

**Animal Welfare Export Certificate Regulations 1999**  
(SR 1999/393)

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**Note**

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

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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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1 Title

- These regulations may be cited as the Animal Welfare Export Certificate 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

**Director-General** means the chief executive of the Ministry

**Usual hours**, in any place, means the hours between 8 am and 5 pm on any day other than Saturday, Sunday, New Year's Day, the day after New Year's Day, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's Birthday, Labour Day, Christmas Day, Boxing Day, or the day observed in that place as Anniversary Day

**Veterinarian** means a person for the time being registered as a veterinarian or a specialist under the Veterinarians Act 2005.

Veterinarian: this definition was amended, as from 22 December 2005, by section 105 Veterinarians Act 2005 (2005 No 126) by substituting the words “or a specialist under the Veterinarians Act 2005” for the words “under the Veterinarians Act 1994; and includes a holder of a provisional certificate of registration, and a holder of a certificate of temporary registration, under that Act”.

4 Animal welfare export certificate application fee

- The fee required by section 42(2)(c) of the Act to accompany an application for an animal welfare export certificate is \$24.

5 Costs of veterinarian employed by Ministry

- The applicant for an animal welfare export certificate must pay to the Director-General, in addition to the fee prescribed by regulation 4, the costs of the services provided by any veterinarian employed by the Ministry in carrying out work in relation to—
  - (a) The consideration of the application under section 43 of the Act; and
  - (b) The consideration of the conditions (if any) that should be imposed under section 45 of the Act; and
  - (c) Determining, for the purposes of section 46 of the Act,—
    - (i) Whether there has been satisfactory compliance with any conditions imposed under section 45 of the Act; or
    - (ii) Whether satisfactory arrangements have been made for compliance with any conditions imposed under section 45 of the Act; and
  - (d) The issuing of the animal welfare export certificate.

#### 6 Basis of amount payable

- The amount of any costs payable under regulation 5 is to be determined—
  - (a) By applying an hourly rate to the time spent by the veterinarian in providing the services including—
    - (i) Any waiting time; and
    - (ii) Any travelling time; and
  - (b) By applying a mileage allowance to the distance travelled by the veterinarian for the purpose of performing the services.

#### 7 Hourly rate

- The hourly rate that applies for the purposes of regulation 6 is,—
  - (a) In the case of the time spent within usual hours, \$96 per hour; and
  - (b) In the case of the time spent outside usual hours, \$143.40 per hour.

#### 8 Calculation of costs at hourly rates

- (1) Subject to subclause (2), any costs required to be determined under regulation 6(a) by applying an hourly rate specified in regulation 7 are calculated by adding—
  - (a) One quarter of the hourly rate; and
  - (b) The product of—
    - (i) One quarter of the hourly rate; and
    - (ii) The number (if any) of complete periods of 15 minutes in excess of the first 15 minutes spent by the veterinarian on the matters specified in regulation 6(a); and
  - (c) Where any time in excess of the first 15 minutes spent by the veterinarian on the matters specified in regulation 6(a) is not an exact multiple of 15 minutes, one quarter of the hourly rate.
- (2) Where time in excess of the first 15 minutes is spent by the veterinarian on the matters specified in regulation 6(a), the amount of the fee prescribed by regulation 4 must be deducted from the amount of the costs calculated in accordance with subclause (1) of this regulation.

#### 9 Mileage allowance

- The mileage allowance that applies for the purposes of regulation 6(b) is 54 cents a kilometre.

#### 10 Power to waive costs

- Where the Director-General is satisfied—
  - (a) That the services performed do not justify the payment, or the payment in full, of the costs payable under these regulations; or
  - (b) That special circumstances applicable to a particular case make it reasonable to waive the recovery (in whole or in part) of the costs payable by any person under these regulations,—

the Director-General may waive, wholly or in part, the payment of any costs payable under these regulations; and, where all or part of those costs have already been paid, may refund to the person who paid those costs all or part of the amount paid.

#### 11 Goods and services tax

- The fee, and the amounts by way of costs, prescribed by these regulations are inclusive of goods and services tax under the Goods and Services Tax Act 1985.

MARIE SHROFF,  
Clerk of the Executive Council.

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