

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

Note

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

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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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 eartags 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 eartags 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 summary conviction to the appropriate fine set out in section 157(6) of the Act.

MARIE SHROFF,
Clerk of the Executive Council.

