

Transport within New Zealand

Animal Welfare (Transport within New Zealand) Code of Welfare 2011

A code of welfare issued under the Animal Welfare Act 1999

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National Animal Welfare Advisory Committee
C/- Animal Welfare Standards, MAF New Zealand, PO Box 2526, Wellington 6140

Preface

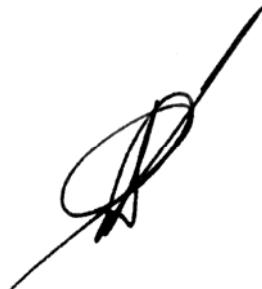
The Animal Welfare Act 1999 came into force on 1 January 2000. It establishes the fundamental obligations relating to the care of animals. These obligations are written in general terms. The detail is found in codes of welfare. Codes set out minimum standards and recommendations relating to all aspects of the care of animals. They are developed following an extensive process of public consultation and are reviewed every 10 years, or sooner if necessary.

I recommend that all those who care for animals become familiar with the relevant codes. This is important because failure to meet a minimum standard in a code could lead to legal action being taken.

I issue codes on the recommendation of the National Animal Welfare Advisory Committee. The members of this committee collectively possess knowledge and experience in veterinary science; agricultural science; animal science; the commercial use of animals; the care, breeding and management of companion animals; ethical standards and conduct in respect of animals; animal welfare advocacy; the public interest in respect of animals; and environmental and conservation management.

The Animal Welfare (Transport within New Zealand) Code of Welfare 2011 is issued by me, by a notice published in the *Gazette* on 15 September 2011, under section 75 of the Animal Welfare Act 1999. This code comes into force on 16 September 2011.

This code is deemed to be a regulation for the purposes of the Regulations (Disallowance) Act 1989 and is subject to the scrutiny of Parliament's Regulations Review Committee.

A handwritten signature in black ink, appearing to read "Hon David Carter".

Hon David Carter
Minister of Agriculture

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1. Introduction

1.1 What is the purpose of this code of welfare?

Transport can cause significant distress to animals. The purpose of this code is to describe the minimum standards of care and management that need to be met when transporting animals and to encourage all those responsible for transportation of animals to adopt the highest standards of husbandry, care and handling, and to equal or exceed the minimum standards.

The minimum standards in this code have a legal effect under the Animal Welfare Act 1999 (the Act) (see Appendix III: Legislative Requirements). They set out the minimum standard of care which owners or persons in charge of animals need to achieve in order to meet their obligations under the Animal Welfare Act during transport. Suggested indicators do not have a legal effect but they can be used to determine whether minimum standards are being met. The recommendations for best practice are intended to encourage standards of care over and above the minimum. Advice is given throughout this code which is designed to encourage owners and operators to strive for a high level of welfare. Explanatory material is provided where appropriate.

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 Section 11 Quality Management).

1.2 Who does this code apply to?

This code sets out the responsibilities of all persons undertaking the transport of all live animals within New Zealand in all forms of conveyance whether on land, in domestic airspace or New Zealand territorial and inland waters (including shipping to and from the Chatham Islands).

Under the Act the “owner” and the “person in charge” of an animal are responsible for meeting the legal obligations for animal welfare. 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 Animal Welfare Act are met. See also Appendix III: Legislative Requirements.

1.3 What animals does this code apply to?

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 MAF guidelines.

1.4 What happens if I do not follow the minimum standards in this code?

Failure to meet a minimum standard in this code may be used as evidence to support a prosecution for an offence under the Animal Welfare Act. A person who is charged with such an offence can defend him or herself by showing that he or she has equalled or exceeded the minimum standards in this code. There are offences in the Animal Welfare Act relating specifically to transport. There are also provisions relating to the liability of employers, principals and directors and officers of bodies corporate. See Appendix III: Legislative Requirements.

The recommendations for best practice in this code have no legal effect and are included to encourage higher standards of animal welfare.

1.5 How does this code relate to other codes of welfare?

Other codes of welfare should be consulted where appropriate (see Appendix IV: Codes of Welfare and the Ministry of Agriculture and Forestry website at: www.biosecurity.govt.nz/animal-welfare). 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/>).

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 (see Appendix III: Legislative Requirements). 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 Section 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 Section 11 Quality Management).

General Information

Information on qualifications and accredited training providers is available from industry representative organisations (such as Tranzqual ITO <http://www.tranzqual.org.nz/>).

3. Equipment

This section 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.

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.

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.

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.

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 Appendix I: 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.

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.

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.

Minimum Standard No. 5 – Preparation of Animals for Transport

- (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.**
- (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.**

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)
- Antler is less than 110mm in length, unless deer are being otherwise managed to avoid injury (see below)
- 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 tranquillisers) 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, <http://www.rcaforum.org.nz/industry-code-of-practice/>). 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.

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

- Proper care must be taken when deciding whether it is appropriate to transport young, old, pregnant or otherwise physiologically or behaviourally compromised animals.**
- 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.**
- Animals must not be transported unless they are fit enough to withstand the entire journey without suffering unreasonable or unnecessary pain or distress.**
- Animals to be transported must be able to stand and to bear weight evenly on all limbs.**
- Animals with horns or antlers of a length that may cause injury or be damaged must not be transported, except where special provision is made for such animals to be transported so that they do not cause injury and are not injured themselves.**
- Animals must not be transported with bleeding antler or horn stumps, or within seven days of being disbudded, dehorned, castrated, tail docked or having velvet antler removed, except yearling deer where approved rings have been used.**
- 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
- Hard or velvet antler of deer is no longer than 110 mm (with the exception of trophy stags), measured from the skull to the antler tip
- Animals have not been dehorned or develvetted 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:
 - the animal should be able to arrive at the destination in a state similar to that when loaded;
 - the need for pain relief;
 - the nature and duration of the journey should be taken into account and journey time should be minimised; and
 - 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. Calves:

- are strong enough to withstand the stress of travel;
- are healthy and free of disease, deformity, blindness or any disability;
- have been adequately fed on milk or colostrum;
- are alert and able to rise from a lying position and, once up, capable of moving freely and not listless and unable to protect themselves from trampling and being injured by other calves;
- have hooves that are firm and worn flat and not bulbous with soft unworn tissue;
- have a navel cord which is wrinkled, withered and shrivelled and not pink or red coloured, raw or fleshy; and
- are at least 4 days old.

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.

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, including electric prodders, 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) Goads must not be used on the most sensitive areas of animals, including eyes, nose, anus, vulva, udder and testicles.
- (e) Electric prodders must not be used on animals other than adult cattle.
- (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
- 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

- Loading should be supervised by animal handlers who should ensure that animals are loaded in a way that minimises pain, injury and distress.
- 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.
- 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).
- If it is necessary to use dogs, they should be under control at all times.
- 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.
- 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
<http://www.iata.org/ps/publications/Pages/live-animals.aspx>
- MAF sea transport standards <http://www.biosecurity.govt.nz/regs/exports/animals>.

7. The Journey

This section 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.

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, ocular / vision disorder to remove animals from the situation or improve ventilation or otherwise lower levels of noxious gas

7.2 Monitoring Animals

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.

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 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 MAF guidelines for sea transport (cattle, horses, sheep and deer: <http://www.biosecurity.govt.nz/regs/exports/animals>).

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.

Minimum Standard No. 11 – Transport by Road

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 flat bed 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. 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 section 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 MAF guidelines (<http://www.biosecurity.govt.nz/regs/exports/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.

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.

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.

¹ Contact MAF for further information about the Guidelines

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. <http://www.avma.org/disaster/>).

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 (see Appendix IV: Codes of Welfare).

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.

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 (see Appendix IV: Codes of Welfare).

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.

Appendix I: 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 (eg 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 II: Interpretation and Definitions

Act	The Animal Welfare Act 1999.
animal	<p>Means any member of the animal kingdom as defined below and includes the names in common use which refer to the males, females and young of the species.</p> <p>As defined in the Act:</p> <p>“(a) Means any live member of the animal kingdom that is –</p> <ul style="list-style-type: none">A mammal; orA bird; orA reptile; orAn amphibian; orA fish (bony or cartilaginous); orAny octopus, squid, crab, lobster, or crayfish (including freshwater crayfish); orAny 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 <p>(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</p> <p>(c) Includes any marsupial pouch young; but</p> <p>(d) Does not include –</p> <ul style="list-style-type: none">A human being; or <p>Except as provided in paragraph above, any animal in the pre-natal, pre-hatched, larval, or other such developmental stage.”</p>
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).
goad	An object, including an electric prodder, used to stimulate or prod an animal to make it move.

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).
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 – Owns the animal; and 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”.

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.

Appendix III: Legislative Requirements

The Animal Welfare Act 1999 (the Act) imposes obligations on every person who owns or is in charge of an animal. This code has been issued pursuant to section 75 of the Act and will provide guidance on how to comply with the legislative requirements. However, 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* the general provisions in the Act. A copy of the Act is accessible at: <http://www.legislation.govt.nz>.

Contents of Codes

Section 69 of the Act provides that a code of welfare may relate to one or more of the following:

- a species of animal
- animals used for purposes specified in the code
- animal establishments of a kind specified in the code
- types of entertainment specified in the code (being types of entertainment in which animals are used)
- the transport of animals
- the procedures and equipment used in the management, care or killing of animals or in the carrying out of surgical procedures on animals.

In deciding to issue a code of welfare, the Minister must be satisfied as to the following matters set out in section 73(1) of the Act:

- that the proposed standards are the minimum necessary to ensure that the purposes of the Act will be met
- that the recommendations for best practice (if any) are appropriate.

Despite the provisions of section 73(1), section 73(3) of the Act allows NAWAC, in exceptional circumstances, to recommend minimum standards and recommendations for best practice that do not fully meet the obligations of:

- sections 10 and 11 – obligations in relation to physical, health and behavioural needs of animals
- section 12(c) – killing an animal
- section 21(1)(b) – restriction on performance of surgical procedures
- section 22(2) – providing comfortable and secure accommodation for the transport of animals
- section 23(1) and (2) – transport of animals
- section 29(a) – ill-treating an animal.

In making a recommendation under section 73(3), section 73(4) requires NAWAC to have regard to:

- the feasibility and practicality of effecting a transition from current practices to new practices and any adverse effects that may result from such a transition
- the requirements of religious practices or cultural practices or both
- the economic effects of any transition from current practices to new practices.

This code provides for the physical, health and behavioural needs (as defined in section 4 of the Act) of animals being presented for slaughter. These needs include:

- proper and sufficient food and water
- adequate shelter
- opportunity to display normal patterns of behaviour

- physical handling in a manner which minimises the likelihood of unreasonable or unnecessary pain or distress
- protection from, and rapid diagnosis of, any significant injury or disease,

being a need which, in each case, is appropriate to the species, environment and circumstances of the animal.

This code also takes account of:

- good practice
- scientific knowledge
- available technology.

Legal Obligations of Owners and Persons in Charge of Animals

The owner or person in charge of an animal has overall responsibility for the welfare of the animal in his or her care. The legal obligations set out below are not an exhaustive list of the obligations in the Act.

- (a) The owner or person in charge of an animal must:
 - (i) ensure that the physical, health and behavioural needs of the animal are met in a manner that is in accordance with both good practice and scientific knowledge
 - (ii) where practicable, ensure that an animal that is ill or injured receives treatment that will alleviate any unreasonable or unnecessary pain or distress being suffered by the animal or that it is killed humanely.
- (b) The owner or person in charge of an animal must not without reasonable excuse:
 - (i) keep an animal alive when it is in such a condition that it is suffering unreasonable or unnecessary pain or distress
 - (ii) sell, attempt to sell or offer for sale, otherwise than for the express purpose of being killed, an animal, when it is suffering unreasonable or unnecessary pain or distress
 - (iii) desert an animal in circumstances in which no provision is made to meet its physical, health and behavioural needs.
- (c) No person may:
 - (i) ill-treat an animal
 - (ii) release an animal that has been kept in captivity, in circumstances in which the animal is likely to suffer unreasonable or unnecessary pain or distress
 - (iii) perform any significant surgical procedure on an animal unless that person is a veterinarian, or a veterinary student under the direct supervision of a veterinarian, or a person approved by a veterinarian
 - (iv) perform on an animal a surgical procedure that is not a significant surgical procedure (as defined by the Act) in such a manner that the animal suffers unreasonable or unnecessary pain or distress
 - (v) kill an animal in such a manner that the animal suffers unreasonable or unnecessary pain or distress.

Regulations Review Committee of Parliament

Codes of welfare are deemed to be regulations for the purposes of the Regulations (Disallowance) Act 1989. As such, they are subject to the scrutiny of the Regulations Review Committee of Parliament.

Any person or organisation aggrieved at the operation of a code of welfare has the right to make a complaint to the Regulations Review Committee, Parliament Buildings, Wellington.

This is a parliamentary select committee charged with examining regulations against a set of criteria and drawing to the attention of the House of Representatives any regulation that does not meet the criteria. Grounds for reporting to the House include:

- the regulation trespasses unduly on personal rights and freedoms;
- the regulation is not made in accordance with the general objects and intentions of the statute under which it is made; or
- the regulation was not made in compliance with the particular notice and consultation procedures prescribed by statute.

Any person or organisation wishing to make a complaint should refer to the publication *Making a Complaint to the Regulations Review Committee*, which can be obtained from the website:

<http://www.clerk.parliament.govt.nz>, or by writing to: Clerk of the Committee, Regulations Review Committee, Parliament Buildings, Wellington.

Strict Liability

In the prosecution of certain offences under the Animal Welfare Act 1999 committed after 19 December 2002, evidence that a relevant code of welfare was in existence at the time of the alleged offence and that a relevant minimum standard established by that code was not complied with is rebuttable evidence that the person charged with the offence failed to comply with, or contravened, the provision of the Animal Welfare Act to which the offence relates. (See sections 13(1A), 24(1) and 30(1A) of the Animal Welfare Act 1999, as amended by the Animal Welfare Amendment Act 2002.)

Defences

It is a defence in the prosecution of certain offences under the Animal Welfare Act 1999 if the defendant proves that there was in existence at the time of the alleged offence a relevant code of welfare and that the minimum standards established by the code of welfare were in all respects equalled or exceeded. (See sections 13(2)(c), 24(2)(b) and 30(2)(c).)

If a defendant in a prosecution intends to rely on the defence under section 13(2)(c) or 30(2)(c), the defendant must, within seven days after the service of the summons, or within such further time as the Court may allow, deliver to the prosecutor a written notice. The notice must state that the defendant intends to rely on section 13(2) or 30(2) as the case may be, and must specify the relevant code of welfare that was in existence at the time of the alleged offence, and the facts that show that the minimum standards established by that code of welfare were in all respects equalled or exceeded. This notice may be dispensed with if the Court gives leave. (See sections 13(3) and 30(3).)

The strict liability provisions and the defence of equalising or exceeding the minimum standards established by a code of welfare apply to the following offences:

Failing to Provide

Section 12(a): A person commits an offence who, being the owner of, or a person in charge of, an animal, fails to comply, in relation to the animal, with section 10 (which provides that the owner of an animal, and every person in charge of an animal, must ensure that the physical, health and behavioural needs of the animal are met in a manner that is in accordance with both good practice and scientific knowledge).

Suffering Animals

Section 12(b): A person commits an offence who, being the owner of, or a person in charge of, an animal, fails, in the case of an animal that is ill or injured, to comply, in relation to the animal, with section 11 (which

provides that the owner of an animal that is ill or injured, and every person in charge of such an animal, must, where practicable, ensure that the animal receives treatment that alleviates any unreasonable or unnecessary pain or distress being suffered by the animal).

Section 12(c): A person commits an offence who, being the owner of, or a person in charge of, an animal, kills the animal in such a manner that the animal suffers unreasonable or unnecessary pain or distress.

Surgical Procedures

Section 21(1)(b): A person commits an offence who, without reasonable excuse, acts in contravention of or fails to comply with section 15(4) (which provides that no person may, in performing on an animal a surgical procedure that is not a significant surgical procedure, perform that surgical procedure in such a manner that the animal suffers unreasonable or unnecessary pain or distress).

Transport

Section 22(2): A person commits an offence who fails, without reasonable excuse, to comply with any provision of section 22(1) (which provides that every person in charge of a vehicle or an aircraft, and the master of or, if there is no master, the person in charge of, a ship, being a vehicle, aircraft or ship in or on which an animal is being transported, must ensure that the welfare of the animal is properly attended to, and that, in particular, the animal is provided with reasonably comfortable and secure accommodation and is supplied with proper and sufficient food and water).

Section 23(1): A person commits an offence who, without reasonable excuse, confines or transports an animal in a manner or position that causes the animal unreasonable or unnecessary pain or distress.

Section 23(2): A person commits an offence who, being the owner of, or the person in charge of, an animal, permits that animal, without reasonable excuse, to be driven or led on a road, or to be ridden, or to be transported in or on a vehicle, an aircraft, or a ship while the condition or health of the animal is such as to render it unfit to be so driven, led, ridden or transported.

Ill-treatment

Section 29(a): A person commits an offence who ill-treats an animal.

Inspection of Premises

Section 127(1): Inspectors appointed under the Animal Welfare Act 1999 have the power to enter any land or premises (with the exceptions of dwellings and marae), or any vehicle, aircraft or vessel, at any reasonable time, for the purpose of inspecting any animal.

Inspectors include officers of MAF, inspectors from approved organisations (e.g. Royal New Zealand SPCA) appointed by the Minister, and the Police.

Liability of employers, principals, directors and officers of bodies corporate

Sections 164 and 165 of the Animal Welfare Act lay our further provisions relating to offences committed by employers and charges against bodies corporate.

Appendix IV: Codes of Welfare

Codes of Welfare

- Animal Welfare (Broiler Chickens: Fully Housed) Code of Welfare 2003
- Animal Welfare (Rodeos) Code of Welfare 2003
- Animal Welfare (Layer Hens) Code of Welfare 2005
- Animal Welfare (Zoos) Code of Welfare 2005
- Animal Welfare (Circuses) Code of Welfare 2005
- Animal Welfare (Painful Husbandry Procedures) Code of Welfare 2005
- Animal Welfare (Companion Cats) Code of Welfare 2007
- Animal Welfare (Deer) Code of Welfare 2007
- Animal Welfare (Dairy Cattle) Code of Welfare 2010
- Animal Welfare (Commercial Slaughter) Code of Welfare 2010
- Animal Welfare (Dogs) Code of Welfare 2010
- Animal Welfare (Sheep and Beef Cattle) Code of Welfare 2010
- Animal Welfare (Pigs) Code of Welfare 2010

Codes of Recommendations and Minimum Standards

- Sea Transport of Sheep from New Zealand, September 1991
- Welfare of Deer During the Removal of Antlers, July 1992, amended August 1994, August 1997
- Welfare of Horses, February 1993
- Care of Animals in Boarding Establishments, August 1993
- Sale of Companion Animals, September 1994
- Welfare of Animals at Saleyards, May 1995
- Emergency Slaughter of Farm Livestock, December 1996
- Welfare of Ostrich and Emu, September 1999

Guidelines

- Welfare of Live stock from which Blood is Harvested for Commercial and Research Purposes, May 2009
- Welfare of Yearling Fallow Deer During the Use of Rubber Rings to Prevent Antler/Pedicle Growth, September 1997
- Welfare of Red and Wapiti Yearling Stags During the Use of Rubber Rings to Induce Analgesia for the Removal of Spiker Velvet, September 1998

<p>Codes and Guidelines may be obtained from:</p> <p><i>Team Support Officer</i></p> <p><i>Animal Welfare Standards</i></p> <p><i>Ministry of Agriculture and Forestry</i></p> <p><i>PO Box 2526</i></p> <p><i>WELLINGTON 6140</i></p> <p><i>Tel: 04 894 0915</i></p> <p><i>email: animalwelfare @maf.govt.nz</i></p>	<p>Or can be inspected at:</p> <p><i>Animal Welfare Standards</i></p> <p><i>Ministry of Agriculture and Forestry</i></p> <p><i>Pastoral House</i></p> <p><i>Reception</i></p> <p><i>Level 4</i></p> <p><i>25 The Terrace</i></p> <p><i>WELLINGTON 6011</i></p>
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Codes and Guidelines are available on MAF's website.

The web page address is: <http://www.biosecurity.govt.nz/animal-welfare>