

Transport within New Zealand

1 October 2018

TITLE

Code of Welfare: Transport within New Zealand

COMMENCEMENT

This Code of Welfare comes into force on 1 October 2018.

REVOCATION

This Code of Welfare revokes and replaces the Code of Welfare: Transport within New Zealand, dated 16 December 2016.

ISSUING AUTHORITY

This Code of Welfare is issued by the Minister of Agriculture, by a notice published in the *Gazette*, under sections 75 and 76 of the Animal Welfare Act 1999, after having complied with the matters specified in sections 75(1) and 76(2).

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Introduction

This introduction is not part of the Code of Welfare, but is intended to indicate its general effect.

Purpose

The purpose of this Code is to provide information to the owners and persons in charge of the transport of animals about the standards they must achieve in order to meet their obligations under the Animal Welfare Act 1999.

This Code provides the general principles for the care of all animals during transport, but transport and facility operators are encouraged to develop operational specifications that are consistent with the requirements of this Code, meet their particular needs, and incorporate these specifications in quality assurance programmes (see Part 11: Quality Management).

Transport can cause significant distress to animals. This Code of Welfare encourages all those responsible for animals during transport to adopt the highest standards of husbandry, care and handling, and to equal or exceed the minimum standards.

Adequately maintaining the welfare of animals during transport requires experience, training and the observance of high standards.

Background

The Animal Welfare Act 1999 provides for the welfare of animals in New Zealand. It puts obligations on people who own or are in charge of animals to provide for the welfare of their animals.

The Act establishes the fundamental obligations relating to the care of animals and provides for the development and issue of codes of welfare.

Codes of welfare expand on the basic obligations of the Act by setting minimum standards and recommending best practice for the care and management of animals.

This Code of Welfare also references regulations issued under the Animal Welfare Act 1999. Regulations are prescribed under the Animal Welfare Act and impose enforceable requirements on owners and persons in charge of animals. For ease of reference, regulations relevant to this Code are set out in an appendix to this Code. Penalties for failure to comply with the regulations are specified in the relevant regulations. The appendix to this Code is not intended to provide an exhaustive list of all obligations under the Act or regulatory requirements. Owners and persons in charge of animals are responsible for ensuring that they are aware of and understand all Act and regulatory requirements that are relevant to them.

Who should read this Code of Welfare?

This Code of Welfare is intended for all persons responsible for the welfare of animals during transport.

Under the Act the “owner” and every “person in charge” of an animal are responsible for meeting the legal obligations for the welfare of animals under their care.

For many animals being transported, the owner of the animals places them in the care of others who become the persons in charge, but this does not derogate from their responsibility to ensure that the requirements of the Act are met.

Why is this important?

Failure to meet a minimum standard in this Code may be used as evidence to support a prosecution for an offence under the Act. A person who is charged with an offence against the Act can defend him or herself by showing that he or she has equalled or exceeded the minimum standards in this Code.

This Code of Welfare includes information and example indicators for each minimum standard. The list of indicators is not exhaustive but is given to provide guidance on ways in which a minimum standard may be met.

Owners and persons in charge of animals are not required to comply with the recommendations for best practice in this Code, but are encouraged to do so to provide higher standards of welfare.

Legislative background

This Code does not provide an exhaustive list of the Act's requirements, and owners and those in charge of animals should note that they must comply with the minimum standards in this Code and in the general provisions of the Act. A copy of the Act is accessible at: www.legislation.govt.nz.

Other information

Other codes of welfare should be consulted where appropriate (see www.mpi.govt.nz).

Codes of welfare must be accompanied by a report that sets out the deliberations that the National Animal Welfare Advisory Committee (NAWAC) undertook when developing the codes of welfare including the standards and recommendations for best practice, the nature of any significant differences of opinion during drafting and consultation, and any matters that should be dealt with by regulation. Code reports can be accessed online (see www.mpi.govt.nz).

This Code of welfare applies to all animals. However, further detail on the selection of livestock prior to transport and species-specific requirements for the transport of companion animals (including cats, dogs and horses) are generally covered in relevant, species-specific, codes of welfare.

This Code is consistent with the World Organisation for Animal Health (OIE) guidelines on the transport of animals by sea, land and air, as laid out in the Terrestrial Animal Health Code (<http://www.oie.int/en/international-standard-setting/terrestrial-code/access-online/>) and Aquatic Animal Health Code (<http://www.oie.int/international-standard-setting/aquatic-code/access-online/>).

Although efforts to include relevant regulations within this Code have been made, there may be other regulations which are relevant to you. The full list of all animal welfare regulations should be consulted where appropriate (see www.legislation.co.nz).

Part 1: General Requirements

1.1 Application

This Code applies to all live animals (terrestrial and aquatic) being transported within New Zealand in all forms of conveyance whether on land, in domestic airspace or New Zealand territorial and inland waters (including to and from the Chatham Islands). The Code does not apply to the export of animals from New Zealand.

Transport of animals by air to other countries is covered by the International Air Transport Association (IATA) regulations and the export of cattle, sheep, deer and horses by sea is covered by MPI guidelines.

1.2 Interpretation and Definitions

Refer to Schedule I: Interpretation and Definitions.

Part 2: Responsibilities, Competency and Stockmanship

2.1 Responsibilities

Introduction

The welfare of animals during transportation often involves a chain of changing responsibility because different parts of the process may be carried out by different people. Under the Animal Welfare Act 1999, both the owner and the person (or persons) in charge of animals have responsibilities for meeting the animals' needs. While animal owners may put animals in the care of others for transport, this does not derogate from their responsibilities under the Act. In addition, responsibility may be shared between several people, particularly during the handover of tasks or animals.

When there is any question in a legal situation, the responsibilities of the owner(s) and person(s) in charge will always be determined on a case-by-case basis. However, the following provides some general guidance.

Responsibility operates at two levels: the governance and managerial level, and the operational level. At a managerial and governance level, owners or managers of animals are responsible for the general health of the animals and their fitness for the journey. Business agents or buying/selling agents have a joint responsibility with owners to ensure that animals are fit for transport.

Responsibility for meeting minimum standards relating to the provision, design and maintenance of facilities and equipment, the allocation of operational responsibilities and the competence and supervision of employee performance generally lies with the owner or manager of the transport conveyances or facilities involved in the transport process. These people are also often best placed to be responsible for planning the travel (the journey itself) to ensure the care and welfare of the animals.

At an operational level, those responsible for carrying out particular tasks in the transport process are likely to be considered the person(s) in charge for the purposes of the Animal Welfare Act and are responsible for ensuring that applicable minimum standards in this Code of Welfare are met. The 'person in charge' is defined in the Animal Welfare Act as "includes a person who has an animal in that person's possession or custody, or under that person's care, control, or supervision". In practice, the identification of the person or persons in charge will depend on the minimum standard in question.

It is recommended in Part 11: Quality Management in this Code, that businesses involved in animal transport develop their own clear guidance on who is responsible for meeting particular parts of this Code of welfare, and incorporate this guidance into quality assurance procedures.

2.2 Competency and Stockmanship

Introduction

The importance of competency and stockmanship in the maintenance of animal welfare cannot be over-emphasised. All people handling and transporting animals need to be competent in the care and handling of the animals. They also need to be competent in the tasks they are required to undertake, and need to understand how their actions may affect the animals' welfare. Knowledge of the normal appearance, needs and behaviour of animals is essential in order to recognise abnormal situations requiring remedial action or seeking veterinary or other expert advice. Competence may be gained through formal training and/or practical experience.

Minimum Standard No. 1 – Competency and Stockmanship

At every stage of transport, animals must be cared for by a sufficient number of personnel, who collectively possess the appropriate ability, knowledge and competence necessary to maintain the health and welfare of the animals in accordance with this Code.

Example Indicators for Minimum Standard No. 1 – Competency and Stockmanship

- Number of personnel is appropriate for the situation (e.g. for the skill level of the personnel, the number of animals, the type of animals, and the mode of transport)
- Staff training and competence is appropriate for tasks that each staff member is expected to undertake and is documented
- Documentation includes whether staff training or competence covers each of the following areas:
 - ensuring animals are suitable for travel and obtaining veterinary certificates where this is required for animals that are otherwise unfit to travel;
 - planning appropriately for the journey including appropriate loading densities, and feed, water and ventilation requirements;
 - responsibilities for animals during the journey, including the loading and unloading process;
 - species-specific animal behaviour, general signs of distress, and indicators of poor animal welfare such as stress, pain and fatigue, and their management;
 - relevant authorities and applicable transport regulations, and associated documentation requirements;
 - appropriate methods of driving, sailing and flying that recognise the impact on the animals being transported;
 - methods of inspecting animals, managing situations frequently encountered during transport such as adverse weather conditions, and dealing with emergencies; and
 - species-specific aspects of animal handling and care, including feeding, watering and inspection

Recommended Best Practice

- a) All those involved in animal handling as part of commercial transport should be experienced, or undergo recognised training, or be supervised by someone who has undergone such training.
- b) The competence of those responsible for animals during commercial transport should be demonstrated through practical experience or an appropriate certificate from an independent and formally recognised training or professional development body.
- c) Quality management or welfare assurance schemes should recognise the need for competence in stockmanship (see Part 11: Quality Management).

General Information

Information on qualifications and accredited training providers is available from industry representative organisations.

Part 3: Equipment

This Part deals with requirements for all equipment used to load, unload and transport animals that can have an effect on animal welfare. This includes design and manufacture of yards, chutes or races and other equipment used for loading and unloading, crates and other containers for transporting, and vehicles and other conveyances.

3.1 Conveyance and Container Design and Maintenance

Introduction

Appropriate design and maintenance of conveyances (including vehicles and ships) and containers (including crates for livestock and other animals) is essential for ensuring that animals are secure and well-ventilated during transport, and that the risk of injury and distress is minimised.

See summary of regulations appended to this Code:

- Regulation 15 – Dogs on moving motor vehicles
- Regulation 30 – Prevention of injury
- Regulation 31 – Transport of animals with horns and antlers
- Regulation 32 – Prevention of back rub
- Regulation 36 – Shelter requirements for young calves during transportation

Minimum Standard No. 2 – Conveyance and Container Design and Maintenance

- (a) Conveyances and containers used for the transport of animals must be designed and maintained so that they are suitable for carrying the species, size and weight of the animals to be transported over the terrain or seas and under the conditions in which they are expected to function.
- (b) Conveyances must be designed so that the faeces or urine from animals on upper levels do not soil any animals, feed or water on lower levels.
- (c) Containers must be constructed and maintained to ensure they present no hazards that are likely to cause injury to the animals.
- (d) Containers must be designed to ensure enough room to enable animals to travel in a natural posture.
- (e) Conveyances and containers must be designed to ensure adequate ventilation or oxygenation to allow the free flow of air or oxygen to all animals, even when stationary, to prevent the build-up of harmful concentrations of gases or impurities, water vapour or temperature.
- (f) Conveyances and containers must be designed to provide protection from adverse weather that may be a risk to the animal's health and welfare.
- (g) Containers must be secured so that they do not move when underway.

Example Indicators for Minimum Standard No. 2 – Conveyance and Container Design and Maintenance

- Animals can maintain the natural posture of the head and body when in their preferred normal position (i.e. lying, sitting or standing)
- Animals can regain their feet should they lie down
- No injuries are caused by the crate or container, including injuries to the backs of animals
- Animals are able to maintain their balance while the conveyance is in motion
- Heads and limbs remain within the crate or container
- No injuries are caused by falls on slippery floors
- No signs of distress are caused by heat, cold, toxic fumes or stale air and water

- Water quality in tanks holding aquatic animals is monitored and oxygen, carbon dioxide and ammonia, pH, temperature and salinity are maintained within the range appropriate for the species
- Animals are not soiled by faeces or urine from animals on a higher level
- No gaps in the structure of the crate or container that could cause injury or allow animals to become stuck
- Flooring is appropriate for the animals being transported
- Records are kept of investigation and maintenance following injury of stock
- Sharp objects, protrusions, edges, gaps, including damaged flooring likely to cause wounds, bruises or fractures have been removed, repaired or covered
- Conveyances and containers are robust enough to withstand normal wear and tear expected from the animals to be transported (i.e. resistant to kicking or other damage and able to withstand the weight of the animals) and the conditions and terrain over which they are used
- Containers or crates are secured to the conveyance or otherwise secured so that they do not move about during travel

Recommended Best Practice

- a) Animals should be carried in conveyances and containers that are purpose-built for their type or species.
- b) Conveyances should have mechanical ventilation systems that are capable of providing active ventilation to compensate for deficiencies in passive ventilation, even when stationary.
- c) Vehicle exhausts should be positioned where they will not emit exhaust onto animals.
- d) Conveyances should allow for feeding and watering while underway, if this is required.
- e) Containers for companion animals should allow animals to turn around.

General Information

There are New Zealand national standards for the design, manufacture and use of livestock crates on heavy vehicles. These standards are useful references for any container used for animal transport. The New Zealand Road Transport Forum can provide further information, including the code of practice for the manufacture and use of stock crates on heavy vehicles NZS 5413:1993. The International Air Transport Association Live Animals Regulations and OIE Terrestrial Animal Health Code both contain material that can be used as guidance in the design and construction of transport containers.

Suitable bedding added to crate or container floors can assist absorption of urine and faeces and protect animals (especially young animals) from hard flooring surfaces and adverse weather.

Crates or containers can either be secured to the conveyance (e.g. by tying down, or securing with a seatbelt) or by stacking or locating securely within a vehicle, ship or aircraft, while still allowing appropriate ventilation.

Provision for emergency access can make it easier to provide assistance to animals in the event of an emergency.

3.2 Loading and Unloading Facilities

Introduction

Animal injury and distress can be avoided, and loading and unloading made easier, if facilities (including ramps, races and holding yards) are designed and constructed according to the needs and abilities of animals with regard to dimensions, slopes, surfaces, flooring and exposure to the elements.

See summary of regulations appended to this Code:

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

- Regulation 30 – Prevention of injury
- Regulation 35 – Requirements for loading and unloading facilities used with young calves

Minimum Standard No. 3 – Loading and Unloading Facilities

- (a) Loading and unloading facilities must be constructed and maintained so that they allow unhindered passage of the animals, do not present a hazard to animal welfare and are appropriate for the condition, species and number of animals.
- (b) Loading and unloading facilities must allow close alignment between the conveyance and the loading ramp.
- (c) While waiting to be loaded and following unloading, animals must be provided with protection from adverse environmental conditions that is appropriate to the animals and the circumstances, to reduce the risk to their health and welfare caused by exposure to heat or cold.

Example Indicators for Minimum Standard No. 3 – Loading and Unloading Facilities

- Facilities are appropriate to the animal species, number of animals and their maturity
- Animals have freedom of movement and show minimal or no baulking
- The design and slope of ramps are such that they minimise animals slipping or becoming distressed or injured
- Injuries or distress attributable to the loading and unloading of animals are documented and the cause remedied to minimise reoccurrence
- There is an absence of gaps that might allow animals or limbs to become stuck, cause injury or allow escape (or gaps are sealed, e.g. by rubber sealing, cushions)
- Fittings, internal surfaces, sharp objects, protrusions and edges that are likely to cause injury to animals, including damaged flooring, are removed, repaired or covered
- Appropriate and sufficient shade and shelter is provided so that animals are not displaying behavioural indicators of overheating or being too cold

Recommended Best Practice

- a) All flooring surfaces on ramps and in facilities should incorporate a non-slip material to aid grip.
- b) Portable or adjustable ramps should be equipped with anchoring devices to prevent the ramp from moving during loading or unloading.
- c) Facilities should provide uniform lighting directly over approaches to sorting pens, chutes and loading ramps, with brighter lighting inside conveyances or containers, in order to minimise baulking.
- d) Provision should be made for water to be available for all animals at unloading and loading facilities.
- e) Assembly and holding areas should be designed to allow animals to remain in social groups and to rest.

General Information

Rubber seals or cushions can be used to repair large gaps in loading and unloading facilities (including yards) that would otherwise allow animals to become stuck or to escape or cause baulking.

As a guide, livestock generally manage loading and unloading best when the maximum slope of ramps does not exceed 20° for all animals except young animals. For livestock younger than one week of age that are expected to walk up or down ramps themselves, the maximum slope is 12°.

Under warm and humid conditions, ventilation can be enhanced by increasing the space allowance for animals, or increasing the space between containers.

Part 4: Journey Planning and Documentation

Introduction

Good planning before a journey helps ensure that the needs of animals can be met at all times, that they are provided with reasonable and secure accommodation and that unreasonable or unnecessary pain or distress is avoided. Good planning takes account of:

- documentation required for animal welfare, biosecurity, disease management or other reasons;
- contingency planning to ensure welfare needs are met (including appropriate treatment or emergency euthanasia/destruction), in the event of unforeseen circumstances such as adverse weather, unanticipated delays, or changes in road or sea conditions;
- the appropriateness of the method of transport for the animals being transported (including any special requirements, e.g. for horned, young or pregnant animals);
- whether the conveyance is fit for purpose (roadworthiness, seaworthiness);
- competency of the transport operator (in terms of operating the conveyance and dealing with the particular animals being transported);
- the nature and duration of the journey;
- the nature and condition of loading and unloading facilities;
- loading density;
- rest, water and feed requirements of animals; and
- the need for appropriate monitoring.

See summary of regulations appended to this Code:

- Regulation 34 – Maximum duration of transport for young calves

Minimum Standard No. 4 – Journey Planning and Documentation

- (a) Transport must be planned to minimise the risk of injury, fatigue or metabolic and nutritional disorders.
- (b) Operators of conveyances, or their agents, must hold details of the number, type and any special requirements of animals that they transport.
- (c) All required documentation must be completed and accessible to the relevant personnel prior to embarking and during travel, so that incomplete or inaccessible documentation does not cause any delay in animals reaching the destination or being unloaded at the destination.
- (d) There must be a contingency plan in place that allows the needs of animals to be met in the event of any delays arising during the part of the journey for which the transport operator is responsible.
- (e) Operators of commercial conveyances must be briefed on the contingency plan in advance of journeys.
- (f) Any deaths occurring during travel must be recorded.

Example Indicators for Minimum Standard No. 4 – Journey Planning and Documentation

- Drivers, skippers, pilots or company agents hold veterinary certificates (where required) and details of species, total number of animals, and any special requirements or individuals with special needs (e.g. pregnant, horned or young stock), as relevant for the length of the journey
- No delays to the journey are attributable to documentation problems
- Contingency plan describes how delays during animal transport are to be managed and includes, as necessary, provision for facilities that can be used for holding animals in emergencies, and other matters necessary to ensure the animals do not suffer significant harm as a result of delays during transport

- Contingency plan is known and understood by persons in charge of transport and the operators of conveyances
- Drivers have access to facilities that can be used in the event of an emergency, which meet the requirements for loading and unloading facilities
- Minimum standards in this Code are met in the event of unforeseen circumstances
- Time of first pickup of unweaned animals is recorded
- Loading density and travel duration are planned according to the type, class and condition of animals and the travel conditions

Recommended Best Practice

- a) A driver or animal handler finding sick, injured or dead animals while the journey is underway should act according to a predetermined plan.
- b) Corrective actions should be taken following any animal deaths, disorders or injuries during transport to ensure future risks are minimised.

General information

Contingency plans vary according to the circumstances, but a simple contingency plan is to provide operators of conveyances with instructions to contact the transport operator, the stock agent, the port of arrival, or other appropriate personnel at the destination in the event of an emergency, for advice on the appropriate course of action or to arrange for immediate veterinary attention or euthanasia on arrival at the destination.

Ready access to names and telephone numbers of the animal owner or the owner's agent (where relevant), and a veterinarian experienced with the species of animal being carried, facilitates emergency actions and decisions. A suggested checklist of information to collect prior to travel is at *Schedule 1 electric prod*: replaced on 27 August 2020 by section 25(1) of the *Animal Welfare (Care and Procedures) Amendment Regulations 2020*.

Schedule II – Animal Welfare Check List.

4.1 Journey Duration

The appropriate maximum duration of a journey depends on:

- the ability of the animals to cope with the stress of transport (which is affected by physiological state, including age and whether the animal is pregnant or lactating);
- the need for special attention according to age or health or reproductive state;
- the animals' previous transport experience;
- the need for feed and water;
- the increased susceptibility to injury and disease;
- loading density;
- design of the conveyance and crate or container;
- road, sea or weather conditions encountered during the journey; and
- quality of driving.

See summary of regulations appended to this Code:

- Regulation 34 – Maximum duration of transport for young calves.

Recommended Best Practice

- a) All animals should be transported for the shortest possible time, especially animals which are young, pregnant, at peak lactation, or at the end of their production lives or cycles (e.g. end-of-lay hens, cull cows).
- b) The duration of travel for young animals should not be longer than 12 hours.

- c) Unnecessary transport should be avoided and if animals are to be killed, they should, if possible, be killed at the nearest facility.

Part 5: Preparation and Selection of Animals for the Journey

Owners or their agents have a responsibility to select, prepare and present for loading only those animals fit for the intended journey. The operators of conveyances have a responsibility to accept for transport only those animals that appear fit for the intended journey. Specific requirements for some species are also found in relevant codes of welfare (e.g. meat chickens, dairy cattle, deer, sheep and beef cattle, layer hens, pigs, dogs and cats).

5.1 Preparation of Animals for Transport

Introduction

The preparation of animals for transport can include consideration of special feed, water and rest requirements, and training or acclimation to transport, and can involve procedures immediately prior to transport, such as the provision of compounds or medicines to assist animals to cope with transport. In some cases physical processes may be required. For example horses and donkeys may need their shoes removed or covers placed over them.

See summary of regulations appended to this Code:

- Regulation 9 – Maximum time young calves may be off feed before slaughter
- Regulation 10 – Shelter requirements for young calves before transportation and at points of sale or slaughter
- Regulation 39 – Restrictions on transporting animals with injured horns or antlers

From 1 October 2019, see:

- Regulation 58 – Dehorning cattle beasts

Minimum Standard No. 5 – Preparation of Animals for Transport
<p>(a) Animals must be appropriately prepared for transport, including through the provision of sufficient food and water, as appropriate to the species, age, condition and expected length and conditions of the journey, so that pain, injury or distress to themselves or other animals is avoided.</p> <p>(b) Before undertaking a journey during which the animals will be fed and watered, animals must be familiarised with the feed to be offered and the methods by which the feed and water are given.</p>

Example Indicators for Minimum Standard No. 5 – Preparation of Animals for Transport

- Calves less than one week of age are fed within two hours prior to travel
- Food and water is supplied to avoid metabolic complications, or significant loss of condition leading to emaciation, morbidity or mortality
- Where necessary to avoid slipping, entrapment or injury, shoes are removed from horses that are being transported in conveyances or containers that are not purpose built for horse transport (unless other measures are taken to avoid injury from the shod hooves)
- Animals have not had horns or antlers removed less than one week prior to loading, and horn or antler stumps are not bleeding, except yearling deer within 72 hours of velvet antler removal where approved analgesic rings have been used and the rings are still attached

Recommended Best Practice

- a) Animals should be exposed to appropriate contact with humans and handling conditions (including methods of restraint) prior to transport to reduce their fearfulness and improve their approachability. This is especially important for animals captured from the wild.

- b) Ruminants should be held off pasture, with water provided, for a minimum of four hours but for no more than 12 hours before travel (taking into account the condition of the animals), in accordance with the National Stock Effluent Working Group's Industry Code of Practice for the Minimisation of Stock Effluent Spillage from Trucks on Roads or other agreed, current, industry standards.
- c) Animals that are held off pasture prior to transport should be provided with an appropriate alternative feed source (such as hay for livestock).
- d) Animals for which pre-travel rest is not appropriate should be moved immediately from their normal housing onto the conveyance.
- e) Consideration should be given to the administration of appropriate nutritional supplements prior to transport where applicable (e.g. in cases where pasture is deficient in particular minerals or animals are otherwise metabolically challenged).
- f) Behaviour-modifying compounds (such as tranquilisers) should not be used routinely during transport (and note that other legislation, such as the Agricultural Compounds and Veterinary Medicines Act 1997, may apply to the use of these compounds).

General Information

Appropriate preparation means preparation that is of a type and duration appropriate for the species, the condition of the animals, anticipated weather or other travel conditions, the mode of transport and the history of the animals. Examples of preparation include resting after assembly and prior to loading, familiarisation with particular types or sources of food or water, familiarisation with handling or presence of handlers, emptying out (standing off green feed), treatment to minimise metabolic complications, or husbandry procedures such as shoe removal, covering with a rug or other cover, or placing protective devices on horn tips. Some animals may not require any particular preparation and may benefit instead from being transported promptly after mustering, collection or assembly.

Special requirements are provided in species-specific codes of welfare, where these have been developed, or information is available from industry organisations (e.g. DairyNZ, NZPork). The International Air Transport Association Live Animals Regulations, and OIE Terrestrial Animal Health Code, both contain material that can be used as guidance.

Requirements for standing livestock off green feed, to limit effluent production during travel are given in the Industry Code of Practice for the Minimisation of Stock Effluent Spillage from Trucks on Roads (by the National Stock Effluent Working Group, www.rcaforum.org.nz/working-groups/stock-effluent). Removal of food from animals for extended periods of time (normally more than 24 hours), activates their fat reserves. Animals in poor condition prior to transport (such as cull animals) have lower fat reserves and are less able to withstand food withdrawal prior to transport.

5.2 Selecting, Presenting and Accepting Animals for Transport

Selecting, presenting and accepting animals are key processes to ensure that only animals able to cope with transport are transported, and that animals which are likely to be at risk or pose a risk to the welfare of other animals are dealt with appropriately.

Matters that need to be taken into account when determining whether animals can be transported include:

- the mode(s) of conveyance to be used and the duration of the journey;
- the health of the animals;
- the fitness of the animals for the journey;
- age of the animals;
- body condition of the animals;
- physical / physiological state e.g. pregnancy, lactation, oestrus;
- animals' experience with the stressors to which they will be exposed e.g. confinement, deprivation of food and water, climatic change, familiarity with human contact, exposure to unfamiliar sounds and sights;

- length of journey; and
- any documentation required for the species and the purpose of transportation.

There will be occasions where an animal that would not normally be selected for transport may have to be transported for treatment or slaughter. The need to transport these animals has to be weighed against the potential negative effects and steps taken to minimise the impacts on their welfare, and a veterinarian consulted where there is any doubt about an animal's ability to withstand transport.

Once an operator (including a transport company or an individual employed by that company) takes possession of animals, he or she is deemed to be the person in charge and assumes responsibility for the welfare of the animal under the Animal Welfare Act 1999. Transport operators and their staff need to consider the fitness for transport of animals they are to carry and are obliged to refuse animals that they consider to be unfit for transport without veterinary certification.

The responsibility for implementing the minimum standards below therefore lies with the person selecting and presenting animals for transport, and the person or organisation accepting the animals for transport.

See summary of regulations appended to this Code:

- Regulation 10 – Shelter requirements for young calves before transportation and at points of sale or slaughter.
- Regulation 30 – Prevention of injury
- Regulation 31 – Transport of animals with horns and antlers
- Regulation 32 – Prevention of back-rub
- Regulation 33 – Ensuring young calves are fit for transport.
- Regulation 38 – Restrictions on transporting animals with ingrown horns
- Regulation 39 – Restrictions on transporting animals with injured horns or antlers
- Regulation 40 – Restrictions on transporting lame animals
- Regulation 41 – Restrictions on transporting animals in late pregnancy
- Regulation 42 – Restrictions on transporting animals with injured or diseased udders
- Regulation 43 – Restrictions on transporting animals with eye cancer
- Regulation 44 – Certain regulations do not apply to transporters
- Regulation 45 – Obligations of transporters in relation to animals to which regulations 38 to 44 apply.

Minimum Standard No. 6 – Selecting and Accepting Animals for Transport

- (a) Proper care must be taken when deciding whether it is appropriate to transport young, old, pregnant or otherwise physiologically or behaviourally compromised animals.
- (b) Animals must not be transported if they are likely to give birth during the journey or be affected by metabolic complications of late pregnancy as a result of the journey.
- (c) Animals must not be transported unless they are fit enough to withstand the entire journey without suffering unreasonable or unnecessary pain or distress.
- (d) Animals to be transported must be able to stand and to bear weight on all limbs.
- (da) Lame cattle, deer, pigs, sheep, and goats must not be transported, except as allowed by regulation 40 of the Animal Welfare (Care and Procedures) Regulations 2018.
- (e) An animal with horns or antlers must not be transported in a manner that allows the animal to seriously injure itself or another animal.
- (f) Animals with a bleeding, discharging, or broken (and unhealed) velvet antler, horn, or pedicle must not be transported, except as allowed by regulation 39 of the Animal Welfare (Care and Procedures) Regulations 2018.
- (fa) Animals must not be transported within seven days of being castrated or having their tail docked.

- (g) Animals must not be transported if they display any injuries, signs of disease, abnormal behaviour or physical abnormalities that could compromise their welfare during the journey, unless a veterinary declaration of fitness for transport has been completed.

Example Indicators for Minimum Standard No. 6 – Selecting and Accepting Animals for Transport

- Animals transported do not display symptoms of unreasonable pain or distress
- Births and metabolic complications of late pregnancy do not occur during the journey
- Animals are able to stand and bear weight on all limbs
- Veterinary certificates are available for animals recorded as sick, injured or otherwise abnormal at the start of the journey
- Animals have not been dehorned or develtvetted within the week prior to transport, except yearling deer within 72 hours of velvet antler removal where approved analgesic rings have been used and the rings are still attached
- Requirements relating to pre-transport management in other codes of welfare (as relevant to the species) are followed

Recommended Best Practice

- a) A veterinarian should be consulted where there is any question over whether or not an animal is fit to travel.
- b) Animals should not be transported within a three week period after a painful husbandry procedure (e.g. dehorning, castration) has been conducted.
- c) Animals that are pregnant should not be in the last third of pregnancy when transported.
- d) Stags over one year of age should not be transported during the roar.
- e) The following matters should be assessed when making an emergency decision to transport an animal to treatment or slaughter that would not normally be selected for transport:
 - i) the animal should be able to arrive at the destination in a state similar to that when loaded;
 - ii) the need for pain relief;
 - iii) the nature and duration of the journey should be taken into account and journey time should be minimised; and
 - iv) the need for separation, bedding and/or padding and any other appropriate supportive treatment should be considered.

General Information

Compatible groups (for example, animals reared together or having a strong social bond) need to be selected before transport to avoid adverse animal welfare consequences. It is important that animals of significantly different sizes or ages are not mixed. Aggressive individuals need to be segregated from the rest of the group.

It is a requirement that, following veterinary examination of an animal destined for transport, the veterinarian certifies in writing that he/she considers that the animal is fit to travel to the destination without unnecessary pain or suffering. A special form is available from the New Zealand Veterinary Association for use in these circumstances.

Unweaned calves destined for slaughter (bobby calves) are particularly vulnerable to the stresses of transport.

The following checklist has been developed to ensure that calves presented for transport will be acceptable for slaughter. Some of these criteria are now requirements under the Animal Welfare (Care and Procedures) Regulations 2018 (See summary of regulations appended to this Code).

Calf Checklist

The calf:

- is strong enough to withstand the stress of travel;
- is healthy and not listless;
- is free from signs of injury, disease, disability, or impairment that could compromise the calf's welfare during the journey;
- has been adequately fed on milk or colostrum;
- is alert and able to: rise from a lying position; stand and bear weight evenly on all 4 limbs; move freely; and protect itself from being trampled and from being injured by other calves;
- has hooves that are firm, worn flat, and not bulbous with soft unworn tissue;
- has a navel cord which is shrivelled and not pink or red coloured, raw, or fleshy; and,
- is at least 4 full days (96 hours) of age.

Part 6: Loading and Unloading

Introduction

Loading and unloading are the activities during which injuries and stress are most likely to occur. Persons responsible for the loading and transport of animals need to have a good basic knowledge of their behavioural and physical needs. Planning the entire journey well in advance will allow adequate time for stock to be loaded and unloaded quietly and with care. The required facilities and principles of animal handling apply equally to loading and unloading, with additional consideration given to the possibility that animals may be fatigued at unloading.

See summary of regulations appended to this Code:

- Regulation 35 – Requirements for loading and unloading facilities used with young calves.
- Regulation 48 – Use of electric prodders
- Regulation 49 – Prodding animals in sensitive areas

Minimum Standard No. 7 – Loading and Unloading

- (a) Animals must be loaded and unloaded in a way that minimises the risk of pain, injury or distress to the animals.
- (b) Only the minimum force required must be used when moving animals.
- (c) Goads must only be used where there is sufficient room for the animals to move away from the goad, and where—
 - i) the safety of the handler or another person is at risk; or
 - ii) they are essential to move difficult animals.
- (d) Animals must not be struck or prodded with a goad in the udder, anus, genitals, or eyes.
- (da) Animals must not be prodded in sensitive areas.
- (e) Electric prodders must not be used on animals, except on—
 - i) cattle that weigh over 150 kg; or
 - ii) during loading or unloading for transport, on pigs that weigh over 150 kg.
 Where permitted to be used, an electric prodder may be used only on the muscled areas of the animal's hindquarters or forequarters, and the animal must have sufficient room to move away from the prodder.
- (f) Animals that are likely to cause injury or distress to other animals must be kept separate prior to and during loading, and when loaded into transport containers, unless there is sufficient space for the other animals to escape injury. This includes animals with horns, tusks or antlers, and animals known to be aggressive.
- (g) Animals in pens or yards must not be overcrowded to the extent that it prevents them from being able to move from handlers or other animals where this is likely to contribute to distress and injury.
- (h) Animals must not be thrown or dropped, or be lifted or dragged by their tail, head, horns, ears, limbs, wool, hair or feathers.
 - (i) Animals must not be secured to conveyances or containers by a nose ring.
- (j) Stocking density must be sufficient to allow animals to adopt a natural posture during the journey without injuring their heads or backs if they stand, and to allow animals to rest, if this is necessary during the journey.
- (k) Animals of different species must not be transported in the same container, except where individual animals are known to be compatible.

Example Indicators for Minimum Standard No. 7 – Loading and Unloading

- Animals are not injured by loading or unloading, including in gaps between the conveyance and the loading or unloading facility

- Animals do not escape from gaps between the conveyance and the unloading facility
- Loading or unloading does not require undue force
- Goads are used according to the minimum standard
- Electric prodders are only used when necessary and only on adult cattle or pigs over 150kg
- If used, electric prodders are powered only by battery or dynamo and are used instantaneously on the shoulder or rump of an animal and not applied for more than one second continuously
- Animals are not prodded in the eyes, nose, anus, vulva, udder, testicles or other sensitive areas. Similarly, injurious objects or irritant substances are not applied to these sensitive areas
- Animals that are likely to cause injury to themselves, other animals or handlers (including horned cattle and tusked pigs) are contained separately
- The stocking density in pens and yards allow animals to move freely onto the conveyance when they are being loaded or unloaded
- Animals are not thrown or dropped, or lifted or dragged by their tail, head, horns, ears, limbs, wool, hair or feathers when loaded or unloaded
- Animals are in good condition on arrival
- Animals are standing and bearing weight on all limbs on arrival
- Animals in the transport crate or container are compatible
- If animals are required to stand for the journey, and need to be supported by others to maintain their balance, they are loaded to a density that allows them to adopt their normal posture
- For those species which need to lie down during the journey (e.g. pigs, camelids, calves) they are able to lie down and stand up as they choose
- Special provision is made for the transport of animals as stipulated by a veterinary certificate e.g. transport on the bottom deck
- Dogs are not carried in the same compartment as sheep
- Animals are not secured to containers or conveyances by means of a nose ring (including where the rope shank is fitted through a halter to the nose ring)

Recommended Best Practice

- a) Loading should be supervised by animal handlers who should ensure that animals are loaded in a way that minimises pain, injury and distress.
- b) Animals should be loaded quietly and without unnecessary noise, harassment or force, and untrained staff or spectators should not be allowed to impede the process.
- c) When encouraging animals to move, preference should be given to audible or visual measures (e.g. rattles, plastic bags, stones in a container) as opposed to devices which rely on physical contact (e.g. waddies, alkathene hoses, stock whips, stock canes, and sticks).
- d) If it is necessary to use dogs, they should be under control at all times.
- e) Dogs should not be used to assist with the loading of deer, pigs or young calves or with the loading of animals unfamiliar with them.
- f) Electric prodders should not be used on any animals.
- g) Where possible and appropriate, different species should not be transported on the same conveyance.
- h) Lactating animals should be milked or suckled at least once every 24 hours.

General Information

Stress during loading and unloading can be caused by noise, the sudden appearance of objects, people or other animals, and smells. The animal's response to these is affected by many factors including their familiarity, individual differences, genetics, training, past experiences, and fatigue.

A good understanding of animal behaviour, including flight zones, the particular requirements of the species and class of animals, and the type of transport, coupled with appropriate design and maintenance of equipment and facilities, can minimise this stress and avoid injury to animals and handlers.

The suitability of the space allowance provided to each animal during transport depends upon a number of factors:

- the requirements of each species and their size;
- the ability of animals to balance themselves and support one another when countering sharp movements that might otherwise cause them to fall;
- the ability of the animals to maintain body temperature within a normal range;
- whether the animals need to lie down (for example, pigs, camelids and young calves). Animals which will need to lie down during the journey often stand when first loaded or when the motion of the conveyance causes anxiety;
- whether the animals are required to stand for the duration of the journey, for example horses in containers or floats, cattle and sheep in stock crates;
- the need for animals to adopt a natural posture, whether sitting or standing;
- whether mixing unfamiliar animals will lead to aggression or other behaviour that causes injury;
- the duration of the journey;
- whether water and/or feed is provided on the conveyance or in the container;
- the nature of the terrain being traversed; and
- expected weather conditions.

There are several sources of guidance on appropriate stocking densities for transport, including:

- International Air Transport Association Live Animals Regulations
www.iata.org/publications/Pages/live-animals.aspx
- MPI sea transport standards www.mpi.govt.nz/exporting/animals/live-animals/.

Part 7: The Journey

This Part addresses requirements to meet animals' needs from the time they are loaded until the time they are unloaded at their destination.

7.1 Ventilation

Introduction

Ventilation, however provided (e.g. ports in the conveyance, crate or container, through movement of the conveyance or forced air), needs to be managed to enable animals to maintain their body temperature within the normal range for the species and prevent exposure to noxious gases or excessive dust.

See summary of regulations appended to this Code:

- Regulation 35 – Requirements for loading and unloading facilities used with young calves
- Regulation 36 – Shelter requirements for young calves during transportation

Minimum Standard No. 8 – Ventilation

- (a) Ventilation or oxygenation must be sufficient to prevent the build-up of noxious gases or impurities to an extent that causes pain or harm to the animals' health during travel and rest.
- (b) Ventilation during travel and rest must be appropriate to maintain the body temperature within the normal range for the species.
- (c) Where animals show signs of heat or cold stress or distress from exposure to noxious gases, immediate corrective action must be taken.

Example Indicators for Minimum Standard No. 8 – Ventilation

- Signs of distress associated with hypo- or hyperthermia are acted on and recorded (signs dependent on the species but include huddling and shivering when cold and panting and prostration when hot)
- Crate or container free of the smell of noxious gases such as exhaust fumes and ammonia
- Animal behaviour and distribution within the container is monitored and any abnormal behaviour associated with inadequate ventilation is acted on and recorded
- Action is taken and documented if animals show signs of overexposure to noxious gases, such as watering eyes, nasal discharge, coughing, retching, and ocular / vision disorder, to remove animals from the situation or improve ventilation or otherwise lower levels of noxious gas

7.2 Monitoring

Introduction

Monitoring is necessary to check for injuries or distress in animals that require immediate attention, and/or mechanical and structural problems with the conveyance that could adversely affect the welfare of the animals. It also allows steps to be taken in advance to ensure that problems can be addressed promptly on arrival.

Minimum Standard No. 9 – Monitoring Animals

- (a) Animals must be inspected for injury or signs of pain or distress at regular intervals during the journey, including at rest breaks taken by the operator of the conveyance and at refuelling stops.
- (b) Animals found to have fallen down, to be injured, distressed or with a limb protruding from the container or conveyance, must be assisted, treated or euthanased as soon as practicable.
- (c) The time and place of inspection, and any deaths and incidents causing pain or distress to animals, must be recorded.

Example Indicators for Minimum Standard No. 9 – Monitoring Animals

- Absence of signs of distress in animals on arrival
- The time and place of inspection and any incidents observed is recorded during or after the journey
- Animals are monitored when conveyances stop at rest and refuelling stops
- Animals are inspected after offloading

Recommended Best Practice

- a) Where required, a suitable source of lighting should be available to carry out inspections.
- b) An animal found to have fallen down or to be injured, distressed or with a limb protruding from the container or conveyance should be given immediate assistance by the person in charge, or be separated so that other animals cannot stand on them. Every effort should be made to get cast animals to their feet.

7.3 Food, Water and Rest

Introduction

Deprivation of food and water or changes in the volume or quality of food and water will compound the stress associated with transportation. They can also result in metabolic disturbances and increase susceptibility to disease. Water is also important for regulation of body temperature. Rest is important to allow animals to physically withstand transport and prevent or recover from fatigue.

See summary of regulations appended to this Code:

- Regulation 9 – Maximum time young calves may be off feed before slaughter
- Regulation 34 – Maximum duration of transport for young calves

Minimum Standard No. 10 – Food, Water and Rest

- (a) The provision of food and water must be appropriate to the species, age, physical state and condition of the animals to allow them to regulate body temperature and meet their health needs.

- (b) If animals are to be fed during the journey, they must either be offered the feed they are accustomed to during the journey; or, if the food to be offered during transport differs from that to which the animals are accustomed, a period of pre-conditioning to the new feed must be undertaken prior to transport.
- (c) Animals must be rested as required for the species, age, physical state and condition of the animal. If animals are not able to rest during travel, they must be unloaded and rested as frequently and for as long as is required to meet their needs.
- (d) Unweaned animals (other than animals to which the definition of young calf in regulation 9 of the Animal Welfare (Care and Procedures) Regulations 2018 applies) must be fed within a maximum of 28 hours after loading for transport, if not slaughtered beforehand.

Example Indicators for Minimum Standard No. 10 – Food, Water and Rest

- Water is provided within the following indicative periods, timed from when water is first removed, and within two hours of arrival unless the animals are sent for slaughter immediately:
 - Ruminants – 24 hours
 - Pregnant or lactating ruminants – 12 hours
 - Monogastrics – 6 hours
- Food is provided within the following indicative periods, timed from when food is first removed, and within two hours of arrival unless the animals are sent for slaughter immediately:
 - Ruminants – 36 hours
 - Pregnant or lactating ruminants – 24 hours
 - Monogastrics – 24 hours
- Time of loading is recorded
- Animals are not dehydrated
- Food that animals are offered is of a type they are accustomed to
- Animals are pre-conditioned to new feed for at least three days prior to transport
- Food / water offered is eaten / drunk
- A record is maintained when food and drink is offered and abnormal responses to offer of food and water recorded
- Resting periods, when vehicle is stationary with animals onboard, and when animals are unloaded, are recorded

Recommended Best Practice

- a) Animals should be unloaded at appropriate intervals, to allow them to rest. For mature animals this is no longer than 24 hours. For unweaned animals, this is no longer than 12 hours. Where this is not possible (e.g. on long sea journeys), provision should be made for animals to rest while on the conveyance.
- b) Animals should be fed and watered as soon as possible after unloading.
- c) Animals should not be removed from transport containers for feeding purposes unless they are in an escape-proof area
- d) Lactating animals should be milked or suckled prior to transportation and then at least once every 24 hours.

General Information

The type of transport, the transport conditions, and the species, age, condition and physiological state (e.g. pregnant, lactating) of the animal being transported will determine the frequency of rest stops and whether the animals need to be unloaded. For guidance see the International Air Transport Association Live Animals

Regulations, OIE Terrestrial Animal Health Code, and MPI guidelines for sea transport (cattle, horses, sheep and deer: www.mpi.govt.nz/exporting/animals/live-animals/).

Animals to which the definition of a young calf in regulation 3 of the Animal Welfare (Care and Procedures) Regulations 2018 applies must not be transported unless the total duration of the journey from the point of loading the calf onto the vehicle to the point of arrival at the final destination of the journey is no more than 12 hours (See summary of regulations appended to this Code, Regulation 34 – Maximum duration of transport for young calves).

Part 8: Special Requirements

Additional conditions must be met for some forms of transport, in order to meet the requirements of the Animal Welfare Act for reasonably comfortable and secure conditions, proper and sufficient food and water, and transport in a manner and position that avoids unreasonable or unnecessary pain or distress.

8.1 Transport by Road

Introduction

Sudden braking of vehicles during travel can subject animals to horizontal forces as high as 33% of their own weight. Sudden acceleration and rapid cornering can cause horizontal forces of up to 20% of the animal's weight. Such driving may result in falls and injury to the animals. Special care is needed to ensure that animals are secure where vehicles are not purpose-built for animal transport.

See summary of regulations appended to this Code:

- Regulation 30 – Prevention of injury
- Regulation 31 – Transport of animals with horns and antlers
- Regulation 32 – Prevention of back-run
- Regulation 15 – Dogs on moving motor vehicles

Minimum Standard No. 11 – Transport by Road
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Vehicles carrying animals must be operated in a manner that does not cause animals to fall or be injured during travel.

Example Indicators for Minimum Standard No. 11 – Transport by Road

- Absence of signs of distress or injury in animals on arrival
- Travel records completed
- Animals are appropriately secured

Recommended Best Practice

Care should be taken to ensure that the animals are neither too loosely nor too lightly loaded. Where a vehicle is lightly loaded, the vehicle should be packed with hay bales or divided by partitions.

General Information

When being transported on the open rear of a light truck (such as a utility vehicle or flatbed truck), dogs are best protected from the elements. They should be secured by attaching them close against the cab with a swivel between the securing point on the vehicle and the collar, and with the securing lead or chain long enough to permit the dog to stand, lie down and move about but not of a length that allows the front or hind legs to reach the side of the tray when the animal is standing in a normal posture (see summary of regulations appended to this code, regulation 15 – Dogs on moving motor vehicles). Small animals in crates need protection from wind and adverse weather, as described in previous sections of this Code.

8.2 Rail Transport

Introduction

The principles of animal transport by rail are the same as for road transport, and the minimum standards and recommendations for best practice in this Code of Welfare also apply. Recommendations for best practice are given below, although animals are not routinely transported by rail in New Zealand.

Recommended Best Practice

- a) Railway wagons carrying animals should be marshalled to avoid unnecessary shunting or delays.
- b) Priority should be given to trains carrying animals to minimise any journey times.
- c) Provision should be made for a stockhandler or other appropriate person to accompany animals in order to assist with meeting the requirements of this Code in regard to monitoring and dealing with contingencies.

8.3 Transport of Animals within New Zealand Waters

Introduction

All minimum standards in this Code of Welfare apply to the transport of animals within New Zealand waters. However, this Part contains specific additional material relating to transporting animals across Cook Strait or elsewhere within New Zealand's territorial and inland waters, and between the Chatham Islands and mainland New Zealand. It covers all vessels, including barges and ships.

This Code of Welfare does not apply to the export from New Zealand of livestock by sea. The export of cattle, sheep, deer and horses by sea is covered by MPI guidelines (www.mpi.govt.nz/exporting/animals/live-animals/).

When the driver of a road vehicle accompanies the vehicle on to a ship, the driver remains responsible for the animals. However, the master or person in charge of a vessel is responsible for the welfare of any animals that are being transported in accommodation provided by the vessel. The master may refuse to transport sick, wild, or unmanageable animals. The master may also refuse to transport any vehicle considered to be unsafe for, or presenting a risk to, the animals it carries.

See summary of regulations appended to this Code:

- Regulation 37 - Prohibition on transporting young calves by sea across Cook Strait.

Minimum Standard No. 12 – Transport within New Zealand Waters

- (a) For a journey longer than 24 hours (including any travel on land), the following requirements relating to the provision of food and water must be met:
- i) ruminants must be held off pasture, with water and dry feed provided, for a minimum of 12 hours before travel; and
 - ii) animals must be loaded in such a manner that they can be provided with food and water on board, unless they are to be unloaded for feeding and watering; and
 - iii) food and water must be available to all animals on board after departure, or at resting points if animals are to be unloaded for feeding and watering; and
 - iv) food and water consumption must be monitored and recorded daily; and
 - v) animals must be loaded to a density that allows them to rise unassisted and move freely within the pen to access food and water.

- (b) The driver and/or stock attendant must be available during the voyage to provide care during transit. The master must allow these people access to the animals for inspections and appropriate treatment, if circumstances allow.
- (c) Drivers of vehicles on a roll-on roll-off vessel must carry out an inspection of animals before leaving the vehicle deck at the start of the sea journey and before driving the vehicle off or within 15 minutes after leaving the vessel.
- (d) Ventilation or oxygenation, including ventilation in enclosed vehicles and the vehicle deck on ships, must be sufficient to maintain air or water quality and air or water temperature at levels that avoid pain, distress or lasting harm.
- (e) If animals are shipped on unmanned barges, there must be adequate provision for regular monitoring and any remedial action that is required, to ensure welfare is not compromised.

Example Indicators for Minimum Standard No. 12 – Transport within New Zealand Waters

- Absence of signs of distress or injury in animals on arrival
- Travel records completed
- Daily food and water consumption records completed
- Ruminants are held off pasture prior to travel and have dry feed and water available
- Contingencies are in place to provide isolation, treatment or euthanasia of injured or sick animals

Recommended Best Practice

- a) Trucks carrying animals on roll-on roll-off vessels should be on the vessel for the least amount of time possible (i.e. last on and first off).
- b) Vehicles and containers should be equipped with a sufficient number of adequately designed, positioned and maintained securing points enabling them to be securely fastened to the vessel.
- c) Vehicles and containers should be secured to the ship before the start of the sea journey to prevent them from being displaced by the motion of the vessel.
- d) Livestock carried in pens on sea-going vessels (including ships and barges) should be inspected within 30 minutes of the start of a journey and then all animals should be inspected at least every hour.
- e) Livestock should not be shipped in unmanned barges.
- f) Additional guidance on the shipping of animals from the Chatham Islands, including Pitt Island, is available in the 'Sea Transport of Animals to and from the Chatham Islands' guidelines¹. Transport of animals to and from the Chatham Islands, including Pitt Island, should be conducted according to the recommendations contained in the Guidelines.

General Information

If animals have to be transported on open barges, the requirements for conveyances and protection from the weather and adverse conditions apply.

Weather conditions can lengthen the time animals are on a vessel. Where voyages are likely to take more than 24 hours, special attention should be paid to the cartage and provision of food and water.

During rough weather at sea, the level of inspection will be dictated by safety requirements for the crew. Livestock are more likely to fall down during rough weather so inspections need to be carried out as soon as conditions allow and appropriate remedial measures taken. Assistance with downed, injured or distressed animals needs to be sought as soon as the vessel docks if on-board assistance has been unsuccessful. If necessary, injured animals need to be destroyed without delay.

¹ Contact MPI for further information about the Guidelines

8.4 Transport of Animals by Air

Introduction

Other sections of this Code of Welfare also apply to persons and companies involved in transporting animals by air within New Zealand territory.

International Air Transport Association (IATA) Live Animal Regulations are the minimum acceptable standard for all carriers. As these regulations are continually being updated, it is important to ensure that the current edition of the regulations is used.

Part 9: Transport in Emergencies

There will be occasions where animals need to be transported to safety in the event of emergency or natural disaster. The minimum standards in this Code of Welfare are intended to protect animal welfare during all transport, including transport in emergencies. However, the Animal Welfare Act does provide for extenuating circumstances in the application of codes of welfare. Any decision on whether to transport animals in these situations needs to be based on what is best for the overall welfare of the animals. The need for transport has to be weighed up against the potential negative effects and steps taken to minimise the impacts on the animals as much as possible in the circumstances.

Recommended Best Practice

- a) Owners and persons in charge of animals should have a documented plan that provides for transport to safety in the event of an emergency for every animal that they are responsible for.
- b) Appropriate veterinary advice and/or supervision of suffering or weak animals should be sought during transport in emergencies.

General information

Information is available on the internet on features to consider in developing a plan for managing animals, including transport, in the event of emergencies and natural disasters (e.g. see MPI's website here: <http://www.mpi.govt.nz/protection-and-response/responding/adverse-events/> or the American Veterinary Medical Foundation: www.avma.org/disaster/).

Part 10: Emergency Humane Destruction

Introduction

Animals may become injured during transport and it may be necessary to humanely kill an animal before it reaches its destination in order to prevent the animal suffering further pain or distress. This is particularly true where there is likely to be an unacceptable delay in treating the source of pain, where the pain is untreatable, or where transportation of the animal would perpetuate or aggravate the condition to a significant extent.

For killing to be humane, brain activity needs to cease as rapidly and as painlessly as possible, and death must ensue as soon as possible. Different species require different killing methods. Advice on the most appropriate method for the animal being transported and the conditions under which emergency killing is required needs to be sought prior to travel. Requirements for various species are contained in codes of welfare, where these exist.

Minimum Standard No. 13 – Emergency Humane Destruction

- (a) Equipment kept for emergency humane destruction must be well maintained in order to operate efficiently.
- (b) Animals to be killed must be handled, restrained and killed in a manner that minimises unnecessary pain and distress prior to death.
- (c) Animals being killed must be rapidly rendered insensible and remain in that state, until death has occurred.
- (d) The spinal cord must not be severed or broken in any hoofed animal, until death has occurred.
- (e) Animals rendered insensible by a blow to the head or a shot to the brain from a firearm must be bled out immediately to ensure death occurs before recovery from stunning.
- (f) Animals to which the definition of calf in regulation 8(3) of the Animal Welfare (Care and Procedures) Regulations 2018 applies must not be killed by the use of blunt force to the head except in the circumstances described in regulation 8(1) of those regulations.

Example Indicators for Minimum Standard No. 13 – Emergency Humane Destruction

- Documented training and equipment maintenance records are kept

Recommended Best Practice

- a) Instances of emergency humane destruction during transport should be recorded and followed up, with the cause of the injury or illness confirmed, so that risks can be identified and rectified.

General Information

There is information on the most appropriate methods of humane emergency destruction in some species-specific codes of welfare.

Part 11: Quality Management

Introduction

Welfare assurance or quality management schemes that provide for minimum standards, and recommended best practices where these are deemed appropriate for particular cases, provide assurance to consumers and organisations responsible for auditing compliance that a strong emphasis is being placed on the welfare of animals. They can also help in the development of industry-wide policies on animal welfare and the improvement of animal welfare.

Recommended Best Practice

- a) To ensure that standards of animal welfare and husbandry are maintained, transport operators, industry organisations and other representative organisations should have a quality assurance system that provides documented procedures.
- b) The elements of the quality assurance system should provide for the minimum standards and, where possible, the recommendations for best practice of this Code.
- c) The quality assurance system should provide for all incidents resulting in significant sickness, injury or death of animals to be investigated and documented. Where the results of an investigation may have implications for current industry management practices, a report outlining the incident and implications should be forwarded to the appropriate industry body for consideration.
- d) The quality assurance system should require continual review of existing systems, procedures and training schedules that could enhance the welfare of animals during transport.
- e) The quality assurance system should include a record of issues identified and the remedial action taken.
- f) The quality assurance system should include a record of training.

General Information

The adoption or adaptation of an industry generic quality assurance programme can be used to meet these recommendations. This can be particularly useful in special cases (e.g. transport from the Chatham Islands to the mainland) or where animals have particular needs (e.g. poultry, pigs, laboratory animals).

While the quality system should be based on the general principles of Standard AS/NZS ISO 9002 or similar, it is not essential that the quality system be certified under the JASANZ (Joint Accreditation Standards for Australia and New Zealand) certification scheme.

Schedule I – Interpretation and Definitions

Act

The Animal Welfare Act 1999.

animal

As defined in the Act:

- a) Means any live member of the animal kingdom that is –
 - i) A mammal; or
 - ii) A bird; or
 - iii) A reptile; or
 - iv) An amphibian; or
 - v) A fish (bony or cartilaginous); or
 - vi) Any octopus, squid, crab, lobster, or crayfish (including freshwater crayfish); or
 - vii) Any other member of the animal kingdom which is declared from time to time by the Governor-General, by Order in Council, to be an animal for the purposes of the Act; and
- b) Includes any mammalian foetus, or any avian or reptilian pre-hatched young, that is in the last half of its period of gestation or development; and
- c) Includes any marsupial pouch young; but
- d) Does not include –
 - i) A human being; or
 - ii) Except as provided in paragraph (b) or paragraph (c), any animal in the pre-natal, pre-hatched, larval, or other such developmental stage.

available technology

NAWAC takes to mean technologies which are used practically to care for and manage animals, for example, existing chemicals, drugs, instruments, devices and facilities.

container

Any enclosure used to transport animals, including crates, cages or pens.

conveyance

Means of carrying the container or animal (ship, truck, etc.).

electric prodder

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

goad

An object used to make an animal move, but does not include an electric prodder.

good practice

NAWAC takes to mean a standard of care that has a general level of acceptance among knowledgeable practitioners and experts in the field; is based on good sense and sound judgement; is practical and thorough; has robust experiential or scientific foundations; and prevents unreasonable or unnecessary harm to, or promotes the interests of, the animals to which it is applied. Good practice also takes account of the evolution of attitudes about animals and their care.

husbandry

Care and management practices in animal production.

ill-treat

As defined in the Act: “in relation to an animal, means causing the animal to suffer, by any act or omission, pain or distress that in its kind or degree, or in its object, or in the circumstances in which it is inflicted, is unreasonable or unnecessary.”

journey

The period from first loading for travel, through to unloading at the destination, including any rest periods (with or without unloading and loading).

lame cattle, deer, pigs, sheep, and goats

A cattle beast, deer, or pig that—

- a) is not weight bearing on 1 or more limbs when moving or standing; or
- b) has a definite limp (shortened stride) that is clearly identifiable to a limb or limbs, with weight placed on the limb or limbs significantly reduced.

A cattle beast, deer, or pig with a limp is not lame if the cause of the limp is a non-painful condition (such as a conformational fault, a gait abnormality, or a healed injury) and the animal is able to bear weight (although not necessarily evenly) on all 4 limbs.

A sheep or goat is lame if—

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

minimum standards

Minimum standards provide the details of specific actions people need to take in order to meet the obligations in the Act. They are identified in the text by a heading, and generally use the word “must” or similar. They are highlighted in boxes within the text.

owner

As defined in the Act: “in relation to an animal, includes the parent or guardian of a person under the age of 16 years who –

- a) Owns the animal; and
- b) Is a member of the parent’s or guardian’s household living with and dependent on the parent or guardian.”

person in charge

As defined in the Act: “in relation to an animal, includes a person who has an animal in that person’s possession or custody, or under that person’s care, control, or supervision.”

recommended best practice

NAWAC takes to mean the best practice agreed at a particular time, following consideration of scientific information, accumulated experience and public submissions on this Code. It is usually a higher standard of practice than the minimum standard, except where the minimum standard is best practice. It is a practice that can be varied as new information comes to light. Recommendations for best practice will be particularly appropriate where it is desirable to promote or encourage better care for animals than is provided as a minimum standard.

Recommended best practices are identified in the text by a heading, and generally use the word “should”.

seriously injure

To cause—

- a) external bleeding or extensive internal bruising; or
- b) bleeding or broken horns; or
- c) bleeding, discharging, or broken velvet antlers or pedicles.

scientific knowledge

NAWAC takes to mean knowledge within animal-based scientific disciplines, especially those that deal with nutritional, environmental, health, behavioural and cognitive/neural functions, which are relevant to understanding the physical, health and behavioural needs of animals. Such knowledge is not haphazard or anecdotal; it is generated by rigorous and systematic application of the scientific method, and the results are objectively and critically reviewed before acceptance.

stock crate

A container designed to hold animals during transport.

stockhandler

A person who undertakes the immediate day-to-day husbandry tasks associated with management and care of animals.

transport operator

The manager of the facility or conveyance being utilized to contain or transport animals.

*Schedule 1 **electric prodder**: replaced on 27 August 2020 by section 25(1) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020.*

Schedule II – Animal Welfare Check List

The following are suggestions for information that can be used in animal welfare check list to ensure that relevant information is to hand in the event of emergencies. The list can also be useful for reference when diagnosing the cause of problems in order to minimise future risks to animal welfare. Commercial transporters can collate this information on a form and hold with other consignment papers for ease of reference.

- Name of transport company
- Name(s) of animal owner / agent / consignor
- Owner / consignor / agent contact details
- Owner / consignor / agent contact details for emergencies
- Owner / consignor / agent alternative contact in event of emergency
- Owner / consignor / agent veterinarian emergency contact details
- Name of driver(s)
- Briefed on contingency plan? Yes/No
- Journey origin (first pickup) including address
- Journey destination including address
- Journey start (first pickup) time / date
- Type of animals being carried (sheep / beef / deer / horses etc.)
- Status or class (wethers / steers / weaners etc.)
- How many animals of each class?
- Number / identification of animals with special status (e.g. pregnant / third trimester of pregnancy / unweaned / biosecurity measures / horned / carrying full antler / entire etc.)
- List the veterinary certificates attached
- When were animals last watered before travel (if known)
- When were animals last fed before travel (if known)
- Feeding / watering while underway location / time
- Rest stops location / time (animals unloaded: yes/no)

Appendix of extracts from the Animal Welfare (Care and Procedures) Regulations 2018

Although efforts to include relevant regulations within this Code have been made, there may be other regulations which are relevant to you. The full list of all animal welfare regulations should be consulted where appropriate (see www.legislation.govt.nz).

2 Commencement

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

3 Interpretation

- (1) In these regulations, unless the context otherwise requires,—
 - off farm**, in relation to a calf, means off the property on which the calf was born or resides
 - pain relief** means any analgesic or local anaesthetic drugs (or both) administered with the aim of providing significant alleviation of pain
 - slaughter premises** means premises designed and operated for the purpose of, or for purposes that include, slaughtering animals
 - transporter** means a person who is in charge of an animal only for the purpose of transport
 - young calf** means a bovine that is up to 14 days of age and has been separated from its mother.

8 Prohibition on killing calves by blunt force to head

- (1) A person must not kill a calf by using blunt force to the head unless—
 - a) the calf is in severe pain or distress and, as a result, requires immediate humane destruction; and
 - b) there is no reasonably practicable alternative to the use of blunt force available.
- (2) A person who fails to comply with this regulation commits an offence and is liable on conviction,—
 - a) in the case of an individual, to a fine not exceeding \$3,000;
 - b) in the case of a body corporate, to a fine not exceeding \$15,000.
- (3) In this regulation,—
 - blunt force** does not include the firing of a firearm (as defined in section 2(1) of the Arms Act 1983)
 - calf** means a bovine that has not had milk (or milk replacer) permanently removed from its diet.

9 Maximum time young calves may be off feed before slaughter

- (1) A person in charge of a young calf being held at slaughter premises for slaughter must ensure that the calf is slaughtered as soon as possible after its arrival at the premises.
- (2) If it is not possible to slaughter a young calf within 24 hours after the calf was last fed on the farm on which it resided, the person in charge of the calf at the slaughter premises must,—

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

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

- (1) This regulation applies if a young calf—
- a) is being held at a location before being transported off farm for the purpose of sale or slaughter or as a result of sale (other than the location at which the calf is normally housed on the farm); or
 - b) is being held at a location off farm while awaiting sale or slaughter.
- (2) The owner of, and every person in charge of, the calf must—
- a) ensure that the calf has access to shelter that—
 - i) is ventilated to the extent that there is no threat to the health or welfare of the calf due to insufficient ventilation; and
 - ii) provides protection from adverse weather, including precipitation and extremes of heat and cold; and
 - iii) enables the calf to stand up and lie down in a natural posture; and
 - b) ensure that faeces and urine do not accumulate in the shelter to an extent that may pose a threat to the health or welfare of the calf.
- (3) A person who fails to comply with this regulation commits an offence and is liable on conviction,—
- a) in the case of an individual, to a fine not exceeding \$2,000;
 - b) in the case of a body corporate, to a fine not exceeding \$10,000.

15 Dogs on moving motor vehicles

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

- (4) The offence in subclause (3) is an infringement offence with an infringement fee of \$300.
- (5) For the purpose of section 162(1) of the Animal Welfare Act 1999, an inspector has reasonable cause to believe that a person has committed an infringement offence if the person is the owner of the motor vehicle involved in the failure to comply with this regulation.
- (6) In this regulation,—
all-terrain vehicle means a motor vehicle (with or without motorcycle controls and equipment) that—
 - a) is principally designed for off-road use; and
 - b) has 3 or more wheels; and
 - c) has an engine capacity exceeding 50 ml; and
 - d) has a dry weight of less than 500 kg
- (7) **moped, motor vehicle, and motorcycle** have the same meanings as in section 2 of the Land Transport Act 1998.

30 Prevention of injury

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

31 Transport of animals with horns and antlers

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

32 Prevention of back-rub

- (1) A person must not transport a cattle beast, deer, sheep, goat, or pig in a manner that causes back-rub.

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

33 Ensuring young calves are fit for transport

- (1) The owner of, and every person in charge of, a young calf must not transport the calf, or allow the calf to be transported, off farm for the purpose of sale or slaughter or as a result of sale unless the calf is at least 4 full days (96 hours) of age.
- (2) The owner of, and every person in charge of, a young calf must not transport the calf, or allow the calf to be transported, off farm for the purpose of sale or slaughter or as a result of sale unless—
- a) the calf is free from signs of any injury, disease, disability, or impairment that could compromise the calf's welfare during the journey; and
 - b) the calf is alert and able to—
 - i) rise from a lying position; and
 - ii) stand and bear weight evenly on all 4 limbs; and
 - iii) move freely; and
 - iv) protect itself from being trampled and from being injured by other calves; and
 - c) the calf's hooves are firm, worn flat, and not bulbous with soft unworn tissue; and
 - d) the calf's navel cord is shrivelled and not pink or red coloured, raw, or fleshy.
- (3) However, subclause (2)(a) and (b) does not apply if the owner of, or person in charge of, the young calf has a veterinary declaration that the calf is fit for transport.
- (4) The owner of, and every person in charge of, a young calf that is being transported or is to be transported off farm for the purpose of sale or slaughter or as a result of sale must have a system in place that, if followed, will ensure compliance with this regulation.
- (5) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction to a fine not exceeding,—
- a) in the case of an individual, \$1,500; or
 - b) in the case of a body corporate that has been issued an infringement notice for the offence, \$1,500; or
 - c) in the case of a body corporate that has not been issued an infringement notice for the offence (because proceedings in respect of the infringement offence have been commenced by filing a charging document), \$7,500.
- (6) The offence in subclause (5) is an infringement offence with an infringement fee of \$500.

34 Maximum duration of transport for young calves

- (1) A person in charge of a young calf must not transport the calf unless the total duration of the journey from the point of loading the calf onto the vehicle to the point of arrival at the final destination of the journey is no more than 12 hours.

- (2) A person in charge of a young calf who transports young calves must have a system in place that, if followed, will ensure compliance with subclause (1).
- (3) A person who fails to comply with subclause (1) commits an offence and is liable on conviction,—
 - a) in the case of an individual, to a fine not exceeding \$5,000;
 - b) in the case of a body corporate, to a fine not exceeding \$25,000.

35 Requirements for loading and unloading facilities used with young calves

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

36 Shelter requirements for young calves during transportation

- (1) A person in charge of a vehicle must not transport a young calf off farm for the purpose of sale or slaughter or as a result of sale unless—
 - a) the vehicle provides shelter that—
 - i) is ventilated to the extent that there is no threat to the health or welfare of the calf due to insufficient ventilation; and
 - ii) provides protection from adverse weather, including precipitation and extremes of heat and cold; and
 - iii) enables the calf to stand up and lie down in a natural posture; and

- b) the person ensures that faeces and urine do not accumulate in the vehicle to an extent that may pose a threat to the health or welfare of the calf.
- (2) A person who fails to comply with this regulation commits an offence and is liable on conviction,—
- a) in the case of an individual, to a fine not exceeding \$2,000;
 - b) in the case of a body corporate, to a fine not exceeding \$10,000.

37 Prohibition on transporting young calves by sea across Cook Strait

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

38 Restrictions on transporting animals with ingrown horns

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

39 Restrictions on transporting animals with injured horns or antlers

- (1) This regulation—
- a) applies in respect of an animal with a bleeding, discharging, or broken (and unhealed) velvet antler, horn, or pedicle; but
 - b) does not apply in respect of a deer if the bleeding or discharge is a result of the deer naturally casting its antlers.
- (2) The owner of, and every person in charge of, an animal in respect of which this regulation applies must not transport the animal, or allow the animal to be transported, unless—
- a) the animal is accompanied by a veterinary certificate that states that the animal is fit for transport; or

- b) the animal is accompanied by a veterinary certificate that specifies conditions that must be complied with to manage the animal welfare risks associated with the transport and the owner, or person in charge, complies with all relevant conditions; or
 - c) the animal is a deer to which subclause (4) applies.
- (3) However, the owner of, or person in charge of, the animal may, for the purpose of treatment, transport the animal—
- a) within the property on which the animal resides; or
 - b) to another property (not being slaughter premises), part or all of which is less than 20 km from the boundary of the property on which the animal resides.
- (4) The owner of, or person in charge of, a deer to which this regulation applies may transport the deer, or allow the deer to be transported, to a slaughter premises if—
- a) the deer is a yearling deer (that is, it is not over 12 months of age or has its first set of antlers); and
 - b) this regulation applies because the deer's first set of velvet antlers were removed; and
 - c) rubber rings designed for the purpose of inducing analgesia during velvet antler removal were used for pain relief and are still attached to the deer; and
 - d) the deer arrives at the slaughter premises no later than 72 hours after the velvet antlers were removed.
- (5) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding \$1,500.
- (6) The offence in subclause (5) is an infringement offence with an infringement fee of \$500.

40 Restrictions on transporting lame animals

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

- ii) the animal has a definite limp (shortened stride) that is clearly identifiable to a limb or limbs, with weight placed on the limb or limbs significantly reduced:
- b) a cattle beast, deer, or pig is not **lame** if the cause of the limp is a nonpainful condition (such as a conformational fault, a gait abnormality, or a healed injury) and the animal is able to bear weight (although not necessarily evenly) on all 4 limbs:
- c) a sheep or goat is **lame** if—
 - i) the animal is not weight bearing on 1 or more limbs when moving or standing; or
 - ii) the animal has difficulty walking and holds its head below its backline almost continuously.

41 Restrictions on transporting animals in late pregnancy

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

42 Restrictions on transporting animals with injured or diseased udders

- (1) This regulation applies in respect of a cattle beast, sheep, or goat that has—

- a) a necrotic udder; or
 - b) an udder that has a discharge other than milk; or
 - c) an udder that shows signs of inflammation (such as being red, hot, or swollen); or
 - d) an udder with a lesion that is bleeding or discharging.
- (2) The owner of, and every person in charge of, an animal to which this regulation applies must not transport the animal, or allow the animal to be transported, unless—
- a) the animal is accompanied by a veterinary certificate that states that the animal is fit for transport; or
 - b) the animal is accompanied by a veterinary certificate that specifies conditions that must be complied with to manage the animal welfare risks associated with the transport and the owner, or person in charge, complies with all relevant conditions.
- (3) However, the owner of, or person in charge of, the animal may, for the purpose of treatment, transport the animal—
- a) within the property on which the animal resides; or
 - b) to another property (not being slaughter premises), part or all of which is less than 20 km from the boundary of the property on which the animal resides.
- (4) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding,—
- a) in the case of an individual, \$1,500; or
 - b) in the case of a body corporate that has been issued an infringement notice for the offence, \$1,500; or
 - c) in the case of a body corporate that has not been issued an infringement notice for the offence (because proceedings in respect of the infringement offence have been commenced by filing a charging document), \$7,500.
- (5) The offence in subclause (4) is an infringement offence with an infringement fee of \$500.

43 Restrictions on transporting animals with eye cancer

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

44 Certain regulations do not apply to transporters

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

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

- (1) A transporter who transports an animal to which any of regulations 38 to 43 apply and that is accompanied by a veterinary certificate must comply with any relevant conditions specified in the certificate.
- (2) A transporter who transports a yearling deer to which regulation 39(4) applies must ensure that the deer arrives at the slaughter premises no later than 72 hours after the deer's velvet antlers were removed.
- (3) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding \$1,500.
- (4) The offence in subclause (3) is an infringement offence with an infringement fee of \$500.

48 Use of electric prodders

- (1) A person must not use an electric prodder on any animal, except—
 - a) on cattle that weigh over 150 kg; or
 - b) during loading or unloading for transport, on pigs that weigh over 150 kg; or
 - c) during loading of a stunning pen at any slaughter premises, on pigs that weigh over 150 kg; or
 - d) during loading of a stunning pen at any slaughter premises, on deer of any weight.
- (2) If an electric prodder is used on an animal where permitted by subclause (1),—
 - a) the prodder may be used only on the muscled areas of the animal's hindquarters or forequarters; and
 - b) the animal must have sufficient room to move away from the prodder.
- (3) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding,—
 - a) in the case of an individual, \$1,500; or
 - b) in the case of a body corporate that has been issued an infringement notice for the offence, \$1,500; or
 - c) in the case of a body corporate that has not been issued an infringement notice for the offence (because proceedings in respect of the infringement offence have been commenced by filing a charging document), \$7,500.
- (4) The offence in subclause (3) is an infringement offence with an infringement fee of \$500.
- (5) In this regulation, electric prodder—
 - a) means a device that is capable of delivering an electric shock to make an animal move; but
 - b) does not include electric stunners used to stun an animal immediately prior to slaughter.

49 Prodding animals in sensitive areas

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

Regulation 58 comes into force on 1 October 2019:

58 Dehorning cattle beasts

- (1) A person must not dehorn a cattle beast unless throughout the procedure the cattle beast is under the influence of an appropriately placed and effective local anaesthetic that is authorised by a veterinarian for the purpose of the procedure.
- (2) The owner of, and every person in charge of, a cattle beast must not allow the beast to be dehorned in breach of subclause (1).
- (3) A person who dehorn a cattle beast must—
 - a) be experienced with, or have received training in, the correct use of the method being used; and
 - b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
- (4) The owner of, and every person in charge of, a cattle beast that is to be dehorned must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—
 - a) has suitable equipment; and
 - b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.
- (5) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction,—
 - a) in the case of an individual, to a fine not exceeding \$5,000; or
 - b) in the case of a body corporate, to a fine not exceeding \$25,000.
- (6) In this regulation, **dehorn**—
 - a) means to remove the horn or part of the horn (including any regrowth after disbudding) from a cattle beast by amputation; but
 - b) does not include—
 - i) removal of the hard insensitive tip of the horn resulting in a blunt hard end; or
 - ii) removal of an ingrown horn (as described in regulation 38(4)) within 3 cm of the point where the horn touches or breaks the surface of the skin or touches the eyelid or surface of the eye.