

**Reprint  
as at 1 July 2013**



**Animal Welfare (Records and  
Statistics) Regulations 1999**  
(SR 1999/392)

Michael Hardie Boys, Governor-General

**Order in Council**

At Wellington this 8th day of November 1999

Present:  
His Excellency the Governor-General in Council

Pursuant to section 183 of the Animal Welfare Act 1999, 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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**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**  
These regulations may be cited as the Animal Welfare (Records and Statistics) Regulations 1999.
  
- 2 **Commencement**  
These regulations come into force on 1 January 2000.
  
- 3 **Interpretation**  
In these regulations, unless the context otherwise requires,—  
**the Act** means the Animal Welfare Act 1999  
**animal** has the meaning given to it by section 2(1) of the Act  
**Animal Ethics Committee** means an Animal Ethics Committee established and maintained by the code holder under section 98 of the Act  
**code holder**, in relation to a code of ethical conduct, means—
  - (a) the person who, by virtue of an application under section 87 of the Act, obtained the Director-General’s approval of that code; or
  - (b) where the approval of that code has, with the consent of the Director-General, been transferred under section 93(1) of the Act to any other person, that other person; or
  - (c) any person carrying out research, testing, or teaching in accordance with section 84 or section 85 or section 118(1) or section 192(4) or section 192(5) of the Act**Director-General** means the chief executive of the Ministry  
**Inspector** means an Inspector appointed under section 124(1) or section 124(2) of the Act; and includes every constable

**manipulation**, in relation to an animal, has the meaning given to it by section 3 of the Act

**Minister** has the meaning given to it by section 2(1) of the Act

**Ministry** has the meaning given to it by section 2(1) of the Act

**project** has the meaning given to it by section 2(1) of the Act

**protected wildlife** has the meaning given to it by section 2(1) of the Conservation Act 1987

**research, testing, and teaching** has the meaning given to it by section 5 of the Act

**year** means a period of 12 months beginning on 1 January and ending with 31 December.

Regulation 3 **Animal Ethics Committee**: inserted, on 10 September 2009, by regulation 4 of the Animal Welfare (Records and Statistics) Amendment Regulations 2009 (SR 2009/214).

Regulation 3 **Inspector**: amended, on 1 October 2008, pursuant to section 116(a)(ii) of the Policing Act 2008 (2008 No 72).

Regulation 3 **project**: inserted, on 10 September 2009, by regulation 4 of the Animal Welfare (Records and Statistics) Amendment Regulations 2009 (SR 2009/214).

#### 4 **Records**

- (1) Every code holder must keep, in relation to the research, testing, and teaching carried out by the code holder, readily accessible records, in which must be entered, in relation to each year, the following information:
  - (a) the name of each species of animal manipulated during the year:
  - (b) the number of animals of each species manipulated during the year:
  - (c) the purpose for which each animal was manipulated:
  - (d) the source of supply of each animal manipulated during the year:
  - (e) the status of each animal manipulated during the year according to the following categories:
    - (i) normal/conventional:
    - (ii) specific pathogen free/germ free:
    - (iii) diseased:
    - (iv) transgenic/chimera:
    - (v) protected wildlife:

- (vi) pregnant:
- (vii) developmental stage (which category applies only in relation to an animal that comes within either paragraph (b) or paragraph (c) of the definition of the term animal (as set out in section 2(1) of the Act)):
- (viii) other:
- (f) the number of animals of each species manipulated during the year which—
  - (i) have not been previously manipulated:
  - (ii) have been previously manipulated—  
at any time before or during the year:
- (g) in respect of the manipulation of any animal during the year, the severity of that manipulation according to the following scale (taking into account the effect of any anaesthetic, analgesic, euthanasia technique, or other strategy or practice that is applied or used, or any other step taken, to avoid or alleviate the stress or pain caused to the animal):
  - (i) a manipulation that causes no stress or pain or virtually no stress or pain (**no suffering or virtually no suffering**):
  - (ii) a manipulation that causes stress or pain, of a minor intensity for a short duration (**little suffering**):
  - (iii) a manipulation that causes stress, or pain, of a minor intensity for a long duration or of a moderate intensity for a short duration (**moderate suffering**):
  - (iv) a manipulation that causes stress, or pain, of a moderate intensity for a long duration, or of a severe intensity for a short duration (**severe suffering**):
  - (v) a manipulation that causes stress, or pain, of a severe intensity for a long duration, or of a very severe intensity for any duration (**very severe suffering**):
- (h) the number of animals of each species that died or were destroyed during the year in the course of, or subsequent

- to, the manipulation of those animals (whether directly or indirectly as a result of their manipulation):
- (i) the number of animals manipulated during the year which are still alive at the end of the year:
- (j) in respect of the number of animals referred to in paragraph (i), the number of such animals—
  - (i) released from captivity:
  - (ii) retained by the code holder that manipulated the animals:
  - (iii) delivered to a person other than the code holder that manipulated the animals:
- (k) in respect of any person referred to in paragraph (j)(iii), the name and address of, and the number of animals delivered to, that person.
- (2) Every code holder must retain the records kept under subclause (1) for not less than the period of 5 years beginning with the expiry of the year in respect of which the records were kept.

## **5 Annual return**

- (1) A code holder must, on or before 28 February of each year, provide to the Director-General a written annual return setting out details of the records kept in accordance with regulation 4(1).
- (2) For the purposes of subclause (1), a code holder must provide the details of records kept for a project approved by an Animal Ethics Committee—
  - (a) of, or up to, 3 years' duration, in the annual return made in the year following the year that the project ends:
  - (b) of more than 3 years' duration, in the annual return made in the year following every third year of the project.
- (3) For the purposes of subclause (2)(b), if the term of a project is not divisible by multiples of 3 years, the code holder must provide an annual return for the records kept in relation to the project in the year following the year that the project ends.
- (4) A code holder must provide a nil return if—
  - (a) the code holder has not carried out any research, testing, or teaching during the immediately preceding year:

- (b) the code holder is not required under subclauses (2) or (3) to report on the records kept under regulation 4(1) in that return.

Regulation 5: substituted, on 10 September 2009, by regulation 5 of the Animal Welfare (Records and Statistics) Amendment Regulations 2009 (SR 2009/214).

## **6 Information to be supplied on request**

- (1) The Director-General, or any Inspector, may from time to time, by notice to any code holder, require that—
  - (a) a copy of any records kept by the code holder under regulation 4; or
  - (b) such details as the Director-General or the Inspector may specify of the information required to be contained in any records kept under regulation 4,—be sent to the Director-General or the Inspector, as the case may be, at such address as may be specified in the notice.
- (2) Every code holder to whom a notice under subclause (1) is addressed must forward the copy or details within such time, being not less than 7 days after the receipt of the notice, as the Director-General or Inspector may specify in the notice.
- (3) A notice under subclause (1), and any copy or details given in response to such a notice, must be given in writing.

## **7 Offences**

- (1) Every person commits an offence who—
  - (a) wilfully fails to keep records in accordance with regulation 4(1):
  - (b) wilfully fails to retain records in accordance with regulation 4(2):
  - (c) without reasonable excuse, fails to make a return within the time prescribed by regulation 5:
  - (d) makes a return under regulation 5 that to that person's knowledge is false or misleading in any material particular:
  - (e) without reasonable excuse, fails to comply with a notice given to that person under regulation 6(1):
  - (f) forwards, in response to a notice given to that person under regulation 6(1), a copy, or details, that to that

person's knowledge is or are false or misleading in any material particular.

- (2) Every person who commits an offence against these regulations is liable on conviction to a fine not exceeding—
- (a) in the case of an individual, \$5,000; or
  - (b) in the case of a body corporate, \$25,000.

Regulation 7(2): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

## **8 Revocations**

The regulations specified in the Schedule are revoked.

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### **Schedule Regulations revoked**

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**Animals Protection (Codes of Ethical Conduct) Amendment  
Regulations 1997 (SR 1997/303)**

**Animals Protection (Codes of Ethical Conduct) Regulations  
1987 (SR 1987/12)**

**Animals Protection (Codes of Ethical Conduct) Regulations  
1987, Amendment No 2 (SR 1987/389)**

Marie Shroff,  
Clerk of the Executive Council.

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**Notes****1 General**

This is a reprint of the Animal Welfare (Records and Statistics) 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

Animal Welfare (Records and Statistics) Amendment Regulations 2009 (SR 2009/214)

Policing Act 2008 (2008 No 72): section 116(a)(ii)

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