



THE GAME REGULATIONS 1975, AMENDMENT NO. 4

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 15th day of July 1996

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Meat Act 1981, 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 Game Regulations 1975, Amendment No. 4, and shall be read together with and deemed part of the Game Regulations 1975* (hereinafter referred to as the principal regulations).

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

2. Interpretation—The principal regulations are hereby amended by revoking regulation 2, and substituting the following regulation:

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

“ ‘Act’ means the Meat Act 1981:

“ ‘Container’—

“(a) Means any bag, barrel, box, can, carton, drum, wrapper, or other receptacle; but

“(b) Does not include a ‘shipping container’ as defined in regulation 242 of the Meat Regulations 1969†:

“ ‘Deer slaughtering premises licence’ means a licence issued under the Act in respect of deer slaughtering premises:

“ ‘Disease’ means any disease mentioned in the First, Second, or Third Schedules to these regulations:

“ ‘Fit for human consumption’ means not unfit for human consumption:

“ ‘Game depot’ means premises used or intended to be used as a depot for holding killed game prior to the delivery of the game to a licensed game packing house or licensed game inspection premises:

“ ‘Game depot licence’ means a licence issued under these regulations in respect of a game depot:

“ ‘Game establishment’ means any licensed deer slaughtering premises, licensed game depot, licensed game inspection premises, or licensed game packing house:

“ ‘Game exporter’s licence’ means a licence issued under these regulations to a game exporter:

*S.R. 1975/174

Amendment No. 1: S.R. 1976/309

Amendment No. 2: (*Revoked by S.R. 1990/263*)

Amendment No. 3: S.R. 1981/178

†S.R. 1969/192

- “ ‘Game inspection premises’ means premises used or intended to be used for the holding or storage of killed game for the purposes of inspection:
- “ ‘Game inspection premises licence’ means a licence issued under these regulations in respect of game inspection premises:
- “ ‘Game packing house’ means premises used or intended to be used for one, some, or all of the operations referred to in regulation 8 of these regulations:
- “ ‘Game packing house licence’ means a licence issued under the Act in respect of a game packing house:
- “ ‘Game product’ means—
- “(a) Game meat; and
- “(b) Any product derived from game:
- “ ‘Licence’ means a deer slaughtering premises licence, a game depot licence, a game inspection premises licence, a game packing house licence, or a game exporter’s licence, as the case may require:
- “ ‘Licensee’ includes—
- “(a) A person appointed under section 31 of the Protection of Personal and Property Rights Act 1988 to act as manager of all the property of the licensee or that part of the property of the licensee to which the licence relates; and
- “(b) A trustee corporation that is acting, pursuant to section 32 or section 33 of the Protection of Personal and Property Rights Act 1988, as manager of all the property of the licensee or that part of the property of the licensee to which the licence relates:
- “ ‘Potable water’ means water that is pure, clean, and wholesome at the point of usage:
- “ ‘Slaughter’, in relation to farmed deer, means causing the death of the deer by bleeding it in a hanging position after rendering it insensible to pain:
- “ ‘Sterilise’ means to cleanse by means of water at not less than 82°C:
- “ ‘Unfit for human consumption’ means any game or slaughtered farmed deer or game product that would normally be edible by human beings but that is inedible by reason of decomposition, defect, disease, injury, or any other reason:
- “ ‘Veterinary surgeon’ means any person for the time being registered as a veterinarian under the Veterinarians Act 1994.
- “(2) Words defined in the Act when used in these regulations shall, unless the context otherwise requires, have the meanings so defined.”

3. New Parts substituted—The principal regulations are hereby amended by revoking Part I and Part II, and substituting the following Parts:

“PART I

“CONTROL OF GAME ESTABLISHMENTS

“**3. Restrictions on operations of game establishments**—Except as otherwise provided in these regulations—

“(a) Licensed deer slaughtering premises shall not be used otherwise than for—

 “(i) Slaughtering farmed deer:

 “(ii) Dressing slaughtered farmed deer:

“(iii) The inspection, by an Inspector, of slaughtered farmed deer:

“(iv) Branding or chilling of the carcass and other parts of slaughtered farmed deer:

“(v) Processing or packing game meat for sale for human consumption to the extent that slaughtered farmed deer in carcass, sides, or quartered form may be wrapped, offal and other parts may be packed, and any of them may be chilled or frozen:

“(b) A licensed game depot shall not be used otherwise than for—

“(i) Holding killed game prior to the delivery of the killed game to a licensed game packing house or licensed game inspection premises:

“(ii) Processing and packing killed game to the extent of chilling and wrapping it:

“(c) Licensed game inspection premises shall not be used otherwise than for—

“(i) Holding or storing killed game for the purpose of enabling an Inspector to inspect it on those premises:

“(ii) Processing and packing killed game to the extent of chilling and wrapping it or freezing it:

“(d) Subject to regulation 95 of these regulations and to any consent given by the Director-General under regulation 6 (2) (b) of the Fish Export Processing Regulations 1995, a licensed game packing house shall not be used otherwise than for the operation or operations specified in its licence pursuant to regulation 8 of these regulations.

“4. **Records to be kept**—(1) Every person carrying on business in any game establishment, other than licensed deer slaughtering premises, shall keep such records as will enable the nature, origin, and quantity of game or game products handled in those premises to be readily ascertained by an Inspector.

“(2) Every person carrying on business in any licensed game packing house shall record the nature and quantity of game or game products disposed of to any hotel or restaurant or other retailer or any wholesaler.

“Deer Slaughtering Premises

“5. **Deer slaughtering premises licence**—(1) A deer slaughtering premises licence may be issued in respect of—

“(a) A fixed structure; or

“(b) A vehicle capable of moving, or being moved, and being operated as deer slaughtering premises in different locations.

“(2) Where a deer slaughtering premises licence is issued in respect of a vehicle of the kind referred to in subclause (1) (b) of this regulation, the licence shall be issued in respect of all buildings, fixtures, and fittings associated with its operation in any location.

“Game Depots

“6. **Game depot licence**—(1) A game depot licence may be issued in respect of—

“(a) A fixed structure; or

“(b) A vehicle capable of moving, or being moved, and being operated as a game depot in different locations.

“(2) Where a game depot licence is issued in respect of a vehicle of the kind referred to in subclause (1) (b) of this regulation, the licence shall be issued in respect of all buildings, fixtures, and fittings associated with its operation in any location.

“(3) Sections 25 to 29 of the Act shall apply, with any necessary modifications, to an application for, or the grant of, or the cancellation or suspension of a game depot licence, and to any premises in respect of which a game depot licence has been granted.

“Game Inspection Premises

“7. **Game inspection premises licence**—(1) A game inspection premises licence may be issued in respect of a fixed structure.

“(2) Sections 25 to 29 of the Act shall apply, with any necessary modifications, to an application for, or the grant of, or the cancellation or suspension of a game inspection premises licence, and to any premises in respect of which a game inspection premises licence has been granted.

“Game Packing Houses

“8. **Game packing house licence**—A game packing house licence shall specify that the premises are licensed in respect of the carrying out of one, some, or all of the following operations on those premises:

“(a) Dressing of game for sale for human consumption:

“(b) Processing or packing of game for sale for human consumption:

“(c) Processing or packing of any product derived from game for sale for human consumption:

“(d) Processing or packing of game meat for sale for human consumption.

“9. **Licensee of game packing house obliged to accept slaughtered deer**—(1) Subject to subclauses (2) and (3) of this regulation, it shall be a condition of every game packing house licence that the licensee will—

“(a) Accept for processing or packing any slaughtered farmed deer passed as fit for human consumption, as specified in the licence pursuant to regulation 8 of these regulations; and

“(b) Process or pack any slaughtered farmed deer so accepted according to the requirements of the owner of such deer.

“(2) Before accepting any slaughtered farmed deer under subclause (1) (a) of this regulation, a licensee may, in writing, request the Minister to adjudicate on any dispute arising out of any requirement of the owner under subclause (1) (b) of this regulation.

“(3) The owner of any slaughtered farmed deer may, in writing, request the Minister to adjudicate on any dispute as to the amount charged, or proposed to be charged, by the licensee for processing or packing carried out or to be carried out pursuant to subclause (1) of this regulation.

“(4) A request to the Minister under subclause (2) or (3) of this regulation shall be made by the licensee or the owner, as the case may be, as soon as practicable after the dispute has arisen.

“(5) The Minister shall determine any dispute referred to him or her under subclause (2) or subclause (3) of this regulation and the Minister’s decision shall be binding on the licensee and the owner.

“PART II

“LICENSING OF GAME EXPORTERS

“10. **Applications and licences**—Any person may apply to the Director-General for a game exporter’s licence or the renewal of a game exporter’s licence that has not expired; and if—

“(a) The application is on the appropriate form provided by the Director-General for the purpose; and

“(b) The form is fully and properly completed, and accompanied by the appropriate fee (if any) prescribed under the Act,—
the Director-General shall issue a game exporter’s licence to the person or (as the case may be) renew the licence.

“11. **Licences to be for 3 years**—(1) Unless earlier renewed, a game exporter’s licence expires at the close of the 30th day of September in the year 3 years after the year in which it was issued.

“(2) Unless earlier further renewed, a renewed game exporter’s licence expires at the close of the 30th day of September in the year 3 years after the year in which it was last renewed.”

4. Health of personnel—Regulation 64 (6) of the principal regulations is hereby amended by omitting the words “and of regulation 65 of these regulations”.

5. Workers to be medically examined—The principal regulations are hereby amended by revoking regulation 65.

6. Storage of game—Regulation 73 of the principal regulations is hereby amended by omitting the words “a meat export store approved pursuant to section 63 of the Act”, and substituting the words “an export store licensed under the Act”.

7. Slaughter and dressing of farmed deer—Regulation 80 (1) of the principal regulations is hereby amended by omitting the expression “regulation 3 (2) (a)”, and substituting the expression “regulation 3 (2)”.

8. Requirements for mobile deer slaughtering premises—Regulation 82 of the principal regulations is hereby amended by omitting the expression “regulation 6 (2) (b)”, and substituting the expression “regulation 5 (1) (b)”.

9. Processing of fish—Regulation 92 of the principal regulations is hereby amended by omitting the expression “regulation 7”, and substituting the expression “regulation 3”.

10. Canning of game in a game packing house—The principal regulations are hereby amended by revoking regulation 94.

11. Processing of meat or fish in game packing house—The principal regulations are hereby amended by revoking regulation 95, and substituting the following regulation:

“95. (1) Notwithstanding regulation 3 (d) of these regulations, but subject to subclause (3) of this regulation, no contravention of the provisions of the said regulation 3 occurs where premises licensed as a game packing house and also licensed as a meat packing house under the Meat Regulations 1969 are used for the processing and packaging of meat or the manufacture of meat products at a time when game is not being

processed or packaged or game products are not being manufactured therein.

“(2) Notwithstanding regulation 3 (d) of these regulations, but subject to subclause (3) of this regulation, no contravention of the provisions of the said regulation 3 occurs where premises licensed as a game packing house and also licensed as a fish packing house under the Fish Export Processing Regulations 1995 are used for the processing and packaging of fish or the manufacture of fish products at a time when game is not being processed or packaged or game products are not being manufactured therein.

“(3) Subclauses (1) and (2) of this regulation only apply if an Inspector is satisfied that the premises and the equipment used in the premises have been thoroughly cleaned and sterilised both before and after the meat or meat products or, as the case may require, the fish or fish products, have been dealt with in the game packing house.”

12. Processing of antlers, etc.—Regulation 96 of the principal regulations is hereby amended by omitting the expression “sections 59 and 60c” and substituting the expression “sections 13 and 22”.

13. Game treated with substances—The principal regulations are hereby amended by revoking regulation 98, and substituting the following regulation:

“98. (1) No person shall deliver killed game to a game establishment if that person knows, or ought reasonably to know, that a substance to which regulation 4 of the Meat (Residues) Regulations 1996 applies is present in that killed game at a level greater than is permitted by that regulation to be present in stock or farmed deer.

“(2) For the purposes of subclause (1) of this regulation, a substance to which regulation 4 of the Meat (Residues) Regulations 1996 applies shall be deemed to be present in killed game at a level greater than is permitted by that regulation to be present in stock or farmed deer if the substance is present at such a level in a sample, taken from that killed game, of tissue or excretory product of a kind approved by the Director-General for testing to ascertain whether or not a substance to which that regulation applies is present.

“(3) Where, pursuant to subclause (2) of this regulation, tissue or excretory product is required to be approved by the Director-General, any tissue or excretory product shall be deemed to have been so approved if it is in conformity with—

“(a) General criteria relating to such tissue or excretory product set out in any circular promulgated pursuant to subclause (4) (a) of this regulation and for the time being in force; or

“(b) A specific approval relating to such tissue or excretory product issued pursuant to subclause (4) (b) of this regulation and for the time being in force.

“(4) The Director-General may from time to time—

“(a) Promulgate, amend, or revoke circulars setting out general criteria for the purposes of subclause (3) of this regulation; or

“(b) Issue, amend, or revoke specific approvals for the purposes of subclause (3) of this regulation.

“(5) The following provisions shall apply in relation to a specific approval issued pursuant to subclause (4) (b) of this regulation:

“(a) The approval shall be in writing:

“(b) The approval may be issued to any person or class of persons:

“(c) The approval may be unconditional or subject to such conditions as the Director-General thinks necessary.

“(6) No person shall treat, or cause to be treated, any killed game by the application of any substance which is intended to prevent spoilage by inhibiting the activities of insects, or by preventing the development of bacteria, moulds, or other micro-organisms.”

14. Notification of certain diseases by an Inspector—The principal regulations are hereby amended by revoking regulation 125.

15. Certification in modified form—The principal regulations are hereby amended by revoking regulation 145.

16. Certification to meet market requirements—Regulation 146 of the principal regulations is hereby amended by omitting the expression “regulations 143, 144, and 145”, and substituting the expression “regulations 143 and 144”.

17. Official number to be included in certificate—Regulation 147 of the principal regulations is hereby amended by omitting the expression “regulations 143, 144, and 145”, and substituting the expression “regulations 143 and 144”.

18. Certificates may be withdrawn—Regulation 148 (1) of the principal regulations is hereby amended by omitting the expression “regulation 143, 144, or 145”, and substituting the expression “regulation 143 or regulation 144”.

19. Appeals under section 78 of the Act—The principal regulations are hereby amended by revoking regulation 152.

20. Offences and penalties—The principal regulations are hereby amended by revoking regulation 155.

21. Transitional provisions—(1) An approval of a game depot issued under the principal regulations and in force at the commencement of these regulations shall expire at the conclusion of the period of 12 months after the commencement of these regulations.

(2) Where—

(a) A person is named in an approval to which subclause (1) of this regulation applies; and

(b) The place of operation of the game depot has not changed since the approval was given,—

the person named in the approval may, within 12 months after the commencement of these regulations, apply in writing to the Director-General for the issue of a game depot licence, and no fee shall be payable for such an application.

(3) Where the person who holds an approval to which subclause (1) of this regulation applies is not the person named in the approval, the person who holds the approval may, within 12 months after the commencement of these regulations, apply in writing to the Director-General for the issue of a game depot licence, and the application shall be accompanied by any fee prescribed under the Act for an application for a game depot licence.

(4) Where there has been a change in the place of operation of a game depot subject to an approval to which subclause (1) of this regulation applies, the person named in the approval may, within 12 months after the commencement of these regulations, apply in writing to the Director-

General for the issue of a game depot licence, and the application shall be accompanied by any fee prescribed under the Act for an application for a game depot licence.

22. Amendment to Meat (Payments) Regulations 1990—

(1) Regulation 3 of the Meat (Payments) Regulations 1990 is hereby amended by revoking subclause (3), and substituting the following subclause:

“(3) Subject to subclause (5) of this regulation, there shall be paid to the Director-General—

“(a) For an application under section 28 of the Act, a fee that is the amount specified in item 4:

“(b) For a licence under the Game Regulations 1975, except a game exporter’s licence, a fee that is the amount specified in item 4:

“(c) For a game exporter’s licence or the renewal of a game exporter’s licence, a fee that is the amount specified in item 4A.”

(2) Regulation 3 of the Meat (Payments) Regulations 1990 is hereby further amended by omitting from subclause (5) the words “for a licence (within the meaning of the Game Regulations 1975) under those regulations”, and substituting the words “for a licence, or the renewal of a game exporter’s licence, under the Game Regulations 1975”.

(3) The First Schedule to the Meat (Payments) Regulations 1990 is hereby amended by inserting, after item 4, the following item:

“4A. \$50”.

23. Amendment to Meat (Payments) Regulations 1990, Amendment No. 2—The Meat (Payments) Regulations 1990, Amendment No. 2 are hereby amended—

(a) By revoking regulation 2:

(b) By revoking regulation 5.

24. Revocations—The following regulations are hereby consequentially revoked:

(a) The Game Regulations 1975, Amendment No. 1:

(b) The Game Regulations 1975, Amendment No. 3.

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 come into force on the 28th day after the date of their notification in the *Gazette*.

The regulations have 2 main purposes. First, the regulations bring the licensing and offence and penalties provisions in the Game Regulations 1975 into line with those in the Meat Act 1981. Second, *regulation 13* aligns the provision on the levels of substances that may be present in killed game with the provision on the levels of substances that may be present in stock or farmed deer under the Meat (Residues) Regulations 1996.