



**ANIMALS PROTECTION (CODES OF ETHICAL CONDUCT)
AMENDMENT REGULATIONS 1997**

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 17th day of November 1997

Present:

THE HON JENNY SHIPLEY PRESIDING IN COUNCIL

PURSUANT to sections 19A and 20 of the Animals Protection Act 1960, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Animals Protection (Codes of Ethical Conduct) Amendment Regulations 1997, and are part of the Animals Protection (Codes of Ethical Conduct) Regulations 1987* (“the principal regulations”).

(2) These regulations come into force on 1 January 1998.

2. Animal evaluations carried out by veterinary surgeons not prohibited—The principal regulations are amended by inserting, after regulation 3, the following regulation:

“3A. (1) Regulation 3 does not apply to any animal evaluation.

“(2) In this regulation,—

“ ‘Animal evaluation’ means any manipulation that is carried out by a veterinary surgeon on any live animal in his or her immediate care, if—

*S.R. 1987/12

Amendment No. 1: (Revoked by S.R. 1987/389)

Amendment No. 2: S.R. 1987/389

“(a) The veterinary surgeon believes on reasonable grounds that the manipulation will not cause the animal unreasonable or unnecessary pain, suffering, or distress, or lasting harm; and

“(b) The manipulation is—

“(i) For clinical purposes in order to diagnose any disease in the animal or any associated animal; or

“(ii) For clinical purposes in order to assess the effectiveness of a proposed treatment regime for the animal or any associated animal; or

“(iii) For the purpose of assessing the characteristics of the animal with a view to maximising the productivity of the animal or any associated animal:

“ ‘Associated animal’ means an animal that—

“(a) Is of the same species and is from the same flock, herd, or other group as the animal that is manipulated; and

“(b) Is in the immediate care of the veterinary surgeon who carries out the manipulation.

“(3) For the purposes of this regulation, an animal is in the immediate care of a veterinary surgeon if the veterinary surgeon—

“(a) Has accepted responsibility for the health and welfare of the animal; and

“(b) Is providing real and continuing care for the animal.”

3. Codes to require keeping of records—(1) Regulation 5 (1) of the principal regulations is amended by revoking paragraphs (e) and (f), and substituting the following paragraphs:

“(e) The status of each animal manipulated or used during the period according to the following categories:

“(i) Normal/conventional:

“(ii) Specific pathogen free/germ free:

“(iii) Diseased:

“(iv) Transgenic/chimera:

“(v) Protected wildlife:

“(vi) Pregnant:

“(vii) Other:

“(f) The number of animals of each species manipulated or used during the period which—

“(i) Have not been previously manipulated or used:

“(ii) Have been previously manipulated or used—

at any time before or during the period:

“(fa) In respect of the manipulation or use of any animal during the period, the severity of that manipulation or use according to the following scale (taking into account the effect of any anaesthetic, analgesic, euthanasia technique, or other strategy or practice that is applied or used, or any other step taken, to avoid or alleviate the stress or pain caused to the animal):

“(i) A manipulation or use that causes no stress or pain or virtually no stress or pain (‘no suffering or virtually no suffering’):

“(ii) A manipulation or use that causes stress, or pain, of a minor intensity for a short duration (‘little suffering’):

“(iii) A manipulation or use that causes stress, or pain, of a minor intensity for a long duration, or of a moderate intensity for a short duration (‘moderate suffering’):

“(iv) A manipulation or use that causes stress, or pain, of a moderate intensity for a long duration, or of a severe intensity for a short duration (‘severe suffering’):

“(v) A manipulation or use that causes stress, or pain, of a severe intensity for a long duration, or of a very severe intensity for any duration (‘very severe suffering’):

“(fb) The number of animals of each species that died or were destroyed during the period in the course of, or subsequent to, the manipulation or use of those animals (whether directly or indirectly as a result of their manipulation or use):”.

(2) Regulation 5 of the principal regulations is amended by adding the following subclause:

“(3) In this regulation, ‘protected wildlife’ has the same meaning as in section 2 of the Conservation Act 1987.”

4. Revocation—The principal regulations are amended by revoking regulation 8.

MARIE SHROFF,
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, which come into force on 1 January 1998, amend the Animals Protection (Codes of Ethical Conduct) Regulations 1987.

The first main change relates to the prohibition against work or teaching involving the manipulation of any live animal. Currently this work or teaching is prohibited unless it is carried out in accordance with a code of ethical conduct relating to the welfare and humane treatment of the animal involved. These regulations create a strictly limited exception to that prohibition. *New regulation 3A* allows veterinarians to carry out certain animal evaluations on animals in their immediate care if the animal evaluations will not cause the animals unreasonable or unnecessary pain, suffering, or distress, or lasting harm.

The next change relates to the record keeping requirements of codes of ethical conduct. Several new categories are added to the list of records that must be kept under *regulation 5* of the principal regulations. The words “little suffering”, “moderate suffering”, etc (as set out in parentheses in *subparagraphs (i) to (v) of new regulation 5 (1) (fa)*) correspond to the headings used in the part of the Animal Use Statistics Form that relates to the severity of the manipulation or use of the animal.

The last change revokes regulation 8 of the principal regulations which deals with offences against the regulations. This is already covered in section 19B of the Animals Protection Act 1960.

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