

**Reprint  
as at 1 July 2013**



## **Herd Testing Regulations 1958**

(SR 1958/44)

Cobham, Governor-General

### **Order in Council**

At the Government Buildings at Wellington this 31st day of March  
1958

Present:

The Hon C F Skinner, MC, presiding in Council

Pursuant to the Dairy Board Act 1953, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby 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

- (1) These regulations may be cited as the Herd Testing Regulations 1958.
- (2) These regulations shall come into force on 1 July 1958.

### 2

In these regulations, unless the context otherwise requires—

**Board** means the New Zealand Dairy Board constituted under the Dairy Board Act 1953

**herd testing** means the operation of testing milch cows in any 2 or more herds the property of different persons for the purpose of recording the production of individual cows within those herds in respect of milk, butterfat, and other milk solids, or any of them.

### 3

- (1) It shall not be lawful for any company, society, association, or person to conduct herd testing, unless it or he is the holder of a licence to conduct herd testing issued by the Board and complies with all terms and conditions specified in the licence: provided that nothing in this regulation shall prevent a farmer or a person in his full time employment from carrying out herd tests within the farmer's own herd.
- (2) A licence issued under this regulation continues in force (under the chief executive of the Ministry of Agriculture and Forestry's administration) until these regulations are revoked.
- (3) The chief executive of the Ministry of Agriculture and Forestry, despite subclause (1), must not issue new licences, or amend the terms and conditions specified in any licence, under that subclause.

Regulation 3(2): replaced, on 3 January 2002, by regulation 30(2) of the Dairy Industry (Herd Testing and New Zealand Dairy Core Database) Regulations 2001 (SR 2001/373).

Regulation 3(3): inserted, on 3 January 2002, by regulation 30(2) of the Dairy Industry (Herd Testing and New Zealand Dairy Core Database) Regulations 2001 (SR 2001/373).

**4**

For the purpose of regulating and controlling the conduct of herd testing the Board may employ inspectors, computers, clerks, and other servants, and may enter into contracts with individuals and corporate bodies undertaking or concerned in herd testing.

**5**

Every company, society, and association that, and every person who, acts in contravention of or fails to comply in any respect with any provision of these regulations commits an offence and shall be liable on conviction to a fine not exceeding £50.

Regulation 5: amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

**6**

The Herd Testing Regulations 1936 (*Gazette* 1936, Vol 1, p 337) are hereby consequentially revoked.

T J Sherrard,  
Clerk of the Executive Council.

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**Notes****1 General**

This is a reprint of the Herd Testing Regulations 1958. 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

Dairy Industry (Herd Testing and New Zealand Dairy Core Database) Regulations 2001 (SR 2001/373): regulation 30(2)

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