



**THE BIOSECURITY (TRANSITION AND SAVINGS)  
REGULATIONS (NO. 2) 1996**

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MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 30th day of September 1996

Present:

THE HON. DOUG KIDD PRESIDING IN COUNCIL

PURSUANT to paragraphs (w) and (x) of section 165 of the Biosecurity Act 1993, 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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REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Biosecurity (Transition and Savings) Regulations (No. 2) 1996.

(2) These regulations shall come into force on the 28th day after the date of their notification in the *Gazette*.

**2. Transitional control of agricultural pests**—(1) This regulation applies to sections 3A, 30, 55 to 60, 63, 71 to 77, and 101 to 114 of the Agricultural Pests Destruction Act 1967, and sections 42 to 46 of the Rating Powers Act 1988.

(2) Notwithstanding—

(a) Their repeal by section 167 (1) of the Biosecurity Act 1993; and

(b) Subsection (2) of section 179 of the Biosecurity Act 1993 (in place of which subclauses (1) to (3) of this regulation have been made),—  
the sections to which this regulation applies shall continue in full effect in relation to animals that were a pest of local importance under the

Agricultural Pests Destruction Act 1967 at the close of the 30th day of June 1993, and rabbits that were a pest of national importance immediately at the close of that day, as though they were a pest of local importance under the Agricultural Pests Destruction Act 1967; and those sections shall have effect and may be enforced in all respects as if they had not been repealed.

(3) The sections to which this regulation applies shall have effect in relation to—

- (a) Possums; and
- (b) Organisms belonging to a class or description of organism for the time being declared by the Director-General by notice in the *Gazette* published before the commencement of these regulations to be vectors of tuberculosis for the purposes of section 179 of the Biosecurity Act 1993; and
- (c) Organisms belonging to a class or description of organism for the time being declared by the Director-General by notice in the *Gazette* published after the commencement of these regulations to be vectors of tuberculosis for the purposes of these regulations,—

as if they are pests (within the meaning of the Agricultural Pests Destruction Act 1967) not only by virtue of the effect that they have or may have by virtue of their inherent nature, but also by virtue of the fact that they act or may act as vectors for tuberculosis.

(4) Subclauses (1) to (3) of this regulation are in place of section 179 of the Biosecurity Act 1993.

MARIE SHROFF,  
Clerk of the Executive Council.

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#### EXPLANATORY NOTE

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations, which come into force 28 days after notification in the *Gazette*, replace transitional provisions in the Biosecurity Act 1993. Formerly, the coming into effect of a pest management strategy under that Act would have had the effect that certain powers available under the Agricultural Pests Destruction Act 1967 and the Rating Powers Act 1988 would no longer be available in respect of the pest to which the strategy applied. All those powers will now continue to be available until the close of the transitional period (30 September 1998).

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Date of notification in *Gazette*: 3 October 1996.  
These regulations are administered in the Ministry of Agriculture.