



OIA20-0100

Rebecca Ong
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Dear Rebecca Ong

Thank you for your email of 24 February 2020 relating the Animal Welfare Act 1999 and specific Codes of Welfare. Your request has been considered under the Official Information Act 1982.

You requested:

- 1. Full versions of the assessments for the layer hen code of welfare, pig code of welfare, dairy cattle code of welfare and the meat chicken code of welfare that came out of the February 2015 meeting of the working group wherein MPI undertook a process to identify what matters would be appropriate to be considered for regulations, specifically identifying whether there were existing activities that were disallowed or transitional requirements within codes of welfare.*

During the development of animal welfare regulations under the Animal Welfare Act 1999, consideration was given to 'disallowance provisions' (also known as prohibitions) and 'transitional requirements' (the gradual phasing-out of a particular practice over time).

The Animal Welfare Amendment Act (No. 2) 2015 enabled the Ministry for Primary Industries (MPI) to develop regulations to make directly enforceable standards, provide clarity around specific surgical procedures, and to prioritise regulatory intervention in areas that will achieve the most animal welfare benefits. The delivery of these regulations have been split into three legislative packages. The first two packages make up the Animal Welfare (Care and Procedures) Regulations 2018 and the final package is intended to be completed and in force from 9 May 2021.

MPI undertook an extensive process to identify what matters would be appropriate to be considered for regulation, involving the review of approximately 1,200 existing minimum standards and requirements in codes of welfare. Codes of welfare are issued by the Minister on the recommendation of the National Animal Welfare Advisory Committee (NAWAC). NAWAC was established by the Act to advise the Minister on animal welfare matters including the development of codes of welfare and recommending regulations. Codes of welfare set out a range of minimum standards together with examples of recommended best practice.

In considering potential regulation, MPI consulted with and drew on the experience and knowledge of a joint working group comprising of the Royal Society for the Prevention of Cruelty to Animals (SPCA), NAWAC, the Veterinary Council of New Zealand (VCNZ), and MPI, as well as targeted stakeholder workshops. An overview of the consultation process is provided as Appendix One and includes a summary of the process to identify the regulatory proposals for consultation.

As part of the process of identifying what matters would be appropriate to be considered for regulation, specific attention was given to prohibitions and transitional provisions already in minimum standards of the codes of welfare. Relevant minimum standards were identified in

the pigs and layer hens codes of welfare and were considered for regulation that included prohibitions and transitional provisions. Appendices two, three, four, five and six include the work MPI undertook to identify matters to progress to public consultation, which are in scope of your request.

Please note that relevant Cabinet papers, ministerial briefings and policy documents that were developed post-consultation are publically available on MPI's website:
<https://www.mpi.govt.nz/news-and-resources/consultations/consultation-on-proposed-animal-welfare-regulations/>.

2. *Whether there are any further documents or correspondence (e.g. explanatory notes, cabinet papers, ministerial briefings, policy documents, drafting history and internal communications) referring to practices that might be the subject of regulations under s 183A since the promulgation of the Animal Welfare (Care and Procedures) Regulations 2018 - particularly in relation to layer hens and meat chickens.*

MPI can advise that there have been no further regulations developed, and empowered under section 183A of the Animal Welfare Act 1999, since the Animal Welfare (Care and Procedures) Regulations came into force in 2018 relating to layer hens and meat chickens.

Please note that internal correspondence (emails) has not been included relating to this matter. Due to the extensive nature of this project, identifying and collating all correspondence would be a substantive undertaking, as this project ran over five years and involved a large number of employees. In addition, emails on these matters would likely be administrative in nature and would be unlikely to provide any further detail on this subject.

The information provided in the appendices give an accurate summary of the discussion and analysis on this issue. Therefore, internal communications on this matter are refused under section 18(f) of the OIA, *that the information requested cannot be made available without substantial collation or research.*

Some information in the material released to you has been withheld under section 9(2)(a) of the OIA *to protect the privacy of natural persons*. MPI is satisfied that in the circumstances of this case, the withholding of the information is not outweighed by other considerations which render it desirable in the public interest to make the information available.

I trust the information provided is of assistance. Should you have any concerns with this response, I would encourage you to raise these with the Ministry for Primary Industries at Official.InformationAct@mpi.govt.nz. Alternatively, you are advised of your right to also raise any concerns with the Office of the Ombudsman. Contact details are: Office of the Ombudsman, PO Box 10152, Wellington 6143 or at info@ombudsman.parliament.nz.

Yours sincerely



Grace Campbell-Macdonald
Director, Biosecurity and Animal Welfare Policy