

**Reprint
as at 3 November 2011**



**Anthrax Prevention Regulations
1987**

(SR 1987/345)

Anthrax Prevention Regulations 1987: revoked, on 3 November 2011, by clause 3 of the Anthrax Prevention Regulations Revocation Order 2011 (SR 2011/343).

Paul Reeves, Governor-General

Order in Council

At Wellington this 10th day of November 1987

Present:

The Right Hon David Lange presiding in Council

Pursuant to Part 6 of the Health Act 1956, 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 of Health.

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Regulations

1 Title and commencement

- (1) These regulations may be cited as the Anthrax Prevention Regulations 1987.
- (2) These regulations shall come into force on 1 January 1988.

2 Interpretation

- (1) In these regulations, unless the context otherwise requires,—
animal includes any bird, reptile, amphibian, or insect
Customs place has the meaning given to it by section 2(1) of the Customs and Excise Act 1996.
- (2) For the purposes of these regulations, any reference to a person who imports any goods into New Zealand means any person by or for whom any goods are imported, and **importer** has a corresponding meaning.

Regulation 2(1) **Customs airport**: revoked, on 1 October 1996, by section 289(2) of the Customs and Excise Act 1996 (1996 No 27).

Regulation 2(1) **Customs place**: added, on 1 October 1996, by section 289(2) of the Customs and Excise Act 1996 (1996 No 27).

Regulation 2(1) **port of entry**: revoked, on 1 October 1996, by section 289(2) of the Customs and Excise Act 1996 (1996 No 27).

3 Prohibition on importation of certain brushes without prior written approval

- (1) No person shall, without the prior written approval of the Medical Officer of Health, import into New Zealand any brush designed for use in contact with the human body and made wholly or partly from hair or bristle obtained from any animal.
- (2) Nothing in subclause (1) shall apply to any brush that forms part of the personal baggage belonging to and accompanying any passenger in any ship or aircraft entering New Zealand.

4 Import controls on certain goods

- (1) No person shall import into New Zealand—
 - (a) any hair or bristle obtained from any animal; or
 - (b) any article made wholly or partly from any hair or bristle obtained from any animal—unless it is cleared at a Customs place by an Inspector of Health.
- (2) Nothing in subclause (1) shall apply to any brush if the prior written approval of the Medical Officer of Health has been obtained in respect of the importation of that brush pursuant to regulation 3.

Regulation 4(1): amended, on 1 October 1996, by section 289(2) of the Customs and Excise Act 1996 (1996 No 27).

5 Power of Minister of Health to prohibit importation of certain goods

If the Minister of Health has reasonable cause to believe that anthrax is likely to be conveyed by—

- (a) any wool, hair, bristle, skin, or fur obtained from any animal; or
- (b) any article made wholly or partly from any wool, hair, bristle, skin, or fur obtained from any animal; or
- (c) any skin bearing wool, hair, bristle, or fur,—

the Minister of Health may, by notice in the *Gazette*, prohibit the importation of those goods.

6 Powers of Inspectors of Health in respect of goods believed to have been imported in contravention of regulations

Every Inspector of Health may, in respect of any goods that the Inspector of Health has reasonable cause to believe have been imported into New Zealand in contravention of regulation 3 or regulation 4 or in contravention of a notice published under regulation 5,—

- (a) inspect and take samples of the goods:
- (b) seize and detain the goods:
- (c) direct the return of the goods, at the expense and risk of the importer, to any person outside New Zealand to whom the Inspector of Health considers it appropriate that the goods should be returned:
- (d) direct the disinfection of the goods, at the expense and risk of the importer, in accordance with regulation 8:
- (e) if the Inspector considers that the goods are of such a nature that they cannot be effectively disinfected, direct the destruction of the goods.

7 Power of disinfection where goods likely to convey anthrax

- (1) If any Inspector of Health has reasonable cause to believe that—
 - (a) any wool, hair, bristle, skin, or fur obtained from any animal; or
 - (b) any article made wholly or partly from any wool, hair, bristle, skin, or fur obtained from any animal; or
 - (c) any skin bearing wool, hair, bristle, or fur—imported into New Zealand is likely to convey anthrax, the Inspector of Health may, at any time, require those goods to be disinfected, at the expense and risk of the importer, to the satisfaction of the Inspector of Health in accordance with regulation 8.
- (2) Nothing in subclause (1) shall limit the powers of an Inspector of Health, pursuant to regulation 6(d), to direct the disinfection of goods that the Inspector of Health believes to have been

imported into New Zealand in contravention of regulation 3 or regulation 4 or in contravention of a notice published under regulation 5.

8 Methods of disinfection

- (1) Subject to subclauses (3) and (4), the disinfection of all goods pursuant to a direction under regulation 6(d) or a requirement under regulation 7 shall be carried out by one of the methods set out in Schedule 1, or in such manner as the Inspector of Health may require.
- (2) Every disinfection shall be carried out only on premises approved for the purpose by an Inspector of Health and all goods requiring disinfection shall be transported to such premises in accordance with any direction given by an Inspector of Health.
- (3) All packaging and wrapping of any goods to which this regulation applies shall be disinfected or burnt in accordance with the requirements, if any, of an Inspector of Health.
- (4) The Director-General of Health may, by notice in the *Gazette*, for the purposes of this regulation, prescribe any other methods by which goods may be disinfected.

9 Notice of actions of Inspector of Health

Where an Inspector of Health exercises any of the powers referred to in regulation 6 or regulation 7, the Inspector of Health shall notify the importer, or any other person in possession of the goods, in writing of the action taken and of the authority for such action.

10 Certificates of disinfection

- (1) An Inspector of Health may, if the Inspector of Health thinks fit, accept a certificate of disinfection issued in respect of any goods by any authority or person in a country other than New Zealand.
- (2) Where an Inspector of Health accepts such a certificate of disinfection,—
 - (a) any person may, notwithstanding any provision of regulation 3 or regulation 4 or any notice published under

- regulation 5, import any goods in respect of which the certificate is issued into New Zealand; and
- (b) that certificate shall, for the purposes of regulation 7, be evidence that the goods in respect of which the certificate is issued are unlikely to convey anthrax.

11 Appeals

- (1) Where any importer of goods or any other person interested in the goods is aggrieved by any decision of a Medical Officer of Health or an Inspector of Health made under these regulations in relation to those goods, that importer or person interested in the goods may appeal against that decision to the District Court within 14 days of being notified of such decision.
- (2) Every appeal under this regulation shall be made by way of originating application, and shall be filed in the District Court nearest to the place of business of the appellant or, where the appellant has no place of business in New Zealand, in the District Court nearest to the Customs place at which the goods were or were to have been imported into New Zealand.
- (3) On hearing an appeal under this regulation the District Court may confirm, reverse, or modify any decision made by the Medical Officer of Health or the Inspector of Health, as the case may be, and the decision of the District Court shall be final.
- (4) Pending the determination of any appeal under this regulation, any goods which are the subject of the appeal shall be kept at such premises and under such conditions as the Medical Officer of Health or the Inspector of Health thinks fit.

Regulation 11(2): amended, on 1 October 1996, by section 289(2) of the Customs and Excise Act 1996 (1996 No 27).

12 Offences

Every person commits an offence against these regulations who—

- (a) contravenes regulation 3 or regulation 4; or
- (b) imports goods into New Zealand in contravention of a notice published under regulation 5; or
- (c) fails to comply with any direction given under regulation 6; or

- (d) fails to comply with any requirement made under regulation 7.

13 Revocations

The regulations set out in Schedule 2 are hereby revoked.

Schedule 1

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Methods of disinfection for all goods

- 1 The wool, fur, hair, or bristle, or any article made wholly or partly from any wool, fur, hair, or bristle, shall be thoroughly washed with soap and warm water containing 2% of sodium carbonate and then left for half an hour in a 5% solution of warm sodium carbonate. The wool, fur, hair, or bristle shall then be placed in a solution of formaldehyde consisting of 1 part of 40% formalin and 16 parts of water for half an hour, and at a temperature between 39°C and 41°C, and shall then be left to dry.
- 2 The wool, fur, hair, or bristle, or any article made wholly or partly from any wool, fur, hair, or bristle, shall have sufficient wrapping removed from the bundle to permit effective disinfection. The bundle shall then be placed in a sealed chamber and the pressure in the sealed chamber shall be reduced to 50 kilopascals below atmospheric pressure. Steam shall then be admitted to the chamber until a pressure of 35 kilopascals above atmospheric pressure is created in the chamber. The pressure shall thereafter be maintained at 35 kilopascals above atmospheric pressure for at least 40 minutes.
- 3 The wool, fur, hair, or bristle, or any article made wholly or partly from any wool, fur, hair, or bristle, shall have sufficient wrapping removed from the bundle to permit effective disinfection. The bundle shall then be placed in an autoclave to which steam is admitted or in which water is brought to boiling point. Steam shall be permitted to escape through the outlet valve until a strong and even current of steam has been flow-

ing for at least 5 minutes. The outlet valve shall then be closed, and saturated steam at a pressure of 35 kilopascals above atmospheric pressure shall be maintained in the autoclave for at least 40 minutes.

- 4 The wool, fur, hair, or bristle, or article made wholly or partly from any wool, fur, hair, or bristle, shall be boiled in water for at least 2 hours.
- 5 The wool, fur, hair, or bristle, or article made wholly or partly from any wool, fur, hair, or bristle, shall be packaged, and irradiated with ionising radiation, to the satisfaction of an Inspector of Health.
- 6 The wool, fur, hair, or bristle, or any article made wholly or partly from any wool, fur, hair, or bristle, shall be sterilised in accordance with the New Zealand Department of Health Code of Practice for Ethylene Oxide Sterilisation published in 1979.

Methods of disinfection for animal skins or
hides only

- 7 The skin or hide of any animal, or the skin or hide of any animal bearing wool, fur, hair, or bristle, shall be completely immersed in a 1/10 000 solution of sodium bisulphate for a period of not less than 5 hours.
- 8 The skin or hide of any animal, or the skin or hide of any animal bearing wool, fur, hair, or bristle, shall be completely immersed in a solution of free chlorine to a level of 200 parts per million for a period of not less than 2 hours.

Schedule 2
Regulations revoked

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Anthrax Prevention Regulations 1951 (SR 1951/259)

**Anthrax Prevention Regulations 1951, Amendment No 1 (SR
1963/183)**

**Anthrax Prevention Regulations 1951, Amendment No 2 (SR
1966/44)**

**Anthrax Prevention Regulations 1951, Amendment No 3 (SR
1969/161)**

Marie Shroff,
Clerk of the Executive Council.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 12 November 1987.

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Notes

1 *General*

This is a reprint of the Anthrax Prevention Regulations 1987. The reprint incorporates all the amendments to the regulations as at 3 November 2011, 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)*

Anthrax Prevention Regulations Revocation Order 2011 (SR 2011/343)
Customs and Excise Act 1996 (1996 No 27): section 289(2)
