

No 1 Bill.

PART 3

APPOINTMENT OF COMPLIANCE BODIES AND INSPECTORS, AND  
POWERS OF INSPECTORS

*Compliance Bodies*

**21. Compliance bodies**—(1) The Director-General may 5  
appoint—

- (a) Any division of the Ministry or other Department; or
- (b) Any State enterprise; or
- (c) Any national incorporated society or other national body 10  
corporate; or
- (d) Any territorial authority—

to be a compliance body.

(2) Before appointing a compliance body the Director- 15  
General shall be satisfied that the division, State enterprise,  
national incorporated society, body corporate or territorial  
authority—

- (a) Has as part of its function or objects the promotion of 20  
animal welfare and the enforcement of animal  
welfare legislation:
- (b) Is competent to provide for the training of its inspectors 20  
and assistant inspectors to standards determined by  
the Director-General:
- (c) Has quality assurance systems in place that ensure the 25  
control of compliance and law enforcement activities  
and the activities of any inspector or assistant  
inspector appointed under **this Part**.

(3) Every compliance body appointed under **subsection (1)** is 25  
appointed for a period not exceeding 5 years and may be  
reappointed.

(4) The Director-General may cancel the appointment of any 30  
compliance body where he or she is satisfied that the  
compliance body has persistently failed to meet the conditions  
of **subsection (2)**.

*Appointments*

**22. Appointment of inspector**—(1) The Director-General 35  
may, on the nomination of a compliance body, appoint any  
suitable person to be an inspector or assistant inspector for the  
purposes of this Act.

(2) Every inspector and assistant inspector appointed under 40  
**subsection (1)**—

- (a) Is appointed for such term, not exceeding 3 years, as the 40  
Director-General thinks fit, and may be reappointed:

# Committee Report on the Animal Welfare Bill (No. 2)

April 1999

## **Recommendation**

The Primary Production Committee has examined the Animal Welfare Bill (No. 2) and recommends that it be passed with the amendments shown in the bill.

## **Conduct of the examination**

We considered two bills on animal welfare. The Animal Welfare Bill, a Member's bill in Pete Hodgson's name (the Hodgson bill), was referred to the Primary Production Committee on 10 September 1997. The closing date for submissions was 30 October 1997. The Animal Welfare Bill (No. 2) (Government bill) was referred to the Primary Production Committee on 29 September 1998. Submissions closed on 27 October 1998. We received and considered 146 submissions on the Animal Welfare Bill and 120 submissions on the Animal Welfare Bill (No. 2) from interested groups and individuals. We heard a total of 84 submissions orally. We heard evidence on both bills at the same time, which took 15 hours and 22 minutes. Consideration of both bills together took a total of 39 hours and 22 minutes.

We received advice from the Ministry of Agriculture and Forestry (MAF). We also employed Neil Wells as an independent specialist adviser who assisted our consideration. Neil Wells, a barrister who specialises in animal welfare legislation, had earlier been involved in drafting the Hodgson bill.

This commentary sets out the details of our consideration of the bills and the major issues we addressed.

## **Background**

The two bills reform the law relating to the welfare of animals and the prevention of their ill-treatment. They bring together provisions relating to animal welfare currently found in a number of statutes and clarify the linkages with other related legislation.

The current Animals Protection Act 1960 is nearly 40 years old and is no longer considered adequate to meet New Zealand's domestic and trading needs. Demands have arisen for higher standards of animal welfare as a result of raised public consciousness here and overseas.

In 1990, officials from the Ministry of Agriculture and Fisheries (as it was then) began the policy analysis and public consultation necessary to produce an animal welfare bill. The process continued over about a two-year period but did not result in new legislation being introduced because it never secured sufficient priority in the legislative programme of the Government of the day. In the meantime, a significant number of animal welfare codes were developed in the expectation that legislation would follow. None of these codes had legal effect in the absence of legislation. As a result of the ongoing delay Pete Hodgson introduced a member's bill that was based on the policy decisions taken some years earlier.

In September 1997 the Hodgson bill was referred to us. The Government decided to introduce its own bill to remedy laps in that bill and in earlier Government policy work on animal welfare decided that it would be more effective and efficient to consider the two bills together, and delayed consideration of the Hodgson bill in order to do this.