Compensation Claim Form

*Biosecurity Responses*

The Biosecurity Act 1993 (the Act) provides the legal framework for the Ministry for Primary Industries (MPI) and others to help keep harmful organisms out of New Zealand. Compensation may be paid under section 162A of the Act where a person has suffered loss as a result of MPI’s exercise of powers under the Act in order to control and eradicate the organism.

**Part 1: Your details**

To be a claimant you must be a person or business who is the legal owner of the property or goods that were destroyed or damaged, or goods that were affected by movement restrictions as a direct result of an exercise of powers authorised by the Ministry for Primary Industries (MPI).

Claimant’s details

|  |  |
| --- | --- |
| Name (Company director if the claimant is a business) |  |
| Postal address |  |
| Trading name (If applicable) |  |
| Email |  |
| Telephone | ( ) |
| Preferred method of contact | Telephone  Email |

**Bank account details for the claimant**

|  |  |  |  |
| --- | --- | --- | --- |
| Bank Account Number |  | Bank Account Name |  |

If this is your first claim or your bank details have changed, please attach either a bank deposit slip, a screen shot of your account, or some other proof from your bank confirming your account name and number.

**GST information**

|  |  |
| --- | --- |
| Are you GST registered? | Yes (If you are a registered GST business use GST exclusive prices)  No (If you are a NON registered GST business use GST inclusive prices) |

**Is someone else acting for you?**

Only complete this section if you wish someone else (an agent) to act on your behalf.

|  |  |
| --- | --- |
| Name |  |
| Email |  |
| Telephone | ( ) |
| Preferred method of contact | Telephone  Email |

**Other documents you need to provide in support of your claim**

To help MPI to process your application quickly, there are some documents we need from you to verify your claim. More information can be found in Part 3.

**Declaration (to be completed by the claimant)**

I am the legal owner of the property or goods to which this claim applies or have the claimants authority to sign (for a company, a current director must sign). I have answered all the questions that apply to me and my application and the information I have provided is true and correct.

I authorise MPI to give or obtain information from any other party any other information that in MPI’s view is relevant to verifying and/or assessing this claim.

I authorise MPI to pay the assessed amount into the bank account provided with this application.

|  |  |  |
| --- | --- | --- |
| Your name (print) | Your signature | Date (DD, MM, YYYY) |

**Agent to complete (if applicable)**

I have completed this form at the request of the person applying. The information included in this claim has been provided to me by the claimant and/or has been reviewed by them and confirmed as true and correct.

|  |  |  |
| --- | --- | --- |
| Your name (print) | Your signature | Date (DD, MM, YYYY) |

**Part 2: Tell us about your claim**

**Losses you are claiming for**

Compensation payments are based on showing that your loss was caused as a direct result of MPI exercising powers on your property or goods. More information about what you can and can’t get paid for, is set out in Part 4

(You can also provide any additional information on a separate sheet that helps explain your circumstances).

|  |  |  |  |
| --- | --- | --- | --- |
| **Description**  Your property or goods – what was affected? Please itemise, e.g. goods destruction, property damaged or destroyed. | **Quantity**  (Number, kilograms) | **Date**  (Your property was damaged/destroyed or date movement controls were put in place) | **Value of Loss★** |
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**Actions taken to reduce your loss**

The Act requires you to take reasonable steps to reduce or avoid your losses in order to be eligible for compensation. In this section, please describe any reasonable steps taken.

* What actions were considered?
* What actions were taken?

(You can also provide any additional information on a separate sheet that helps explain your circumstances).

|  |  |
| --- | --- |
| **Action** | **Description** |
| Actual steps you took to mitigate your loss? |  |
| Steps considered but decided against as they were NOT practical or reasonable? |  |
| Quotes or actions taken or considered to mitigate loss |  |
| Requests made to MPI for a permit or to allow movement of your goods |  |
| Other(s)? Please describe |  |

Your normal business operations

To help us better understand and assess your claim we ask that you describe your normal business operations.

(You can also provide any additional information on a separate sheet that helps explain your circumstances).

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Part 3: Supporting Information

For specific types of claims we have listed below the types of evidence required to support your claim. If you're eligible for compensation, you'll need to complete a compensation claim form and submit proof of your loss.

(You can also submit any other evidence not listed that you feel supports your claim).

|  |  |  |
| --- | --- | --- |
| Stock Destruction | Production Loss | Other Loss of income |
| Goods destruction/  removal records | Financial statements  showing profits and loss/expenses for the previous THREE years | Agreements, Contracts,  Leases |
| Invoices, Bank statements,  Quotes |
| Stock Valuation Records | Financial statements  showing profits and loss/expenses for the previous THREE years |

Please list any OTHER documentation you are submitting.

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**Part 4: Useful information**

**Biosecurity Act 1993**

The Biosecurity Act 1993 (the Act) provides the legal framework for MPI and others to help keep harmful organisms, such as *Mycoplasma bovis*, out of New Zealand. Compensation may be paid under section 162A of the Act where a person has suffered loss as a result of MPI’s exercise of powers under the Act in order to control and eradicate the organism.

Compensation payments are based on showing that your loss was caused as a direct result of MPI exercising powers on your property or goods.

You can claim compensation if:

MPI has exercised powers to eradicate or manage a harmful organism.

🗹 That has caused you to incur a loss, because either:

* + the loss was caused by the damage or destruction to your property or
  + the loss was caused by movement restrictions imposed on your goods.

🗹 The loss can be verified (complete Part 3: Supporting your claim).

Compensation cannot be paid if losses were incurred:

🗷 Before MPI’s exercise of powers commenced.

🗷 More than one year before the claim was submitted.

🗷 Because you have failed to comply with Biosecurity Act.

🗷 Because your goods are unauthorised or uncleared.

**Requesting a review**

Receiving a full or part payment from MPI does not prevent you seeking a re-assessment of your claim. Once payment is made, you may request a review up to 12 months after you have received payment.

You will need to complete and submit a review application form. This is available either on the MPI website, or by contacting the compensation coordinator. We’ll be happy to email it to you.

Once you have completed the review application form, you can email it or send it by post/courier to MPI’s compensation team, along with supporting documentation.

**Privacy Act 1993**

Please refer to MPI’s website for information on our Privacy Policy

**Official Information Act 1982**

MPI is subject to the Official Information Act 1982 (OIA) and may be required to disclose information regarding this claim in accordance with its obligations under the OIA.

**Our Process**

OUTCOME

SIGN-OFF

DECISION

ASSESS

TRIAGE

APPLY

In some instances MPI might need to contact you for further information either before an assessment can commence (the triage stage) or during the assessment process.

|  |
| --- |
| **Next Steps - Checklist**  Completed Claim Form  Signed the Declaration  Attached supporting documentation |

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| --- |
| Contact Information **For general information** or to **send your claim form** please contact the MPI compensation co-ordinator:  Tel: 0800 00 83 33  Email: compensationcoordinator@mpi.govt.nz  Website: www.mpi.govt.nz/bovis  Post: Ministry for Primary Industries – Attention: Compensation Co-ordinator  PO Box 2526, Wellington 6140    Courier: Ministry for Primary Industries – Attention: Compensation Co-ordinator  Charles Fergusson Building, 34-38 Bowen Street, Wellington  *Note: MPI is unable to provide legal or business advice to claimants.* |

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