

Reprint
as at 9 May 2021



Animal Welfare (Care and Procedures) Regulations 2018 (LI 2018/50)

Patsy Reddy, Governor-General

Order in Council

At Wellington this 26th day of March 2018

Present:

Her Excellency the Governor-General in Council

These regulations are made under sections 183(1)(g) to (i), 183A(1) and (2), and 183B(1) of the Animal Welfare Act 1999—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister of Agriculture made after complying with sections 183A(3) to (5) and (10), 183B(2) and (3), and 184 of that Act.

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Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

These regulations are administered by the Ministry for Primary Industries.

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Schedule 1

Transitional, savings, and related provisions

Schedule 2

Consequential amendments to animal codes of welfare

[Revoked]

Regulations

1 Title

These regulations are the Animal Welfare (Care and Procedures) Regulations 2018.

2 Commencement

- (1) The following regulations come into force on the 28th day after the date of the notification of these regulations in the *Gazette*:
 - (a) regulation 3 (interpretation):
 - (b) regulation 4 (transitional, savings, and related provisions):
 - (c) regulations 8, 9, 10, 33 to 37, 44, 63(1), and 64(1) and (2)(a) (which relate to young calves):
 - (d) regulation 60 (offences are strict liability offences):
 - (e) regulation 61 (defences for non-infringement offences).
- (2) The rest of these regulations, except regulations 57, 58, and 63(3) (which relate to disbudding and dehorning cattle beasts), come into force on 1 October 2018.
- (3) Regulations 57, 58, and 63(3) come into force on 1 October 2019.

3 Interpretation

In these regulations, unless the context otherwise requires,—

breeder chicken or turkey means an animal of the *Gallus gallus domesticus* or *Meleagris gallopavo* species whose offspring are breeding stock or laying or meat birds

castrate means to remove the testes, sever or crush blood supply to the testes, sever or crush the spermatic cords, or force the testes against the abdominal wall

dehorn means to remove the horn or any part of the horn (including any regrowth after disbudding) from an animal by amputation, but does not include—

- (a) removal of the hard insensitive tip of the horn resulting in a blunt hard end; or
- (b) removal of an ingrown horn (as described in regulation 38(4)(a) or (b)) within 3 cm of the point where the tip of the horn touches or breaks the surface of the skin or touches the eyelid or surface of the eye

disbud means to destroy, by any method, free-floating immature horn tissue

dock means to shorten or remove the tail of an animal by any method

equid means any member of the equidae family, including any horse, pony, donkey, mule, wild ass, zebra, and any of their hybrids

farrowing crate means a crate in which sows are confined individually before, during, and after farrowing

high tension band means a band that is mechanically tightened during application, with tension maintained by a crimp or similar device when the band is released from the applicator

layer hen means a female chicken of the *Gallus gallus domesticus* species (of any age) kept primarily for laying eggs

off farm, in relation to a calf, means off the property on which the calf was born or resides

pain relief means any anaesthetic, analgesic, or sedation administered with the aim of providing effective and significant alleviation of pain

prolapse means the displacement of an organ or anatomical structure from its normal position

skin abrasion means an injury where the skin has started to scrape or rub away, but does not include (by itself) hair loss

slaughter premises means premises designed and operated for the purpose of, or for purposes that include, slaughtering animals

stall—

- (a) means an enclosure in which a pig is kept individually and that prevents the pig from turning around; but
- (b) does not include a farrowing crate

supernumerary teat means an extra teat in excess of the normal number of teats

tether means any form of restraint that secures any part of an animal to an object or the ground

therapeutic purpose means for the purpose of responding to an existing disease or injury

transporter means a person who is in charge of an animal only for the purpose of transport

yearling deer means a deer that is not over 12 months of age or that has its first set of antlers

young calf means a bovine that is up to 14 days of age and has been separated from its mother.

Regulation 3 **breeder chicken or turkey**: inserted, on 9 May 2021, by regulation 4(3) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Regulation 3 **dehorn**: inserted, on 9 May 2021, by regulation 4(3) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Regulation 3 **disbud**: inserted, on 9 May 2021, by regulation 4(3) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Regulation 3 **equid**: inserted, on 9 May 2021, by regulation 4(3) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Regulation 3 **horse**: revoked, on 9 May 2021, by regulation 4(1) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Regulation 3 **high tension band**: inserted, on 9 May 2021, by regulation 4(3) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Regulation 3 **layer hen**: inserted, on 9 May 2021, by regulation 4(3) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Regulation 3 **pain relief**: replaced, on 9 May 2021, by regulation 4(2) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Regulation 3 **prolapse**: inserted, on 9 May 2021, by regulation 4(3) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Regulation 3 **stall**: inserted, on 1 October 2018, by regulation 4 of the Animal Welfare (Care and Procedures) Amendment Regulations 2018 (LI 2018/181).

Regulation 3 **supernumerary teat**: inserted, on 9 May 2021, by regulation 4(3) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Regulation 3 **yearling deer**: inserted, on 9 May 2021, by regulation 4(3) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

4 Transitional, savings, and related provisions

The transitional, savings, and related provisions (if any) set out in Schedule 1 have effect according to their terms.

Part 1

Care of and conduct towards animals

Cattle

5 Cattle beasts with ingrown horns

- (1) The owner of, and every person in charge of, a cattle beast must not allow a horn to become ingrown to the extent that any part of the horn (other than the base of the horn) pierces or inflames any part of the beast's body or causes a skin abrasion.
- (2) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding \$1,500.
- (3) The offence in subclause (2) is an infringement offence with an infringement fee of \$500.

6 Prohibited methods of milk stimulation in cattle

- (1) A person must not stimulate milk let-down in a cow by inserting anything into the cow's vagina.
- (2) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding \$900.
- (3) The offence in subclause (2) is an infringement offence with an infringement fee of \$300.

7 Use of traction in calving

- (1) A person must not use, for the purpose of traction in calving cattle,—
 - (a) a moving vehicle; or
 - (b) any other instrument that does not allow for the immediate release of tension.
- (2) A person who fails to comply with this regulation commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.
- (3) In this regulation, **instrument** includes a motorised or mechanical winch.

8 Prohibition on killing calves by blunt force to head

- (1) A person must not kill a calf by using blunt force to the head unless—
 - (a) the calf is in severe pain or distress and, as a result, requires immediate humane destruction; and
 - (b) there is no reasonably practicable alternative to the use of blunt force available.

- (2) A person who fails to comply with this regulation commits an offence and is liable on conviction,—
- (a) in the case of an individual, to a fine not exceeding \$3,000;
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.

- (3) In this regulation,—

blunt force does not include the firing of a firearm (as defined in section 2(1) of the Arms Act 1983)

calf means a bovine that has not had milk (or milk replacer) permanently removed from its diet.

9 Maximum time young calves may be off feed before slaughter

- (1) A person in charge of a young calf being held at slaughter premises for slaughter must ensure that the calf is slaughtered as soon as possible after its arrival at the premises.
- (2) If it is not possible to slaughter a young calf within 24 hours after the calf was last fed on the farm on which it resided, the person in charge of the calf at the slaughter premises must,—
- (a) if the calf is able and willing to feed,—
 - (i) ensure that the calf is fed a volume of colostrum, milk, or milk replacer that equates to at least 5% of the calf's body weight no more than 24 hours after the calf was last fed on the farm; and
 - (ii) ensure that the calf is slaughtered as soon as possible after it is fed; or
 - (b) if the calf is unable or unwilling to feed, humanely euthanise or slaughter the calf without delay.
- (3) A person in charge of a young calf being held at slaughter premises for slaughter must have a system in place that, if followed, will ensure compliance with subclauses (1) and (2).
- (4) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction,—
- (a) in the case of an individual, to a fine not exceeding \$5,000;
 - (b) in the case of a body corporate, to a fine not exceeding \$25,000.

10 Shelter requirements for young calves before transportation and at points of sale or slaughter

- (1) This regulation applies if a young calf—
- (a) is being held at a location before being transported off farm for the purpose of sale or slaughter or as a result of sale (other than the location at which the calf is normally housed on the farm); or
 - (b) is being held at a location off farm while awaiting sale or slaughter.

- (2) The owner of, and every person in charge of, the calf must—
 - (a) ensure that the calf has access to shelter that—
 - (i) is ventilated to the extent that there is no threat to the health or welfare of the calf due to insufficient ventilation; and
 - (ii) provides protection from adverse weather, including precipitation and extremes of heat and cold; and
 - (iii) enables the calf to stand up and lie down in a natural posture; and
 - (b) ensure that faeces and urine do not accumulate in the shelter to an extent that may pose a threat to the health or welfare of the calf.
- (3) A person who fails to comply with this regulation commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$2,000;
 - (b) in the case of a body corporate, to a fine not exceeding \$10,000.

Crabs, rock lobster, crayfish, and kōura

11 Killing of crabs, rock lobster, crayfish, and kōura

- (1) A person must not kill for commercial purposes any crab, rock lobster, crayfish, or kōura (freshwater crayfish) that is farmed or caught for commercial purposes unless the animal is insensible before it is killed.
- (2) However, subclause (1) does not apply if a person has captured the animal in a wild state for the purpose of facilitating its imminent destruction.
- (3) A person who fails to comply with this regulation commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$5,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$25,000.

Dogs

12 Muzzles on dogs

- (1) The owner of, and every person in charge of, a dog that is muzzled must ensure that the muzzle does not—
 - (a) cause a cut that bleeds or discharges; or
 - (b) cause a skin abrasion that bleeds or discharges; or
 - (c) cause a swelling; or
 - (d) prevent the dog from breathing normally, panting, drinking, or vomiting.
- (2) However, a muzzle that restricts panting, drinking, or vomiting may be used if—
 - (a) the muzzle is used under constant supervision to prevent injury to any human or animal during veterinary treatment or handling; or

- (b) the muzzle is used by—
 - (i) an inspector or auxiliary officer while performing or exercising his or her functions, duties, or powers under the Animal Welfare Act 1999; or
 - (ii) a dog control officer, dog ranger, or warranted officer performing or exercising his or her functions, duties, or powers under the Dog Control Act 1996; or
- (c) the muzzle is used under constant supervision to facilitate handling of the dog for therapeutic purposes, including preventative treatment.
- (3) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding \$900.
- (4) The offence in subclause (3) is an infringement offence with an infringement fee of \$300.

13 Dogs must have dry and shaded shelter

- (1) This regulation—
 - (a) applies when a dog is on land or premises owned or occupied by the dog's owner or the person in charge of the dog; but
 - (b) does not apply when a dog is temporarily tethered or confined.
- (2) The owner of, and every person in charge of, the dog must—
 - (a) ensure that the dog has access at all times to an area (a **lying area**) that—
 - (i) is large enough to allow the dog to stand up, turn around, and lie down in a natural position; and
 - (ii) is fully shaded; and
 - (iii) is dry; and
 - (iv) is ventilated; and
 - (v) provides the dog with protection from extremes of heat and cold; and
 - (b) ensure that the dog has access at all times to water; and
 - (c) ensure that the dog has access at all times to an area in which to urinate and defecate away from its lying area; and
 - (d) ensure that faeces or urine do not accumulate in any area in which the dog is kept.
- (3) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding \$900.
- (4) The offence in subclause (3) is an infringement offence with an infringement fee of \$300.

14 Dogs left in vehicles

- (1) A person who leaves a dog in a stationary vehicle must ensure that the dog does not display signs of shade-seeking behaviour, as well as 1 or more of the following signs consistent with heat stress:
 - (a) excessive panting:
 - (b) excessive drooling:
 - (c) hyperventilation.
- (2) If subclause (1) is not complied with, the owner of the vehicle, the owner of the dog, and the person in charge of the dog left in the vehicle each commit an offence and are each liable on conviction to a fine not exceeding \$900.
- (3) The offence in subclause (2) is an infringement offence with an infringement fee of \$300.
- (4) For the purpose of section 162(1) of the Animal Welfare Act 1999, an inspector has reasonable cause to believe that a person has committed an infringement offence if the person is the owner of the dog or the owner of the vehicle involved in the failure to comply with this regulation.
- (5) In this regulation, **shade-seeking** means that the dog is compulsively seeking out and placing, or attempting to place, itself in the shadiest, coolest part of the vehicle that it can access.

15 Dogs on moving motor vehicles

- (1) The owner of, and every person in charge of, a dog transported on the open deck or open trailer of a moving motor vehicle (other than a moped, a motorcycle, or an all-terrain vehicle) on a public road must—
 - (a) ensure that the dog is secured in a way that prevents it from falling off or hanging off the open deck or open trailer (for example, by using a tether or a cage); and
 - (b) if the dog is secured by a tether, ensure that the tether is short enough to prevent the dog's legs from reaching over the sides of the open deck of the vehicle or open trailer, but long enough to allow the dog to stand or lie down in a natural position.
- (2) Subclause (1) does not apply when farm dogs are unsecured on the open deck or open trailer of a moving motor vehicle on a public road while involved in driving or managing livestock (for example, when moving livestock from one paddock to another that is down the road).
- (3) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding \$900.
- (4) The offence in subclause (3) is an infringement offence with an infringement fee of \$300.

- (5) For the purpose of section 162(1) of the Animal Welfare Act 1999, an inspector has reasonable cause to believe that a person has committed an infringement offence if the person is the owner of the motor vehicle involved in the failure to comply with this regulation.
- (6) In this regulation,—
- all-terrain vehicle** means a motor vehicle (with or without motorcycle controls and equipment) that—
- (a) is principally designed for off-road use; and
 - (b) has 3 or more wheels; and
 - (c) has an engine capacity exceeding 50 ml; and
 - (d) has a dry weight of less than 500 kg
- moped, motor vehicle, and motorcycle** have the same meanings as in section 2 of the Land Transport Act 1998.

Goats

16 Tethered goats must have access to food, water, and shelter

- (1) The owner of, and every person in charge of, a goat that is tethered must ensure that, at all times while the goat is tethered, the goat has access to—
- (a) food; and
 - (b) water; and
 - (c) shelter that is fully shaded, dry, and provides protection from extremes of heat and cold.
- (2) Subclause (1) does not apply when the goat is temporarily tethered under constant supervision to facilitate handling of the goat for therapeutic purposes, including preventative treatment.
- (3) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding \$900.
- (4) The offence in subclause (3) is an infringement offence with an infringement fee of \$300.

17 Goats with ingrown horns

- (1) The owner of, and every person in charge of, a goat must not allow a horn to become ingrown to the extent that any part of the horn (other than the base of the horn) pierces or inflames any part of the goat's body or causes a skin abrasion.
- (2) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding \$1,500.
- (3) The offence in subclause (2) is an infringement offence with an infringement fee of \$500.

Equids

Heading: replaced, on 9 May 2021, by regulation 5 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

18 Horses and other equids tethered for purpose of grazing

- (1) The owner of, and every person in charge of, an equid that is tethered for the purpose of grazing must ensure that, at all times while the equid is tethered, the equid has access to—
 - (a) food; and
 - (b) water; and
 - (c) shade; and
 - (d) protection from extremes of heat and cold.
- (2) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding \$900.
- (3) The offence in subclause (2) is an infringement offence with an infringement fee of \$300.
- (4) In this regulation, **equid** does not include a zebra.

Regulation 18 heading: amended, on 9 May 2021, by regulation 6(1) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Regulation 18(1): amended, on 9 May 2021, by regulation 6(2)(a) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Regulation 18(1): amended, on 9 May 2021, by regulation 6(2)(b) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Regulation 18(4): inserted, on 9 May 2021, by regulation 6(3) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

19 Use of equipment that may injure horses and other equids

- (1) The owner of, and every person in charge of, an equid must ensure that—
 - (a) any halter, lead rope, or other equipment on the equid's head or neck does not—
 - (i) cause a cut that bleeds or discharges; or
 - (ii) cause a skin abrasion that bleeds or discharges; or
 - (iii) cause a swelling; or
 - (iv) prevent the animal from breathing normally or drinking; and
 - (b) any other equipment used on the rest of the equid's body does not—
 - (i) cause a cut that bleeds or discharges; or
 - (ii) cause a skin abrasion that bleeds or discharges; or
 - (iii) prevent the animal from breathing normally or drinking.
- (2) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding \$900.

(3) The offence in subclause (2) is an infringement offence with an infringement fee of \$300.

(4) In this regulation, **equid** does not include a zebra.

Regulation 19 heading: amended, on 9 May 2021, by regulation 7(1) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Regulation 19(1): amended, on 9 May 2021, by regulation 7(2)(a) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Regulation 19(1)(a): amended, on 9 May 2021, by regulation 7(2)(b) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Regulation 19(1)(b): amended, on 9 May 2021, by regulation 7(2)(b) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Regulation 19(4): inserted, on 9 May 2021, by regulation 7(3) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

20 Persons must not strike equid on its head

(1) A person must not strike an equid on its head.

(2) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding \$1,500.

(3) The offence in subclause (2) is an infringement offence with an infringement fee of \$500.

(4) In this regulation, **equid** does not include a zebra.

Regulation 20 heading: amended, on 9 May 2021, by regulation 8(1) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Regulation 20(1): amended, on 9 May 2021, by regulation 8(2) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Regulation 20(4): inserted, on 9 May 2021, by regulation 8(3) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Layer hens

21 Phased prohibition on use of conventional cages

(1) The owner of, and every person in charge of, layer hens must ensure that any cage system used for housing the layer hens meets the requirements in subclause (2)—

(a) on and from 1 October 2018, if the cage system was or is installed after 7 December 2012:

(b) on and from 1 January 2019, if the cage system was installed before the close of 31 December 1999:

(c) on and from 1 January 2021, if the cage system was installed after 31 December 1999 but before the close of 31 December 2001:

(d) on and from 1 January 2023, if the cage system was installed after 31 December 2001 but before the close of 7 December 2012.

(2) The cage system that is used must meet the following requirements:

- (a) multi-deck cages must be arranged so that the layer hens in the lower tiers are protected from excreta from above:
 - (b) the floor slope must not exceed 8 degrees and must support the hen's forward facing claws:
 - (c) manure must be removed from under a cage before it accumulates sufficiently to touch the cage floor:
 - (d) each layer hen must have access to at least 2 drinking points:
 - (e) the cages must be fitted with suitable claw-shortening devices:
 - (f) there must be a secluded nest area in which the floor is covered by a suitable substrate that prevents the hens from directly contacting the wire mesh floor:
 - (g) there must be a perching area in which the perches allow the hens to grip without risk of trapping their claws and that provides at least 15 cm of space per hen to allow all hens to perch at the same time:
 - (h) the cages must have a scratching area:
 - (i) the cages must be at least 45 cm in height at all points other than in the nest area:
 - (j) the cages must have a minimum area of 750 cm² per hen or 13 hens per m².
- (3) A person who fails to comply with subclause (1) commits an offence and is liable on conviction,—
- (a) in the case of an individual, to a fine not exceeding \$5,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$25,000.

22 Induced moulting

- (1) The owner of, and every person in charge of, layer hens must not induce moulting in the hens or allow another person to induce moulting in the hens.
- (2) A person who fails to comply with this regulation commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$5,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$25,000.
- (3) In this regulation, **induce moulting** means carry out the practice that makes hens cease egg production and then lose and replace feathers and restore bone integrity to bring them into another laying cycle.

Llama and alpaca

23 Use of equipment that may injure llama or alpaca

- (1) The owner of, and every person in charge of, a llama or alpaca must ensure that any halter, lead rope, pack, or other equipment used on the animal does not—

- (a) cause a cut that bleeds or discharges; or
 - (b) cause a skin abrasion that bleeds or discharges; or
 - (c) cause a swelling; or
 - (d) prevent the animal from breathing normally or drinking.
- (2) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding \$900.
- (3) The offence in subclause (2) is an infringement offence with an infringement fee of \$300.

Pigs

24 Pigs must have access to shelter and dry lying area

- (1) The owner of, and every person in charge of, a pig must ensure that—
- (a) the pig has access at all times to a ventilated shelter that provides protection from extremes of heat and cold; and
 - (b) the pig has access at all times when it is not in a farrowing crate or a stall to a dry area that is large enough to allow the pig to stand up, turn around, and lie down in a natural position; and
 - (c) faeces or urine do not accumulate in any area in which the pig is kept to an extent that may pose a threat to the health or welfare of the pig.
- (2) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding \$900.
- (3) The offence in subclause (2) is an infringement offence with an infringement fee of \$300.

Regulation 24(1)(b): amended, on 1 October 2018, by regulation 5 of the Animal Welfare (Care and Procedures) Amendment Regulations 2018 (LI 2018/181).

25 Minimum lying space for grower pigs

- (1) The owner of, and every person in charge of, grower pigs must ensure that, at all times, each pig has an unobstructed floor space in which it can lie down of no less than the area calculated using the following formula:

$$a = 0.03 \times b^{0.67}$$

where—

- a is the minimum area (in m²)
 - b is the liveweight of the pig (in kg).
- (2) A person who fails to comply with this regulation commits an offence and is liable on conviction,—
- (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.
- (3) In this regulation,—

grower pig means a weaned pig that—

- (a) weighs 30 kg or more; and
- (b) is being raised for the primary purpose of meat or for transfer to a breeding herd

unobstructed floor space includes unobstructed feeding or dunging floor space.

26 Farrowing requirements

- (1) The owner of, and every person in charge of, a pig must ensure that—
 - (a) sows, in any farrowing system constructed after 3 December 2010, are provided with material that can be manipulated until farrowing;
 - (b) a sow in a farrowing crate is able to avoid all of the following:
 - (i) touching both sides of the crate simultaneously;
 - (ii) touching the front and the back of the crate simultaneously;
 - (iii) touching the top of the crate when standing;
 - (c) a sow is not confined in a farrowing crate for more than 5 days before farrowing;
 - (d) if a sow is confined in a farrowing crate for lactation, it is not confined for more than 4 weeks after farrowing unless—
 - (i) it is a nurse sow confined in the farrowing crate for fostering purposes, in which case it may be confined for a further week; and
 - (ii) no more than 5% of sows in any herd at any one time are being retained as nurse sows.
- (2) A person who fails to comply with subclause (1)(b) commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.
- (3) This regulation is revoked on 18 December 2025.

Regulation 26: replaced, on 18 December 2020, by regulation 4 of the Animal Welfare (Care and Procedures) Amendment Regulations (No 2) 2020 (LI 2020/310).

27 Other requirements relating to management of pigs

- (1) The owner of, and every person in charge of, a pig must ensure that—
 - (a) pigs are not restrained by tethering;
 - (b) pigs are not confined in stalls unless—
 - (i) the confinement is for the purpose of mating; and
 - (ii) the confinement is for no more than 7 days per reproductive cycle; and

- (iii) the pigs are released from the stalls as soon as practicable after mating;
- (c) sows and gilts confined in stalls for the purpose of mating—
 - (i) are able to stand without contact with any side of the stall; and
 - (ii) are able to lie on their sides without disturbing neighbouring sows or gilts; and
 - (iii) have a dry, smooth, non-slip sleeping area.
- (2) The owner of, and every person in charge of, a pig confined in a stall must keep records that document compliance with subclause (1)(b).
- (3) A person who fails to comply with subclause (1)(b) commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$5,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$25,000.
- (4) This regulation is revoked on 18 December 2025.

Regulation 27: replaced, on 18 December 2020, by regulation 4 of the Animal Welfare (Care and Procedures) Amendment Regulations (No 2) 2020 (LI 2020/310).

Sheep

28 Sheep with ingrown horns

- (1) The owner of, and every person in charge of, a sheep must not allow a horn to become ingrown to the extent that any part of the horn (other than the base of the horn) pierces or inflames any part of the sheep's body or causes a skin abrasion.
- (2) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding \$1,500.
- (3) The offence in subclause (2) is an infringement offence with an infringement fee of \$500.

29 Use of traction in lambing

- (1) A person must not use, for the purpose of traction in lambing,—
 - (a) a moving vehicle; or
 - (b) any other instrument that does not allow for the immediate release of tension.
- (2) A person who fails to comply with this regulation commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.
- (3) In this regulation, **instrument** includes a motorised or mechanical winch.

*Stock transport***30 Prevention of injury**

- (1) A person must not transport a cattle beast, deer, sheep, goat, or pig in a manner that causes acute injury to the animal.
- (2) A person who transports a cattle beast, deer, sheep, goat, or pig must not load the animal onto a vehicle, or unload the animal from a vehicle, in a manner that causes acute injury to the animal.
- (3) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding,—
 - (a) in the case of an individual, \$1,500; or
 - (b) in the case of a body corporate that has been issued an infringement notice for the offence, \$1,500; or
 - (c) in the case of a body corporate that has not been issued an infringement notice for the offence (because proceedings in respect of the infringement offence have been commenced by filing a charging document), \$7,500.
- (4) The offence in subclause (3) is an infringement offence with an infringement fee of \$500.
- (5) In this regulation, **acute injury**—
 - (a) means an injury that is more than minor and is bleeding; but
 - (b) does not include back-rub (as defined in regulation 32(4)); and
 - (c) does not include an injury from horns or antlers to which regulation 31 applies.

31 Transport of animals with horns and antlers

- (1) The owner of, and every person in charge of, an animal with horns or antlers must not transport the animal, or allow the animal to be transported, in a manner that allows the animal to seriously injure itself or another animal.
- (2) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding \$1,500.
- (3) The offence in subclause (2) is an infringement offence with an infringement fee of \$500.
- (4) In this regulation, **seriously injure** means to cause—
 - (a) external bleeding or extensive internal bruising; or
 - (b) bleeding or broken horns; or
 - (c) bleeding, discharging, or broken velvet antlers or pedicles.

32 Prevention of back-rub

- (1) A person must not transport a cattle beast, deer, sheep, goat, or pig in a manner that causes back-rub.
- (2) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding,—
 - (a) in the case of an individual, \$1,500; or
 - (b) in the case of a body corporate that has been issued an infringement notice for the offence, \$1,500; or
 - (c) in the case of a body corporate that has not been issued an infringement notice for the offence (because proceedings in respect of the infringement offence have been commenced by filing a charging document), \$7,500.
- (3) The offence in subclause (2) is an infringement offence with an infringement fee of \$500.
- (4) In this regulation, **back-rub** means a skin abrasion that—
 - (a) is bleeding or discharging; and
 - (b) is located on the head, hips, neck, spine, or high points on the back; and
 - (c) covers a combined area of more than 50 cm².

33 Ensuring young calves are fit for transport

- (1) The owner of, and every person in charge of, a young calf must not transport the calf, or allow the calf to be transported, off farm for the purpose of sale or slaughter or as a result of sale unless the calf is at least 4 full days (96 hours) of age.
- (2) The owner of, and every person in charge of, a young calf must not transport the calf, or allow the calf to be transported, off farm for the purpose of sale or slaughter or as a result of sale unless—
 - (a) the calf is free from signs of any injury, disease, disability, or impairment that could compromise the calf's welfare during the journey; and
 - (b) the calf is alert and able to—
 - (i) rise from a lying position; and
 - (ii) stand and bear weight evenly on all 4 limbs; and
 - (iii) move freely; and
 - (iv) protect itself from being trampled and from being injured by other calves; and
 - (c) the calf's hooves are firm, worn flat, and not bulbous with soft unworn tissue; and
 - (d) the calf's navel cord is shrivelled and not pink or red coloured, raw, or fleshy.

- (3) However, subclause (2)(a) and (b) does not apply if the owner of, or person in charge of, the young calf has a veterinary declaration that the calf is fit for transport.
- (4) The owner of, and every person in charge of, a young calf that is being transported or is to be transported off farm for the purpose of sale or slaughter or as a result of sale must have a system in place that, if followed, will ensure compliance with this regulation.
- (5) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction to a fine not exceeding,—
 - (a) in the case of an individual, \$1,500; or
 - (b) in the case of a body corporate that has been issued an infringement notice for the offence, \$1,500; or
 - (c) in the case of a body corporate that has not been issued an infringement notice for the offence (because proceedings in respect of the infringement offence have been commenced by filing a charging document), \$7,500.
- (6) The offence in subclause (5) is an infringement offence with an infringement fee of \$500.

34 Maximum duration of transport for young calves

- (1) A person in charge of a young calf must not transport the calf unless the total duration of the journey from the point of loading the calf onto the vehicle to the point of arrival at the final destination of the journey is no more than 12 hours.
- (2) A person in charge of a young calf who transports young calves must have a system in place that, if followed, will ensure compliance with subclause (1).
- (3) A person who fails to comply with subclause (1) commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$5,000;
 - (b) in the case of a body corporate, to a fine not exceeding \$25,000.

35 Requirements for loading and unloading facilities used with young calves

- (1) Subclause (2) applies to a person who is, or will be, the owner of, or a person in charge of, a young calf at a place at which the calf is intended to be—
 - (a) loaded onto a stock transport vehicle for transport off farm or from a place of sale for the purpose of sale or slaughter or as a result of sale; or
 - (b) unloaded from a stock transport vehicle used to transport the calf off farm or from a place of sale for the purpose of sale or slaughter or as a result of sale.
- (2) A person to whom this subclause applies must provide facilities designed to, or make available other means that,—

- (a) enable the calf to walk onto (if subclause (1)(a) applies) or off (if subclause (1)(b) applies) the stock transport vehicle by its own action; and
 - (b) minimise the risk of a calf slipping and injuring itself, falling off the facilities or other means, or becoming otherwise injured or distressed.
- (3) A person in charge of a young calf must take all reasonable and practicable steps to ensure that the calf is not, while the person is in charge of the calf,—
- (a) loaded onto a stock transport vehicle for transport off farm or from a place of sale, for the purpose of sale or slaughter or as a result of sale, otherwise than through the use of the facilities or means referred to in subclause (2); or
 - (b) unloaded from a stock transport vehicle used to transport the calf off farm or from a place of sale, for the purpose of sale or slaughter or as a result of sale, other than through the use of such facilities or means.
- (4) In this regulation, **stock transport vehicle** means a vehicle that has a loading height of 90 cm or more from the lowest point of the tyres to the height of the deck or body of the vehicle onto which a calf will be loaded.
- (5) A person who fails to comply with subclause (2) commits an offence and is liable on conviction to a fine not exceeding \$1,500.
- (6) The offence in subclause (5) is an infringement offence with an infringement fee of \$500.
- (7) A person who fails to comply with subclause (3) commits an offence and is liable on conviction,—
- (a) in the case of an individual, to a fine not exceeding \$2,000;
 - (b) in the case of a body corporate, to a fine not exceeding \$10,000.

36 Shelter requirements for young calves during transportation

- (1) A person in charge of a vehicle must not transport a young calf off farm for the purpose of sale or slaughter or as a result of sale unless—
- (a) the vehicle provides shelter that—
 - (i) is ventilated to the extent that there is no threat to the health or welfare of the calf due to insufficient ventilation; and
 - (ii) provides protection from adverse weather, including precipitation and extremes of heat and cold; and
 - (iii) enables the calf to stand up and lie down in a natural posture; and
 - (b) the person ensures that faeces and urine do not accumulate in the vehicle to an extent that may pose a threat to the health or welfare of the calf.
- (2) A person who fails to comply with this regulation commits an offence and is liable on conviction,—
- (a) in the case of an individual, to a fine not exceeding \$2,000;

- (b) in the case of a body corporate, to a fine not exceeding \$10,000.

37 Prohibition on transporting young calves by sea across Cook Strait

- (1) A person in charge of a young calf on a vehicle must not allow the calf to be transported by sea across Cook Strait.
- (2) A person who fails to comply with this regulation commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$5,000;
 - (b) in the case of a body corporate, to a fine not exceeding \$25,000.

38 Restrictions on transporting animals with ingrown horns

- (1) This regulation applies in respect of an animal with an ingrown horn that involves part of the horn (other than the base of the horn) piercing or inflaming any part of the animal's body or causing a skin abrasion.
- (2) The owner of, and every person in charge of, an animal in respect of which this regulation applies must not transport the animal, or allow the animal to be transported, unless—
 - (a) the animal is accompanied by a veterinary certificate that states that the animal is fit for transport; or
 - (b) the animal is accompanied by a veterinary certificate that specifies conditions that must be complied with to manage the animal welfare risks associated with the transport and the owner, or person in charge, complies with all relevant conditions.
- (3) However, the owner of, or person in charge of, an animal with an ingrown horn to which this subclause applies may, for the purpose of treatment, transport the animal—
 - (a) within the property on which the animal resides; or
 - (b) to another property (not being slaughter premises), part or all of which is less than 20 km from the boundary of the property on which the animal resides.
- (4) Subclause (3) applies if the ingrown horn—
 - (a) touches or breaks the surface of the skin, but does not touch any other tissue; or
 - (b) touches the eyelid or surface of the eye, but does not touch any other tissue.
- (5) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding \$1,500.
- (6) The offence in subclause (5) is an infringement offence with an infringement fee of \$500.

39 Restrictions on transporting animals with injured horns or antlers

- (1) This regulation—
 - (a) applies in respect of an animal with a bleeding, discharging, or broken (and unhealed) velvet antler, horn, or pedicle; but
 - (b) does not apply in respect of a deer if the bleeding or discharge is a result of the deer naturally casting its antlers.
- (2) The owner of, and every person in charge of, an animal in respect of which this regulation applies must not transport the animal, or allow the animal to be transported, unless—
 - (a) the animal is accompanied by a veterinary certificate that states that the animal is fit for transport; or
 - (b) the animal is accompanied by a veterinary certificate that specifies conditions that must be complied with to manage the animal welfare risks associated with the transport and the owner, or person in charge, complies with all relevant conditions; or
 - (c) the animal is a deer to which subclause (4) applies.
- (3) However, the owner of, or person in charge of, the animal may, for the purpose of treatment, transport the animal—
 - (a) within the property on which the animal resides; or
 - (b) to another property (not being slaughter premises), part or all of which is less than 20 km from the boundary of the property on which the animal resides.
- (4) The owner of, or person in charge of, a deer to which this regulation applies may transport the deer, or allow the deer to be transported, to a slaughter premises if—
 - (a) the deer is a yearling deer; and
 - (b) this regulation applies because the deer's first set of velvet antlers were removed; and
 - (c) rubber rings designed for the purpose of inducing analgesia during velvet antler removal were used for pain relief and are still attached to the deer; and
 - (d) the deer arrives at the slaughter premises no later than 72 hours after the velvet antlers were removed.
- (5) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding \$1,500.
- (6) The offence in subclause (5) is an infringement offence with an infringement fee of \$500.

Regulation 39(4)(a): amended, on 9 May 2021, by regulation 9 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

40 Restrictions on transporting lame animals

- (1) The owner of, and every person in charge of, a cattle beast, sheep, deer, pig, or goat that is lame must not transport the animal, or allow the animal to be transported, unless—
 - (a) the animal is accompanied by a veterinary certificate that states that the animal is fit for transport; or
 - (b) the animal is accompanied by a veterinary certificate that specifies conditions that must be complied with to manage the animal welfare risks associated with the transport and the owner or person in charge complies with all relevant conditions.
- (2) However, the owner of, or person in charge of, the animal may, for the purpose of treatment, transport the animal—
 - (a) within the property on which the animal resides; or
 - (b) to another property (not being slaughter premises), part or all of which is less than 20 km from the boundary of the property on which the animal resides.
- (3) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding,—
 - (a) in the case of an individual, \$1,500; or
 - (b) in the case of a body corporate that has been issued an infringement notice for the offence, \$1,500; or
 - (c) in the case of a body corporate that has not been issued an infringement notice for the offence (because proceedings in respect of the infringement offence have been commenced by filing a charging document), \$7,500.
- (4) The offence in subclause (3) is an infringement offence with an infringement fee of \$500.
- (5) In this regulation,—
 - (a) a cattle beast, deer, or pig is **lame** if—
 - (i) the animal is not weight bearing on 1 or more limbs when moving or standing; or
 - (ii) the animal has a definite limp (shortened stride) that is clearly identifiable to a limb or limbs, with weight placed on the limb or limbs significantly reduced:
 - (b) a cattle beast, deer, or pig is not **lame** if the cause of the limp is a non-painful condition (such as a conformational fault, a gait abnormality, or a healed injury) and the animal is able to bear weight (although not necessarily evenly) on all 4 limbs:
 - (c) a sheep or goat is **lame** if—

- (i) the animal is not weight bearing on 1 or more limbs when moving or standing; or
- (ii) the animal has difficulty walking and holds its head below its backline almost continuously.

41 Restrictions on transporting animals in late pregnancy

- (1) The owner of, and every person in charge of, a cattle beast, sheep, pig, or goat that is in late pregnancy must not transport the animal, or allow the animal to be transported, unless—
 - (a) the animal is accompanied by a veterinary certificate that states that the animal is fit for transport; or
 - (b) the animal is accompanied by a veterinary certificate that specifies conditions that must be complied with to manage the animal welfare risks associated with the transport and the owner, or person in charge, complies with all relevant conditions.
- (2) The owner of, and every person in charge of, a pregnant deer must not transport the deer if it is in late pregnancy or within 21 days before the estimated due date, unless—
 - (a) the deer is accompanied by a veterinary certificate that states that the animal is fit for transport; or
 - (b) the deer is accompanied by a veterinary certificate that specifies conditions that must be complied with to manage the animal welfare risks associated with the transport and the owner, or person in charge, complies with all relevant conditions.
- (3) The owner of, and every person in charge of, a pregnant deer must have a system in place that, if followed, will ensure compliance with subclause (2).
- (4) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction to a fine not exceeding,—
 - (a) in the case of an individual, \$1,500; or
 - (b) in the case of a body corporate that has been issued an infringement notice for the offence, \$1,500; or
 - (c) in the case of a body corporate that has not been issued an infringement notice for the offence (because proceedings in respect of the infringement offence have been commenced by filing a charging document), \$7,500.
- (5) The offence in subclause (4) is an infringement offence with an infringement fee of \$500.
- (6) For the purpose of section 162(1) of the Animal Welfare Act 1999, an inspector has reasonable cause to believe that a person has transported an animal that is in late pregnancy if the animal gives birth during transport or within 24 hours after arriving at a slaughter premises or sale yard.

- (7) An infringement notice may not be issued, and a charging document may not be filed, in relation to a failure to comply with subclause (1) unless the animal gives birth during transport or within 24 hours after arriving at a slaughter premises or sale yard.
- (8) An infringement notice may not be issued, and a charging document may not be filed, in relation to a failure to comply with subclause (2) involving a deer that is in late pregnancy (but not a deer that is within 21 days before the estimated due date) unless the deer gives birth during transport or within 24 hours after arriving at a slaughter premises or sale yard.

42 Restrictions on transporting animals with injured or diseased udders

- (1) This regulation applies in respect of a cattle beast, sheep, or goat that has—
 - (a) a necrotic udder; or
 - (b) an udder that has a discharge other than milk; or
 - (c) an udder that shows signs of inflammation (such as being red, hot, or swollen); or
 - (d) an udder with a lesion that is bleeding or discharging.
- (2) The owner of, and every person in charge of, an animal to which this regulation applies must not transport the animal, or allow the animal to be transported, unless—
 - (a) the animal is accompanied by a veterinary certificate that states that the animal is fit for transport; or
 - (b) the animal is accompanied by a veterinary certificate that specifies conditions that must be complied with to manage the animal welfare risks associated with the transport and the owner, or person in charge, complies with all relevant conditions.
- (3) However, the owner of, or person in charge of, the animal may, for the purpose of treatment, transport the animal—
 - (a) within the property on which the animal resides; or
 - (b) to another property (not being slaughter premises), part or all of which is less than 20 km from the boundary of the property on which the animal resides.
- (4) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding,—
 - (a) in the case of an individual, \$1,500; or
 - (b) in the case of a body corporate that has been issued an infringement notice for the offence, \$1,500; or
 - (c) in the case of a body corporate that has not been issued an infringement notice for the offence (because proceedings in respect of the infringe-

ment offence have been commenced by filing a charging document), \$7,500.

- (5) The offence in subclause (4) is an infringement offence with an infringement fee of \$500.

43 Restrictions on transporting animals with eye cancer

- (1) This regulation applies in respect of a cattle beast, sheep, or goat that has an eye cancer that—
- (a) is bleeding or discharging; or
 - (b) is not visibly confined to either the tissues of the eye or of the eyelid; or
 - (c) is causing the eye to discharge; or
 - (d) is more than 2 cm in diameter.
- (2) The owner of, and every person in charge of, an animal to which this regulation applies must not transport the animal, or allow the animal to be transported, unless—
- (a) the animal is accompanied by a veterinary certificate that states that the animal is fit for transport; or
 - (b) the animal is accompanied by a veterinary certificate that specifies conditions that must be complied with to manage the animal welfare risks associated with the transport and the owner, or person in charge, complies with all relevant conditions.
- (3) However, the owner of, or person in charge of, the animal may, for the purpose of treatment, transport the animal—
- (a) within the property on which the animal resides; or
 - (b) to another property (not being slaughter premises), part or all of which is less than 20 km from the boundary of the property on which the animal resides.
- (4) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding \$1,500.
- (5) The offence in subclause (4) is an infringement offence with an infringement fee of \$500.

44 Certain regulations do not apply to transporters

Regulations 33(1), 35(2), and 38 to 43 do not apply to transporters.

45 Obligations of transporters in relation to animals to which regulations 38 to 43 apply

- (1) A transporter who transports an animal to which any of regulations 38 to 43 apply and that is accompanied by a veterinary certificate must comply with any relevant conditions specified in the certificate.

- (2) A transporter who transports a yearling deer to which regulation 39(4) applies must ensure that the deer arrives at the slaughter premises no later than 72 hours after the deer's velvet antlers were removed.
- (3) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding \$1,500.
- (4) The offence in subclause (3) is an infringement offence with an infringement fee of \$500.

Rodeos

46 Prohibition on fireworks at rodeos

- (1) A person who organises a rodeo must ensure that fireworks, pyrotechnics, and gas-fired explosions of any type are not used at the rodeo or at any practice event for the rodeo.
- (2) A person who fails to comply with this regulation commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$5,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$25,000.
- (3) In this regulation, **rodeo** means—
 - (a) a public event that involves any of the following:
 - (i) bronc, bull, steer, or calf riding;
 - (ii) barrel racing;
 - (iii) team roping;
 - (iv) roping and tying an animal;
 - (v) steer wrestling;
 - (b) a public event at which animals are present that calls itself a rodeo.
- (4) In this regulation,—

roping and tying means catching by lasso and throwing and tying a calf by the legs (also known as calf roping)

team roping means a steer-roping event that involves 2 horse riders where one acts as a header (the person who ropes the horns or head) and the other as a heeler (who rides in and ropes the steer around the back legs) in order to bring the steer to a standstill between the 2 riders.

General provisions

47 Collars and tethers

- (1) The owner of, and every person in charge of, an animal must ensure that any collar or tether on the animal (whether on the neck or on any other part of the animal) does not—

- (a) cause a cut that bleeds or discharges; or
 - (b) cause a skin abrasion that bleeds or discharges; or
 - (c) cause a swelling; or
 - (d) prevent the animal from breathing normally, panting, or drinking.
- (2) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding \$900.
- (3) The offence in subclause (2) is an infringement offence with an infringement fee of \$300.

48 Use of electric prodders

- (1) A person must not use an electric prodder on any animal, except—
- (a) on cattle that weigh over 150 kg; or
 - (b) during loading or unloading for transport, on pigs that weigh over 150 kg; or
 - (c) during loading of a stunning pen at any slaughter premises,—
 - (i) on pigs that weigh over 150 kg; or
 - (ii) on pigs that weigh over 70 kg if the pigs are in a single-file slaughter race leading into, and within 15 m of, the stunning pen;or
 - (d) during loading of a stunning pen at any slaughter premises, on deer of any weight.
- (2) If an electric prodder is used on an animal where permitted by subclause (1),—
- (a) the prodder may be used only on the muscled areas of the animal's hind-quarters or forequarters; and
 - (b) the animal must have sufficient room to move away from the prodder.
- (3) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding,—
- (a) in the case of an individual, \$1,500; or
 - (b) in the case of a body corporate that has been issued an infringement notice for the offence, \$1,500; or
 - (c) in the case of a body corporate that has not been issued an infringement notice for the offence (because proceedings in respect of the infringement offence have been commenced by filing a charging document), \$7,500.
- (4) The offence in subclause (3) is an infringement offence with an infringement fee of \$500.
- (5) In this regulation, **electric prodder**—

- (a) means a device that is capable of delivering an electric shock to make an animal move; but
- (b) does not include—
 - (i) electric stunners used to stun an animal immediately before slaughter; or
 - (ii) electric devices used on an animal by the New Zealand Police.

Regulation 48(1)(c): replaced, on 27 August 2020, by regulation 10(1) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Regulation 48(5)(b): replaced, on 27 August 2020, by regulation 10(2) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

49 Prodding animals in sensitive areas

- (1) A person must not strike or prod an animal with a goad in the udder, anus, genitals, or eyes.
- (2) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding \$1,500.
- (3) The offence in subclause (2) is an infringement offence with an infringement fee of \$500.
- (4) In this regulation, **goad** means an object used to make an animal move, but does not include an electric prodder as defined in regulation 48(5).

Part 2

Surgical or painful procedures

Docking tails

50 Docking cattle beasts' tails

- (1) A person must not dock the tail of a cattle beast.
- (2) A person who fails to comply with this regulation commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.
- (3) A person has a defence to a prosecution for an offence against this regulation if the person was required to urgently dock the tail of the cattle beast in response to an accidental tail injury in order to prevent excessive bleeding or further injury to the cattle beast.
- (4) A person has a defence to a prosecution for an offence against this regulation if—
 - (a) the person was a veterinarian, or a veterinary student under the direct supervision of a veterinarian throughout the procedure; and

- (b) the person docked the tail of the cattle beast for therapeutic purposes; and
- (c) the cattle beast was given pain relief at the time of the procedure.

51 Docking dogs' tails

- (1) A person must not dock the tail of a dog.
- (2) The owner of, and every person in charge of, a dog must not allow the dog's tail to be docked.
- (3) A person who fails to comply with this regulation commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$3,000;
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.
- (4) A person has a defence to a prosecution for an offence against this regulation if—
 - (a) the person was a veterinarian, or a veterinary student under the direct supervision of a veterinarian throughout the procedure; and
 - (b) the person docked the tail of the dog for therapeutic purposes; and
 - (c) the dog was given pain relief at the time of the procedure.

51A Docking equids' tails

- (1) A person must not dock the tail of an equid.
- (2) The owner of, and every person in charge of, an equid must not allow the equid's tail to be docked.
- (3) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.
- (4) A person has a defence to a prosecution for an offence against this regulation if—
 - (a) the person is a veterinarian, or a veterinary student under the direct supervision of a veterinarian throughout the procedure; and
 - (b) the person docked the tail of the equid for therapeutic purposes; and
 - (c) the equid was given pain relief at the time of the procedure.

Regulation 51A: inserted, on 9 May 2021, by regulation 11 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

52 Docking pigs' tails

- (1) A person who docks the tail of a pig that is under 7 days of age must ensure that the procedure creates a clean cut and does not tear the tissue.

- (2) The owner of, and every person in charge of, a pig that is under 7 days of age must not allow the pig's tail to be docked in breach of subclause (1).
- (3) A person must not dock the tail of a pig that is 7 days of age or over unless—
 - (a) the person is a veterinarian, or a veterinary student under the direct supervision of a veterinarian throughout the procedure; and
 - (b) the pig is given pain relief at the time of the procedure.
- (4) The owner of, and every person in charge of, a pig that is 7 days of age or over must not allow the pig's tail to be docked in breach of subclause (3).
- (5) A person who docks the tail of a pig must—
 - (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (6) The owner of, and every person in charge of, a pig that is to have its tail docked must ensure that the health and welfare needs of the pig are met during the procedure and recovery, by ensuring that at all times a person is available who—
 - (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (7) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction to a fine not exceeding \$1,500.
- (8) The offence in subclause (7) is an infringement offence with an infringement fee of \$500.
- (9) A person who fails to comply with subclause (3) or (4) commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.

52A Docking sheep's tails

- (1) A person must not dock the tail of a sheep that is under 6 months of age unless the person—
 - (a) uses a hot iron or rubber ring; and
 - (b) docks the tail no shorter than the distal end of the caudal fold.
- (2) The owner of, and every person in charge of, a sheep must not allow the sheep's tail to be docked in breach of—
 - (a) subclause (1)(a); or
 - (b) subclause (1)(b).

- (3) A person must not dock the tail of a sheep that is 6 months of age or older unless—
 - (a) the person is a veterinarian, or a veterinary student under the direct supervision of a veterinarian throughout the procedure; and
 - (b) the sheep is given pain relief at the time of the procedure.
- (4) The owner of, and every person in charge of, a sheep must not allow its tail to be docked in breach of subclause (3).
- (5) A person who docks the tail of a sheep must—
 - (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (6) The owner of, and every person in charge of, a sheep that is to have its tail docked must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
 - (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (7) A person who fails to comply with subclause (1)(a) or (2)(a) commits an offence and is liable on conviction to a fine not exceeding \$1,500.
- (8) The offence in subclause (7) is an infringement offence with an infringement fee of \$500.
- (9) A person who fails to comply with subclause (1)(b) or (2)(b) commits an offence and is liable on conviction to a fine not exceeding,—
 - (a) in the case of an individual, \$1,500; or
 - (b) in the case of a body corporate that has been issued an infringement notice for the offence, \$1,500; or
 - (c) in the case of a body corporate that has not been issued an infringement notice for the offence (because proceedings in respect of the infringement offence have been commenced by filing a charging document), \$7,500.
- (10) The offence in subclause (9) is an infringement offence with an infringement fee of \$500.
- (11) A person who fails to comply with subclause (3) or (4) commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.

Regulation 52A: inserted, on 9 May 2021, by regulation 12 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Castration

53 Castrating cattle beasts and sheep

- (1) A person must not castrate a cattle beast or a sheep that is over 6 months of age unless throughout the procedure the animal is under the influence of pain relief that is authorised by a veterinarian for the purpose of the procedure.
- (2) A person must not castrate a cattle beast or a sheep (of any age) using a high tension band unless throughout the procedure the animal is under the influence of pain relief that is authorised by a veterinarian for the purpose of the procedure.
- (3) A person who castrates a cattle beast or a sheep must—
 - (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (4) The owner of, and every person in charge of, a cattle beast or a sheep that is to be castrated must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
 - (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (5) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.
- (6) *[Revoked]*

Regulation 53(1): amended, on 9 May 2021, by regulation 13(1) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Regulation 53(2): amended, on 9 May 2021, by regulation 13(1) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Regulation 53(6): revoked, on 9 May 2021, by regulation 13(2) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

54 Castrating equids

- (1) A person must not castrate an equid unless—
 - (a) the person is a veterinarian, or a veterinary student under the direct supervision of a veterinarian throughout the procedure; and
 - (b) the equid is given pain relief at the time of the procedure.

- (2) The owner of, and every person in charge of, an equid must not allow the equid to be castrated in breach of subclause (1).
- (3) A person who fails to comply with this regulation commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$5,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$25,000.

(4) *[Revoked]*

Regulation 54 heading: amended, on 9 May 2021, by regulation 14(1) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Regulation 54(1): amended, on 9 May 2021, by regulation 14(2)(a) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Regulation 54(1)(b): amended, on 9 May 2021, by regulation 14(2)(b) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Regulation 54(2): amended, on 9 May 2021, by regulation 14(2)(a) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Regulation 54(2): amended, on 9 May 2021, by regulation 14(2)(b) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Regulation 54(4): revoked, on 9 May 2021, by regulation 14(3) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

55 Castrating pigs

- (1) A person must not castrate a pig unless—
 - (a) the person is a veterinarian, or a veterinary student under the direct supervision of a veterinarian throughout the procedure; and
 - (b) the pig is given pain relief at the time of the procedure.
- (2) The owner of, and every person in charge of, a pig must not allow the pig to be castrated in breach of subclause (1).
- (3) A person who fails to comply with this regulation commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$5,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$25,000.

55A Castrating goats

- (1) A person must not castrate a goat that is over 6 months of age unless throughout the procedure the goat is under the influence of pain relief that is authorised by a veterinarian for the purpose of the procedure.
- (2) A person must not castrate a goat (of any age) using a high tension band unless throughout the procedure the goat is under the influence of pain relief that is authorised by a veterinarian for the purpose of the procedure.
- (3) The owner of, and every person in charge of, a goat must not allow the goat to be castrated in breach of subclause (1) or (2).
- (4) A person who castrates a goat must—

- (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (5) The owner of, and every person in charge of, a goat that is to be castrated must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
- (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (6) A person who fails to comply with subclause (1), (2), or (3) commits an offence and is liable on conviction,—
- (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.

Regulation 55A: inserted, on 9 May 2021, by regulation 15 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Prolapses

Heading: inserted, on 9 May 2021, by regulation 15 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

55B Uterine or vaginal prolapse in sheep

- (1) A person who treats a uterine or vaginal prolapse in a sheep must—
- (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (2) The owner of, and every person in charge of, a sheep that is treated for a uterine or vaginal prolapse must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
- (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.

Regulation 55B: inserted, on 9 May 2021, by regulation 15 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

55C Vaginal prolapse in cattle beasts

- (1) A person must not treat a vaginal prolapse in a cattle beast unless throughout the procedure the cattle beast is under the influence of pain relief that is authorised by a veterinarian for the purpose of the procedure.

- (2) The owner of, and every person in charge of, a cattle beast must not allow the cattle beast's prolapsed vagina to be treated in breach of subclause (1).
- (3) A person who treats a vaginal prolapse in a cattle beast must—
 - (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (4) The owner of, and every person in charge of, a cattle beast that is to have its vaginal prolapse treated must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
 - (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (5) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.

Regulation 55C: inserted, on 9 May 2021, by regulation 15 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

55D Vaginal prolapse in goats

- (1) A person must not treat a vaginal prolapse in a goat unless throughout the procedure the goat is under the influence of pain relief that is authorised by a veterinarian for the purpose of the procedure.
- (2) The owner of, and every person in charge of, a goat must not allow its vaginal prolapse to be treated in breach of subclause (1).
- (3) A person who treats a vaginal prolapse in a goat must—
 - (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (4) The owner of, and every person in charge of, a goat that is treated for a vaginal prolapse must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
 - (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.

- (5) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction,—
- (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.

Regulation 55D: inserted, on 9 May 2021, by regulation 15 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

55E Rectal prolapse in pigs

- (1) A person who treats a rectal prolapse in a pig must—
- (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (2) The owner of, and every person in charge of, a pig that is treated for a prolapsed rectum must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
- (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.

Regulation 55E: inserted, on 9 May 2021, by regulation 15 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Teat removal and occlusion

Heading: inserted, on 9 May 2021, by regulation 15 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

55F Removing sheep's teats

- (1) A person must not remove a main teat from a sheep of any age unless—
- (a) the person is a veterinarian, or a veterinary student under the direct supervision of a veterinarian throughout the procedure; and
 - (b) the sheep is given pain relief at the time of the procedure.
- (2) A person must not remove a supernumerary teat from a sheep that is over 1 week of age unless throughout the procedure the sheep is under the influence of pain relief that is authorised by a veterinarian for the purpose of the procedure.
- (3) The owner of, and every person in charge of, a sheep must not allow a teat to be removed from a sheep in breach of subclause (1) or (2).
- (4) A person who removes a supernumerary teat from a sheep of any age must ensure that the procedure creates a clean cut and does not tear the tissue.

- (5) The owner of, and every person in charge of, a sheep must not allow a supernumerary teat to be removed from a sheep in breach of subclause (4).
- (6) A person who removes a supernumerary teat from a sheep of any age must—
 - (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (7) The owner of, and every person in charge of, a sheep of any age that is to have a supernumerary teat removed must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
 - (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (8) A person who fails to comply with subclause (1), (2), or (3) commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.
- (9) A person who fails to comply with subclause (4) or (5) commits an offence and is liable on conviction to a fine not exceeding \$1,500.
- (10) The offence in subclause (9) is an infringement offence with an infringement fee of \$500.

Regulation 55F: inserted, on 9 May 2021, by regulation 15 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

55G Removing goats' teats

- (1) A person must not remove a main teat from a goat of any age unless—
 - (a) the person is a veterinarian, or a veterinary student under the direct supervision of a veterinarian throughout the procedure; and
 - (b) the goat is given pain relief at the time of the procedure.
- (2) A person must not remove a supernumerary teat from a goat that is over 4 weeks of age unless throughout the procedure the goat is under the influence of pain relief that is authorised by a veterinarian for the purpose of the procedure.
- (3) The owner of, and every person in charge of, a goat must not allow a teat to be removed from a goat in breach of subclause (1) or (2).
- (4) A person who removes a supernumerary teat from a goat of any age must ensure that the procedure creates a clean cut and does not tear the tissue.
- (5) The owner of, and every person in charge of, a goat must not allow a teat to be removed from a goat in breach of subclause (4).

- (6) A person who removes a supernumerary teat from a goat of any age must—
 - (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (7) The owner of, and every person in charge of, a goat that is to have a supernumerary teat removed must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
 - (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (8) A person who fails to comply with subclause (1), (2), or (3) commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.
- (9) A person who fails to comply with subclause (4) or (5) commits an offence and is liable on conviction to a fine not exceeding \$1,500.
- (10) The offence in subclause (9) is an infringement offence with an infringement fee of \$500.

Regulation 55G: inserted, on 9 May 2021, by regulation 15 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

55H Removing cattle beasts' teats

- (1) A person must not remove a main teat from a cattle beast unless—
 - (a) the person is a veterinarian, or a veterinary student under the direct supervision of a veterinarian throughout the procedure; and
 - (b) the cattle beast is given pain relief at the time of the procedure.
- (2) A person must not remove a supernumerary teat from a cattle beast that is over 10 weeks of age unless throughout the procedure the cattle beast is under the influence of pain relief that is authorised by a veterinarian for the purpose of the procedure.
- (3) The owner of, and every person in charge of, a cattle beast must not allow a teat to be removed from a cattle beast in breach of subclause (1) or (2).
- (4) A person who removes a supernumerary teat from a cattle beast of any age must ensure that the procedure creates a clean cut and does not tear the tissue.
- (5) The owner of, and every person in charge of, a cattle beast must not allow a teat to be removed from a cattle beast in breach of subclause (4).
- (6) A person who removes a supernumerary teat from a cattle beast of any age must—

- (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (7) The owner of, and every person in charge of, a cattle beast that is to have a supernumerary teat removed must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
- (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (8) A person who fails to comply with subclause (1), (2), or (3) commits an offence and is liable on conviction,—
- (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.
- (9) A person who fails to comply with subclause (4) or (5) commits an offence and is liable on conviction to a fine not exceeding \$1,500.
- (10) The offence in subclause (9) is an infringement offence with an infringement fee of \$500.

Regulation 55H: inserted, on 9 May 2021, by regulation 15 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

55I Occlusion of cattle beasts' teats

- (1) A person must not occlude a cattle beast's teat unless the person—
- (a) uses a teat sealant that is registered under the Agricultural Compounds and Veterinary Medicines Act 1997; or
 - (b) uses a teat drain or a teat plug in a manner permitted under subclause (2); or
 - (c) is reinserting or replacing a teat plug that was inserted by a veterinarian, or a veterinary student under the direct supervision of a veterinarian, for therapeutic purposes.
- (2) A person must not occlude a cattle beast's teat using a teat drain or a teat plug unless—
- (a) the person is a veterinarian, or a veterinary student under the direct supervision of a veterinarian throughout the procedure; and
 - (b) the person occludes the teat with the teat drain or teat plug for therapeutic purposes.
- (3) The owner of, and every person in charge of, a cattle beast must not allow the cattle beast's teat to be occluded in breach of subclause (1) or (2).
- (4) A person who reinserts or replaces a teat plug must—

- (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (5) The owner of, and every person in charge of, a cattle beast that is to have its teat occluded must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
- (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (6) A person who fails to comply with subclause (1), (2), or (3) commits an offence and is liable on conviction,—
- (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.

Regulation 55I: inserted, on 9 May 2021, by regulation 15 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Branding

Heading: inserted, on 9 May 2021, by regulation 15 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

55J Freeze branding dogs

- (1) A person must not freeze brand a dog unless throughout the procedure the dog is under the influence of pain relief that is authorised by a veterinarian for the purpose of the procedure.
- (2) The owner of, and every person in charge of, a dog must not allow the dog to be freeze branded in breach of subclause (1).
- (3) A person who freeze brands a dog must—
 - (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (4) The owner of, and every person in charge of, a dog that is to be freeze branded must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
 - (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.

- (5) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction,—
- (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.

Regulation 55J: inserted, on 9 May 2021, by regulation 15 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

55K Freeze branding cattle beasts or equids

- (1) A person who freeze brands a cattle beast or an equid must—
- (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (2) The owner of, and every person in charge of, a cattle beast or equid that is to be freeze branded must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
- (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.

Regulation 55K: inserted, on 9 May 2021, by regulation 15 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

55L Prohibition on hot branding of animals generally

- (1) A person must not hot brand an animal other than an animal to which regulation 55M applies.
- (2) The owner of, and every person in charge of, an animal must not allow the animal to be hot branded in breach of subclause (1).
- (3) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction,—
- (a) in the case of an individual, to a fine not exceeding \$5,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$25,000.

Regulation 55L: inserted, on 9 May 2021, by regulation 15 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

55M Hot branding of horses, ponies, and donkeys

- (1) A person must not hot brand a horse, pony, or donkey unless the horse, pony, or donkey is given pain relief that is authorised by a veterinarian for the purpose of the procedure.
- (2) The owner of, and every person in charge of, a horse, pony, or donkey must not allow the horse, pony, or donkey to be hot branded in breach of subclause (1).

- (3) A person who hot brands a horse, pony, or donkey must—
 - (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (4) The owner of, and every person in charge of, a horse, pony, or donkey that is to be hot branded must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
 - (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (5) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.
- (6) In this regulation, **horse, pony, or donkey**—
 - (a) includes any hybrid of a horse, pony, or donkey; but
 - (b) does not include any other equids.
- (7) This regulation is revoked on the date that is 5 years after the commencement date.

Regulation 55M: inserted, on 9 May 2021, by regulation 15 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Removing digits

Heading: replaced, on 9 May 2021, by regulation 16 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

56 Removing dogs' first digits (dew claws)

- (1) A person must not remove a front limb first digit (dew claw) or an articulated hind limb first digit (dew claw) from a dog of any age, unless—
 - (a) the person is a veterinarian, or a veterinary student under the direct supervision of a veterinarian throughout the procedure; and
 - (b) the dog is given pain relief at the time of the procedure.
- (2) A person must not remove a non-articulated hind limb first digit (dew claw) of a dog of 4 days of age or older, unless—
 - (a) the person is a veterinarian, or a veterinary student under the direct supervision of a veterinarian throughout the procedure; and
 - (b) the dog is given pain relief at the time of the procedure.

- (3) The owner of, and every person in charge of, a dog must not allow any of the dog's first digits (dew claws) to be removed in breach of subclause (1) or (2).
- (4) A person who fails to comply with this regulation commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.
- (5) In this regulation,—

articulated hind limb first digit means a fully developed digit of the hind limb consisting of a proximal phalanx (bone) and a distal phalanx (bone), with a claw attached (which digit is commonly referred to as an articulated dew claw)

non-articulated hind limb first digit means a vestigial structure consisting of a terminal phalanx (bone), with a claw attached, that is connected to the hind limb only by skin and soft tissue (which digit is commonly referred to as a non-articulated dew claw).

56A Partial amputation of breeder chickens' toes

- (1) A person must not partially amputate 1 or more of a breeder chicken's toes unless the breeder chicken is 3 days of age or under.
- (2) The owner of, and every person in charge of, a breeder chicken must not allow any of the chicken's toes to be partially amputated in breach of subclause (1).
- (3) A person who partially amputates a breeder chicken's toe must—
 - (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (4) The owner of, and every person in charge of, a breeder chicken that is to have 1 or more toes partially amputated must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
 - (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (5) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.
- (6) In this regulation, **partially amputate** means to amputate the first toe joint (the nail bed and 1 phalange) at the end of a breeder chicken's toe.

Regulation 56A: inserted, on 9 May 2021, by regulation 17 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Beak tipping

Heading: inserted, on 9 May 2021, by regulation 17 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

56B Beak tipping layer hens

- (1) A person must not tip the beak of a layer hen unless the layer hen is 3 days of age or under.
- (2) The owner of, and every person in charge of, a layer hen must not allow the beak of the layer hen to be tipped in breach of subclause (1).
- (3) A person who tips the beak of a layer hen must—
 - (a) remove no more than 25% of the beak of the layer hen; and
 - (b) trim the upper and lower beak to the same length.
- (4) A person who tips the beak of a layer hen must use an infrared beam to tip the beak.
- (5) The owner of, and every person in charge of, a layer hen must not allow the beak of the layer hen to be tipped in breach of subclause (3) or (4).
- (6) A person who tips the beak of a layer hen must—
 - (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (7) The owner of, and every person in charge of, a layer hen that is to have its beak tipped must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
 - (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (8) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction to a fine not exceeding,—
 - (a) in the case of an individual, \$1,500; or
 - (b) in the case of a body corporate that has been issued an infringement notice for the offence, \$1,500; or
 - (c) in the case of a body corporate that has not been issued an infringement notice for the offence (because proceedings in respect of the infringement offence have been commenced by filing a charging document), \$7,500.

- (9) The offence in subclause (8) is an infringement offence with an infringement fee of \$500.
- (10) A person who fails to comply with subclause (3), (4), or (5) commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.
- (11) A person has a defence to a prosecution against this regulation if—
 - (a) a veterinarian has approved the tipping of the beaks of layer hens to control an outbreak of cannibalism during a laying period; and
 - (b) the tipping of the layer hens' beaks was carried out in accordance with that veterinary approval.

Regulation 56B: inserted, on 9 May 2021, by regulation 17 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

56C Beak tipping breeder chickens and breeder turkeys

- (1) A person must not tip the beak of a breeder chicken or breeder turkey unless the breeder chicken or breeder turkey is 6 days of age or under.
- (2) The owner of, and every person in charge of, a breeder chicken or breeder turkey must not allow the beak of the breeder chicken or breeder turkey to be tipped in breach of subclause (1).
- (3) A person who tips the beak of a breeder chicken or breeder turkey must—
 - (a) remove no more than 25% of the beak of the breeder chicken or breeder turkey; and
 - (b) trim the upper and lower beak to the same length.
- (4) A person who tips the beak of a breeder chicken or breeder turkey must tip the beak of the breeder chicken or breeder turkey using a machine with—
 - (a) an electrically heated blade; or
 - (b) an infrared beam.
- (5) The owner of, and every person in charge of, a breeder chicken or breeder turkey must not allow the beak of the breeder chicken or breeder turkey to be tipped in breach of subclause (3) or (4).
- (6) A person who tips the beak of a breeder chicken or breeder turkey must—
 - (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (7) The owner of, and every person in charge of, a breeder chicken or breeder turkey that is to have its beak tipped must ensure that the health and welfare needs

- of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
- (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (8) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction to a fine not exceeding—
- (a) in the case of an individual, \$1,500; or
 - (b) in the case of a body corporate that has been issued an infringement notice for the offence, \$1,500; or
 - (c) in the case of a body corporate that has not been issued an infringement notice for the offence (because proceedings in respect of the infringement offence have been commenced by filing a charging document), \$7,500.
- (9) The offence in subclause (8) is an infringement offence with an infringement fee of \$500.
- (10) A person who fails to comply with subclause (3), (4), or (5) commits an offence and is liable on conviction,—
- (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.
- (11) A person has a defence to a prosecution against this regulation if—
- (a) a veterinarian has approved the tipping of the beaks of breeder chickens or breeder turkeys to control an outbreak of cannibalism during a laying period; and
 - (b) the tipping of the beaks was carried out in accordance with that veterinary approval.

Regulation 56C: inserted, on 9 May 2021, by regulation 17 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Cutting and extracting teeth

Heading: inserted, on 9 May 2021, by regulation 17 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

56D Cutting teeth of animals

- (1) A person must not cut a tooth of an animal unless—
- (a) the person is a veterinarian, or a veterinary student under the direct supervision of a veterinarian throughout the procedure; or
 - (b) the tooth is—
 - (i) a needle tooth of a pig that is 4 days of age or under; or
 - (ii) a tusk of a boar; or

- (iii) a fighting tooth of a llama or an alpaca; or
 - (c) the tooth of the animal is cut under a standard operating procedure that has been approved by an animal ethics committee.
- (2) The owner of, and every person in charge of, an animal must not allow the animal's teeth to be cut in breach of subclause (1).
- (3) A person must not cut a tusk of a boar or a fighting tooth of a llama or an alpaca unless the person uses—
 - (a) an obstetrical wire; or
 - (b) a saw suitable for the purpose of dentistry.
- (4) The owner of, and every person in charge of, a boar, a llama, or an alpaca must not allow the tusks of the boar, or the teeth of the llama or alpaca, to be cut in breach of subclause (3).
- (5) A person who cuts a tooth of an animal must—
 - (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (6) The owner of, and every person in charge of, an animal that is to have a tooth cut must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
 - (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (7) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.
- (8) A person who fails to comply with subclause (3) or (4) commits an offence and is liable on conviction, in the case of an individual, to a fine not exceeding \$1,500.
- (9) The offence in subclause (8) is an infringement offence with an infringement fee of \$500.
- (10) In this regulation,—
 - fighting tooth** means a modified canine and incisor tooth found in the jaw between the incisors and the molars
 - needle tooth** means any small sharp tooth in a piglet (sometimes referred to as a milk tooth), but principally a canine tooth.

Regulation 56D: inserted, on 9 May 2021, by regulation 17 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

56E Extracting equids' teeth

- (1) A person must not extract a tooth other than a wolf tooth or a finger-loose deciduous tooth from an equid unless—
 - (a) the person is a veterinarian, or a veterinary student under the direct supervision of a veterinarian throughout the procedure; and
 - (b) pain relief is given to the equid at the time of the procedure.
- (2) A person must not extract a wolf tooth from an equid unless throughout the procedure the animal is under the influence of pain relief that is authorised by a veterinarian for the purpose of the procedure.
- (3) The owner of, and every person in charge of, an equid must not allow the equid's teeth to be extracted in breach of subclause (1) or (2).
- (4) A person who extracts a wolf tooth or a finger-loose deciduous tooth from an equid must—
 - (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (5) The owner of, and every person in charge of, an equid that is to have a wolf tooth or finger-loose deciduous tooth removed must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
 - (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (6) A person who fails to comply with subclause (1), (2), or (3) commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.
- (7) In this regulation,—

deciduous tooth means a baby tooth or milk tooth

finger loose, in relation to a tooth, means the tooth is loose enough to move easily with a finger

wolf tooth means an upper or lower first premolar tooth that sits in front of the second premolar (sometimes referred to as a first cheek tooth).

Regulation 56E: inserted, on 9 May 2021, by regulation 17 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Disbudding, dehorning, and velveting

Heading: inserted, on 9 May 2021, by regulation 18 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

57 Disbudding cattle beasts

- (1) A person must not disbud a cattle beast unless throughout the procedure the cattle beast is under the influence of pain relief that is authorised by a veterinarian for the purpose of the procedure.
- (2) The owner of, and every person in charge of, a cattle beast must not allow the beast to be disbudded in breach of subclause (1).
- (3) A person who disbuds a cattle beast must—
 - (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (4) The owner of, and every person in charge of, a cattle beast that is to be disbudded must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
 - (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (5) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.
- (6) *[Revoked]*

Regulation 57(1): amended, on 9 May 2021, by regulation 19(1) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Regulation 57(6): revoked, on 9 May 2021, by regulation 19(2) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

57A Disbudding sheep

- (1) A person must not disbud a sheep unless throughout the procedure the sheep is under the influence of pain relief that is authorised by a veterinarian for the purpose of the procedure.
- (2) The owner of, and every person in charge of, a sheep must not allow the sheep to be disbudded in breach of subclause (1).
- (3) A person who disbuds a sheep must—
 - (a) be experienced with, or have received training in, the correct use of the method being used; and

- (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (4) The owner of, and every person in charge of, a sheep that is to be disbudded must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
 - (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (5) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.

Regulation 57A: inserted, on 9 May 2021, by regulation 20 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

57B Disbudding goats

- (1) A person must not disbud a goat unless the goat is given pain relief that is authorised by a veterinarian for the purpose of the procedure.
- (2) The owner of, and every person in charge of, a goat must not allow the goat to be disbudded in breach of subclause (1).
- (3) A person who disbuds a goat must—
 - (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (4) The owner of, and every person in charge of, a goat that is to be disbudded must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
 - (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (5) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.

Regulation 57B: inserted, on 9 May 2021, by regulation 20 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

58 Dehorning cattle beasts

- (1) A person must not dehorn a cattle beast unless throughout the procedure the cattle beast is under the influence of pain relief that is authorised by a veterinarian for the purpose of the procedure.
- (2) The owner of, and every person in charge of, a cattle beast must not allow the beast to be dehorned in breach of subclause (1).
- (3) A person who dehorn a cattle beast must—
 - (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (4) The owner of, and every person in charge of, a cattle beast that is to be dehorned must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
 - (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (5) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$5,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$25,000.

(6) [Revoked]

Regulation 58(1): amended, on 9 May 2021, by regulation 21(1) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Regulation 58(6): revoked, on 9 May 2021, by regulation 21(2) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

58A Dehorning goats

- (1) A person must not dehorn a goat unless the goat is given pain relief that is authorised by a veterinarian for the purpose of the procedure.
- (2) The owner of, and every person in charge of, a goat must not allow it to be dehorned in breach of subclause (1).
- (3) A person who dehorn a goat must—
 - (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.

- (4) The owner of, and every person in charge of, a goat that is to be dehorned must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
 - (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (5) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$5,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$25,000.

Regulation 58A: inserted, on 9 May 2021, by regulation 22 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

58B Dehorning sheep

- (1) A person must not dehorn a sheep unless throughout the procedure the sheep is under the influence of pain relief that is authorised by a veterinarian for the purpose of the procedure.
- (2) The owner of, and every person in charge of, a sheep must not allow it to be dehorned in breach of subclause (1).
- (3) A person who dehorn a sheep must—
 - (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (4) The owner of, and every person in charge of, a sheep that is to be dehorned must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
 - (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (5) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$5,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$25,000.

Regulation 58B: inserted, on 9 May 2021, by regulation 22 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

58C Velveting deer antlers

- (1) A person must not velvet the antlers of a deer unless throughout the procedure the deer is under the influence of an appropriately placed and effective pain relief that is authorised by a veterinarian for the purpose of the procedure.
- (2) A person must not velvet the antlers of a deer unless the person is—
 - (a) a veterinarian who has the relevant expertise and practical experience to perform the procedure; or
 - (b) a veterinary student under the direct supervision of a veterinarian described in paragraph (a); or
 - (c) the owner of the deer, or an employee of the owner (with the owner's approval), who has a valid written authorisation to perform the procedure by—
 - (i) the National Velveting Standards Body; or
 - (ii) a veterinarian.
- (3) A person's written authorisation under subclause (2)(c) must include details about the person's—
 - (a) knowledge of the appropriate velveting technique to meet deer health and welfare considerations, including—
 - (i) deer-handling skills; and
 - (ii) administration of the authorised pain relief; and
 - (iii) pre-velveting deer health and welfare assessment; and
 - (iv) post-velveting deer health and welfare aftercare; and
 - (b) practical experience in the velveting procedure; and
 - (c) access to pain relief and storage receptacles for pain relief; and
 - (d) access to appropriate equipment; and
 - (e) access to appropriate handling facilities to perform the procedure.
- (4) A written authorisation is valid for the period specified in the written authorisation (which may be no longer than 12 months).
- (5) A person who has received a written authorisation under this regulation must keep the written authorisation for 3 years from the date it is given.
- (6) The owner of, and every person in charge of, a deer must not allow its antlers to be velveted in breach of subclause (1) or (2).
- (7) A person who fails to comply with subclause (1), (2), or (6) commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.

- (8) In this regulation, **pain relief** includes, in relation to a yearling deer, high-pressure rubber rings designed for the purpose of inducing analgesia during velvetting.

Regulation 58C: inserted, on 9 May 2021, by regulation 22 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Other procedures

Heading: inserted, on 9 May 2021, by regulation 22 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

58D Prohibition on cropping dogs' ears

- (1) A person must not crop a dog's ears.
- (2) The owner of, and every person in charge of, a dog must not allow the dog's ears to be cropped.
- (3) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$5,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$25,000.
- (4) In this regulation, **crop** means to perform a surgical procedure to alter the appearance of the ear of a dog for cosmetic reasons (which may include making the ear stand up).

Regulation 58D: inserted, on 9 May 2021, by regulation 22 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

58E Ringing, clipping, and wiring noses of pigs

- (1) A person must not insert wire into the nose of a pig.
- (2) The owner of, and every person in charge of, a pig must not allow wire to be inserted into its nose in breach of subclause (1).
- (3) A person must not insert, unless the insertion is for animal management purposes, a nose ring or clip into the nose of a pig.
- (4) The owner of, and every person in charge of, a pig must not allow a nose ring or clip to be inserted into its nose in breach of subclause (3).
- (5) A person who inserts a nose ring or clip into the nose of a pig must—
 - (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (6) The owner of, and every person in charge of, a pig that is to have a nose ring or clip inserted into its nose must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—

- (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (7) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction,—
- (a) in the case of an individual, to a fine not exceeding \$5,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$25,000.
- (8) A person who fails to comply with subclause (3) or (4) commits an offence and is liable on conviction,—
- (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.

Regulation 58E: inserted, on 9 May 2021, by regulation 22 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

58F Ringing and wiring noses of cattle beasts

- (1) A person must not insert wire into the nose of a cattle beast.
- (2) The owner of, and every person in charge of, a cattle beast must not allow wire to be inserted into its nose in breach of subclause (1).
- (3) A person must not insert, unless the insertion is for animal management purposes, a nose ring into the nose of a cattle beast.
- (4) The owner of, and every person in charge of, a cattle beast must not allow a nose ring to be inserted into its nose in breach of subclause (3).
- (5) A person who inserts a nose ring into the nose of a cattle beast must—
 - (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (6) The owner of, and every person in charge of, a cattle beast that is to have a nose ring inserted into its nose must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
 - (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (7) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$5,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$25,000.

- (8) A person who fails to comply with subclause (3) or (4) commits an offence and is liable on conviction,—
- (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.

Regulation 58F: inserted, on 9 May 2021, by regulation 22 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

58G Removing breeder chickens' spurs

- (1) A person must not remove the spur bud on the back of a breeder chicken's leg unless the breeder chicken is 3 days of age or under.
- (2) The owner of, and every person in charge of, a breeder chicken must not allow the spur bud of a breeder chicken to be removed in breach of subclause (1).
- (3) A person who removes or shortens the keratin sheath or removes the spur bud of a breeder chicken must—
- (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (4) The owner of, and every person in charge of, a breeder chicken that is to have the keratin sheath removed or shortened or the spur bud removed must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
- (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (5) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction,—
- (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.

- (6) In this regulation,—

keratin sheath means the layer of keratin that covers the bone of a spur on the back of a chicken's leg (sometimes referred to as the nail of the spur)

spur bud means the protruding nub of flesh, bone, and keratin on the back of a young chicken's leg from which a spur develops.

Regulation 58G: inserted, on 9 May 2021, by regulation 22 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

58H Dubbing game fowl

- (1) A person must not dub a game fowl unless throughout the procedure the game fowl is under the influence of pain relief that is authorised by a veterinarian for the purpose of the procedure.
- (2) The owner of, and every person in charge of, a game fowl must not allow it to be dubbed in breach of subclause (1).
- (3) A person who dubs a game fowl must—
 - (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (4) The owner of, and every person in charge of, a game fowl that is to be dubbed must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
 - (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (5) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.
- (6) In this regulation,—

comb means a fleshy growth or crest on the top of the head of game fowl

dub means to amputate the comb, wattle, or earlobes from the head of game fowl

game fowl means old English game fowl and bantams and modern game fowl and bantams

wattle means a fleshy appendage hanging from the head, neck, or both of game fowl.

Regulation 58H: inserted, on 9 May 2021, by regulation 22 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

58I Prohibition on blistering, firing, soring, and nicking equids

- (1) A person must not perform any of the following procedures on an equid:
 - (a) blistering:
 - (b) firing:
 - (c) mechanical soring:
 - (d) nicking.

- (2) The owner of, and every person in charge of, an equid must not allow the procedures specified in subclause (1) to be performed on the equid.
- (3) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$5,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$25,000.

- (4) In this regulation,—

blistering, in relation to an equid, means a procedure that involves the application of a chemical cautery to the legs of the equid and that creates tissue damage to, or an inflammatory reaction in, the legs of the equid

firing, in relation to an equid, means a procedure that involves the application of a hot or cold cautery to the legs of the equid and that creates tissue damage to, or an inflammatory reaction in, the legs of the equid

mechanical soring—

- (a) means the application of devices, including chains and weighted platforms, to the hooves or legs of an equid for the purpose of distorting the natural gait of the equid; but
- (b) does not include the use of toe weights

nicking, in relation to an equid, means the cutting of the skin or ligaments of the tail of the equid to make the equid carry its tail in a raised position.

Regulation 58I: inserted, on 9 May 2021, by regulation 22 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

59 Prohibition on mulesing sheep

- (1) A person must not, by any method, remove the breech, tail skin folds, or tail skin wrinkles of a sheep.
- (2) A person who fails to comply with subclause (1) commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$5,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$25,000.

59A Surgical reproductive procedures

- (1) A person must not perform a surgical reproductive procedure on an animal unless throughout the procedure the animal is under the influence of pain relief that is authorised by a veterinarian for the purpose of the procedure.
- (2) The owner of, and every person in charge of, an animal must not allow the animal to have a surgical reproductive procedure performed on it in breach of subclause (1).
- (3) A person who performs a surgical reproductive procedure on an animal must—

- (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (4) The owner of, and every person in charge of, an animal that is to have a surgical reproductive procedure performed on it must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
- (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (5) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction,—
- (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.
- (6) In this regulation, **surgical reproductive procedure**—
- (a) includes a procedure that involves—
 - (i) cutting into or piercing the abdominal cavity for the purpose of artificial insemination or for the purpose of harvesting, transferring, or implanting embryos; or
 - (ii) transvaginal techniques that involve piercing the vaginal wall:
 - (b) does not include a procedure carried out for the primary purpose of desexing or the delivery of offspring.

Regulation 59A: inserted, on 9 May 2021, by regulation 23 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

59B Transcervical insemination

- (1) A person who performs a transcervical insemination on an animal must—
- (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (2) The owner of, and every person in charge of, an animal that is to have a transcervical insemination performed on it must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
- (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.

- (3) In this regulation, **transcervical insemination** means a procedure to deliver sperm directly to the uterus through the cervix using a catheter and may involve either or both of the following:
- (a) deep abdominal palpation:
 - (b) using an endoscope.

Regulation 59B: inserted, on 9 May 2021, by regulation 23 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

59C Cystocentesis

- (1) A person who performs cystocentesis on an animal must—
- (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (2) The owner of, and every person in charge of, an animal that is to have cystocentesis performed on it must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
- (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (3) In this regulation, **cystocentesis** means a procedure involving the insertion of a needle through the wall of an animal's body into the bladder to obtain urine samples.

Regulation 59C: inserted, on 9 May 2021, by regulation 23 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

59D Performing Caslick's procedure on horses

- (1) A person must not perform a Caslick's procedure or open or close a seam created in the course of a Caslick's procedure unless—
- (a) the person is a veterinarian, or a veterinary student under the direct supervision of a veterinarian throughout the procedure; or
 - (b) the person opens a seam created in the course of a Caslick's procedure on a horse that is being serviced or that is foaling; or
 - (c) the person closes a seam created in the course of a Caslick's procedure after a horse has been serviced.
- (2) A person who is not a veterinarian student or a veterinary student under the direct supervision of a veterinarian must not remove tissue when opening or closing a seam created in the course of a Caslick's procedure.
- (3) A person must not perform a Caslick's procedure or open or close a seam created in the course of a Caslick's procedure unless, throughout the procedure,

the horse is under the influence of pain relief that is authorised by a veterinarian for the purpose of the procedure.

- (4) The owner of, and every person in charge of, a horse must not allow a Caslick's procedure to be performed or repaired or a seam created in the course of a Caslick's procedure to be opened in breach of subclause (1), (2), or (3).
- (5) A person who opens a seam created through a Caslick's procedure or closes a seam opened when a horse is being serviced must—
 - (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (6) The owner of, and every person in charge of, a horse that is to have a seam that was created in the course of a Caslick's procedure opened must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
 - (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (7) A person who fails to comply with subclause (1), (2), (3), or (4) commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.

Regulation 59D: inserted, on 9 May 2021, by regulation 23 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

59E Epidurals

- (1) A person must not perform an epidural on an equid unless the person is a veterinarian, or a veterinary student under the direct supervision of a veterinarian throughout the procedure.
- (2) A person must not perform an epidural on an animal other than an equid unless the person—
 - (a) is a veterinarian or a veterinary student under the direct supervision of a veterinarian throughout the procedure; or
 - (b) injects a local anaesthetic authorised by a veterinarian for the purpose of the procedure into the epidural space.
- (3) The owner of, and every person in charge of, an animal must not allow an epidural to be performed on the animal in breach of subclause (1) or (2).
- (4) A person who performs an epidural on an animal other than an equid must—
 - (a) be experienced with, or have received training in, the correct use of the method being used; and

- (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (5) The owner of, and every person in charge of, an animal other than an equid that is to have an epidural performed on it must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
 - (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (6) A person who fails to comply with subclause (1), (2), or (3) commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.

Regulation 59E: inserted, on 9 May 2021, by regulation 23 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

59F Urinary catheterisation

- (1) A person who performs a urinary catheterisation procedure on an animal must—
 - (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (2) The owner of, and every person in charge of, an animal that is to have a urinary catheterisation procedure performed on it must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
 - (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.

Regulation 59F: inserted, on 9 May 2021, by regulation 23 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

59G Rectal examination of equids

- (1) A person must not perform a rectal examination of an equid unless—
 - (a) the person is a veterinarian, or a veterinary student under the direct supervision of a veterinarian throughout the procedure; or
 - (b) the rectal examination is performed for the purposes of a non-surgical reproductive procedure.
- (2) The owner of, and every person in charge of, an equid must not allow a rectal examination of the equid to be performed in breach of subclause (1).

- (3) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction,—
- (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.
- (4) A person who performs a rectal examination for the purposes of a non-surgical reproductive procedure on an equid must—
- (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (5) The owner of, and every person in charge of, an equid that is to have a rectal examination must ensure that the health and welfare needs of the equid are met during the procedure and recovery, by ensuring that at all times a person is available who—
- (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (6) In this regulation,—
- non-surgical reproductive procedure**, in relation to an equid,—
- (a) means a procedure for reproductive purposes that does not involve cutting into or piercing the abdominal cavity of the equid; and
 - (b) includes—
 - (i) transcervical or cervical insemination; and
 - (ii) embryo retrieval through transcervical methods; and
 - (iii) pregnancy diagnosis

rectal examination includes 1 or more of the following:

- (a) entry into the rectum by any or all of the arm, hand, or fingers;
- (b) entry into the rectum by an instrument, excluding a rectal thermometer.

Regulation 59G: inserted, on 9 May 2021, by regulation 23 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

59H Surgical procedures in course of research, testing, and teaching

A person may perform a surgical procedure in the course of using an animal in research, testing, or teaching in accordance with Part 6 of the Animal Welfare Act 1999 and the conditions of any project approval despite any regulations in this Part other than—

- (a) regulation 55L (prohibition on hot branding of animals generally); and
- (b) regulation 58D (prohibition on cropping dogs' ears); and

- (c) regulation 58I (prohibition on blistering, firing, soring, and nicking equids); and
- (d) regulation 59 (prohibition on mulesing sheep).

Regulation 59H: inserted, on 9 May 2021, by regulation 23 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

59I Tissue removal

- (1) A person must not remove tissue from an animal unless—
 - (a) the person is a veterinarian, or a veterinary student under the direct supervision of a veterinarian throughout the procedure; or
 - (b) the person removes the tissue under a standard operating procedure that has been approved by an animal ethics committee; or
 - (c) the removal is a manipulation described in section 5(3) of the Animal Welfare Act 1999.
- (2) The owner of, and every person in charge of, an animal must not allow any tissue to be removed from the animal in breach of subclause (1).
- (3) A person who removes tissue from an animal must—
 - (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (4) The owner of, and every person in charge of, an animal that is to have any tissue removed must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
 - (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (5) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.
- (6) In this regulation, **remove tissue** means to—
 - (a) remove the digits of any animal other than—
 - (i) in accordance with regulation 56 (which regulates the removal of dogs' first digits (dew claws)); or
 - (ii) in accordance with regulation 56A (which regulates the partial amputation of breeder chickens' toes):
 - (b) remove the entire fin of a fish:

- (c) clip or tip the tail of a rat, mouse, or reptile:
- (d) notch the ear of a rodent under 2 weeks of age:
- (e) clip the flipper of a pinniped.

Regulation 59I: inserted, on 9 May 2021, by regulation 23 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

59J Surgical tagging

- (1) A person must not surgically tag an animal unless—
 - (a) the person is a veterinarian, or a veterinary student under the direct supervision of a veterinarian throughout the procedure; or
 - (b) the tagging is a manipulation described in section 5(3) of the Animal Welfare Act 1999; or
 - (c) the person tags the animal under a standard operating procedure that has been approved by an animal ethics committee.
- (2) A person must not surgically tag an animal unless the animal is given pain relief authorised by a veterinarian for the purpose of the procedure.
- (3) The owner of, and every person in charge of, an animal must not allow the animal to be surgically tagged in breach of subclause (1) or (2).
- (4) A person who surgically tags an animal must—
 - (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (5) The owner of, and every person in charge of, an animal that is to be surgically tagged must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
 - (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (6) A person who fails to comply with subclause (1), (2), or (3) commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.
- (7) In this regulation, **surgically tag** means to implant any tag or transponder, other than by simple injection, that requires surgical incision of the body wall and insertion of a tag or transponder into the body cavity.

Regulation 59J: inserted, on 9 May 2021, by regulation 23 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

59K Desexing

- (1) A person must not desex a rodent, mustelid, rabbit, hare, or fish unless the person—
 - (a) is a veterinarian, or a veterinary student under the direct supervision of a veterinarian throughout the procedure; or
 - (b) carries out the procedure under a standard operating procedure approved by an animal ethics committee.
- (2) A person must not desex a rodent, mustelid, rabbit, hare, or fish unless the rodent, mustelid, rabbit, hare, or fish is given pain relief authorised by a veterinarian for the purpose of the procedure.
- (3) The owner of, and every person in charge of, a rodent, mustelid, rabbit, hare, or fish must not allow the rodent, mustelid, rabbit, hare, or fish to be desexed in breach of subclause (1) or (2).
- (4) A person who desexes a rodent, mustelid, rabbit, hare, or fish under subclause (1)(b) must—
 - (a) be experienced with, or have received training in, the correct use of the method being used; and
 - (b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (5) The owner of, and every person in charge of, a rodent, mustelid, rabbit, hare, or fish that is to be desexed must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
 - (a) has suitable equipment; and
 - (b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (6) A person who fails to comply with subclause (1), (2), or (3) commits an offence and is liable on conviction,—
 - (a) in the case of an individual, to a fine not exceeding \$3,000; or
 - (b) in the case of a body corporate, to a fine not exceeding \$15,000.
- (7) In this regulation, **desex** means to perform any procedure to render an animal infertile, including (without limitation) vasectomy, castration, hysterectomy, or ovariectomy.

Regulation 59K: inserted, on 9 May 2021, by regulation 23 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

Part 3

Strict liability, defences, and other matters

60 Offences are strict liability offences

In a prosecution for an offence against these regulations, it is not necessary for the prosecution to prove that the defendant intended to commit an offence.

61 Defences for non-infringement offences

- (1) A defendant has a defence to a prosecution for an offence against these regulations that is not an infringement offence if the defendant proves—
 - (a) that the defendant took all reasonable steps to comply with the relevant provision; or
 - (b) that the act or omission constituting the offence took place in circumstances of stress or emergency and was necessary for the preservation, protection, or maintenance of human life.
- (2) Except with the leave of the court, subclause (1) does not apply unless, within 7 days after the service of the summons, or within such further time as the court may allow, the defendant has delivered to the prosecutor a written notice—
 - (a) stating that the defendant intends to rely on subclause (1); and
 - (b) specifying,—
 - (i) where the defendant intends to rely on subclause (1)(a), the reasonable steps that the defendant will claim to have taken; and
 - (ii) where the defendant intends to rely on subclause (1)(b), the circumstances of stress or emergency and the reasons why the act or omission was necessary for the preservation, protection, or maintenance of human life.

62 Penalties for offence against section 36(3) of Act

The infringement fee for an infringement offence against section 36(3) of the Animal Welfare Act 1999 (which relates to the inspection of traps) is \$300.

63 Infringement fee for infringement offence against section 156I of Animal Welfare Act 1999

The infringement fee for an infringement offence against section 156I(1) of the Animal Welfare Act 1999 (which relates to non-compliance with a compliance notice) is \$500.

Regulation 63: inserted, on 27 August 2020, by regulation 24 of the Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172).

63 Consequential amendments to animal codes of welfare*[Revoked]*

Regulation 63: revoked, on 1 November 2019, pursuant to regulation 64(2)(c).

64 Revocations*[Revoked]*

Regulation 64: revoked, on 1 November 2019, pursuant to regulation 64(2)(d).

**Schedule 1
Transitional, savings, and related provisions**

r 4

**Part 1
Provisions relating to these regulations as made**

There are no transitional, savings, or related provisions relating to these regulations as made.

**Schedule 2
Consequential amendments to animal codes of welfare***[Revoked]*

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Schedule 2: revoked, on 1 November 2019, pursuant to regulation 64(2)(c).

**Part 1
Amendments that apply on and from the 28th day after the date of
the notification of these regulations in the *Gazette****[Revoked]*

Schedule 2 Part 1: revoked, on 1 May 2018, by regulation 64(2)(a).

**Part 2
Amendments that apply on and from 1 October 2018***[Revoked]*

Schedule 2 Part 2: revoked, on 1 November 2018, by regulation 64(2)(b).

**Part 3
Amendments that apply on and from 1 October 2019***[Revoked]*

Schedule 2 Part 3: revoked, on 1 November 2019, by regulation 64(2)(c).

Reprinted as at
9 May 2021

**Animal Welfare (Care and Procedures) Regulations
2018**

Schedule 2

Michael Webster,
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 29 March 2018.

Reprints notes

1 *General*

This is a reprint of the Animal Welfare (Care and Procedures) Regulations 2018 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Animal Welfare (Care and Procedures) Amendment Regulations (No 2) 2020 (LI 2020/310)
Animal Welfare (Care and Procedures) Amendment Regulations 2020 (LI 2020/172)
Animal Welfare (Care and Procedures) Amendment Regulations 2018 (LI 2018/181)
Animal Welfare (Care and Procedures) Regulations 2018 (LI 2018/50); regulation 64(2)