. 2)

ANALYSIS

Title	
1. Short Title	5. Age of dogs to be treated
2. Meaning of "untreated sheep or goat meat"	6. Powers of Hydatids Control Officers
3. Functions and powers of Council	7. Hydatids control fees and charges and other fees
4. Appeal against decision of Council	8. Offences
	9. Regulations
	10. Amendments of Dogs Registration Act 1955

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:

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).

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:

*1968, No. 144

“(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: 5

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

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: 10

“(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 15 Council considers necessary or expedient:”.

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 20 of the Council—

“(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 is not adequately provided for in the plan; or 25

“(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— 30

(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 35 the principal Act is hereby further amended—

(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”:

- (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”:
- 5 (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”.

7. Hydatids control fees and charges and other fees—
10 (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
15 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.

20 “(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
25 if it has been treated 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

30 “(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.”

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

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

(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
40 payable under subsection (1A)”.

8. Offences—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

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

“(2) For the purposes of paragraph (b) of subsection (1) 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.”

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”.