

Animals Amendment Act 1991

095

Commenced: 1 September 1991

ANALYSIS

Analysis

Title

1 Short Title and commencement

2 Power to direct slaughter of affected cattle

3 Regulations

An Act to amend the Animals Act 1967

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title and commencement---(1) This Act may be cited as the Animals Amendment Act 1991, and shall be read together with and deemed part of the Animals Act 1967 (hereinafter referred to as the principal Act).

(2) This Act shall come into force on the 1st day of September 1991.

2. Power to direct slaughter of affected cattle---(1) Section 53AA of the principal Act (as substituted by section 6 (1) of the Animals Amendment Act 1983) is hereby amended by omitting from subsection (2) the words "such compensation as is prescribed by regulations made under this Act shall be paid by the Crown out of money appropriated by Parliament for the purpose", and substituting the words "an amount of compensation (being an amount not exceeding the maximum amount (if any) prescribed by regulations made under this Act) for the time being fixed by the Director-General, after consultation with the Animal Health Board established under section 13 of the Ministry of Agriculture and Fisheries Act 1953, may be paid, out of levies under section 44 (1) of the Meat Act 1981".

(2) The said section 53AA is hereby further amended by adding the following subsection:

"(6) The proceeds (if any) from the disposal of any animal in respect of which compensation may be paid under subsection (2) of this section---

"(a) To the extent that the amount of compensation paid to the animal's owner is less than the proceeds, shall be paid to the owner; and

"(b) Subject to paragraph (a) of this subsection, shall be paid to the Crown, and treated as if it were money paid as a levy under section 44 (1) of the Meat Act 1981."

(3) Regulation 15 of the Cattle Brucellosis and Tuberculosis Control Regulations 1971 (as substituted by regulation 2 (1) of the Cattle Brucellosis and Tuberculosis Control Regulations 1971, Amendment No. 11) is hereby consequentially amended by omitting from subclauses (1) and (2) the words "the amount of the compensation payable by the Crown", and substituting the words "the maximum amount of compensation payable".

(4) The Cattle Brucellosis and Tuberculosis Control Regulations 1971 may be amended or revoked as if the amendments effected by subsection (3) of this section had been effected by Order in Council and not by that subsection.

3. Regulations---Section 107 of the principal Act is hereby amended by adding the following subsection:

"(4) Regulations under this Act prescribing maximum amounts of compensation for the purposes of section 53AA (2) of this Act shall not be made except on the recommendation of the Minister of Agriculture,

who shall not recommend their making except on the recommendation of the Animal Health Board established under section 13 of the Ministry of Agriculture and Fisheries Act 1953."