



Animal Welfare (Export of Livestock for Slaughter) Regulations 2016

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 25th day of July 2016

Present:

His Excellency the Governor-General in Council

These regulations are made under sections 183 and 183C of the Animal Welfare Act 1999—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister for Primary Industries, made after complying with section 184 of that Act.

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Regulations

1 Title

These regulations are the Animal Welfare (Export of Livestock for Slaughter) Regulations 2016.

2 Commencement

These regulations come into force on 21 December 2016.

3 Transitional, savings, and related provisions

The transitional, savings, and related provisions (if any) set out in Schedule 1 have effect according to their terms.

Conditional prohibition on export of livestock for slaughter

4 Meaning of livestock

In these regulations, **livestock** means cattle, deer, goats, or sheep.

5 Livestock must not be exported for slaughter without approval

- (1) A person must not export livestock for slaughter without the prior approval of the Director-General.
- (2) The Director-General may give his or her approval subject to conditions.

6 Offence and penalty

- (1) A person commits an offence if the person—
 - (a) exports livestock for slaughter in breach of regulation 5(1); or
 - (b) breaches a condition imposed under regulation 5(2).
- (2) A person who commits an offence under this regulation is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$5,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$10,000.

7 Offence is strict liability offence

- (1) In a prosecution for an offence against regulation 6(1), it is not necessary for the prosecution to prove that the defendant intended to commit the offence.
- (2) It is a defence to a prosecution if the defendant proves,—
 - (a) for an offence against regulation 6(1)(a), that the defendant took all reasonable steps to ensure that the livestock would be used after its exportation for a purpose other than slaughter (for example, breeding);
 - (b) for an offence against regulation 6(1)(b), that the defendant took all reasonable steps to comply with the condition.

Schedule 1

Transitional, savings, and related provisions

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Part 1

Provisions relating to these regulations as made

There are no transitional, savings, or related provisions relating to these regulations as made.

Michael Webster,
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 come into force on 21 December 2016. They prohibit the export of cattle, deer, goats, and sheep for slaughter, except with the approval of the Director-General of the Ministry for Primary Industries. These regulations prescribe a strict liability offence for the breach of that prohibition, along with an associated defence.

These regulations are the first to be made under section 183C of the Animal Welfare Act 1999, which was inserted by amendment to that Act in 2015. They take over from the Customs Export Prohibition (Livestock for Slaughter) Order 2013. That order was made under section 56 of the Customs and Excise Act 1996 and is revoked at the end of 20 December 2016.

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 28 July 2016.

These regulations are administered by the Ministry for Primary Industries.