



Waitakere City Council
Te Taiāo o Waitakere

Refer: Tom Didovich
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26 January 2000

The Honourable Jim Sutton
Minister of Agriculture
Parliament Buildings
WELLINGTON



Dear Sir,

Animal Welfare Act Inspector Warrants

In 1995 a pilot programme between MAF Regulatory Authority and Waitakere City Council resulted in a number of officers being trained to standards approved by the Chief Veterinary Officer of MAF. The pilot programme was extended following agreement with the Minister for Food, Fibre, Biosecurity and Border Control that this continue until the repeal of the Animals Protection Act 1960 (1 January 2000). The programme has been audited 3 times by MAF Compliance Group. Each audit was reported favourably.

In 1996 Waitakere City Council considered strategic options for its various business units including Animal Welfare Services. Over the past 3 years the City Business Advisory Unit and Animal Welfare Services have been developing the concept of forming a charitable trust. This process commenced before the policy of "approved organisations" was included in the Animal Welfare Bill (No.2) and lead to the establishment of the Animal Welfare Institute of New Zealand. No decision has been made as to whether Waitakere City will contract its animal welfare and control services to Animal Welfare Institute of New Zealand. That is merely a possibility. Council is aware that the Animal Welfare Institute of New Zealand has applied to be an approved organisation. Council supports that application.

In the event of AWINZ being an approved organisation Council will agree to-

- (a) Provide the necessary funding to enable each inspector appointed to comply with the programme;
- (b) Provide funds to meet hook-on fees with AWINZ.
- (c) Provide support services and necessary equipment for Inspectors;
- (d) Adhere to a quality system provided by AWINZ for the administration of the programme;
- (e) Permit the Inspectors to carry out their powers, duties and functions in relation to each complaint or matter that arises from his or her performance as an Inspector;
- (f) Provide day to day supervision of inspectors;
- (g) Facilitate auditing of the quality system by AWINZ and provide access to documentation as requested by AWINZ quality auditors;

- (h) Advise AWINZ by facsimile or e-mail when an investigation is likely to result in a prosecution under the Animal Welfare Act 1999 and where necessary permit the investigating inspector to act under the direction of AWINZ;
- (i) Advise AWINZ of each occasion a search warrant is obtained and executed;
- (j) Advise AWINZ of any decision not to prosecute where the investigation reveals that an offence has been committed but the circumstances warrant that no further action be taken or that a warning be given;
- (k) Refer to AWINZ any serious complaint made against an Inspector and advise AWINZ of any trivial complaint made against an Inspector and the manner in which it was dealt with;
- (l) Execute a formal memorandum of understanding with AWINZ containing the heads of agreement in this letter.

Council accepts that each Inspector will act under the direction of the Director-General of Agriculture and Forestry in the exercise of the powers, duties and functions imposed by the Animal Welfare Act 1999 and acknowledges that in the event of any conflict of interest arising between the powers, duties and functions conferred or imposed on an inspector as an employee and the powers, duties and functions conferred or imposed on the inspector by the Animal Welfare Act 1999, the powers, duties and functions imposed under the Act will prevail.

Yours faithfully



Tom Didovich
Animal Welfare Services Manager