



## Animal Welfare (Care and Procedures) Amendment Regulations 2020

Patsy Reddy, Governor-General

### Order in Council

At Wellington this 27th day of July 2020

Present:

The Right Hon Jacinda Ardern presiding in Council

These regulations are made under sections 183(1)(g) to (i), 183A(1), 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(10), 183B(2) and (3), and 184 of that Act.

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Regulations 2020**

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## Regulations

### 1 Title

These regulations are the Animal Welfare (Care and Procedures) Amendment Regulations 2020.

### 2 Commencement

(1) The following regulations come into force on 27 August 2020:

(a) regulation 10 (which relates to the use of electric prodders):

- (b) regulation 24 (which specifies the infringement fee for an infringement offence against section 156I of the Animal Welfare Act 1999).
- (2) The rest of these regulations come into force on 9 May 2021.

### 3 Principal regulations

These regulations amend the Animal Welfare (Care and Procedures) Regulations 2018 (the **principal regulations**).

### 4 Regulation 3 amended (Interpretation)

- (1) In regulation 3, revoke the definition of **horse**.
- (2) In regulation 3, replace the definition of **pain relief** with:

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

- (3) In regulation 3, insert in their appropriate alphabetical order:

**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

**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

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

**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

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

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

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

**5 Cross-heading above regulation 18 replaced**

Replace the cross-heading above regulation 18 with:

*Equids***6 Regulation 18 amended (Horses tethered for purpose of grazing)**

- (1) In the heading to regulation 18, after “Horses”, insert “and other equids”.
- (2) In regulation 18(1),—
  - (a) replace “a horse” with “an equid”; and
  - (b) replace “the horse” with “the equid” in each place.
- (3) After regulation, 18(3), insert:
- (4) In this regulation, **equid** does not include a zebra.

**7 Regulation 19 amended (Use of equipment that may injure horses)**

- (1) In the heading to regulation 19, after “horses”, insert “and other equids”.
- (2) In regulation 19(1),—
  - (a) replace “a horse” with “an equid”; and
  - (b) replace “horse’s” with “equid’s” in each place.
- (3) After regulation 19(3), insert:
- (4) In this regulation, **equid** does not include a zebra.

**8 Regulation 20 amended (Persons must not strike horse on its head)**

- (1) In the heading to regulation 20, replace “horse” with “equid”.
- (2) In regulation 20(1), replace “a horse” with “an equid”.
- (3) After regulation 20(3), insert:
- (4) In this regulation, **equid** does not include a zebra.

**9 Regulation 39 amended (Restrictions on transporting animals with injured horns or antlers)**

In regulation 39(4)(a), delete “(that is, it is not over 12 months of age or has its first set of antlers)”.

**10 Regulation 48 amended (Use of electric prodders)**

- (1) Replace regulation 48(1)(c) with:
  - (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

(2) Replace regulation 48(5)(b) with:

- (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.

**11 New regulation 51A inserted (Docking equids' tails)**

After regulation 51, insert:

**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.

**12 New regulation 52A inserted (Docking sheep's tails)**

After regulation 52, insert:

**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.

**13 Regulation 53 amended (Castrating cattle beasts and sheep)**

- (1) In regulation 53(1) and (2), replace “an appropriately placed and effective local anaesthetic” with “pain relief”.
- (2) Revoke regulation 53(6).

**14 Regulation 54 amended (Castrating horses)**

- (1) In the heading to regulation 54, replace “horses” with “equids”.
- (2) In regulation 54,—
  - (a) replace “a horse” with “an equid” in each place; and
  - (b) replace “the horse” with “the equid” in each place.
- (3) Revoke regulation 54(4).

**15 New regulations 55A to 55M and cross-headings inserted**

After regulation 55, insert:

**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.

*Prolapses***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.

**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.

**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.

**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.

*Teat removal and occlusion***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.

**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.

**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.

**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.

### *Branding*

#### **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.

**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.

**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.

**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.

**16 Cross-heading above regulation 56 replaced**

Replace the cross-heading above regulation 56 with:

*Removing digits*

**17 New regulations 56A to 56E and cross-headings inserted**

After regulation 56, insert:

**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.

*Beak tipping*

**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.

#### **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.

*Cutting and extracting teeth*

**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.
- 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).

### 18 New cross-heading above regulation 57 inserted

After regulation 56, insert:

*Disbudding, dehorning, and velvetting*

### 19 Regulation 57 amended (Disbudding cattle beasts)

- (1) In regulation 57(1), replace “an appropriately placed and effective local anaesthetic” with “pain relief”.
- (2) Revoke regulation 57(6).

### 20 New regulations 57A and 57B inserted

After regulation 57, insert:

#### 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.

**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.

**21 Regulation 58 amended (Dehorning cattle beasts)**

- (1) In regulation 58(1), replace “an appropriately placed and effective local anaesthetic” with “pain relief”.
- (2) Revoke regulation 58(6).

**22 New regulations 58A to 58I inserted**

After regulation 58, insert:

**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.

**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 dehorns 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.

**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.

*Other procedures*

**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).

**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.

**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.

**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.

#### **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.

#### 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.

**23 New regulations 59A to 59K inserted**

After regulation 59, insert:

**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.

#### **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.

#### **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.

**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.

**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.

**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.

#### **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.

#### **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).

#### **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.
- 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.

### **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.

**24 New regulation 63 inserted (Infringement fee for infringement offence against section 156I of Animal Welfare Act 1999)**

After regulation 62, insert:

**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.

**25 Consequential amendments to animal codes of welfare**

- (1) Amend the instruments specified in Part 1 of the Schedule as set out in that Part.
- (2) Amend the instruments specified in Part 2 of the Schedule as set out in that Part.
- (3) Amend the instrument specified in Part 3 of the Schedule as set out in that Part.

## Schedule

### Consequential amendments to animal codes of welfare

r 25

#### Part 1

#### Amendments that apply on and from 27 August 2020

##### Code of Welfare: Commercial Slaughter (2018)

Replace Minimum Standard No. 4(ta)(iv) with:

- (iv) during loading of a stunning pen at any slaughter premises on pigs that weigh over 70 kg if the pigs are in a single-file slaughter race leading into, and within 15 metres of, the stunning pen; or
- (v) during loading of a stunning pen at any slaughter premises, on deer of any size.

In Schedule 1, replace the definition of **electric prodder** with:

##### **electric prodder**

A device that is capable of delivering an electric shock to make an animal move, but does not include electric stunners used to stun an animal immediately before slaughter or electric devices used on animals by the New Zealand Police.

##### Code of Welfare: Dairy Cattle (2019)

In Schedule 1, replace the definition of **electric prodder** with:

##### **electric prodder**

A device that is capable of delivering an electric shock to make an animal move, but does not include electric stunners used to stun an animal immediately before slaughter or electric devices used on animals by the New Zealand Police.

##### Code of Welfare: Deer (2018)

In Schedule 1, replace the definition of **electric prodder** with:

##### **electric prodder**

A device that is capable of delivering an electric shock to make an animal move, but does not include electric stunners used to stun an animal immediately before slaughter or electric devices used on animals by the New Zealand Police.

##### Code of Welfare: Goats (2018)

In Schedule 1, replace the definition of **electric prodder** with:

##### **electric prodder**

**Code of Welfare: Goats (2018)**—*continued*

A device that is capable of delivering an electric shock to make an animal move, but does not include electric stunners used to stun an animal immediately before slaughter or electric devices used on animals by the New Zealand Police.

**Code of Welfare: Horses and Donkeys (2018)**

In Schedule 1, replace the definition of **electric prod** with:

**electric prod**

A device that is capable of delivering an electric shock to make an animal move, but does not include electric stunners used to stun an animal immediately before slaughter or electric devices used on animals by the New Zealand Police.

**Code of Welfare: Llamas and Alpacas (2018)**

In Schedule 1, replace the definition of **electric prod** with:

**electric prod**

A device that is capable of delivering an electric shock to make an animal move, but does not include electric stunners used to stun an animal immediately before slaughter or electric devices used on animals by the New Zealand Police.

**Code of Welfare: Pigs (2018)**

Replace Minimum Standard No. 14(d) with:

- (d) Electric prodders must not be used except, during the loading or unloading for transport, on pigs that weigh over 150 kg.

In Schedule 1, replace the definition of **electric prod** with:

**electric prod**

A device that is capable of delivering an electric shock to make an animal move, but does not include electric stunners used to stun an animal immediately before slaughter or electric devices used on animals by the New Zealand Police.

**Code of Welfare: Rodeos (2018)**

In Schedule 1, replace the definition of **electric prod** with:

**electric prod**

A device that is capable of delivering an electric shock to make an animal move, but does not include electric stunners used to stun an animal immediately before slaughter or electric devices used on animals by the New Zealand Police.

**Code of Welfare: Sheep and Beef Cattle (2018)**

In Schedule 1, replace the definition of **electric prodder** with:

**electric prodder**

A device that is capable of delivering an electric shock to make an animal move, but does not include electric stunners used to stun an animal immediately before slaughter or electric devices used on animals by the New Zealand Police.

**Code of Welfare: Transport within New Zealand (2018)**

In Schedule 1, replace the definition of **electric prodder** with:

**electric prodder**

A device that is capable of delivering an electric shock to make an animal move, but does not include electric stunners used to stun an animal immediately before slaughter or electric devices used on animals by the New Zealand Police.

**Part 2****Amendments that apply on and from 9 May 2021****Code of Welfare: Dairy Cattle (2019)**

Replace Minimum Standard No. 12(b) with:

- (b) Nose wires must not be used on dairy cattle.
- (ba) Nose rings must only be used for animal management purposes.
- (bb) Nose rings and equipment used for dairy cattle restraint must be fit for purpose and used in a manner that does not inflict unnecessary pain or distress.

Replace Minimum Standard No. 12(f) with:

- (f) Electroimmobilisation devices must be used only in a manner that allows animals to breathe normally, and demonstrate normal responses to pain, and must not be used in place of pain relief when undertaking painful husbandry procedures or significant surgical procedures.

Replace Minimum Standard No. 13 with:

**Minimum Standard No. 13 – Identification**

- (a) Freeze banding of cattle must be done by a person experienced with, or who has received training in, the correct use of the method used and who is able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (b) Hot branding must not be used.

**Code of Welfare: Dogs (2018)**

Replace Minimum Standard No. 15 with:

**Minimum Standard No. 15 – Debarking**

Debarking must not be performed unless—

- (a) all suitable means of treating inappropriate barking have been attempted and failed; and
- (b) the debarking is performed by a veterinarian or veterinary student under the direct supervision of a veterinarian throughout the procedure.

In Schedule 1, replace the definition of **pain relief** with:

**pain relief**

Any anaesthetic, analgesic, or sedation administered with the aim of providing effective and significant alleviation of pain.

**Code of Welfare: Goats (2018)**

Replace Minimum Standard No. 15(a) and (b) with:

- (a) A pregnancy diagnosis or a cervical or transcervical insemination procedure must only be undertaken by a person experienced with, or who has received training in, the correct use of the method used and who is able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (b) A surgical reproductive procedure must only be undertaken—
  - (i) by a person experienced with, or who has received training in, the correct use of the method used and who is able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice; and
  - (ii) if, throughout the procedure, the animal is under the influence of pain relief that is authorised by a veterinarian for the purpose of the procedure.
- (c) Electroejaculation must be carried out by veterinarians, or by trained and competent operators under veterinary supervision, using appropriate pain relief.

Replace Minimum Standard No. 16(b) with:

- (b) Pain relief must be used with freeze branding.
- (c) Hot branding must not be used.

In Schedule 1, insert in their appropriate alphabetical order:

**pain relief**

Any anaesthetic, analgesic, or sedation administered with the aim of providing effective and significant alleviation of pain.

**surgical reproductive procedure**

**Code of Welfare: Goats (2018)—*continued***

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.

Does not include a procedure carried out for the primary purpose of desexing or the delivery of offspring.

**transcervical insemination**

A procedure to deliver sperm directly to the uterus through the cervix using a catheter and may involve either or both of the following:

- (i) deep abdominal palpation;
- (ii) using an endoscope.

**Code of Welfare: Horses and Donkeys (2018)**

Replace Minimum Standard No. 10(e) to (g) with:

- (e) A rectal examination must only be performed by a veterinarian, or a veterinary student under the direct supervision of a veterinarian throughout the procedure, unless performed for the purposes of a non-surgical reproductive procedure.
- (f) A non-surgical reproductive procedure must only be undertaken by a person experienced with, or who has received training in, the correct use of the method used and who is able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (g) A surgical reproductive procedure must only be undertaken—
  - (i) by a person experienced with, or who has received training in, the correct use of the method used and who is able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice; and
  - (ii) if throughout the procedure, the animal is under the influence of pain relief that is authorised by a veterinarian for the purpose of the procedure.

Replace Minimum Standard No. 12 with:

**Minimum Standard No. 12 – Identification**

- (a) All identification procedures must be applied by a competent operator.
- (b) Pain relief authorised by a veterinarian for the purpose of the procedure must be used with hot branding.

In Schedule 1, insert in their appropriate alphabetical order:

**surgical reproductive procedure**

**Code of Welfare: Horses and Donkeys (2018)**—*continued*

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.

Does not include a procedure carried out for the primary purpose of desexing or the delivery of offspring.

**non-surgical reproductive procedure**

A procedure for reproductive purposes that does not involve cutting into or piercing the abdominal cavity of the equid and that includes—

- (i) transcervical or cervical insemination; and
- (ii) embryo retrieval through transcervical methods; and
- (ii) pregnancy diagnosis.

**rectal examination**

A procedure involves either or both of following:

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

**transcervical insemination**

A procedure to deliver sperm directly to the uterus through the cervix using a catheter and may involve either or both of the following:

- (i) deep abdominal palpation;
- (ii) using an endoscope.

**Code of Welfare: Layer Hens (2018)**

Replace Minimum Standard No. 16(b) with:

- (b) Beak tipping, when undertaken, must be done using an infrared beam on a layer hen that is 3 days of age or under.

Replace Minimum Standard No. 16(d) with:

- (d) A person who tips the beak of a layer hen must remove no more than 25% of the beak of the layer hen and must trim the upper and lower beak to the same length. This means for chicks that are 3 days of age or under, no more than 2 mm of the beak.

In Schedule 1, replace the definition of **hen(s)/layer hen** with:

**hen(s)/layer hen**

A female chicken (of any age) kept primarily for laying eggs.

**Code of Welfare: Llamas and Alpacas (2018)**

Replace Minimum Standard No. 14 with:

**Minimum Standard No. 14 – Animal Identification**

- (a) All identification procedures must be applied by a competent operator.
- (b) Pain relief must be used when freeze branding.
- (c) Hot branding of llamas and alpacas is prohibited.

After Minimum Standard No. 18(c), insert:

- (d) Teeth must not be cut unless—
  - (i) the person cutting the teeth is a veterinarian, or a veterinary student under the direct supervision of a veterinarian throughout the procedure; or
  - (ii) the tooth is a fighting tooth.
- (e) A person cutting a fighting tooth must use an obstetrical wire or a saw suitable for the purposes of dentistry.
- (f) Extraction of any teeth must be performed by a veterinarian.

In Schedule 1, replace the definition of **fighting teeth** with:

**fighting teeth**

Modified canine and incisor teeth found in the jaw between the incisors and the molars.

**Code of Welfare: Painful Husbandry Procedures (2018)**

In the heading to Minimum Standard No. 3, delete “and Shortening of the Scrotum (cryptorchid)”.

In Minimum Standard No. 3(a), delete “or shortening of the scrotum.”.

Replace Minimum Standard No. 3(b), (c), (ca), and (cb) with:

- (b) When permitted, castration without pain relief must be performed when the animal is as young as possible.
- (c) Equids and pigs, regardless of age:
  - (i) must not be castrated without pain relief at the time of the procedure; and
  - (ii) may be castrated only by a veterinarian, or by a veterinary student under the direct supervision of a veterinarian throughout the procedure.
- (ca) A cattle beast, a sheep, or a goat that is over 6 months of age must not be castrated 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.

Replace Minimum Standard No. 3(f)(i) with:

- (i) pain relief authorised by a veterinarian for the purpose of the procedure must be used (regardless of the age of the animal); and

**Code of Welfare: Painful Husbandry Procedures (2018)**—*continued*

In Minimum Standard No. 4(b), replace “not greater than” with “less than”.

Replace Minimum Standard No. 4(c) with:

- (c) A person must not dock the tail of a sheep that is under 6 months of age unless the person uses a hot iron or rubber ring and docks the tail no shorter than the distal end of the caudal fold.
- (ca) A person must not dock the tail of a sheep that is 6 months of age or older unless the person is a veterinarian, or a veterinary student under the direct supervision of a veterinarian throughout the procedure, and the sheep is given pain relief at the time of the procedure.

Replace Minimum Standard No. 5(b)(iv) with:

- (iv) A cattle beast or a sheep, of any age, must not be disbudded unless throughout the procedure the cattle beast or sheep is under the influence of pain relief that is authorised by the veterinarian for the purpose of the procedure.
- (v) a goat of any age must not be disbudded unless the goat is given pain relief that is authorised by a veterinarian for the purpose of the procedure.

Replace Minimum Standard No. 5(c)(ii), (iii), and (iv) with:

- (ii) a cattle beast or sheep, of any age, must not be dehorned unless, throughout the procedure, the cattle beast or sheep is under the influence of pain relief that is authorised by a veterinarian for the purpose of the procedure:
- (iii) a goat, of any age, must not be dehorned unless the goat is given pain relief that is authorised by a veterinarian for the purpose of the procedure:

In Schedule 1, definition of **dehorn**, after “3 cm of the point where the”, insert “tip of the”.

In Schedule 1, replace the definition of **pain relief** with:

**pain relief**

Any anaesthetic, analgesic, or sedation administered with the aim of providing effective and significant alleviation of pain.

In Schedule 1, insert in its appropriate alphabetical order:

**equid**

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

**Code of Welfare: Pigs (2018)**

Replace Minimum Standard No. 16(c) and (d) with:

**Code of Welfare: Pigs (2018)**—*continued*

- (c) Grinding of needle teeth, if undertaken, must be carried out on a pig that is 4 days of age or under.
- (d) Pigs' teeth must not be cut unless—
  - (i) the person cutting the teeth is a veterinarian, or a veterinary student under the direct supervision of a veterinarian throughout the procedure; or
  - (ii) the tooth is—
    - (A) a needle tooth of a pig that is 4 days of age or under; or
    - (B) a tusk of a boar.
- (e) A person cutting a tusk of a boar must use an obstetrical wire or a saw suitable for the purpose of dentistry.
- (f) Extraction of any teeth must be performed by a veterinarian.
- (g) Nose wires must not be used on pigs.
- (h) Nose rings or clips must only be used for animal management purposes and must be placed through the cartilage at the top of the snout or in the tissue separating the nostrils.

In Schedule 1, replace the definition of **needle teeth** with:

**needle teeth**

Any small sharp teeth in a piglet (sometimes referred to as milk teeth) but principally canine teeth.

In Schedule 1, replace the definition of **pain relief** with:

**pain relief**

Any anaesthetic, analgesic, or sedation administered with the aim of providing effective and significant alleviation of pain.

**Code of Welfare: Sheep and Beef Cattle (2018)**

Replace Minimum Standard No. 4(d) with:

- (d) Electroimmobilisation devices must be used only in a manner that allows animals to breathe normally, and demonstrate normal responses to pain, and must not be used in place of pain relief when undertaking painful husbandry procedures or significant surgical procedures.

Replace Minimum Standard No. 9 with:

**Minimum Standard No. 9 – Reproductive Technologies**

- (a) A pregnancy diagnosis or a cervical or transcervical insemination procedure must only be undertaken by a person experienced with, or who has received training in, the correct use of the method used and who is able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.

**Code of Welfare: Sheep and Beef Cattle (2018)**—*continued*

- (b) A surgical reproductive procedure must only be undertaken—
- (i) by a person experienced with, or who has received training in, the correct use of the method used and who is able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice; and
  - (ii) if, throughout the procedure, the animal is under the influence of pain relief that is authorised by a veterinarian for the purpose of the procedure.
- (c) Electroejaculation must be carried out by veterinarians, or by trained and competent operators under veterinary supervision, using appropriate pain relief.

Replace Minimum Standard No. 13(b) with:

- (b) Freeze banding of cattle must be done by a person experienced with, or who has received training in, the correct use of the method used and who is able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (c) Hot branding must not be used.

In Schedule 1, insert in its appropriate alphabetical order:

**pain relief**

Any anaesthetic, analgesic, or sedation administered with the aim of providing effective and significant alleviation of pain.

**surgical reproductive procedure**

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.

Does not include a procedure carried out for the primary purpose of desexing or the delivery of offspring.

**transcervical insemination**

A procedure to deliver sperm directly to the uterus through the cervix using a catheter and may involve either or both of the following:

- (i) deep abdominal palpation;
- (ii) using an endoscope.

### Part 3

## Amendment that applies on and from 9 May 2026

#### Code of Welfare: Horses and Donkeys (2018)

Replace Minimum Standard No. 12(b) (as inserted by the item relating to this code in Part 2) with:

(b) Hot branding must not be used.

Michael Webster,  
Clerk of the Executive Council.

### Explanatory note

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations amend the Animal Welfare (Care and Procedures) Regulations 2018 (the **principal regulations**). *Regulation 10* (relating to the use of electric prodders) and *regulation 24* (which specifies the infringement fee for an infringement offence against section 156I of the Animal Welfare Act 1999) will come into force on 27 August 2020. The rest of these regulations will come into force on 9 May 2021.

The amendments—

- create regulations for carrying out surgical and painful procedures, including regulations for significant surgical procedures, on animals; and
- amend the principal regulations on the use of electric prodders; and
- amend the interpretation provision of the principal regulations; and
- establish an infringement fee for non-compliance with a compliance notice under section 156I of the Animal Welfare Act 1999.

### Regulatory impact statement

The Ministry for Primary Industries produced a regulatory impact statement on 9 December 2019 to help inform the decisions taken by the Government relating to the contents of this instrument.

A copy of this regulatory impact statement can be found at—

- <https://www.mpi.govt.nz/dmsdocument/41076>
- <http://www.treasury.govt.nz/publications/informationreleases/ris>

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 30 July 2020.

These regulations are administered by the Ministry for Primary Industries.

