

DRAFT FOR CONSULTATION

Animal Products (Closing the Welfare Gap) Amendment Bill

Member's Bill

Explanatory note

General policy statement

New Zealand has higher animal welfare standards for agriculture in comparison with many other countries. A significant proportion of the animal products that we import are produced under standards that would not be legally or socially acceptable in New Zealand.

For example, over 90 percent of pork imported to New Zealand in 2022 came from countries that allow the use of sow stalls, which were prohibited in New Zealand in 2016.

New Zealanders care about animal welfare and feel strongly about the conditions under which animals are raised for the New Zealand market. This is demonstrated by a recent survey which found that over 80 percent of New Zealanders agree that imported products should respect the same animal welfare standards that are applied in New Zealand.

This Bill will enable the Minister to set animal welfare standards for animal products sold in New Zealand. The Minister must make regulations regarding pigs and egg-laying hens within two years of this Bill coming into force.

It also allows the Director-General of the Ministry of Primary Industries to specify the form of evidence which demonstrates that an animal product meets the required welfare standards.

Clause by clause analysis

Clause 1 is the title clause.

Clause 2 states that the Bill comes into force on the day after Royal assent.

Clause 3 provides that the Bill amends the Animal Products Act 1999.

Clauses 4 and 5 amend sections 2 and 3, which deal with the object and scheme, to include provision for animal welfare standards.

Clause 6 makes consequential amendments.

Clause 7 inserts *new Part 4A*, which provides for the setting of animal welfare standards (**welfare standards**) by secondary legislation, on recommendation of the Minister in charge. These welfare standards may relate to any rearing, management, handling, transport, or slaughtering, done within New Zealand or elsewhere. *New Part 4A* also sets out that the Director-General may, by notice, specify form and manner requirements for the establishing of compliance with welfare standards.

Clauses 8 and 9 make consequential amendments.

Clause 10 amends section 163, so that consultation requirements apply to the setting of the welfare standards.

Clause 11 amends Schedule 1 to provide that the Minister in charge must recommend the making of welfare standards relating to animal materials or products derived from pigs, derived from layer hens, and derived from both, within 2 years of the commencement date.

Steve Abel

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Contents

		Page
1	Title	2
2	Commencement	2
3	Principal Act	2
4	Section 2 amended (Object of Act)	2
5	Section 3 amended (General scheme of Act)	2
6	Section 4 amended (Interpretation)	2
7	New Part 4A inserted	2
Part 4A		
Animal welfare standards		
46A	Animal welfare standards	2
46B	Regulations may prescribe animal welfare standards	3
46C	Application of the Animal Welfare Act 1999 to welfare standards	3
46D	How compliance with welfare standards may be established	3
8	Section 128 amended (Sale of non-complying animal material or product)	3
9	Section 129 amended (Presenting non-complying animal material for processing)	4
10	Section 163 amended (Consultation requirements for making of certain Orders in Council, regulations, and notices)	4
11	Schedule 1 amended	4
Schedule		5
New Part 3 inserted into Schedule 1		

The Parliament of New Zealand enacts as follows:**1 Title**

This Act is the Animal Products (Closing the Welfare Gap) Amendment Act **2025**.

2 Commencement

This Act comes into force on the day after Royal assent.

3 Principal Act

This Act amends the Animal Products Act 1999.

4 Section 2 amended (Object of Act)

After section 2(a), insert:

- (ab) ensure that animal material and products traded in New Zealand are not obtained from animals reared, managed, handled, transported, or slaughtered in a manner that causes unreasonable or unnecessary pain and distress; and

5 Section 3 amended (General scheme of Act)

- (1) After section 3(1)(c), insert:

- (ca) *Animal welfare standards*

Part 4A provides for the making of animal welfare standards that must be met before any animal material or product is traded in New Zealand:

- (2) In section 3(1)(e)(i), replace “Parts 2 to 4” with “Parts 2 to **4A**”.

- (3) After section 3(3)(a), insert:

- (ab) establishing animal welfare standards relating to animal material and products:

6 Section 4 amended (Interpretation)

In section 4, replace “Parts 2 to 4” with “Parts 2 to **4A**” in each place.

7 New Part 4A inserted

After Part 4, insert:

Part 4A
Animal welfare standards

46A Animal welfare standards

This Part provides for the setting of animal welfare standards that must be met before any animal product or material is traded in New Zealand.

46B Regulations may prescribe animal welfare standards

- (1) The Governor-General may, by Order in Council made on the recommendation of the Minister, make regulations prescribing animal welfare standards (**welfare standards**) that must be complied with in respect of animal products and material traded in New Zealand.
- (2) Welfare standards must relate to 1 or more of the following activities in respect of any animal used to produce animal products or material (whether or not that activity is conducted in New Zealand or elsewhere):
 - (a) rearing:
 - (b) management:
 - (c) handling:
 - (d) transport:
 - (e) slaughtering.
- (3) Without limiting **subsection (1)**, welfare standards may—
 - (a) apply generally, or in relation to any specified, or specified class of, animal products, animal material, or other matters or things:
 - (b) make the same provision for all cases or different provisions for different cases or classes of case:
 - (c) impose any conditions, restrictions, or prohibitions.
- (4) Regulations made under this section are secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

46C Application of the Animal Welfare Act 1999 to welfare standards

- (1) Welfare standards—
 - (a) must not be more onerous than any applicable or comparable requirements under the Animal Welfare Act 1999; and
 - (b) may incorporate by reference any secondary legislation or other instrument made under that Act.
- (2) In this section, **comparable requirement**, in relation to an activity conducted outside of New Zealand, includes (but is not limited to) a requirement that would apply if that activity were conducted in New Zealand.

46D How compliance with welfare standards may be established

The Director-General may, by notice under section 167(1), prescribe the requirements in relation to the form and manner of establishing compliance with welfare standards.

8 Section 128 amended (Sale of non-complying animal material or product)

- (1) After section 128(1)(b), insert:

- (c) any animal material or product to which **Part 4A** applies that, to the person's knowledge, does not comply with the animal welfare standards made under that Part.

(2) After section 128(2), insert:

- (2A) A person commits an offence against this Act who sells or offers for sale, or has in possession for sale, any animal material or animal product for human or animal consumption that purports to, or is represented to, comply with animal welfare standards under **Part 4A**, but that, to the person's knowledge, does not comply with those standards.

9 Section 129 amended (Presenting non-complying animal material for processing)

In section 129(1), replace “Parts 2 to 4” with “Parts 2 to **4A**”.

10 Section 163 amended (Consultation requirements for making of certain Orders in Council, regulations, and notices)

After subsection 163(2)(d), insert:

- (da) **Section 46B** (Regulations may prescribe animal welfare standards):

11 Schedule 1 amended

In Schedule 1,—

- (a) insert the Part set out in the **Schedule** of this Act as the last Part; and
- (b) make all necessary consequential amendments.

Schedule
New Part 3 inserted into Schedule 1

s 11

Part 3
Provisions relating to Animal Products (Closing the Welfare Gap)
Amendment Act 2025

- 7 Obligations of Minister to recommend the making of animal welfare standards in respect of pigs and layer hens**
- (1) Within 2 years of the commencement date, the Minister must make a recommendation under **section 46B** for the making of animal welfare standards relating to animal materials or products derived from either or both of the following:
- (a) pigs:
 - (b) layer hens.
- (2) In this clause, **commencement date** means the date on which the Animal Products (Closing the Welfare Gap) Amendment Act 2025 comes into force.