



Consultation on significant surgical procedures proposals June – July 2019

List of questions in the Discussion Paper and on-line surveys

A. Farm Husbandry proposals

For more details on the proposals, see the full [Discussion Paper](#).

Cattle – vaginal prolapses	
Proposal 7 - Competent non-veterinarians may treat a cow's prolapsed vagina. The owner or person in charge of the animal has responsibility to ensure that only competent people perform this procedure.	
<i>Generic questions</i>	
1.	Do you agree with the proposal?
2.	Will the proposed regulation change the way you or others operate? If so, how?
3.	Will the proposed regulation increase costs, and if so, why and by how much?
4.	Please provide comment on any or all of the following questions: <ul style="list-style-type: none"> • What is the purpose of the procedure and how widespread is it in New Zealand? • What does good practice look like? Are there alternatives to the current practice, and what are the implications of their use? • Are there any non-regulatory options that would be more effective? • Are there any religious or cultural practices that would be impacted by the proposals?
5.	Penalties and offences (see page 32 of the Discussion Paper): please provide comment on any or all of the following questions: <ul style="list-style-type: none"> • Is the right person being held responsible for complying with the regulation? • Are the penalties appropriate to the severity of the offence? • Is the right type of offence (regulatory or infringement) proposed?
<i>Proposal-specific questions</i>	
6.	Should a non-veterinarian be able to treat vaginal prolapses in other species such as llama, alpaca, deer or goats?
7.	Should a method of retaining the vagina in place be prescribed? Should a penalty be provided for using an inappropriate method?
8.	Should pain relief be provided to the animal during the procedure?
9.	Should a non-veterinarian be able to treat uterine and rectal prolapses in cattle?
10.	Should a non-veterinarian be able to treat uterine and rectal prolapses in cattle?

Sheep – vaginal prolapses (bearings)

Proposal 10 - Competent non-veterinarians may treat a sheep's prolapsed vagina. The owner or person in charge of the animal has responsibility to ensure that only competent people perform this procedure.

Generic questions

1. Do you agree with the proposal?
2. Will the proposed regulation change the way you or others operate? If so, how?
3. Will the proposed regulation increase costs, and if so, why and by how much?
4. Please provide comment on any or all of the following questions:
 - What is the purpose of the procedure and how widespread is it in New Zealand?
 - What does good practice look like? Are there alternatives to the current practice, and what are the implications of their use?
 - Are there any non-regulatory options that would be more effective?
 - Are there any religious or cultural practices that would be impacted by the proposals?
5. Penalties and offences (see page 36 of the Discussion Paper): please provide comment on any or all of the following questions:
 - Is the right person being held responsible for complying with the regulation?
 - Are the penalties appropriate to the severity of the offence?
 - Is the right type of offence (regulatory or infringement) proposed?

Proposal-specific questions

6. Should a non-veterinarian be able to treat vaginal prolapses in other species such as llama, alpaca, deer or goats?
7. Should a method of retaining the vagina in place be prescribed? Should a penalty be provided for using an inappropriate method?
8. Should pain relief be provided to the animal during the procedure?
9. Should a non-veterinarian be able to treat uterine and rectal prolapses in sheep?

Pigs – rectal prolapse

Proposal 11 - Competent non-veterinarians may treat a pig's prolapsed rectum.

The owner or person in charge of the animal has responsibility to ensure that only competent people perform this procedure.

Generic questions

1. Do you agree with the proposal?
2. Will the proposed regulation change the way you or others operate? If so, how?
3. Will the proposed regulation increase costs, and if so, why and by how much?
4. Please provide comment on any or all of the following questions:
 - What is the purpose of the procedure and how widespread is it in New Zealand?
 - What does good practice look like? Are there alternatives to the current practice, and what are the implications of their use?
 - Are there any non-regulatory options that would be more effective?
 - Are there any religious or cultural practices that would be impacted by the proposals?
5. Penalties and offences (see page 37 of the Discussion Paper): please provide comment on any or all of the following questions:
 - Is the right person being held responsible for complying with the regulation?
 - Are the penalties appropriate to the severity of the offence?
 - Is the right type of offence (regulatory or infringement) proposed?

Proposal-specific questions

6. Should a non-veterinarian be able to treat vaginal prolapses in other species such as llama, alpaca, deer or goats?
7. Should regulations be made to allow non-veterinarians to treat rectal prolapses in other species, such as sheep, cattle, deer, goats, or llama and alpaca?
8. Should a non-veterinarian be able to treat vaginal and uterine prolapses in a pig?
9. Should pain relief be provided to the animal during procedures to treat prolapses?
10. Should requirements and penalties apply to the method of treatment used?

Sheep - restrictions on teat removal

Proposal 9 - Competent non-veterinarians may remove extra teats from a sheep younger than 12 weeks old. A clean cut must be made that does not tear the tissue. All other teat removal is veterinarian-only, and pain relief must be used.

The owner or person in charge of the animal has responsibility to ensure that only competent people perform this procedure.

Generic questions

1. Do you agree with the proposal?
2. Will the proposed regulation change the way you or others operate? If so, how?
3. Will the proposed regulation increase costs, and if so, why and by how much?
4. Please provide comment on any or all of the following questions:
 - What is the purpose of the procedure and how widespread is it in New Zealand?
 - What does good practice look like? Are there alternatives to the current practice, and what are the implications of their use?
 - Are there any non-regulatory options that would be more effective?
 - Are there any religious or cultural practices that would be impacted by the proposals?
5. Penalties and offences (see page 35 of the Discussion Paper): please provide comment on any or all of the following questions:
 - Is the right person being held responsible for complying with the regulation?
 - Are the penalties appropriate to the severity of the offence?
 - Is the right type of offence (regulatory or infringement) proposed?

Proposal-specific questions

6. Does this proposal capture what is current practice? If not, is it raising or lowering the standard?
7. Are there any other species that are milked that should be considered for regulation?

Goats - restrictions on teat removal

Proposal 14 - Competent non-veterinarians may remove extra teats from a goat younger than 12 weeks old. A clean cut must be made that does not tear the tissue. All other teat removal is veterinarian-only, and pain relief must be used.

The owner or person in charge of the animal has responsibility to ensure that only competent people perform this procedure.

Generic questions

1. Do you agree with the proposal?
2. Will the proposed regulation change the way you or others operate? If so, how?
3. Will the proposed regulation increase costs, and if so, why and by how much?
4. Please provide comment on any or all of the following questions:
 - What is the purpose of the procedure and how widespread is it in New Zealand?
 - What does good practice look like? Are there alternatives to the current practice, and what are the implications of their use?
 - Are there any non-regulatory options that would be more effective?
 - Are there any religious or cultural practices that would be impacted by the proposals?
5. Penalties and offences (see page 42 of the Discussion Paper): please provide comment on any or all of the following questions:
 - Is the right person being held responsible for complying with the regulation?
 - Are the penalties appropriate to the severity of the offence?
 - Is the right type of offence (regulatory or infringement) proposed?

Proposal-specific questions

6. Does this proposal capture what is current practice?
7. If not, is it raising or lowering the standard?

Cattle - restrictions on teat removal

Proposal 21 -Competent non-veterinarians may remove extra teats from a cattle beast younger than 12 weeks old. A clean cut must be made that does not tear the tissue. All other teat removal is veterinarian-only, and pain relief must be used.

The owner or person in charge of the animal has responsibility to ensure that only competent people perform this procedure.

Previously MPI proposed a 6 week age restriction: the new proposal better matches current practice and international standards.

Generic questions

1. Do you agree with the proposal?
2. Will the proposed regulation change the way you or others operate? If so, how?
3. Will the proposed regulation increase costs, and if so, why and by how much?
4. Please provide comment on any or all of the following questions:
 - What is the purpose of the procedure and how widespread is it in New Zealand?
 - What does good practice look like? Are there alternatives to the current practice, and what are the implications of their use?
 - Are there any non-regulatory options that would be more effective?
 - Are there any religious or cultural practices that would be impacted by the proposals?
5. Penalties and offences (see pages 53-54 of the Discussion Paper): please provide comment on any or all of the following questions:
 - Is the right person being held responsible for complying with the regulation?
 - Are the penalties appropriate to the severity of the offence?
 - Is the right type of offence (regulatory or infringement) proposed?

Proposal-specific questions

6. Does this proposal capture what is current practice?
7. If not, is it raising or lowering the standard?

Pigs and cattle – application of nose rings, clips and wires

Proposal 12 - Competent non-veterinarians may insert pig and cattle nose rings, clips and wires for animal management purposes.

The owner or person in charge of the animal has responsibility to ensure that only competent people perform this procedure.

Generic questions

1. Do you agree with the proposal?
2. Will the proposed regulation change the way you or others operate? If so, how?
3. Will the proposed regulation increase costs, and if so, why and by how much?
4. Please provide comment on any or all of the following questions:
 - What is the purpose of the procedure and how widespread is it in New Zealand?
 - What does good practice look like? Are there alternatives to the current practice, and what are the implications of their use?
 - Are there any non-regulatory options that would be more effective?
 - Are there any religious or cultural practices that would be impacted by the proposals?
5. Penalties and offences (see page 39 of the Discussion Paper): please provide comment on any or all of the following questions:
 - Is the right person being held responsible for complying with the regulation?
 - Are the penalties appropriate to the severity of the offence?
 - Is the right type of offence (regulatory or infringement) proposed?

Proposal-specific question

6. Is there any scientific research about the pain experienced by pigs during any of the procedures?

Goat castration

Proposal 13 - Competent non-veterinarians may castrate goats. Local anaesthetic that is authorised by a veterinarian for the purpose of the procedure must be used if:

- the animal is over 6 months of age; and/or
- a high tension band is used (regardless of the age of the animal).

The owner or person in charge of the animal has responsibility to ensure that only competent people perform this procedure according to the specifications in this proposal.

Generic questions

1. Do you agree with the proposal?
2. Will the proposed regulation change the way you or others operate? If so, how?
3. Will the proposed regulation increase costs, and if so, why and by how much?
4. Please provide comment on any or all of the following questions:
 - What is the purpose of the procedure and how widespread is it in New Zealand?
 - What does good practice look like? Are there alternatives to the current practice, and what are the implications of their use?
 - Are there any non-regulatory options that would be more effective?
 - Are there any religious or cultural practices that would be impacted by the proposals?
5. Penalties and offences (see pages 40-41 of the Discussion Paper): please provide comment on any or all of the following questions:
 - Is the right person being held responsible for complying with the regulation?
 - Are the penalties appropriate to the severity of the offence?
 - Is the right type of offence (regulatory or infringement) proposed?

Proposal-specific questions

n/a

Goat disbudding/dehorning

Proposal 25 - Competent non-veterinarians may disbud or dehorn goats. The goat must be given pain relief that is authorised by a veterinarian for the purpose of the procedure.

The owner or person in charge of the animal has responsibility to ensure that only competent people perform this procedure.

Generic questions

1. Do you agree with the proposal?
2. Will the proposed regulation change the way you or others operate? If so, how?
3. Will the proposed regulation increase costs, and if so, why and by how much?
4. Please provide comment on any or all of the following questions:
 - What is the purpose of the procedure and how widespread is it in New Zealand?
 - What does good practice look like? Are there alternatives to the current practice, and what are the implications of their use?
 - Are there any non-regulatory options that would be more effective?
 - Are there any religious or cultural practices that would be impacted by the proposals?
5. Penalties and offences (see page 62 of the Discussion Paper): please provide comment on any or all of the following questions:
 - Is the right person being held responsible for complying with the regulation?
 - Are the penalties appropriate to the severity of the offence?
 - Is the right type of offence (regulatory or infringement) proposed?

Proposal-specific question

6. What form of pain relief is commonly used during these procedures?

Pigs – use of electric prodders

Proposal 6 - This proposal is about regulation 48 (Use of electric prodders) in the Animal Welfare (Care and Procedures) Regulations 2018.

MPI seeks feedback on reducing the weight limit for the use of electric prodders on pigs in limited circumstances, that is, when they are loaded into restrained stunning pens. The weight limit is currently 150 kilograms. MPI proposes the weight be set between 70 and 150 kilograms.

Proposal-specific questions

1. Do you agree that electric prodders should be able to be used on pigs under 150 kg when loading them into a restrained stunning box?
2. What do you think the weight limit should be?
3. Will a change to the weight limit (in the proposal above) change the way you or others operate? If so, how?
4. Has any other new information become available to suggest that further changes need to be made to regulation 48 (Use of electric prodders) in the Animal Welfare (Care and Procedures) Regulations 2018?

B. Horses and other equids

For more details on the proposals, see the full [Discussion Paper](#).

Definition of Equid: any member of the *Equidae* family, including any horse, pony, donkey, mule, other wild ass, zebra, and any of their hybrids.

Equid castration	
Proposal 8 - Castration of any equid can only be performed by a veterinarian. Equids include donkeys, horses, zebras, other wild equids and any of their hybrids. Pain relief must be used.	
<i>Generic questions</i>	
1.	Do you agree with the proposal?
2.	Will the proposed regulation change the way you or others operate? If so, how?
3.	Will the proposed regulation increase costs, and if so, why and by how much?
4.	Please provide comment on any or all of the following questions: <ul style="list-style-type: none">• What is the purpose of the procedure and how widespread is it in New Zealand?• What does good practice look like? Are there alternatives to the current practice, and what are the implications of their use?• Are there any non-regulatory options that would be more effective?• Are there any religious or cultural practices that would be impacted by the proposals?
5.	Penalties and offences (see page 33 of the Discussion Paper): please provide comment on any or all of the following questions: <ul style="list-style-type: none">• Is the right person being held responsible for complying with the regulation?• Are the penalties appropriate to the severity of the offence?• Is the right type of offence (regulatory or infringement) proposed?
<i>Proposal-specific question</i>	
6.	An alternative approach would be to revoke regulation 54 of the Animal Welfare (Care and Procedures) Regulations 2018. This would bring equid castration in line with the approach to llama and alpaca castration. Do you prefer this alternative? Why/why not?

Horses and other equids – blistering, firing, mechanical soring and nicking

Proposal 22 - It is prohibited to perform blistering, firing, mechanical soring or nicking of a horse.

The owner or person in charge of the animal, must not allow blistering, firing, mechanical soring or nicking of a horse.

Definitions

- **Blistering and firing: procedures which involve the application of chemical, or thermal cautery (hot or cold) to the legs of the horse to create tissue damage to, or an inflammatory reaction on, its legs.**
- **Mechanical soring: means the application of devices including chains and weighted platforms, to the hooves or legs of a horse, for the purpose of distorting the natural gait of the horse.**
- **Nicking: the cutting of the skin or ligaments of the tail of the horse to make it carry its tail in a raised position.**

Generic questions

1. Do you agree with the proposal?
2. Will the proposed regulation change the way you or others operate? If so, how?
3. Will the proposed regulation increase costs, and if so, why and by how much?
4. Please provide comment on any or all of the following questions:
 - What is the purpose of the procedure and how widespread is it in New Zealand?
 - What does good practice look like? Are there alternatives to the current practice, and what are the implications of their use?
 - Are there any non-regulatory options that would be more effective?
 - Are there any religious or cultural practices that would be impacted by the proposals?
5. Penalties and offences (see page 55 of the Discussion Paper): please provide comment on any or all of the following questions:
 - Is the right person being held responsible for complying with the regulation?
 - Are the penalties appropriate to the severity of the offence?
 - Is the right type of offence (regulatory or infringement) proposed?

Proposal-specific questions

6. To what extent might these procedures become re-established if there was no specific prohibition?
7. Do the definitions capture the intent of the procedures?

Horses and other equids – dentistry (teeth extraction)

Proposal 23 - two options:

Option 1: A competent person may extract a loose deciduous incisor or cheek tooth from an equid.

All other equid tooth extractions are veterinarian-only. Pain relief must be used at the time of the procedure.

The owner or person in charge of the animal has responsibility to ensure that only competent people perform this procedure.

Option 2: A competent person may extract a finger-loose deciduous incisor or cheek tooth in an equid that has obvious visual recession of the gingiva and is protruding above the occlusal surface, but may not use tools or other equipment.

All other equid tooth extractions are veterinarian-only. Pain relief must be used at the time of the procedure.

The owner or person in charge of the animal has responsibility to ensure that only competent people perform this procedure.

Generic questions

1. Please indicate which option you prefer and why
2. Will either of the proposed options change the way you or others operate? If so, how?
3. Will the proposed regulation increase costs, and if so, why and by how much?
4. Please provide comment on any or all of the following questions:
 - What is the purpose of the procedure and how widespread is it in New Zealand?
 - What does good practice look like? Are there alternatives to the current practice, and what are the implications of their use?
 - Are there any non-regulatory options that would be more effective?
 - Are there any religious or cultural practices that would be impacted by the proposals?
5. Penalties and offences (see page 57 of the Discussion Paper): please provide comment on any or all of the following questions:
 - Is the right person being held responsible for complying with the regulation?
 - Are the penalties appropriate to the severity of the offence?
 - Is the right type of offence (regulatory or infringement) proposed?

Proposal-specific questions

6. Do you think non-veterinarians should be able to continue to remove wolf teeth with pain relief being provided to the horse?
7. What do you think the impact would be if non-veterinarians can no longer remove wolf teeth?
8. Do you think teeth should only be removed for therapeutic purposes (that is, to respond to injury or disease)?
9. Do you think that wolf teeth should be able to be removed to address behavioural issues?
10. Do you have any concerns about accessing the services of a veterinarian or equine dental technician?
11. Should regulations be made to allow non-veterinarians to extract teeth from species other than equids?

Horses – Caslick’s procedure

Proposal 24 - Surgically closing a mare’s vulva is a veterinarian-only procedure. Pain relief must be used.

Competent non-veterinarians may open this seam for foaling or servicing with pain relief, and where no tissue is removed.

The owner or person in charge of the animal has responsibility to ensure that only competent people perform this procedure.

Generic questions

1. Do you agree with the proposal?
2. Will the proposed regulation change the way you or others operate? If so, how?
3. Will the proposed regulation increase costs, and if so, why and by how much?
4. Please provide comment on any or all of the following questions:
 - What is the purpose of the procedure and how widespread is it in New Zealand?
 - What does good practice look like? Are there alternatives to the current practice, and what are the implications of their use?
 - Are there any non-regulatory options that would be more effective?
 - Are there any religious or cultural practices that would be impacted by the proposals?
5. Penalties and offences (see page 60 of the Discussion Paper): please provide comment on any or all of the following questions:
 - Is the right person being held responsible for complying with the regulation?
 - Are the penalties appropriate to the severity of the offence?
 - Is the right type of offence (regulatory or infringement) proposed?

Proposal-specific questions

6. Does the proposal correctly identify which aspects of practice surrounding Caslick’s procedure, if any, may be performed by non-veterinarians?
7. Should provision be made for a competent non-veterinarian to open a Caslick’s suture to facilitate artificial insemination?

C. Poultry and game fowl

For more details on the proposals, see the full [Discussion Paper](#).

Poultry beak tipping
<p>Proposal 15 - Beak tipping of poultry must be performed:</p> <ul style="list-style-type: none"> • by a competent person; • within 3 days of hatching; and • by removing no more than one quarter of the upper or lower beak. <p>This means for one to three day old chicks, no more than 2 mm of the beak may be removed.</p> <p>For adult hens, no more than the blunting of upper and lower tips is permissible.*</p> <p>The owner or person in charge of the animal has responsibility to ensure that only competent people perform this procedure according to the specifications in this proposal.</p> <p>* Note that under Minimum Standard No. 16(c) of the Code of Welfare for Layer Hens, the tipping of beaks of individual hens after 3 days of age must only be undertaken in an emergency with veterinary approval and under veterinary supervision to help control outbreaks of cannibalism during the laying period.</p>
<p><i>Generic questions</i></p> <ol style="list-style-type: none"> 1. Do you agree with the proposal? 2. Will the proposed regulation change the way you or others operate? If so, how? 3. Will the proposed regulation increase costs, and if so, why and by how much? 4. Please provide comment on any or all of the following questions: <ul style="list-style-type: none"> • What is the purpose of the procedure and how widespread is it in New Zealand? • What does good practice look like? Are there alternatives to the current practice, and what are the implications of their use? • Are there any non-regulatory options that would be more effective? • Are there any religious or cultural practices that would be impacted by the proposals? 5. Penalties and offences: (see pages 43-44 of the Discussion Paper) please provide comment on any or all of the following questions: <ul style="list-style-type: none"> • Is the right person being held responsible for complying with the regulation? • Are the penalties appropriate to the severity of the offence? • Is the right type of offence (regulatory or infringement) proposed?
<p><i>Proposal-specific questions</i></p> <ol style="list-style-type: none"> 6. Should hot blades be used to tip the beaks of poultry? At what age is it best to use a hot blade? 7. What age is it appropriate to restrict the tipping of beaks with an InfraRed Beak Trimming machine? 8. Are there any other farmed animals that the procedure is performed on which should be regulated? What are they? 9. Are different restrictions necessary for breeder birds and turkeys? If yes, what should they be? 10. How is blunting commonly performed? Does blunting meet the significant surgical procedure criteria? 11. Is the penalty at an appropriate level to encourage compliance?

Poultry spur removal
Proposal 16 - Competent non-veterinarians may remove the spurs (rear toenails) of poultry breeder birds.
The owner or person in charge of the animal has responsibility to ensure that only competent people perform this procedure.
<i>Generic questions</i>
<ol style="list-style-type: none"> 1. Do you agree with the proposal? 2. Will the proposed regulation change the way you or others operate? If so, how? 3. Will the proposed regulation increase costs, and if so, why and by how much? 4. Please provide comment on any or all of the following questions: <ul style="list-style-type: none"> • What is the purpose of the procedure and how widespread is it in New Zealand? • What does good practice look like? Are there alternatives to the current practice, and what are the implications of their use? • Are there any non-regulatory options that would be more effective? • Are there any religious or cultural practices that would be impacted by the proposals? 5. Penalties and offences (see page 45 of the Discussion Paper): please provide comment on any or all of the following questions: <ul style="list-style-type: none"> • Is the right person being held responsible for complying with the regulation? • Are the penalties appropriate to the severity of the offence? • Is the right type of offence (regulatory or infringement) proposed?
<i>Proposal-specific questions</i>
<ol style="list-style-type: none"> 6. Are there any other farmed animals that the procedure is performed on? 7. Do lifestyle block owners or poultry fanciers perform the procedure? 8. Is it appropriate to limit the age at which spur removal can be performed? If so, why?

Poultry toe trimming

Proposal 17 - Competent non-veterinarians may trim the toes of poultry breeder birds.

The owner or person in charge of the animal has responsibility to ensure that only competent people perform this procedure.

(A breeder bird is any bird that is used to produce replacement birds.)

Generic questions

1. Do you agree with the proposal?
2. Will the proposed regulation change the way you or others operate? If so, how?
3. Will the proposed regulation increase costs, and if so, why and by how much?
4. Please provide comment on any or all of the following questions:
 - What is the purpose of the procedure and how widespread is it in New Zealand?
 - What does good practice look like? Are there alternatives to the current practice, and what are the implications of their use?
 - Are there any non-regulatory options that would be more effective?
 - Are there any religious or cultural practices that would be impacted by the proposals?
5. Penalties and offences (see page 46 of the Discussion Paper): please provide comment on any or all of the following questions:
 - Is the right person being held responsible for complying with the regulation?
 - Are the penalties appropriate to the severity of the offence?
 - Is the right type of offence (regulatory or infringement) proposed?

Proposal-specific questions

6. Is toe trimming necessary? Are there other alternative techniques that achieve the same outcome (such as toe slitting or wing tagging)?
7. Are there any other farmed animals that toe trimming is performed on?
8. Should there be any further restrictions on toe trimming, such as an age limit?

Game fowl - dubbing
Proposal 26 - two options:
Option 1: A competent person may dub game fowl. The bird must be given pain relief that is authorised by a veterinarian for the purpose of the procedure.
Option 2: Dubbing of game fowl is veterinarian-only. Pain relief must be used at the time of the procedure.
The owner or person in charge of the animal has responsibility to ensure that only competent people perform this procedure.
<i>Generic questions</i>
<ol style="list-style-type: none"> 1. Please indicate which option you prefer and why. 2. Will either of the proposed options change the way you or others operate? If so, how? 3. Will the proposed regulation increase costs, and if so, why and by how much? 4. Please provide comment on any or all of the following questions: <ul style="list-style-type: none"> • What is the purpose of the procedure and how widespread is it in New Zealand? • What does good practice look like? Are there alternatives to the current practice, and what are the implications of their use? • Are there any non-regulatory options that would be more effective? • Are there any religious or cultural practices that would be impacted by the proposals? 5. Penalties and offences (see pages 63-64 of the Discussion Paper): please provide comment on any or all of the following questions: <ul style="list-style-type: none"> • Is the right person being held responsible for complying with the regulation? • Are the penalties appropriate to the severity of the offence? • Is the right type of offence (regulatory or infringement) proposed?
<i>Proposal-specific questions</i>
<ol style="list-style-type: none"> 6. Is dubbing justified for the management of game fowl? 7. Are there viable alternatives to dubbing to mitigate the risk of fatalities or serious injuries from fighting? 8. Is there sufficient expertise in the veterinary community to dub game fowl?

D. Research, testing and teaching

For more details on the proposals, see the full [Discussion Paper](#).

All animals – tissue removal for research, testing and teaching (RTT), or for functions under section 5(3) of the Animal Welfare Act 1999 (the Act)
Proposal 1 - Competent non-veterinarians may remove tissue within the context of RTT with the approval of an Animal Ethics Committee, or for functions under section 5(3) of the Act (which includes for conservation and wildlife management purposes). Examples include tail tipping of reptiles and animal biopsies.
The owner or person in charge of the animal has responsibility to ensure that only competent people perform this procedure.
<i>Generic questions</i>
<ol style="list-style-type: none">1. Do you agree with the proposal?2. Will the proposed regulation change the way you or others operate? If so, how?3. Will the proposed regulation increase costs, and if so, why and by how much?4. Please provide comment on any or all of the following questions:<ul style="list-style-type: none">• What is the purpose of the procedure and how widespread is it in New Zealand?• What does good practice look like? Are there alternatives to the current practice, and what are the implications of their use?• Are there any non-regulatory options that would be more effective?• Are there any religious or cultural practices that would be impacted by the proposals?5. Penalties and offences (see page 24 of the Discussion Paper): please provide comment on any or all of the following questions:<ul style="list-style-type: none">• Is the right person being held responsible for complying with the regulation?• Are the penalties appropriate to the severity of the offence?• Is the right type of offence (regulatory or infringement) proposed?
<i>Proposal-specific question</i>
<ol style="list-style-type: none">6. Does the proposal appropriately cover the range of routine tissue removal procedures carried out in RTT or for functions under section 5(3) of the Act?

All animals – surgical tagging for research, testing and teaching (RTT), or for functions under section 5(3) of the Animal Welfare Act 1999 (the Act)

Proposal 2 - Competent non-veterinarians may insert tags surgically within the context of RTT with the approval of an Animal Ethics Committee, or for functions under section 5(3) of the Act (which includes for conservation and wildlife management purposes). The animal must be given pain relief authorised by a veterinarian for the purpose of the procedure. Examples include inserting a tag into a fish's body.

The owner or person in charge of the animal has responsibility to ensure that only competent people perform this procedure.

Generic questions

1. Do you agree with the proposal?
2. Will the proposed regulation change the way you or others operate? If so, how?
3. Will the proposed regulation increase costs, and if so, why and by how much?
4. Please provide comment on any or all of the following questions:
 - What is the purpose of the procedure and how widespread is it in New Zealand?
 - What does good practice look like? Are there alternatives to the current practice, and what are the implications of their use?
 - Are there any non-regulatory options that would be more effective?
 - Are there any religious or cultural practices that would be impacted by the proposals?
5. Penalties and offences (see pages 25-26 of the Discussion Paper): please provide comment on any or all of the following questions:
 - Is the right person being held responsible for complying with the regulation?
 - Are the penalties appropriate to the severity of the offence?
 - Is the right type of offence (regulatory or infringement) proposed?

Proposal-specific question

6. Does the proposal appropriately cover the range of routine surgical tagging procedures carried out in RTT or for functions under section 5(3) of the Act?

All animals – desexing and sterilisation of animals used in research, testing and teaching (RTT)

Proposal 3 - Competent non-veterinarians may desex or sterilise rodents (e.g. mice or rats), leporids (e.g. rabbits) or fish within the context of RTT with the approval of an Animal Ethics Committee. The animal must be given pain relief authorised by a veterinarian for the purpose of the procedure. An example is rabbit castration in laboratories to manage genetic lines.

The owner or person in charge of the animal has responsibility to ensure that only competent people perform this procedure.

Generic questions

1. Do you agree with the proposal?
2. Will the proposed regulation change the way you or others operate? If so, how?
3. Will the proposed regulation increase costs, and if so, why and by how much?
4. Please provide comment on any or all of the following questions:
 - What is the purpose of the procedure and how widespread is it in New Zealand?
 - What does good practice look like? Are there alternatives to the current practice, and what are the implications of their use?
 - Are there any non-regulatory options that would be more effective?
 - Are there any religious or cultural practices that would be impacted by the proposals?
5. Penalties and offences (see page 27 of the Discussion Paper): please provide comment on any or all of the following questions:
 - Is the right person being held responsible for complying with the regulation?
 - Are the penalties appropriate to the severity of the offence?
 - Is the right type of offence (regulatory or infringement) proposed?

Proposal-specific question

6. Are the right animals (rodents, leporids and fish) captured by this proposal?

All animals – exclusion of research, testing and teaching (RTT) procedures carried out as part of an Animal Ethics Committee approved project under Part 6 of the Animal Welfare Act 1999 (the Act)

Proposal 4 - Unless stated otherwise, regulations developed under section 183B (Regulations relating to surgical and painful procedures) of the Act do not prevent a person using animals as part of RTT procedures carried out as part of an Animal Ethics Committee approved project under Part 6 of the Act. This includes both the Animal Welfare (Care and Procedures) Regulations 2018 and the regulatory proposals in the Discussion Paper.

MPI does not propose to extend this exclusion to the following procedures which are either prohibited by regulations in the Animal Welfare (Care and Procedures) Regulations 2018 or proposed to be prohibited in the Discussion Paper:

- **docking cattle beasts' tails (already in force);**
- **docking dogs' tails (already in force);**
- **mulesing sheep (already in force);**
- **blistering, firing, mechanical soring, and nicking of horses (proposal 22);**
- **Prohibition on hot branding of all animals (proposal 27);**
- **cropping dogs' ears (proposal 34).**

Generic questions

1. Do you agree with the proposal?

Proposal-specific question

2. Have the appropriate exclusions been identified in this proposal?

E. General procedures and electric prodders

For more details on the proposals, see the full [Discussion Paper](#).

All animals - epidurals	
Proposal 5 - Competent non-veterinarians may perform epidurals in association with a reproductive procedure using an epidural anaesthetic authorised by a veterinarian for the purpose of the procedure. An example is performing an epidural in association with embryo collection.	
The owner or person in charge of the animal has responsibility to ensure that only competent people perform this procedure.	
<i>Generic questions</i>	
1.	Do you agree with the proposal?
2.	Will the proposed regulation change the way you or others operate? If so, how?
3.	Will the proposed regulation increase costs, and if so, why and by how much?
4.	Please provide comment on any or all of the following questions: <ul style="list-style-type: none">• What is the purpose of the procedure and how widespread is it in New Zealand?• What does good practice look like? Are there alternatives to the current practice, and what are the implications of their use?• Are there any non-regulatory options that would be more effective?• Are there any religious or cultural practices that would be impacted by the proposals?
5.	Penalties and offences (see page 29 of the Discussion Paper): please provide comment on any or all of the following questions: <ul style="list-style-type: none">• Is the right person being held responsible for complying with the regulation?• Are the penalties appropriate to the severity of the offence?• Is the right type of offence (regulatory or infringement) proposed?
<i>Proposal-specific questions</i>	
6.	Does the proposal enable appropriate veterinary oversight of surgical reproduction procedures?
7.	Should there be further prescription of what sort of pain relief and/or sedation is required?

All animals – surgical reproductive procedures

Proposal 20 - Competent non-veterinarians may perform surgical reproductive procedures. Pain relief authorised by a veterinarian must be used.

The owner or person in charge of the animal has responsibility to ensure that only competent people perform this procedure.

Generic questions

1. Do you agree with the proposal?
2. Will the proposed regulation change the way you or others operate? If so, how?
3. Will the proposed regulation increase costs, and if so, why and by how much?
4. Please provide comment on any or all of the following questions:
 - What is the purpose of the procedure and how widespread is it in New Zealand?
 - What does good practice look like? Are there alternatives to the current practice, and what are the implications of their use?
 - Are there any non-regulatory options that would be more effective?
 - Are there any religious or cultural practices that would be impacted by the proposals?
5. Penalties and offences (see page 52 of the Discussion Paper): please provide comment on any or all of the following questions:
 - Is the right person being held responsible for complying with the regulation?
 - Are the penalties appropriate to the severity of the offence?
 - Is the right type of offence (regulatory or infringement) proposed?

Proposal-specific questions

6. Are epidurals performed by non-veterinarians for reasons other than to assist with artificial reproduction?
7. Does this proposal adequately represent how much oversight the epidural procedure should have? Should there be any additional restrictions on non-veterinarians (for example, relating to different species)?

All animals - freeze branding	
Proposal 18 - A competent person may freeze brand an animal.	
The owner or person in charge of the animal has responsibility to ensure that only competent people perform this procedure.	
<i>Generic questions</i>	
1.	Do you agree with the proposal?
2.	Will the proposed regulation change the way you or others operate? If so, how?
3.	Will the proposed regulation increase costs, and if so, why and by how much?
4.	Please provide comment on any or all of the following questions: <ul style="list-style-type: none"> • What is the purpose of the procedure and how widespread is it in New Zealand? • What does good practice look like? Are there alternatives to the current practice, and what are the implications of their use? • Are there any non-regulatory options that would be more effective? • Are there any religious or cultural practices that would be impacted by the proposals?
5.	Penalties and offences (see page 48 of the Discussion Paper): please provide comment on any or all of the following questions: <ul style="list-style-type: none"> • Is the right person being held responsible for complying with the regulation? • Are the penalties appropriate to the severity of the offence? • Is the right type of offence (regulatory or infringement) proposed?
<i>Proposal-specific question</i>	
6.	Is there a readily available and easily applicable pain relief for use during freeze branding?

All animals – dentistry (cutting teeth)

Proposal 19 - Nobody may cut the tooth of an animal except:

1. **A veterinarian or competent non-veterinarian who may:**
 - clip needle teeth in a pig less than 5 days old; or
 - cut a boar's tusk with a wire; or
 - cut a llama or alpaca's fighting tooth with a wire.
2. **A veterinarian who may cut teeth for the purposes of extraction, and pain relief must be used.**

The owner or person in charge of the animal has responsibility to ensure that only competent people perform these procedures.

Generic questions

1. Do you agree with the proposal?
2. Will the proposed regulation change the way you or others operate? If so, how?
3. Will the proposed regulation increase costs, and if so, why and by how much?
4. Please provide comment on any or all of the following questions:
 - What is the purpose of the procedure and how widespread is it in New Zealand?
 - What does good practice look like? Are there alternatives to the current practice, and what are the implications of their use?
 - Are there any non-regulatory options that would be more effective?
 - Are there any religious or cultural practices that would be impacted by the proposals?
5. Penalties and offences (see pages 50-51 of the Discussion Paper): please provide comment on any or all of the following questions:
 - Is the right person being held responsible for complying with the regulation?
 - Are the penalties appropriate to the severity of the offence?
 - Is the right type of offence (regulatory or infringement) proposed?

Proposal-specific questions

6. Should the proposed regulation allow non-veterinarians to cut teeth in other species, such as rats, mice rabbits and fish?
7. Do you consider that fewer restrictions should be placed on when veterinarians can cut teeth?

All animals – the exclusion of electric devices (such as Tasers) used by the New Zealand Police from the definition of electric prodders

Proposal 6 - This proposal is about regulation 48 (Use of electric prodders) in the Animal Welfare (Care and Procedures) Regulations 2018. MPI proposes that the definition of an electric prodder be changed to clarify that the use of an electric device (such as a Taser) by New Zealand Police officers for law enforcement activities is excluded from the definition.

Proposal-specific question

1. Do you agree with the proposal to clarify that electric devices used by the New Zealand Police for legitimate law enforcement purposes should not be considered electric prodders?

F. General issues including pain relief, the 'competent' person and compliance

For more details on the proposals, see the full [Discussion Paper](#).

Pain relief

1. Do you have any concerns about accessing pain relief? If so, what are these concerns, and how might they be dealt with?

The “Competent Person”

2. MPI proposes that where a non-veterinarian is allowed to do a procedure on an animal, they must be ‘competent’. The owner or person in charge of the animal has the responsibility to ensure that only competent people perform the procedure.
Is there a better way to ensure that only suitably skilled or experienced non-veterinarians are able to carry out a procedure on an animal? What would this alternative look like?
3. Do you agree that the owner or person in charge of the animal should have the responsibility to ensure only competent people perform a procedure?

The Compliance and Enforcement Regime

4. MPI proposes that for regulatory offences, the defences be the same as those in clause 61 of the Animal Welfare (Care and Procedures) Regulations 2018. These are that:
 - the defendant took all reasonable steps to comply with the relevant provision; or
 - the act or omission constituting the offence took place in circumstances of stress or emergency and was necessary for the preservation, protection, or maintenance of human life.Do you agree with this proposal?

Implementation

5. Do any of the proposed regulations require a lead-in time (delayed commencement)? If so, what period is reasonable?
6. Are there any other challenges relating to the timing of regulations coming into force?

Monitoring and review

7. How should MPI best engage with stakeholders to monitor and review the impact of the proposed regulations?

G. Other procedures

For more details on the proposals, see the full [Discussion Paper](#).

Substantially unchanged proposals in Appendix 4	
1.	Appendix 4 on page 68 of the Discussion Paper sets out regulatory proposals consulted on in 2016, which are largely unchanged and will proceed at the same time as the other regulatory proposals in the Discussion Paper. If you have any new information about these nine proposals provide your comments here.