

1962/9



THE CATTLE TUBERCULOSIS REGULATIONS 1962

COBHAM, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 12th day of February
1962

Present:

THE RIGHT HON. KEITH HOLYOAKE PRESIDING IN COUNCIL

PURSUANT to the Stock Act 1908, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. These regulations may be cited as the Cattle Tuberculosis Regulations 1962.

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

“Approved” means approved by the Director-General:

“Cattle” means cattle within the meaning of the Stock Act 1908:

“Clinical case of tuberculosis”, in relation to any cattle, means—

(a) Any animal the appearance of which, in the opinion of any Tuberculin Testing Officer, Tuberculin Testing Technician, or other Inspector, justifies a diagnosis of tuberculosis in respect of that animal without the necessity for a tuberculin test; and

(b) Any other animal the health or condition of which, in the opinion of any Tuberculin Testing Officer, Tuberculin Testing Technician, or other Inspector, indicates that the animal is likely to be affected with tuberculosis, and which, solely for the purpose of confirming that opinion, is tested with the tuberculin test:

“Compulsory testing area” means any area which the Minister has, by notice in the *Gazette* pursuant to subsection (6) of section 7 of the Stock Amendment Act 1958 (as substituted by subsection (3) of section 7 of the Stock Amendment Act 1961), declared to be an area in which every owner of cattle shall, as often as and in such manner as he may be required to do so by the Director-General, submit the cattle for testing with the tuberculin test for the purposes of section 7 of the Stock Amendment Act 1958:

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

“Minister” means the Minister of Agriculture:

“Reactor”, in relation to any cattle, means any animal which gives a positive reaction to a tuberculin test, not being a tuberculin test made in respect of a clinical case of tuberculosis:

“Slaughterhouse” means an abattoir, or meat export slaughterhouse, as defined in section 2 of the Meat Act 1939:

“Tuberculin test”, in relation to any cattle, means any approved test made, in accordance with approved techniques, of a living animal for the presence of the tubercule bacillus:

“Tuberculin Testing Officer” means a Tuberculin Testing Officer within the meaning of section 7 of the Stock Amendment Act 1958 (as amended by section 5 of the Stock Amendment Act 1960):

“Tuberculin Testing Technician” means a Tuberculin Testing Technician within the meaning of the said section 7 of the Stock Amendment Act 1958.

3. (1) Where, pursuant to subsection (3) of section 7 of the Stock Amendment Act 1958, the Director-General directs that any cattle shall be slaughtered, the cattle shall be slaughtered within such period as shall be notified to the owner of the animal by the Director-General, and, when the animal has been slaughtered within the period so notified and in accordance with such directions as may be given by the Director-General pursuant to the said subsection (3), there shall be payable as compensation in respect of the animal—

(a) The sum of £8, where the animal is a reactor:

(b) The sum of £3, where the animal is a clinical case of tuberculosis:

Provided that where the animal is less than 12 months old at the date when it is directed to be slaughtered, the amount of compensation payable under this regulation shall be reduced by one-half:

Provided also that no sum shall be paid as compensation in respect of any animal that is less than six months old at the date when it is directed to be slaughtered.

(2) Where any cattle is slaughtered at the direction of the Director-General under the said subsection (3) of section 7 of the Stock Amendment Act 1958 without full compliance with all the directions of the Director-General as to the manner and place of the slaughter and the period within which it is required to take place, the compensation payable on the slaughter of that animal shall be only one-eighth of the full compensation otherwise payable:

Provided that, with the consent of the Minister, a greater proportion or the whole of that full compensation may be paid in respect of that animal.

4. Notwithstanding anything to the contrary in these regulations, no compensation shall be payable in respect of any cattle which, having been directed by the Director-General to be slaughtered pursuant to the said subsection (3) of section 7 of the Stock Amendment Act 1958, dies before it may be slaughtered.

5. (1) Where, pursuant to the said subsection (3) of section 7 of the Stock Amendment Act 1958, the Director-General directs that any cattle shall be slaughtered as a clinical case of tuberculosis and that

it be forwarded for slaughter to a boiling down works, not being part of a slaughterhouse, the owner of that animal shall give notice in writing to the Government Veterinarian for the district of—

- (a) The name and address of the owner:
- (b) The number of animals forwarded to the boiling down works:
- (c) A description of any temporary brand placed on any animal so forwarded.

(2) Where, pursuant to the said subsection (3) of section 7 of the Stock Amendment Act 1958, the Director-General directs that any cattle shall be slaughtered and that it be forwarded to a slaughterhouse for slaughter, the owner of that animal shall, before it is received at the slaughterhouse, give notice in writing to the Supervising Meat Inspector at the slaughterhouse of—

- (a) The name and address of the owner:
- (b) The number of reactors forwarded to the slaughterhouse:
- (c) The number of clinical cases of tuberculosis forwarded to the slaughterhouse:
- (d) A description of any temporary brand placed on any animal so forwarded:
- (e) The date on which any animal so forwarded is expected to arrive at the slaughterhouse.

(3) Where, pursuant to the said subsection (3) of section 7 of the Stock Amendment Act 1958, the Director-General directs that any cattle shall be slaughtered and that it be forwarded to a boiling down works or slaughterhouse for slaughter, the owner of that animal shall, before it is removed to the boiling down works or slaughterhouse, as the case may be, place on the animal a temporary brand of approved type.

6. Notwithstanding anything to the contrary in these regulations, where any cattle is forwarded to a boiling down works or a slaughterhouse for slaughter and the requirements of regulation 5 of these regulations have not been complied with, the compensation payable on the slaughter of that animal shall be only one-eighth of the full compensation otherwise payable:

Provided that, with the consent of the Minister, a greater proportion or the whole of that full compensation may be paid in respect of that animal.

7. (1) Where any animal is subjected to a tuberculin test, the cost of the test shall, where the Minister so directs, be borne by the owner of that animal, but otherwise shall be borne by the Crown and paid out of money appropriated by Parliament for the purpose.

(2) The cost of every tuberculin test shall be at such rate or rates as may from time to time be determined by the Minister.

8. No cattle less than 14 days old shall be subjected to a tuberculin test.

9. Where, pursuant to the said subsection (3) of section 7 of the Stock Amendment Act 1958, the Director-General directs that any animal shall be slaughtered, the animal shall be branded with such mark or marks, and in such manner, as the Director-General considers necessary or desirable for the purpose of indicating that the animal is infected with tuberculosis.

10. (1) Where any cattle more than 14 days old is brought on to the premises of any owner whose whole herd has been subjected to a tuberculin test, the owner shall, within 10 days of the date of the arrival of that animal on the premises, give written notice of that arrival to the Director-General.

(2) Notwithstanding anything to the contrary in these regulations, where any person fails to comply with the requirements of this regulation, then, when the whole of his herd is next subjected to a tuberculin test, the compensation payable on the slaughter of any cattle in that herd which is a reactor shall be only one-eighth of the full compensation otherwise payable:

Provided that, with the consent of the Minister, a greater proportion or the whole of that full compensation may be paid in respect of any animal so slaughtered.

11. No person shall, without the written permission of the Director-General or otherwise than in accordance with such conditions as the Director-General may think fit to impose, bring or move or remove any cattle, or permit any cattle to be brought, moved, or removed,—

- (a) Into a compulsory testing area from any other place; or
- (b) From a compulsory testing area to any other place.

12. The regulations specified in the Schedule to these regulations are hereby revoked.

SCHEDULE

Reg. 12

REGULATIONS REVOKED

Title	Published in Statutory Regulations Serial No.
The Cattle Tuberculosis Regulations 1958	1958/178
The Cattle Tuberculosis Regulations 1958, Amendment No. 1	1959/101
The Cattle Tuberculosis Regulations 1958, Amendment No. 2	1960/3

T. J. SHERRARD,
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 take the place of the Cattle Tuberculosis Regulations 1958, and govern the revised scheme for the tuberculin testing of cattle. The regulations cover particularly the slaughter of condemned cattle, the incidence of the cost of tuberculin tests, the obligation to give notice of the introduction of animals to tested herds, and the restrictions on the removal of cattle into or out of compulsory testing areas.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 15 February 1962.

These regulations are administered in the Department of Agriculture.