

Biosecurity (Animal Identification Systems) Amendment Regulations
2000

Michael Hardie Boys, Governor-General

Order in Council

At Wellington this 24th day of July 2000

Present:

The Right Hon Helen Clark presiding in Council

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

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Regulations

1 Title

- (1) These regulations are the Biosecurity (Animal Identification Systems) Amendment Regulations 2000.
- (2) In these regulations, the Biosecurity (Animal Identification Systems) Regulations 1999 (SR 1999/125) are called "the principal regulations".

2 Commencement

These regulations come into force on the 28th day after the date of their notification in the Gazette.

3 Interpretation

Regulation 2 of the principal regulations is amended by inserting, in their appropriate alphabetical order, the following definitions:

"Animal Health Board identification system means the Animal Health Board (AHB) Identification System approved by the chief technical officer on 3 October 1999 and notified in the Gazette, 1999, at page 3579 (or any other identification system that is approved in its place)

"identification device means a device that forms part of an identification system and is used for the purpose of identifying cattle or deer

"supplier, in relation to an identification device, means a person authorised by the relevant system administrator to supply the device".

4 New regulations 4A to 4F inserted

The principal regulations are amended by inserting, after regulation 4, the following regulations:

"4A Charge payable on certain identification devices

"(1) A charge (of an amount set by regulation 4C or varied under regulation 4D) is payable, on every identification device that forms part of the Animal Health Board identification system, to the Animal Health Board (Incorporated).

"(2) The charge must be paid by suppliers of the identification devices and may be recovered by suppliers from purchasers as part of the purchase price of the devices.

"(3) The charge accrues at the time of sale of the devices by suppliers and is payable as required by the Animal Health Board (Incorporated).

"4B Waiver of charge

The Animal Health Board (Incorporated) may waive, in part or in full, the amount of the charge payable on the sale of 1 or more identification devices where, in the opinion of the Board, there are special circumstances that justify granting the waiver.

"4C Amount of charge

The amount of the charge payable on identification devices at the commencement of these regulations is 5 cents for each device, exclusive of any goods and services tax.

"4D Variation of amount of charge

The Animal Health Board (Incorporated) may vary the amount of the charge imposed on identification devices, subject to the following qualifications:

- "(a) in no case may the charge on an identification device exceed 5 cents for each device, exclusive of any goods and services tax:
- "(b) before varying the amount of the charge payable on an identification device, the Animal Health Board (Incorporated) must give reasonable notice to suppliers of---
 - "(i) the amount of the proposed new charge; and
 - "(ii) the date from which the new charge will be payable:
- "(c) the amount of the new charge must be calculated on the basis of the estimated costs to the Animal Health Board (Incorporated) of 1 or more of the matters listed in regulation 4F.

"4E Matters in respect of which funds may be spent

Funds collected under regulation 4A may be applied by the Animal Health Board (Incorporated) only to meet the costs to the Board of 1 or more of the matters listed in regulation 4F.

"4F Basis and application of charge

The matters referred to in regulations 4D(c) and 4E are as follows:"(a) administration of the Animal Health Board identification system:

- "(b) administration of any national register of cattle or deer:
- "(c) any matters relating to the authorisation of suppliers:
- "(d) any matters relating to the approval of identification devices:
- "(e) co-ordination of any national identification programme for cattle or deer."

Marie Shroff,
Clerk of the Executive Council.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in Gazette:27 July 2000.

These regulations are administered in the Ministry of Agriculture and Forestry.