

1969/71



## THE DEER FARMING REGULATIONS 1969

ARTHUR PORRITT, Governor-General

### ORDER IN COUNCIL

At the Government Buildings at Wellington this 21st day of April 1969

Present:

THE RIGHT HON. KEITH HOLYOAKE, C.H., PRESIDING IN COUNCIL

PURSUANT to the Animals Act 1967, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

### REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Deer Farming Regulations 1969.

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

**2. Interpretation**—(1) In these regulations, unless the context otherwise requires,—

“Deer” means any of the species of deer specified in the Sixth Schedule of the Wildlife Act 1953:

“Deer farm” means any land on which deer are kept in captivity for the purpose of being—

(a) Farmed for the production or sale of venison; or

(b) Bred, held, or depastured for the purpose of being sold or supplied for deer farming:

“Deer farming licence” means a licence granted under these regulations to the licensee of a deer farm:

“Inspector” means an Inspector within the meaning of the Animals Act 1967; and includes any Forest Officer within the meaning of the Forests Act 1949 who is charged with the duty of carrying out inspections of deer farms:

“Licensee”, in relation to a deer farm, means the person who is the owner or occupier of the land which has been licensed as a deer farm and who is authorised to keep deer in captivity on the deer farm:

(2) Terms and expressions defined in the Animals Act 1967 when used in these regulations shall, unless the context otherwise requires, have the meanings so defined.

**3. Applications for deer farming licences**—(1) Any person who wishes to commence deer farming may apply to the Director-General for a deer farming licence.

(2) An application under subclause (1) of this regulation shall—

(a) Be in writing;

(b) Be accompanied by the prescribed licence fees;

(c) Contain the legal description and tenure, and specify the owner, of the land to be used as a deer farm;

(d) Give the number and species of deer intended to be depastured on the land;

(e) Give the names and locations of the persons from whom the foundation stock of the deer herd is to be obtained; and

(f) Describe the provisions to be made for fences, accessways, holding pens, yards, and other enclosures.

**4. Suitability of land and soil erosion**—Before the Director-General may issue any deer farming licence, he shall obtain the concurrence of the Director-General of Forests, who shall have regard to the views of the Commissioner of Works to the issue of the licence:

Provided that if the Director-General of Forests concurs in the granting of the licence, he shall issue a permit for the keeping of deer in accordance with the provisions of section 8A of the Noxious Animals Act 1956, as inserted by section 3 of the Noxious Animals Amendment Act 1967.

**5. Deer farming licences**—(1) Every deer farming licence shall be issued on a form provided for the purpose by the Director-General, and shall remain in force until it is revoked or surrendered.

(2) The Director-General may, in his absolute discretion, but subject to regulation 6 of these regulations, grant or refuse a licence as he thinks fit.

**6. Restrictions on granting of licences**—No licence shall be granted under these regulations, unless the Director-General is satisfied that—

(a) The perimeter fence of the farm separating it from any adjoining land (including unoccupied Crown land, Maori land, public roads, parks, reserves, and other public places) will be constructed in accordance with the specifications laid down by the Director-General of Forests in the permit issued under the Noxious Animals Act 1956; and in no case shall the height of the fence be less than 6 feet 6 inches above ground level:

(b) There will be such adequate catching pens and holding yards as may be necessary to carry out inspections and veterinary testing made under the Animals Act 1967.

**7. Conditions in respect of licences**—Every licence granted under this regulation shall be granted subject to the conditions that the licensee shall—

(a) Keep a record, which shall be made available to an Inspector when required, giving details of deer purchased or otherwise acquired, or sold or disposed of alive or by way of slaughter:

(b) Transport live deer to and from the deer farm in accordance with

conditions prescribed in a transport permit issued by the Director-General of Forests under the Noxious Animals Act 1956:

- (c) Facilitate the inspection and veterinary diagnostic tests to be carried out as required by the Chief Veterinary Officer from time to time:
- (d) Facilitate the implementation of the provisions of the Animals Act 1967 as they apply to the deer, land, buildings, and any other structures to which the licence relates:
- (e) Report immediately to the nearest Inspector under the Animals Act 1967 the presence of suspected disease of any deer on the deer farm:
- (f) Cause the deer farm to be at all times under the continuing supervision of himself or his agent; and either he or his agent shall reside on the deer farm or on land adjacent to the deer farm, and shall ensure that the deer are adequately fed and watered and otherwise properly managed so as to keep them in healthy condition:
- (g) Facilitate such separate or joint inspections of the deer farm and deer as may be deemed necessary in order to comply with the provisions of the Animals Act 1967 and the Noxious Animals Act 1956:
- (h) Cause to be provided such holding or yard facilities as may be necessary to carry out the testing and inspections specified in paragraphs (c) and (g) of this regulation; and muster and assist in holding any deer on the deer farm when required to do so by an Inspector:
- (i) Cause the perimeter fences and gates to be maintained in a good state of repair; and, if any portion thereof becomes defective at any time, carry out the necessary repairs forthwith:
- (j) Cause the deer to be identified with such systems of branding as may be prescribed under the Animals Act 1967:
- (k) Cause the slaughtering of any deer and the processing of any carcasses on the deer farm to be conducted in accordance with the provisions of the Meat Act 1964 and any regulations made thereunder:
- (l) Comply with such other conditions as may be decided by the Director-General and notified to him in writing.

**8. Purchase of live deer**—The licensee of any deer farm shall not purchase or acquire live deer from any person who does not hold a permit to capture and keep any deer in captivity pursuant to sections 8 and 8A of the Noxious Animals Act 1956, which last-mentioned section was inserted by section 3 of the Noxious Animals Amendment Act 1967:

Provided that, where the licensee of a deer farm holds a permit to capture deer, this regulation shall not apply to deer captured in accordance with the permit by him or his agents or employees.

**9. Revocation of licence**—The Director-General may revoke any licence and authorise disposal of any deer remaining on the deer farm if the licensee fails to comply with the provisions of these regulations or any of the conditions of any permit issued under the Noxious Animals Act 1956.

**10. Transfer of licence**—(1) The Director-General of Agriculture may accept an application for the transfer of any deer farming licence to any person who has become the occupier of the deer farm, if—

- (a) The prescribed fee is paid;
- (b) The application is made in writing by the licensee or his agent;
- (c) A permit to keep deer has been issued to the person to whom the licence is to be transferred by the Director-General of Forests; and
- (d) The Director-General of Agriculture is satisfied that the new occupier will comply with the provisions of these regulations and such other conditions as may be laid down for that deer farm.

(2) A certificate, issued on a form provided for that purpose by the Director-General of Agriculture and attached to the original licence shall be sufficient evidence that the transferee is the new licensee of the deer farm.

**11. Change of conditions**—The Director-General may at any time cancel an existing deer farming licence and issue to the licensee a new deer farming licence subject to amended conditions.

**12. Licence fees**—An application made to the Director-General shall be accompanied by the appropriate fee, being—

- (a) Fifty dollars for a deer farming licence;
- (b) Twenty-five dollars for a transfer of a deer farming licence.

**13. Every licensee commits an offence and is liable under section 104 of the Animals Act 1967 to a fine not exceeding \$200 who fails to comply with or acts in contravention of regulation 8 hereof or any of the conditions specified in regulation 7 hereof or in his licence.**

P. J. BROOKS,  
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 make provision for the licensing of deer farms, and prescribe conditions to which licences shall be subject.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 23 April 1969.

These regulations are administered in the Department of Agriculture.