



National Animal Identification and Tracing (Information System Access Panel) Regulations 2012

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 10th day of December 2012

Present:

His Excellency the Governor-General in Council

Pursuant to section 69 of the National Animal Identification and Tracing Act 2012, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council and on the recommendation of the Minister for Primary Industries, makes the following regulations.

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Regulations

1 Title

These regulations are the National Animal Identification and Tracing (Information System Access Panel) Regulations 2012.

2 Commencement

These regulations come into force on 10 January 2013.

3 Interpretation

In these regulations, unless the context otherwise requires,—
Act means the National Animal Identification and Tracing Act 2012

application means an application for access to data in the NAIT information system

board includes a governing body

NAIT organisation has the meaning given to it by section 4 of the Act

panel means the NAIT information system access panel established by regulation 4.

NAIT information system access panel

4 NAIT information system access panel established

- (1) The NAIT information system access panel is established.
- (2) The panel comprises—
 - (a) a chairperson appointed by the NAIT organisation; and
 - (b) at least 2 and up to 3 other members appointed by the NAIT organisation.
- (3) The appointment of a person as a panel member must be based on his or her specialist experience and knowledge, including experience and knowledge of the livestock industry or of privacy law.

- (4) An employee of the NAIT organisation may not be appointed as a panel member.
- (5) A person may be appointed to replace a panel member who has resigned or been removed from office.
- (6) The NAIT organisation may reappoint any panel member.
- (7) The NAIT organisation must notify every appointment on an Internet site maintained by the organisation.

5 Term of office of panel members

- (1) All appointments made under regulation 4 are for a term of up to 3 years.
- (2) An appointee may resign his or her office at any time by notice to the NAIT organisation board.
- (3) The NAIT organisation board may at any time remove a panel member for just cause.
- (4) A decision under subclause (3) must be made by a majority of the board members present.

6 Remuneration of panel members

- (1) The chief executive of the NAIT organisation must from time to time determine the remuneration by way of fees, salary, or allowances, and travelling allowances and expenses to be paid to the chairperson and other members of the panel.
- (2) In determining remuneration under this regulation, the chief executive must have regard to the fees framework determined by the Government from time to time for the classification and remuneration of statutory and other bodies in which the Crown has an interest.

Functions, duties, and powers

7 Functions, duties, and powers of panel

- (1) The panel must—
 - (a) deal with applications in accordance with sections 46 and 47 of the Act; and
 - (b) prepare annual reports under regulation 8; and
 - (c) perform the other functions and duties conferred or imposed on it by or under the Act.

- (2) In performing its functions and exercising its powers, the panel may regulate its own procedure.
- (3) The NAIT organisation must provide secretariat and systems support to enable the panel to carry out its functions.

8 Annual report

- (1) The panel must prepare annual reports in accordance with this regulation.
- (2) An annual report must include, in relation to the year reported on, information about the following:
 - (a) the number of applications referred to the panel:
 - (b) the number of meetings held by the panel:
 - (c) the nature and purpose of the applications referred to the panel (for example, dairy, beef, deer, research, industry good, or commercial purposes):
 - (d) the nature of the information sought by applicants (for example, spatial, genetic, or animal management):
 - (e) in each case, whether the application was granted:
 - (f) any conditions imposed on the granting of an application:
 - (g) the number of complaints received by the panel and how each complaint was dealt with:
 - (h) the number and types of breaches of conditions imposed on any grant of access and the penalties imposed or sought.
- (3) The panel's annual report must be forwarded through the Director-General to the Minister.
- (4) The NAIT organisation must publish the report on its Internet site.
- (5) Nothing in this regulation prevents the panel from reporting on its activities from time to time.

Michael Webster,
for 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, which come into force on 10 January 2013, establish the NAIT information system access panel (the **panel**).

Regulation 4 provides for the panel to comprise a chairperson and up to 3 other members appointed by the NAIT organisation. Members are to be appointed on the basis of their specialist experience and knowledge, including experience and knowledge of the livestock industry or of privacy law.

Regulation 5 provides for the term of appointment, the resignation, and the removal of panel members. Appointments are for terms of up to 3 years.

Regulation 6 provides that the remuneration of the chairperson and other panel members is to be determined by the chief executive of the NAIT organisation. The chief executive must have regard to the fees framework determined by the Government from time to time for the classification and remuneration of statutory and other bodies in which the Crown has an interest.

Regulation 7 provides that the panel is required to—

- deal with applications in accordance with sections 46 and 47 of the National Animal Identification and Tracing Act 2012;
- prepare annual reports;
- perform the other functions and duties conferred or imposed on it by or under the Act.

The NAIT organisation must provide secretariat and systems support to enable the panel to carry out its functions.

Regulation 8 requires the panel to prepare an annual report and forward it to the Minister through the Ministry for Primary Industries.

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These regulations are administered by the Ministry for Primary Industries.
