

## NOXIOUS ANIMALS AMENDMENT BILL

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### EXPLANATORY NOTE

THIS Bill amends the Noxious Animals Act 1956.

*Clause 2* prohibits the keeping of deer, wapiti, thar, or chamois, except pursuant to a permit granted by the Director-General of Forests.

*Clause 3* prohibits the sale or export for sale of opossum skins as from a date to be fixed by the Governor-General, by Proclamation.

*Hon. Mr Gerard*

## NOXIOUS ANIMALS AMENDMENT

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### ANALYSIS

Title	2. Keeping of certain animals
1. Short Title	3. Sale or export of opossum skins prohibited

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### A BILL INTITULED

#### **An Act to amend the Noxious Animals Act 1956**

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 Noxious Animals Amendment Act 1962, and shall be read together with and deemed part of the Noxious Animals Act 1956 (hereinafter referred to as the principal Act).

10 2. **Keeping of certain animals**—The principal Act is hereby amended by inserting, after section 8, the following section:

15 “8A. (1) No person shall, after the first day of November, nineteen hundred and sixty-two, keep any deer, wapiti, thar, or chamois, except pursuant to a permit granted by the Director-General under this section and in accordance with the conditions specified in the permit.

“(2) The Director-General may refuse to grant a permit under this section, or may grant a permit for such period and subject to such conditions as he thinks fit.

“(3) Any permit under this section may, by notice in writing, be at any time revoked by the Director-General. 5

“(4) Any Forest Officer within the meaning of the Forests Act 1949 may enter at all reasonable times on the land or premises of the holder of a permit under this section, or any other land or premises where he has reasonable cause to suspect that any animal is being kept in breach of this section, and inspect any part of the land or premises for the purpose of ascertaining whether the conditions of the permit are being complied with or, as the case may be, whether any animal is being kept in breach of this section. 10

“(5) Nothing in subsection (4) of this section shall be deemed to empower any Forest Officer, unless authorised by the warrant of a Justice under subsection (6) of this section, to enter any dwellinghouse or the enclosed garden or curtilage of any dwellinghouse. 15

“(6) Any Justice who is satisfied on oath that there is probable cause to suspect that any breach of this section has been or is being committed within any of the hereinbefore excepted premises may, by warrant under his hand, empower a Forest Officer to enter those premises for the purpose of detecting that offence at such time or times of the day as are mentioned in the warrant, but no such warrant shall continue in force for more than fourteen days from the date thereof. 20

“(7) Every person commits an offence against this Act who acts in contravention of any provision of this section.” 25 30

**3. Sale or export of opossum skins prohibited—**(1) The principal Act is hereby further amended by inserting, after section 21, the following section:

“21A. (1) No person shall—

“(a) Sell or offer for sale; or 35

“(b) Export from New Zealand for sale,—  
any opossum skin produced in New Zealand.

“(2) Every person commits an offence against this Act who acts in contravention of this section.”

(2) Section 25 of the principal Act is hereby amended by repealing paragraph (c) of subsection (2), and substituting the following paragraph: 40

“(c) Regulating or prohibiting or restricting the taking, killing, liberating, or harbouring of opossums:”.

(3) Section 25 of the principal Act is hereby further amended by repealing subsection (4).

(4) The Opossum Regulations 1953 are hereby revoked.

(5) This section shall come into force on a date to be fixed  
5 for the commencement thereof by the Governor-General, by  
Proclamation.