



**THE ANIMALS PROTECTION (CODES OF ETHICAL CONDUCT)  
REGULATIONS 1987**

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PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 2nd day of February 1987

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 19A (as inserted by section 6 of the Animals Protection Amendment Act 1983) and section 20 of the Animals Protection Act 1960, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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ANALYSIS

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REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Animals Protection (Codes of Ethical Conduct) Regulations 1987.

(2) These regulations shall come into force on the 23rd day of February 1987.

**2. Interpretation**—In these regulations, unless the context otherwise requires,—

“The Act” means the Animals Protection Act 1960:

“Animal” means—

(a) Any horse, cattle, sheep, pig, goat, dog, cat, mule, or ass, of whatever age or sex and whether in a domestic or wild state:

(b) Any bird, whether in a domestic or wild state:

(c) Any marine mammal found on, or in the vicinity of, the seashore:

(d) Any other species of animal which is dependent upon man for its care and sustenance, or which is kept by man in a state of captivity, or which is declared by the Minister, by notice in the *Gazette*, to be an animal for the purposes of the Act:

“Director-General” means the Director-General of Agriculture and Fisheries:

“Inspector” means an Inspector appointed under section 9 of the Act:

“Manipulation”, in relation to any live animal, means interfering with the normal physiological, behavioural, or anatomical integrity of the animal by deliberately—

(a) Exposing it to any parasite, micro-organism, drug, chemical, biological product, radiation, electrical stimulation, or environmental condition:

(b) Subjecting it to enforced activity, unusual restraint, abnormal nutrition, or surgical intervention:

(c) Depriving it of usual care;—

but does not include any therapy or prophylaxis necessary or desirable for the welfare of the animal:

“Minister” means the Minister of Agriculture and Fisheries.

**3. Prohibition of experimentation, etc., involving live animals except in accordance with an approved code**—No person shall, on or after the 1st day of September 1987, conduct 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, unless that work or teaching is carried out in accordance with a code of ethical conduct relating to the welfare and humane treatment of the live animal involved.

**4. Matters to be incorporated in codes of ethical conduct**—Every code of ethical conduct which relates to the welfare and humane treatment of any live animals that are manipulated in any research, experimental, diagnostic, toxicity, or potency testing work, or are used in teaching involving the manipulation of live animals, shall, in addition to complying with the requirements of regulation 5 of these regulations, make specific reference to the following matters:

(a) The measures to be taken to ensure that alternatives to the manipulation of animals are used wherever possible:

(b) The factors to be considered when determining whether—

(i) The work is likely to result in the extension of the body of knowledge relevant to the health and welfare of humans or animals or the productivity of animals; or

- (ii) The teaching is a required part of an educational institution's curriculum:
- (c) The factors to be considered in choosing an appropriate animal species:
  - (d) The procedures to be adopted in formulating, approving, and implementing manipulation projects so as to minimise the numbers of animals manipulated in order that no more animals are used than are necessary to ensure unequivocal interpretation of the findings:
  - (e) The measures to be taken to ensure that the procedures for the obtaining of animals for manipulation are such that they ensure the welfare and humane treatment of the animals:
  - (f) The responsibilities of the persons undertaking, supervising, and responsible for manipulation and selection of animals, and their care and disposal:
  - (g) The measures to be taken to ensure the general health and welfare of the animals before, during, and after manipulation:
  - (h) The measures to be taken to minimise any pain or distress caused to live animals manipulated, including the abandonment of manipulation at any stage and the immediate humane destruction of animals where pain and distress cannot be held within reasonable levels:
  - (i) A requirement that all Acts of Parliament, regulations, and bylaws relating to the obtaining, holding, possession, care, and treatment of animals are complied with:
  - (j) The measures to be taken within the organisation or body by which the work or teaching is carried out to ensure compliance with the code of ethical conduct.

**5. Codes to require keeping of records**—(1) Every code of ethical conduct which relates to the welfare and humane treatment of any live animals that are manipulated in any research, experimental, diagnostic, toxicity, or potency testing work or are used in teaching involving the manipulation of live animals shall require the keeping of readily accessible records by every person, laboratory, commercial enterprise, or teaching or research institution by whom or which, or on behalf of whom or which, that code is made, in which shall be entered, in relation to each period, the following:

- (a) The name of each species of animal manipulated or used during the period:
- (b) The number of animals of each species manipulated or used during the period:
- (c) The purpose for which each animal was manipulated or used:
- (d) The source of supply of each animal manipulated or used during the period:
- (e) The number of animals which died during the period in the course of, or directly or indirectly as a result of, the manipulation or use of those animals:
- (f) The number of animals destroyed during that period subsequent to manipulation or use of those animals:

- (g) The number of animals manipulated or used during the period which are still alive at the end of the period:
  - (h) In respect of the animals referred to in paragraph (g) of this subclause, the number of such animals—
    - (i) Released from captivity:
    - (ii) Retained by the person, laboratory, commercial enterprise, or teaching or research institution that manipulated or used the animals:
    - (iii) Delivered to a person other than the person, laboratory, commercial enterprise, or teaching or research institution that manipulated or used the animals:
  - (i) In respect of any person referred to in subparagraph (iii) of paragraph (h) of this subclause, the name and address of, and the number of animals delivered to, that person.
- (2) No code of ethical conduct referred to in subclause (1) of this regulation shall require the keeping of any records for longer than 5 years from the expiry of the period in respect of which the records were kept.

**6. Inspection of records**—The Director-General, or any Inspector, may, by notice in writing to any person, laboratory, commercial enterprise, or teaching or research institution required by any code of ethical conduct to keep records pursuant to that code, request that a copy of such records, or such details of any information required to be contained in those records, as the Director-General or the Inspector may specify, be sent to the Director-General or the Inspector, as the case may be, at such address as may be specified; and it shall be the duty of every person to whom such a request is addressed to forward the copy or details within such time, being not less than 7 days from the receipt of the request, as the Director-General or Inspector may specify.

**7. Application for approval of codes**—Every application for approval of a code of ethical conduct by the Minister pursuant to section 19A of the Act shall be sent to the Director-General at the head office of the Ministry of Agriculture and Fisheries in Wellington.

**8. Offences and penalties**—Without limiting the provisions of section 19B of the Act, every person commits an offence who acts in contravention of or fails to comply with any provision of these regulations, and is liable accordingly on summary conviction to the penalties specified in that section, namely a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 3 months, or to both.

P. G. MILLEN,  
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 relate to and provide for the observance of codes of ethical conduct relating to the welfare and humane treatment of live animals that are manipulated in any research, experimental, diagnostic, toxicity, or potency testing work or are used in teaching involving the manipulation of live animals.

*Regulation 3* prohibits, on or after 1 September 1987, research, experimental, diagnostic, toxicity, or potency testing work involving the manipulation of any live animal, and any teaching involving the manipulation of any live animal, unless that work or teaching is carried out in accordance with a code of ethical conduct relating to the welfare and humane treatment of the live animal involved. No code of ethical conduct has any force or effect until it has been approved by the Minister pursuant to section 19A (4) of the Animals Protection Act 1960.

*Regulation 4* prescribes the matters to be incorporated in any code of ethical conduct.

*Regulation 5* provides that every code of ethical conduct shall require the keeping of records, in which shall be entered certain specified information.

*Regulation 6* obliges every person, laboratory, commercial enterprise, or teaching or research institution required by any code of ethical conduct to keep records to send copies of those records, or details of any information contained in them, to the Director-General of Agriculture and Fisheries, or to an Inspector, within 7 days of receipt of a request to that effect.

*Regulation 7* requires applications for approval of codes of ethical conduct to be sent to the Director-General at the head office of the Ministry of Agriculture and Fisheries in Wellington.

*Regulation 8* provides that it is an offence to act in contravention of, or to fail to comply with, these regulations.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 4 February 1987.

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