

Reprint
as at 1 July 2015



Animal Welfare Export Certificate Regulations 1999 (SR 1999/393)

Animal Welfare Export Certificate Regulations 1999: revoked, on 1 July 2015, by regulation 7 of the Animal Welfare (Cost Recovery) Regulations 2015 (LI 2015/89).

Michael Hardie Boys, Governor-General

Order in Council

At Wellington this 8th day of November 1999

Present:

His Excellency the Governor-General in Council

Pursuant to section 183 of the Animal Welfare Act 1999, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

Contents

	Page
1 Title	2
2 Commencement	2
3 Interpretation	2
4 Animal welfare export certificate application fee	2
5 Costs of veterinarian employed by Ministry	2
6 Basis of amount payable	3
7 Hourly rate	3

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

These regulations are administered by the Ministry for Primary Industries.

8	Calculation of costs at hourly rates	3
9	Mileage allowance	4
10	Power to waive costs	4
11	Goods and services tax	4

Regulations

1 Title

These regulations may be cited as the Animal Welfare Export Certificate Regulations 1999.

2 Commencement

These regulations come into force on 1 January 2000.

3 Interpretation

In these regulations, unless the context otherwise requires,—

the Act means the Animal Welfare Act 1999

Director-General means the chief executive of the Ministry

usual hours, in any place, means the hours between 8 am and 5 pm on any day other than Saturday, Sunday, New Year's Day, the day after New Year's Day, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Labour Day, Christmas Day, Boxing Day, or the day observed in that place as Anniversary Day

veterinarian means a person for the time being registered as a veterinarian or a specialist under the Veterinarians Act 2005.

Regulation 3 **veterinarian**: amended, on 22 December 2005, by section 105 of the Veterinarians Act 2005 (2005 No 126).

4 Animal welfare export certificate application fee

The fee required by section 42(2)(c) of the Act to accompany an application for an animal welfare export certificate is \$24.

5 Costs of veterinarian employed by Ministry

The applicant for an animal welfare export certificate must pay to the Director-General, in addition to the fee prescribed by regulation 4, the costs of the services provided by any veterinarian employed by the Ministry in carrying out work in relation to—

- (a) the consideration of the application under section 43 of the Act; and
- (b) the consideration of the conditions (if any) that should be imposed under section 45 of the Act; and
- (c) determining, for the purposes of section 46 of the Act,—

- (i) whether there has been satisfactory compliance with any conditions imposed under section 45 of the Act; or
- (ii) whether satisfactory arrangements have been made for compliance with any conditions imposed under section 45 of the Act; and
- (d) the issuing of the animal welfare export certificate.

6 Basis of amount payable

The amount of any costs payable under regulation 5 is to be determined—

- (a) by applying an hourly rate to the time spent by the veterinarian in providing the services including—
 - (i) any waiting time; and
 - (ii) any travelling time; and
- (b) by applying a mileage allowance to the distance travelled by the veterinarian for the purpose of performing the services.

7 Hourly rate

The hourly rate that applies for the purposes of regulation 6 is,—

- (a) in the case of the time spent within usual hours, \$96 per hour; and
- (b) in the case of the time spent outside usual hours, \$143.40 per hour.

8 Calculation of costs at hourly rates

- (1) Subject to subclause (2), any costs required to be determined under regulation 6(a) by applying an hourly rate specified in regulation 7 are calculated by adding—
 - (a) one quarter of the hourly rate; and
 - (b) the product of—
 - (i) one quarter of the hourly rate; and
 - (ii) the number (if any) of complete periods of 15 minutes in excess of the first 15 minutes spent by the veterinarian on the matters specified in regulation 6(a); and
 - (c) where any time in excess of the first 15 minutes spent by the veterinarian on the matters specified in regulation 6(a) is not an exact multiple of 15 minutes, one quarter of the hourly rate.
- (2) Where time in excess of the first 15 minutes is spent by the veterinarian on the matters specified in regulation 6(a), the amount of the fee prescribed by regulation 4 must be deducted from the amount of the costs calculated in accordance with subclause (1) of this regulation.

9 Mileage allowance

The mileage allowance that applies for the purposes of regulation 6(b) is 54 cents a kilometre.

10 Power to waive costs

Where the Director-General is satisfied—

- (a) that the services performed do not justify the payment, or the payment in full, of the costs payable under these regulations; or
- (b) that special circumstances applicable to a particular case make it reasonable to waive the recovery (in whole or in part) of the costs payable by any person under these regulations,—

the Director-General may waive, wholly or in part, the payment of any costs payable under these regulations; and, where all or part of those costs have already been paid, may refund to the person who paid those costs all or part of the amount paid.

11 Goods and services tax

The fee, and the amounts by way of costs, prescribed by these regulations are inclusive of goods and services tax under the Goods and Services Tax Act 1985.

Marie Shroff,
Clerk of the Executive Council.

Reprints notes

1 *General*

This is a reprint of the Animal Welfare Export Certificate Regulations 1999 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Animal Welfare (Cost Recovery) Regulations 2015 (LI 2015/89): regulation 7

Veterinarians Act 2005 (2005 No 126): section 105