



Office of Hon Jim Sutton
Minister of Agriculture
Minister for Trade Negotiations
Minister for Rural Affairs
MP for Aoraki

18 DEC 2000



Mr Felix Marwick
C/- Newstalk ZB
PO Box 1844
CHRISTCHURCH

MAF Policy

Correspondence for Minister's
Signature

File Ref:

AW-09

ADMS No:

MIN 00/046

Drafted by:

Mr Neeson

Cleared by:

Mr Neeson

Date sent:

14/12/2000

Minister of Agriculture

Return Copy

Drafter

Interim File Copy

Director-General

Group Manager Policy

Ministerial Services Unit

Dear Mr Marwick

Thank you for your letter of 27 November 2000 concerning the Animal Welfare Institute of New Zealand (AWINZ). I understand that you have also exchanged correspondence with Mr Neil Wells of AWINZ, to clarify the role of AWINZ in the production of the film "The Lord of the Rings".

Before I respond to your specific questions, it would be useful if I outlined the concept of "approved organisations" under the Animal Welfare Act 1999 (the Act).

When the draft legislation was being considered by the Primary Production Select Committee in 1999, there was concern that the enforcement of animal welfare legislation rested largely with the Royal Society for the Protection of Cruelty to Animals (SPCA). The SPCA carries out about 90% of complaint investigation work with the balance carried out by the Ministry of Agriculture and Forestry (MAF) and the Police.

This reliance on the SPCA was seen as creating significant risks for the Crown should the SPCA decide to withdraw or reduce its involvement in animal welfare enforcement work. The SPCA relies largely on volunteers and it is possible that it might not be able to undertake this work in some parts of the country. Hence, the Select Committee felt that the animal welfare enforcement system needed to be more resilient by providing for approved organisations. This decision will help facilitate enforcement of the Act.

In deciding whether to approve an organisation, the Act requires that I must be satisfied that it meets specific criteria to ensure that the organisation is able to provide proper training and supervision of animal welfare inspectors. For example, its primary purpose must be to promote animal welfare and it must have a robust structure and appropriate accountability, management and employment arrangements. It must also be able to support its inspectors with appropriate technical knowledge and training.

I have received two applications from organisations for approval under the Act. The first was from AWINZ which applied in November 1999. I believe that AWINZ meets the criteria specified in the Act and I intend to grant approval shortly.

You will appreciate, therefore, that I exchanged correspondence with AWINZ as I needed to seek information additional to that provided in its original application. I also met with Mr. Wells in June this year.

The second application was in March 2000 from the International League for the Protection of Horses (New Zealand) Incorporated (ILPH), based in the Waikato. I recently gave "in principle" approval and gazettal will also occur in early 2001. Section 189 of the Act "deems" the SPCA also to be an approved organisation.

The Ministry of Agriculture and Forestry (MAF) monitors the performance of these organisations through regular compliance audits. I have the power to revoke my approval if the audits show that an organisation no longer meets one or more criteria in the Act or that it has failed to comply with any condition that is imposed in the notice of approval. I will require both AWINZ and the ILPH to establish performance standards and technical standards for inspectors.

I invite you to contact Mr David Bayvel Director, Animal Welfare, at MAF (04-474-4251) if you would like further information on the enforcement of the Act and the role of approved organisations. A copy of a Guide to the Animal Welfare Act 1999 is enclosed for your information.

Signed

HON. JIM SUTTON

Hon Jim Sutton
Minister of Agriculture

29 November 2000

No.	M.N. 00/646
Date received in ADMS	- 1 DEC 2000
Business Group	10/12/2000
Date Due	14/12/2000

Mr Felix Marwick
C/- Newstalk ZB
P O Box 1844
CHRISTCHURCH

Dear Mr Marwick

On behalf of the Hon Jim Sutton, Minister of Agriculture, thank you for your letter dated 27 November 2000 concerning the Animal Welfare Institute of New Zealand.

I will place your letter before the Minister, who will respond to you as soon as possible.

Yours sincerely

Laurence Tyler
Private Secretary

Ref: 00/1906

Director General, MAF
Referred for draft reply within 15 working days please.

Jan Burns

28/11/2000 01:12 pm

To: "Felix Marwick" <marwickf@inet.net.nz>
cc: (bcc: Laurence Tyler/minserv)
Subject: Re: Animal Welfare Institute

Mr Marwick:

Your message will be brought to Mr Sutton's attention and he will respond personally to you.

Jan Burns
Senior Private Secretary
Hon Jim Sutton
"Felix Marwick" <marwickf@inet.net.nz>



"Felix Marwick"
<marwickf@inet.net.nz>
>

27/11/2000 10:52 pm

To: <jsutton@ministers.govt.nz>
cc:
Subject: Animal Welfare Institute

Dear Sir,

I am writing with regard to an organisation called the Animal Welfare Institute of New Zealand in order to find out whether or not it holds any powers under the Animal Welfare Act. I am a journalist employed by NewstalkZB in Christchurch and I'm currently checking out some allegations made regarding the AWINZ in relation to its role with the film production "The Lord of the Rings". I'm in the process of trying to find out a little more information about the institute as it's only recently formed and relatively unknown.

I am hoping that as Minister responsible for Agriculture you may have some information that may be of use to me. I understand there is a provision under S121 of the Act where the Minister may approve and gazette animal welfare institutions vesting them with powers held by the SPCA. Has the Animal Welfare Institute, run by Neil Wells in Auckland, been accorded this status? If so when was it granted? Has there been any contact between the Minister and the organisation since its inception in 1999?

Any assistance you can give me in this matter will be greatly appreciated.

Yours sincerely,

Felix Marwick

C/- NewstalkZB
P.O. Box 1844 Christchurch.
Ph 03 3633555 Cell 0212549703