

**Reprint
as at 1 July 2013**



**Biosecurity (Imported Animals,
Embryos, and Semen Information)
Regulations 1999**
(SR 1999/367)

Michael Hardie Boys, Governor-General

Order in Council

At Wellington this 18th day of October 1999

Present:
His Excellency the Governor-General in Council

Pursuant to section 165 of the Biosecurity Act 1993, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following regulations.

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

These regulations are administered by the Ministry for Primary Industries.

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Regulations

1 Title and commencement

- (1) These regulations may be cited as the Biosecurity (Imported Animals, Embryos, and Semen Information) Regulations 1999.
- (2) These regulations come into force on the 28th day after the date of their notification in the *Gazette*.

2 Interpretation

In these regulations, unless the context otherwise requires,—

Act means the Biosecurity Act 1993

AGM—

- (a) means animal genetic material that comprises embryos, semen, ova, oocytes, or intact nuclei derived from these cells or somatic cells, and is intended to be used for breeding a specified animal; but
- (b) does not include any material referred to in paragraph (a) that is used to produce a genetically modified organism as defined in section 2 of the Hazardous Substances and New Organisms Act 1996

AGM technician means any person who performs artificial insemination or embryo transfer

slaughter facility means any premises used for the slaughter of a specified animal

specified animal means any sheep, goat, cattle, or deer.

3 Notification requirements in respect of imported specified animal

The owner or person in charge of an imported specified animal must, within the time required by regulation 4, notify the Director-General of the following:

- (a) the date that ownership of that animal is transferred, and the name and address of the new owner;
- (b) if that animal dies;
- (c) the date that animal is slaughtered or consigned for slaughter, and the name and address of the place of slaughter;
- (d) if that animal cannot be located;
- (e) if ear tags issued in respect of the importation of that animal are lost or become illegible.

4 Time and manner of notification

A notification required by regulation 3 must be given,—

- (a) in the case of an animal that dies from illness or is put down because of illness, within 4 hours of the owner or person in charge knowing of the death of the animal, by telephoning the Ministry of Agriculture and Forestry's 24-hour telephone number for reporting suspected exotic diseases; or
- (b) in every other case referred to in regulation 3, within 7 days, in writing or by telephone, fax, or electronic mail.

5 Annual status report

- (1) The owner or person in charge of an imported specified animal must supply to the Director-General, by 30 June of each calendar year, an annual status report.
- (2) The report must advise of—
 - (a) any change of the place where that animal is kept if there has been a change of place since the last annual status report or notification; and
 - (b) whether that animal's ear tags remain in place; and
 - (c) any change in the name and contact address of the owner or person in charge of that animal since the last annual status report or notification.

- (3) The information required by subclause (2) may be provided using the annual status report form approved by the Director-General.

6 Keeping of records by owners or persons in charge of specified animals originating from imported embryo

- (1) The owner or person in charge of a specified animal originating from an imported embryo must keep, for 7 years, records of the following:
 - (a) the date that animal was born, together with that animal's sex and species, and its breed or type; and
 - (b) the place where that animal is kept; and
 - (c) the animal's on-farm identification; and
 - (d) any change in ownership of that animal, and the name and address of the new owner and the former owner; and
 - (e) the date that animal dies, other than in a slaughter facility; and
 - (f) the date that animal is consigned to slaughter.
- (2) The records required to be kept must—
 - (a) be available for inspection within 48 hours of a request being made by the Director-General or by an inspector or authorised person appointed under section 103 (1) (a) of the Act; and
 - (b) be kept in a manner and format from which they can be readily retrieved and made available for inspection.
- (3) A person required to keep records must, at all reasonable times, allow any person authorised by the Director-General, or any inspector or authorised person appointed under section 103(1)(a) of the Act, to inspect and make copies of the records.

7 Keeping of records by persons in charge of stocks of imported AGM

- (1) A person who is in charge of stocks of imported AGM from a specified animal must keep, for 7 years, records relating to its storage, dispatch, distribution, and destruction.
- (2) The records required to be kept must—

- (a) be available for inspection within 48 hours of a request being made by the Director-General or by an inspector or authorised person appointed under section 103(1)(a) of the Act; and
 - (b) be kept in a manner and format from which they can be readily retrieved and made available for inspection.
- (3) A person required to keep records must, at all reasonable times, allow any person authorised by the Director-General, or any inspector or authorised person appointed under section 103(1)(a) of the Act, to inspect and make copies of the records.

8 Keeping of records by AGM technician

- (1) An AGM technician must keep, for 7 years, records of the following information relating to artificial insemination, or embryo transfer, using imported AGM from a specified animal:
 - (a) the name and address of the owner or person in charge of the animal receiving the AGM; and
 - (b) documentation identifying the animal receiving the AGM; and
 - (c) the date any of the AGM is destroyed; and
 - (d) if the AGM is distributed to another person, the name and address of that person.
- (2) The records required to be kept must—
 - (a) be available for inspection within 48 hours of a request being made by the Director-General or by an inspector or authorised person appointed under section 103(1)(a) of the Act; and
 - (b) be kept in a manner and format from which they can be readily retrieved and made available for inspection.
- (3) A person required to keep records must, at all reasonable times, allow any person authorised by the Director-General, or any inspector or authorised person appointed under section 103(1)(a) of the Act, to inspect and make copies of the records.

9 Offences

- (1) Every owner or person in charge of an imported specified animal commits an offence against these regulations who—

- (a) supplies information under these regulations knowing that it is false or misleading in a material particular; or
 - (b) fails, without reasonable excuse, in the time required by these regulations,—
 - (i) to notify the Director-General in accordance with regulations 3 and 4; or
 - (ii) to supply an annual status report in accordance with regulation 5.
- (2) Every person required to keep records by any of regulations 6, 7, and 8 commits an offence who, without reasonable excuse,—
 - (a) fails to keep the records; or
 - (b) keeps false or misleading records; or
 - (c) fails to make records available, in the time required, for inspection by the Director-General or by an inspector or authorised person appointed under section 103(1)(a) of the Act; or
 - (d) fails to allow any person authorised by the Director-General, or any inspector or authorised person appointed under section 103(1)(a) of the Act, to inspect and make copies of records at any reasonable time.
- (3) Every person who commits an offence against these regulations is liable on conviction to the appropriate fine set out in section 157(6) of the Act.

Regulation 9(3): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

Marie Shroff,
Clerk of the Executive Council.

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Notes

1 *General*

This is a reprint of the Biosecurity (Imported Animals, Embryos, and Semen Information) Regulations 1999. The reprint incorporates all the amendments to the regulations as at 1 July 2013, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not

included in Acts, and provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 *Changes made under section 17C of the Acts and Regulations Publication Act 1989*

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 ***List of amendments incorporated in this reprint
(most recent first)***

Criminal Procedure Act 2011 (2011 No 81): section 413
