



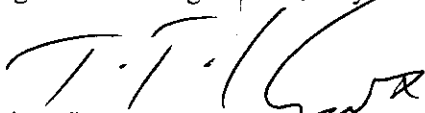
Animal Products (Recognised Agencies and Persons Specifications) Notice 2008

Pursuant to section 167(l) (m), (o), (p) and (q) of the Animal Products Act 1999, I, Tim Knox, Director (Border Standards) issue the following notice for the purposes of specifying:

- a. which functions and activities must be performed by recognised agencies and recognised persons; and
- b. the requirements to be met by persons or bodies wishing to become recognised agencies; and
- c. the competencies or other requirements to be met by persons wishing to become recognised persons; and
- d. the procedures for the recognition of agencies and persons under section 102 and 103; and
- e. the performance standards and other matters for the performance of functions and activities by recognised agencies and persons.
- f. Specifying records and other information to be kept and returns to be made by recognised agencies and persons for the purposes of section 159 of the Act

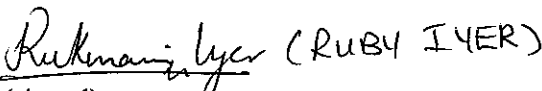
This notice is amending the notice previously issued on 1 September 2008

Signed at Wellington this 9th day of December 2008


(signed)

Tim Knox
Director (Border Standards)
MAFBiosecurity New Zealand
Ministry of Agriculture and Forestry
(Acting under delegated authority)

Certified in order for signature


(signed)

Solicitor
Legal Services
9/12/2008

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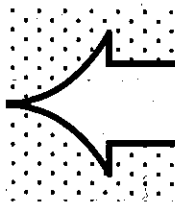


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Notice

Title

This notice is the Animal Products (Recognised Agencies and Persons Specification) Notice 2008

Commencement

This notice comes into force on 1 February 2009

Part 1 Preliminary provisions

1.1 Application

- 1.1.1 This notice applies only to official assurances issued for live animals (being any live mammals or birds or any other animal not being certified as food), and germplasm (not being certified as food) of animals.

1.2 Definitions

- 1.2.1 Any term or expression that is defined in the Animal Products Act 1999, Animal Products (Ancillary and Transitional Provisions) Act 1999, or regulations made under those Acts and used but not defined in this notice, has the same meaning as in those Acts or Regulations.
- 1.2.2 In this notice, unless the context otherwise requires, the following definitions, abbreviations and interpretations are used:

the Act, or APA	the Animal Products Act 1999 unless otherwise stated
animal	any member of the animal kingdom, including: <ol style="list-style-type: none">any mammal, bird (including hatching eggs), finfish, shellfish, reptile, amphibian, insect, or invertebrateany other creature or entity that is declared by the Minister by notice in the Gazette to be an animal for the purposes of this Act
Animal Imports and Exports Group	the section within MAFBNZ responsible for the development, negotiation and setting of, and adherence to export requirements for live animals and germplasm
authorised person	a person employed by NZFSA and designated by the Director-General of NZFSA under section 65 of the Act as an authorised person for the purpose of issuing official assurances under section 61 of the Act, and for withdrawing and reissuing official assurances under section 64 of the Act
bee declaration	a copy of an export certificate template with relevant sections completed, issued by a bee team to an authorised person, which confirms information supporting the eligibility for export of any live bees that require an official assurance
bee team	a MAFBNZ approved and registered bee exporter
centre veterinarian	a MAFBNZ approved veterinarian who is responsible for day-to-day compliance of semen collection, processing and/or storage in accordance with this notice and any other relevant requirements
competent authority	the veterinary Authority or other Governmental Authority of a member country having the responsibility and competence for ensuring or supervising the implementation of animal health and welfare measures, international veterinary certification and other standards and guidelines

competence	demonstrated ability to apply knowledge and skills
conflict of interest	where the duties or responsibilities of a person required by this notice or under the Act could be improperly affected by some other interest or duty the person may have
consignment plan	a plan drawn up for the export of large consignments of livestock to ensure that the consignment remains under continuous official control after the eligibility document has been issued, and until departure of the consignment from New Zealand
Director-General	this term generally applies to the Director-General of NZFSA and for the purposes of this document includes his/her authorised delegates namely, the Director-General of MAF, Deputy Director-General of MAFBNZ, the Director Border Standards of MAFBNZ, Exports Manager MAFBNZ or other MAF employees with delegated authority to exercise appropriate powers under the Animal Products Act
eligibility document	a copy of an export certificate templates with relevant sections completed, which is issued by a recognised person to an authorised person and which confirms information supporting the eligibility for export of any live animal (and germplasm where a germplasm declaration is not used) that requires an official assurance
embryo	the initial stage of development of a domestic animal, while it is transferable to a recipient dam
embryo team	a group of technicians, under the supervision of a team veterinarian, competent to perform the collection/production, processing and storage of embryos/ova
entity	an organisation or person that is legally able to enter into a contract and possesses a separate existence for tax purposes. An example of an entity would be a company, corporation, partnership, or trust.
export animals	live animals destined for export from New Zealand to another country
export certificate template	the template which is used to raise an official assurance as determined by the Director-General pursuant to section 62 of the Act. For the purposes of this notice, once the export certificate template is completed, printed on security paper, numbered, signed and dated by an authorised person, and stamped with that authorised person's signatory seal, it becomes an official assurance
export requirements	the requirements issued under section 60 of the Act which are specific to an identified overseas market(s) as related to the export of live animals and germplasm.
exporter	a person or entity that is registered for the purpose of exporting animal products under the Act, unless exempt from registration
facility	buildings, laboratories, yards, paddocks, collection facilities, apiaries, etc. associated with the export of live animals/germplasm

first-hand knowledge	knowledge by a person of facts or information which have been directly observed or verified by that person. It does not include knowledge based on what a person has been told by another
germplasm	semen, embryos, and ova
germplasm declaration	a copy of an export certificate template with relevant sections completed, issued by an approved centre/team veterinarian to an authorised person and which confirms information supporting the eligibility for export of any germplasm that requires an official assurance
germplasm register	a record of the approval status of semen centres and embryo teams held by MAFBNZ
IETS	International Embryo Transfer Society
import permit	an official document that is issued by an importing country allowing the importation of live animals or germplasm which may or may not specify the import requirements
inventory	a system of control whereby an entity is able to satisfactorily demonstrate the identity, traceability and eligibility of germplasm or security paper/seals through their records
isolation	keeping animals of the same export status separate from other animals of a different or unknown status
isolation plan	a plan drawn up for animals in MAF-approved pre-export isolation facilities to ensure that the animals remain in continuous isolation and under official control in accordance with the export requirements
issue	(in relation to an official assurance) refers to the provision of the authorised person's signature and seal on an export certificate template to transform it into an official assurance
issuing signature	the signature of the authorised person on an official assurance. This will be the final signature applied to an export certificate template
MAF	Ministry of Agriculture and Forestry
MAFBNZ	Ministry of Agriculture and Forestry Biosecurity New Zealand. This is the department of the New Zealand Ministry of Agriculture and Forestry that fulfils the role of New Zealand's competent authority for export of live animals and germplasm
MAFBNZ conflict of interest policy	"Policy for managing conflicts of interest when providing official assurances for export of live animals and germplasm"
MAFBNZ website	http://www.biosecurity.govt.nz
non-compliance	these are rated as follows: <ol style="list-style-type: none">critical non-compliancemajor non-complianceminor non-compliance.

A critical non-compliance compromises the integrity of export certification.

Examples include but are not limited to:

- negligence
- non-disclosure of unfavourable test or examination results
- substitution of animals or samples
- failure to keep essential records
- false certification and/or altered signature
- failure to declare a conflict of interest
- failure to rectify any major non-compliance(s) within the agreed timeframe.

A major non-compliance is one that demonstrates a major failure in the operation of a documented procedure or a deficiency in veterinary science application. It may be a specific non-compliance or a system with multiple non-compliances having a cumulative effect. Major non-compliances may be created by escalation of outstanding issues from previous audits.

A major non-compliance may compromise the integrity of the official assurance.

Examples include but are not limited to:

- unsatisfactory submission of samples for testing
- major omission or inaccuracy in record-keeping.

A minor non-compliance is one that does not represent a major failure of an operation or system but that does require correction.

NZFSA VA
NZFSA website
official assurance

New Zealand Food Safety Authority Verification Agency
<http://www.nzfsa.govt.nz>

a general statement to a foreign government, or an agent of a foreign government, attesting that certain conditions apply with respect to live animals or germplasm export. This includes, but is not limited to, statements regarding New Zealand's animal health status, the residency, isolation, health, testing, treatment and inspection status, and transportation of the commodity to be exported. For the purposes of this notice, once an export certificate template is completed, it becomes an official assurance. Only authorised persons may issue an official assurance.

official veterinarian

a veterinarian authorised by the Veterinary Authority i.e. competent authority of the country to perform certain designated official tasks associated with animal health and/or public health and inspections of commodities and, when appropriate, to verify in conformity with the provisions of the chapters on "General obligations related to certification" and "Certification procedures" in the current version of the chapters on "General obligations related to certification" and "Certification procedures" in the current version of the OIE *Code*. (Veterinarians authorised or recognised under the Animal Products Act 1999 can be termed 'official veterinarians'.)

official control	the control by a recognised person or authorised person
OIE	World Organisation for Animal Health (the name Office International des Epizooties was abolished in 2003; the acronym has been maintained)
recognised agency	in relation to any function or activity means a person or body recognised under section 103 of the Act for the purpose of performing specified functions and/or activities
recognised person	in relation to any function or activity means a recognised person under section 103 of the Act for the purpose of performing specified functions and/or activities
semen centre	an officially approved and supervised facility(s) where one or more of the following activities occurs: keeping animals, collecting semen, processing semen, and storing semen. A centre may have separate facilities on different sites
specifications	any specification issued under section 60 (2) of the Act
supporting documentation	a document, provided by a person other than a recognised person, providing information to support the eligibility for export of any live animal or germplasm that requires an official assurance
team veterinarian	an officially approved veterinarian who is responsible for supervision of the embryo team and the day-to-day compliance of the embryo team with this OAP
technical manager	the person with overall responsibility for the technical activities of the recognised agency and who acts as the recognised agency's point of contact with MAFBNZ
veterinarian	a veterinarian registered under the Veterinarians Act 2005 or its predecessor
work manual	the documentation outlining the systems and procedures of a semen centre or embryo/bee team, related to appropriate Parts/sections of this notice.

Part 2 Requirements for recognised agencies

- 2.1.1 A recognised agency must:
- a. be accredited to AS/NZS ISO/IEC 17020:2000 ‘General criteria for the operation of various types of bodies performing inspection’; and comply with the independence criteria of a Type A inspection body as described in Appendix A of AS/NZS ISO/IEC 17020:2000
 - b. appoint a technical manager.
- 2.1.2 The recognised agency must meet all other technical requirements as prescribed by MAFBNZ for one or more of the following functions for which they are seeking approval:
- a. confirming that export requirement(s) and the requirements of this notice have been met and issuing eligibility documents for all animal species (excluding bees), and germplasm
 - b. confirming that export requirement(s) and the requirements of this notice have been met and issuing eligibility documents for bees and broodcomb
 - c. auditing semen centres and embryo teams and recommending their approval
 - d. auditing bee teams and recommending their approval
 - e. approving pre-export isolation facilities
 - f. auditing continuously approved pre-export isolation facilities and recommending their approval
 - g. approving consignment plans
 - h. such other verification functions and activities in relation to export requirements for live animals and germplasm, as may be decided by the Animal Imports and Exports Group.

2.2 Application to become a recognised agency

- 2.2.1 Any person or any organisation wishing to become a recognised agency must apply to the Animal Imports and Exports Group using the application form in Appendix I, and pay the required fee and any direct charges.
- 2.2.2 A recognised agency must apply to an accreditation body authorised to accredit to AS/NZS ISO/IEC 17020:2000.
- 2.2.3 Upon receipt of the agency’s application, the accreditation body shall appoint a joint assessment team with appropriate technical representation from MAFBNZ.
- 2.2.4 The joint assessment team must assess the agency’s application and its procedures for compliance to AS/NZS ISO/IEC 17020:2000 and this notice.
- 2.2.5 MAFBNZ may give provisional approval to the agency to undertake services, under conditions specified by MAFBNZ.
- 2.2.6 The joint assessment team must undertake a system audit of the provisionally recognised agency’s documented procedures. Any non-compliance must be rectified.
- 2.2.7 Accreditation must be obtained within six months of the provisional recognition being granted, or that recognition will be withdrawn.

2.2.8 A controlled copy of the recognised agency's systems and procedures must be provided to MAFBNZ Animal Imports and Exports Group

2.3 Amendments to functions of the recognised agency

2.3.1 A recognised agency that decides to alter its approved range of functions must apply to change those functions using the application form in Appendix I. An application fee must accompany the form.

2.4 Retention of status of a recognised agency

- 2.4.1 A recognised agency retains recognition on the basis of:
- a. submission of a completed application form to the Imports and Exports Group and payment of the required fee and any related direct charges
 - b. a successful audit, as determined by the joint audit of the accreditation body and MAFBNZ of each function it is recognised for; this audit must be carried out at least once a year
 - c. completion by the recognised agency of an annual internal audit of their systems and notification of the results of this audit to the Animal Imports and Exports Group within 15 working days of its completion
 - d. full payment of all fees and direct charges as set by MAFBNZ.

2.5 System requirements for recognised agencies

2.5.1 A recognised agency must establish, document and maintain systems and procedures that comply with the Act, associated regulations, notices and directions

- 2.5.2 Recognised agencies must ensure that:
- a. the competency of recognised persons is assessed and maintained
 - b. where non-recognised persons carry out activities that support the issuance of official assurances for the export of live animals and germplasm, systems and procedures are in place for these activities.

2.5.3 In order for the recognised persons to maintain impartiality and independence in carrying out the functions for which they are recognised, the recognised agency must assist in the resolution of any situation that comprises the recognised persons' impartiality and independence.

2.5.4 A recognised agency must ensure that any recognised persons under its management comply with the requirements of the Act, associated regulations, notices, and directions, and this notice, relevant to their functions and activities, irrespective of the employment or contractual basis of their relationship with the agency.

2.5.5 A recognised agency must ensure that any relevant directions given by the Director-General are implemented by the agency and communicated to the appropriate recognised persons within the agency.

2.5.6 A recognised agency must ensure that its recognised persons have access to:

- a. up-to-date versions of the Act, this notice, the Veterinary Council of New Zealand Code of Professional Conduct for Veterinarians, AS/NZS ISO/IEC 17020:2000, and where appropriate, the OIE *Code*, the IETS *Manual*, the EU OMAR (where established) and EU Directives/Decisions/Regulations
- b. the agency's own systems and procedures
- c. the MAFBNZ conflict of interest policy
- d. the MAFBNZ website
- e. IATA Regulations relating to the carriage of animals by air
- f. communication systems of telephone, fax, email and courier services.

2.6 Applications for recognition of recognised persons

- 2.6.1 Where a person applying for recognition is employed or contracted by a recognised agency, that agency must:
- a. assess the person against the criteria relevant to the proposed functions and activities (see sections 3.6 and 3.7-3.13 as well as the criteria specified in section 101(2) of the Act)
 - b. forward the application for recognition to the Animal Imports and Exports Group on the applicant's behalf when satisfied that the person meets the criteria
 - c. provide documentation to the Animal Imports and Exports Group that the person meets the criteria.
- 2.6.2 Where a person applying for recognition is employed or contracted by more than one agency, each agency must assess the applicant's competency to perform the functions for which recognition is sought.

2.7 Transfer of approval documentation between recognised agencies

- 2.7.1 Recognised agencies shall cooperate with each other in accordance with section 16 of AS/NZS ISO/IEC 17020:2000.
- 2.7.2 When a MAFBNZ-approved entity elects to transfer to another recognised agency the new agency must ensure:
- a. the entity's approval is current
 - b. the entity's activities are included in the functions and activities for which the recognised agency is approved
 - c. the entity's non-compliances have been appropriately resolved and closed out
 - d. the audit frequency applied by the former recognised agency is known.
- 2.7.3 The incumbent recognised agency is responsible for the completion of verification services to the entity until formal acceptance of the transfer has been received from the new recognised agency.
- 2.7.4 Upon transfer, the new recognised agency must:
- a. notify MAFBNZ within 24 hours of acceptance of transfer
 - b. notify the incumbent recognised agency that they have accepted business within 24 hours of acceptance of transfer
 - c. request copies of all audit records and non-compliances from the incumbent recognised agency
 - d. conduct a full audit of the entity within one month of accepting the transfer, and

this audit may be regarded as the entity's six/twelve month audit.

2.8 Recognised agency's cessation of service to an entity

- 2.8.1 A recognised agency must notify the Animal Imports and Exports Group within 24 hours, with the reason why, where it elects to no longer provide services to an entity.

2.9 Movement of recognised persons and functions between recognised agencies

- 2.9.1 When a recognised person elects to be contracted or employed by another recognised agency, the former agency must ensure that any consignments under preparation for export are able to be completed.
- 2.9.2 Where a recognised person is carrying out ongoing functions/activities for an approved entity and the recognised agency will no longer be able to provide those functions/activities after the recognised person has moved, this recognised agency must notify the Animal Imports and Exports Group within 24 hours and ensure that such functions/activities will be maintained for at least ten working days following this notification.
- 2.9.3 When a recognised person elects to be contracted or employed by another recognised agency, the new agency must:
- a. ensure that the recognised person has no outstanding non-compliances
 - b. make an application for the recognised person in accordance with clause 2.10.1
 - c. ensure that the recognised person's function(s) is included in the functions and activities for which the recognised agency is approved.

2.10 Communication of status as a recognised agency

- 2.10.1 The recognised agency, in making reference to its approved status, must use only the following phrase or an equivalent phrase approved by MAFBNZ:

“Approved by Ministry of Agriculture and Forestry, Biosecurity New Zealand to provide “[*state the function options*]”.

- 2.10.2 The MAF, MAFBNZ logo or the word MAF or MAFBNZ must not to be used except as provided in 2.11.1.

2.11 Confidentiality

- 2.11.1 All information obtained by a recognised agency whilst carrying out their functions and activities must:
- a. be managed in accordance with the Privacy Act 1993
 - b. be made available to MAFBNZ if requested
 - c. not be released to a third party without prior approval from the Animal Imports and Exports Group.

2.12 Management of consignments for export

- 2.12.1 Where two or more recognised persons share functions and activities for the same export consignment of animals or germplasm, one recognised person must be appointed to have overall accountability.

2.13 Reporting

- 2.13.1 The recognised agency must provide to MAFBNZ the following reports at specific frequencies, as stated in Table 1.1.

Table 1.1: Reporting requirements

Reports	Event	Quarterly
For semen centres, embryo teams, continuously approved pre-export isolation facilities and bee teams, the audit report and non-compliance report.	X ³ X ¹ where critical	
For pre-export isolation facility(s) (non-continuous), consignment plans for export of large consignments of livestock, and any other specific approval according to export requirements, a summary of these approvals including: a. number of approvals/plans and type b. issues.		X summary
Interceptions of live animals or germplasm by importing countries of which recognised agencies have been made aware.	X ¹	
Eligibility documentation (i.e. eligibility documents, germplasm declarations, and bee declarations) identifying: a. number completed/number verified b. issues c. non-compliance findings and corrective actions in germplasm/bee declarations.		X summary
Major and critical non-compliance findings identified within the recognised agency's own system identified during internal audits or via other sources, and corrective actions undertaken.	X ³ X ¹ where critical	
Disputes and appeals, identifying: a. background to the issue b. outcome c. legal action and settlements where applicable.		X summary
Potential issues likely to compromise the integrity of export certification.	X ¹	
Changes to the recognised agency's directorship, management or recognised persons.	X ²	

Reports	Event	Quarterly
Significant updates to the controlled copy of the recognised agency's systems and procedures.	X ³	
Changes to the approval status of centre veterinarians of semen centres.	X ²	
Changes to the approval status of team veterinarians of embryo teams.	X ¹	
Changes to the approval status of bee teams.	X ²	
Changes in the conflict of interest status for approved semen centres/embryo teams/bee teams.	X ³	
Scheduled livestock exports		X

¹ Written notification to the Animal Imports and Exports Group must be within 48 hours of this event.

² Written notification to the Animal Imports and Exports Group must be within five working days of this event.

³ Written notification to the Animal Imports and Exports Group must be within ten working days of this event.

2.13.2 The event report must contain the following information:

- a. name of organisation
- b. description of the event and implications
- c. action(s) taken
- d. recognised agency's recommendation to MAFBNZ.

2.13.3 The audit report and non-compliance report templates provided in Appendix 1 must be used.

2.13.4 Quarterly reports must be submitted to the Animal Imports and Exports Group by the dates as stated in Table 2.2.

Table 2.2: Quarterly reporting dates

Quarterly report covering	Due date (the last working day)
Jul/Aug/Sept	October
Oct/Nov/Dec	January
Jan/Feb/Mar	April
April/May/June	July

2.13.5 Prior to any significant change to the recognised agency's systems or procedures the technical manager must notify the Animal Imports and Exports Group.

2.13.6 The Animal Imports and Exports Group reserves the right to audit such significant changes.

2.14 Records

2.14.1 A recognised agency must keep a record of all supporting documentation for exported live animals and germplasm. In addition, the following records must be kept:

- a. eligibility documents
- b. competency/skills assessments of its recognised persons
- c. audit reports and audit checklists
- d. non-compliances found during internal/external audits of the recognised agency and the associated corrective actions
- e. facility approvals
- f. disputes and appeals
- g. service contracts.

2.14.2 Records must be:

- a. retrievable as hard or electronic copy for a period of seven years
- b. a faithful and legible copy of the supporting documentation, where the original is not kept
- c. uniquely identified, dated and traceable to the recognised person undertaking the certification activity.

2.14.3 Audit records must include the following information:

- a. animal/germplasm type(s)
- b. audit location
- c. entity staff assessed
- d. audit scope
- e. any non-compliances and their classifications
- f. agreed corrective actions and their implementation dates
- g. future audit status and frequency.

2.14.4 All records must be provided to the Animal Imports and Exports Group upon request.

2.14.5 All audit records must be provided to the Animal Imports and Exports Group upon termination of the recognised agency's services on the agreed date of termination.

2.15 Audit requirements

2.15.1 The recognised agency must be audited by the chosen accreditation body at least once every 12 months. MAFBNZ may nominate a person to be either part of the audit team or an observer.

2.15.2 MAFBNZ may elect to carry out audits independently from those of the chosen accreditation body.

Part 3 Requirements for recognised persons

3.1 Requirements to be a recognised person

- 3.1.1 Persons who carry out functions that support the ability of an authorised person to issue an official assurance must be ‘recognised’ under the Act.
- 3.1.2 A recognised person must operate under a recognised agency. A recognised person must only perform functions for which he/she is approved. These must be within the scope of the recognised agency’s approved functions.
- 3.1.3 A recognised person may perform certain functions under the management of one or more recognised agencies.
- 3.1.4 Recognition to carry out a function while contracted or employed by one recognised agency does not automatically allow the person to perform that same function while contracted or employed by another agency. Separate recognition must be sought for each recognised agency the person is contracted to or employed by.
- 3.1.5 Recognised persons must maintain impartiality and independence in carrying out the functions for which they are recognised. Recognised persons must ensure that any conflicts of interest are identified, disclosed and managed to the satisfaction of MAFBNZ. The recognised agency and the technical manager of the recognised agency must assist in the resolution of this situation.
- 3.1.6 All information obtained by a recognised person in the course of their duties when acting on behalf of MAFBNZ shall:
- a. be managed in accordance with the Privacy Act 1993
 - b. be made available to MAFBNZ when requested
 - c. not be released to a third party without prior approval from the Animal Imports and Exports Group.
- 3.1.7 The applicant must meet all other technical requirements as prescribed by MAFBNZ for the functions for which they are seeking approval.

3.2 Application to become a recognised person

- 3.2.1 A person applying to become recognised or a recognised person wishing to change his/her current recognition must apply to the Animal Imports and Exports Group through the recognised agency, and pay the required fee and any related direct charges.

3.3 Amendments to the functions of a recognised person

- 3.3.1 A recognised person may apply to change the functions for which they are recognised, and for this must use the application form. An application fee must accompany the form.

3.4 Retention of status of a recognised person

- 3.4.1 The recognised person retains his/her recognition on the basis of:
- a. submission of the completed application form to the Animal Imports and Exports Group

- b. full payment of all fees and any direct charges as prescribed by MAFBNZ within agreed time-frames.

3.5 Functions for which persons may be recognised

- 3.5.1 For the purpose of providing an official assurance for live animals and germplasm, a person must be recognised to carry out the following functions, as appropriate:
 - a. confirming that export requirement(s) and the requirements of this notice have been met and issuing eligibility documents for live animals (excluding bees) and germplasm
 - b. confirming that export requirement(s) and the requirements of this notice have been met and issuing eligibility documents for bees and broodcomb
 - c. auditing semen centres and embryo teams and recommending their approval
 - d. auditing bee teams and recommending their approval
 - e. approving pre-export isolation facilities
 - f. auditing continuously approved pre-export isolation facilities and recommending their approval
 - g. approving consignment plans
 - h. such other verification functions and activities in relation to export requirements for live animals and germplasm, as may be decided by the Animal Imports and Exports Group.
- 3.5.2 Persons may be recognised for one or more functions but any recognised person must only carry out those functions for which he/she is recognised.

3.6 General competencies

- 3.6.1 Any person applying to be recognised for any of the functions above must:
 - a. demonstrate sound knowledge of:
 - i. the Act and any associated regulations, notices, and directions, relevant to the person's function(s)
 - ii. the Veterinary Council of New Zealand Code of Professional Conduct for Veterinarians
 - iii. the OIE *Code*, as appropriate
 - iv. the IETS Manual, as appropriate
 - v. export requirements, as appropriate
 - vi. EU Directives/Decisions/Regulations, as appropriate
 - vii. the MAFBNZ conflict of interest policy
 - b. Provide evidence of the relevant competencies.

3.7 Competencies for issuing eligibility documents (except for bees and broodcomb)

- 3.7.1 In addition to meeting the requirements of clause 3.6, a recognised person issuing eligibility documents for all animal species (excluding bees) and germplasm must:
 - a. be a veterinarian registered with the Veterinary Council of New Zealand
 - b. hold an annual practising certificate as required under Part I of the Veterinarians Act 2005 entitling a veterinarian to practise in New Zealand
 - c. demonstrate sound knowledge of the infrastructure and operational norms of the live animal and germplasm export industry and have prepared two or more eligibility documents under the direct supervision of a recognised person. The

supervising recognised person must be recognised for the function of issuing eligibility documents (except for bees and broodcomb).

3.8 Competencies for issuing eligibility documents for bees and broodcomb

- 3.8.1 In addition to meeting the requirements of clause 3.6, a recognised person issuing eligibility documents for bees and broodcomb must:
- a. have met the competency requirements, level 1, for an authorised person under the National American Foulbrood Pest Management Strategy, or undergone a training programme in apiculture, which is accepted by the Animal Imports and Exports Group as being equivalent
 - b. demonstrate sound knowledge of the infrastructure and operational norms of the bee and broodcomb export industry and have prepared two or more eligibility under the direct supervision of a recognised person. The supervising recognised person must be recognised for the function of issuing eligibility documents for bees and broodcomb.

3.9 Competencies for auditing semen centres and embryo teams and recommending their approval

- 3.9.1 In addition to meeting the requirements of clause 3.6, a recognised person auditing semen centres and embryo teams and recommending their approval must:
- a. be a veterinarian registered with the Veterinary Council of New Zealand
 - b. hold an annual practising certificate as required under Part I of the Veterinarians Act 2005 entitling a veterinarian to practise in New Zealand
 - c. demonstrate sound knowledge of the infrastructure and operational norms of the germplasm export industry
 - d. have achieved a qualification in quality systems auditing granted by an organisation accredited by JAS-ANZ, IANZ, or any other accreditation body recognised by JAS-ANZ or IANZ for the purpose of certifying auditors in accordance with international norms, or have attended a NZQA audit course or obtained an NZQA unit standard in auditing at level six or above. If the quality system audit qualification was completed more than three years previously, be able to demonstrate an ongoing involvement in performing audits over the intervening years or must complete re-qualification
 - e. have, within a 12 month period, carried out at least two audits under the direct supervision of a recognised person. The supervising recognised person must be recognised for the function of auditing semen centres and embryo teams and recommending their approval
 - f. must be competent in performing audits.

3.10 Competencies for auditing bee teams and recommending their approval

- 3.10.1 In addition to meeting the requirements of clause 3.6, a recognised person auditing bee teams, and recommending their approval must:
- a. have met the competency requirements, level 1, as an authorised person under the National American Foulbrood Pest Management Strategy, or undergone a

- training programme in apiculture, which is accepted by the Animal Imports and Exports Group as being equivalent
- b. demonstrate sound knowledge of the infrastructure and operational norms of the bee and broodcomb export industry
 - c. have achieved a qualification in quality systems auditing granted by an organisation accredited by JAS-ANZ, IANZ, or any other accreditation body recognised by JAS-ANZ or IANZ for the purpose of certifying auditors in accordance with international norms, or have attended a NZQA audit course or obtained an NZQA unit standard in auditing at level six or above. If the quality system audit qualification was completed more than three years previously, be able to demonstrate an ongoing involvement in performing audits over the intervening years or must complete re-qualification
 - d. have, within a 12 month period, carried out at least two audits under the direct supervision of a recognised person. The supervising recognised person must be recognised for the function of auditing bee teams and recommending their approval
 - e. must be competent in performing audits.

3.11 Competencies for approving pre-export isolation facilities

- 3.11.1 In addition to meeting the requirements of clause 3.6, a recognised person approving pre-export isolation facilities must:
- a. be a veterinarian registered with the Veterinary Council of New Zealand
 - b. hold an annual practising certificate as required under Part I of the Veterinarians Act 2005 entitling a veterinarian to practise in New Zealand
 - c. demonstrate sound knowledge of the infrastructure and operational norms of the live animal export industry.

3.12 Competencies for auditing continuously approved pre-export isolation facilities and recommending their approval

- 3.12.1 In addition to meeting the requirements of clause 3.6, a recognised person auditing continuously approved pre-export isolation facilities and recommending their approval must:
- a. be a veterinarian registered with the Veterinary Council of New Zealand
 - b. hold an annual practising certificate as required under Part I of the Veterinarians Act 2005 entitling a veterinarian to practise in New Zealand
 - c. demonstrate sound knowledge of the infrastructure and operational norms of the live animal export industry
 - d. have achieved a qualification in quality systems auditing granted by an organisation accredited by JAS-ANZ, IANZ, or any other accreditation body recognised by JAS-ANZ or IANZ for the purpose of certifying auditors in accordance with international norms, or have attended a NZQA audit course or obtained an NZQA unit standard in auditing at level six or above. If the quality system audit qualification was completed more than three years previously, be able to demonstrate an ongoing involvement in performing audits over the intervening years or must complete re-qualification
 - e. have, within a 12 month period, carried out at least two approvals of pre-export isolation facilities and isolation plans under the direct supervision of a recognised person. The supervising recognised person must be recognised for the function of approving pre-export isolation facilities and isolation plans
 - f. must be competent in performing audits.

3.13 Competencies for approving consignment plans for export of large consignments of livestock

- 3.13.1 In addition to meeting the requirements of clause 3.6, a recognised person approving consignment plans for export of large consignments of livestock must:
- a. be a veterinarian registered with the Veterinary Council of New Zealand
 - b. hold an annual practising certificate as required under Part I of the Veterinarians Act 2005 entitling a veterinarian to practise in New Zealand
 - c. demonstrate sound knowledge of the infrastructure and operational norms of the livestock export industry
 - d. have, within a 12 month period, carried out at least two consignment plan approvals under the direct supervision of a recognised person. The supervising recognised person must be recognised for the function of approving consignment plans.

3.14 Activities carried out by non-recognised persons

- 3.14.1 Under the following conditions, non-recognised persons may carry out activities other than the specific functions for which only the recognised person is approved:
- a. the export requirements allow for this and
 - b. the recognised person remains responsible for the activities undertaken, and must ensure that the person has the relevant training to undertake the activity and
 - c. a declaration or supporting documentation must be provided by the non-recognised person confirming that the activity(s) has been carried out.

3.15 Reporting

- 3.15.1 Where in the course of performing his/her function(s), a recognised person detects any non-compliance with any relevant requirement of the Act this notice and/or export requirements which he/she considers will compromise the integrity of export certification, he/she must report this in writing within 24 hours to the technical manager of the recognised agency.

Part 4 **Appendix I: Application forms**

Application Form 1:	Recognised Agency (live animals and germplasm)
Application Form 2:	Recognised Person (live animals and germplasm)
	Consent to Disclosure of Information
	Comments of the New Zealand Police
Template 1:	Audit Report
Template 2:	Non-compliance report



MAF Biosecurity New Zealand
 Animal Imports and Exports Group
 PO Box 2526
 Wellington 6140
 Ph: (04) 894 0513
 Fax: (04) 894 0731

Application Form 1: Recognised Agency (live animals and germplasm)

This application for initial and annual recognition as an agency is made under section 102 of the Animal Products Act 1999.

The consent for disclosure form must printed on letterhead paper of the recognised agency, be completed by the director(s) of the recognised agency and returned with the application form. The consent for disclosure form must be completed at each annual application for recognition.

Send the completed application and other appropriate documentation to MAFBNZ, attention: Manager, Animal Imports and Exports Group at the above address.

The application fee and assessment fee will be charged each time new functions and activities are applied for.

Where an applicant is refused recognition as an agency, these fees will not be refunded as the work they cover must still be undertaken regardless of outcome.

If there are any changes to the contact details provided in this application subsequent to recognition, the recognised agency must inform the Manager of the Animal Imports and Exports Group in writing.

The MAFBNZ conflict of interest policy is available on the MAF website at <http://www.biosecurity.govt.nz>.

- 1. Applicant name** (registered company name or partnership names (including the trading name) or sole trader name)

Full legal name of applicant:

Company - provide the name of the company as registered under the Companies Act 1993.

Partnership - provide the full legal names of all individuals or companies within the partnership and if applicable, the trading name used by the partnership. The use of initials for individuals is not permitted and the full legal name of all individuals or companies must be supplied. The name will appear on the Notice of Recognition in the format “<partner names>, a partnership trading as <trading name>” and as stated in the application form.

- 2. Address and contact details of applicant**

Physical address (for service):
 Postal address (for communication):
 Phone No:
 Fax No:
 Email:

- 3. Names of directors of the applicant or those responsible for its management or control**

List all persons (full legal name):

Each person listed above must also complete and sign a separate form for Consent for Disclosure of Information provided below.

- 4. Name of technical manager:**

Full legal name:

5. Functions management table:

List of functions	
<ol style="list-style-type: none"> 1. Confirming that export requirement(s) and that all other legal requirements under the Act in respect of the export of all live animal species (excluding bees) and germplasm have been met and issuing eligibility documents for the same 2. Confirming that export requirement(s) and all other legal requirements under the APA in respect of the export of bees and broodcomb have been met and issuing eligibility documents for the same. 3. Auditing semen centres and embryo teams and recommending their approval. 4. Auditing bee teams and recommending their approval. 5. Approving pre-export isolation facilities. 6. Auditing continuously approved pre-export isolation facilities and recommending their approval. 7. Approving consignment plans. 	
Names of persons to be recognised	Specified functions (list No's as above)
e.g. Mary Smith	e.g. 1, 3, 5

6. Documentation required and to be attached:

Evidence of accreditation to AS/NZS ISO/IEC 17020:2000 and compliance with the independence criteria of a Type A inspection body as described in Appendix A of AS/NZS ISO/IEC 17020:2000, or progress of quality system toward accreditation.

Individual Consent for Disclosure forms for all those listed in section 3.

A copy of the recognised agency's annual internal audit.

7. Applicant declaration: To be completed by applicant

I declare that:

- a. I am authorised to make this application on behalf of the applicant
- b. the information supplied in this application is accurate
- c. the directors of the applicant or those responsible for its management or control are of good character and reputation; and
- d. there is no other information that I am aware of that affects the ability of the applicant to maintain an appropriate degree of impartiality and independence in managing the function(s) and activities for which the applicant has applied to be recognised.

Name(s):

Date:

Designation(s):

Signature:

- 8. MAFBNZ fees:** Recognised agency application fee: \$137.25 inc. GST Assessment fee: \$137.25 inc. GST per hour



MAF Biosecurity New Zealand
Animal Imports and Exports Group
PO Box 2526
Wellington 6140
Ph: (04) 894 0513
Fax: (04) 894 0731

Application Form 2: Recognised Person (live animals and germplasm)

This application for initial and annual recognition as a person is made under section 102 of the Animal Products Act 1999.
This application form must be completed annually by applicants requiring recognition under section 101 of the Animal Products Act 1999 for functions associated with the export of live animals and animal germplasm.
Recognition of a person is granted under section 101 of the Animal Products Act 1999. Under section 105 of the Animal Products Act 1999, the Director-General can specify, in the notice of recognition, conditions on the grant.
The consent for disclosure form must be printed on letterhead paper of the recognised agency and completed by initial applicants only, and returned with the application form.
Send the completed application and other appropriate documentation to MAFBNZ, attention: Manager, Animal Imports and Exports Group at the above address.
The application fee and assessment fee will be charged each time new functions and activities are applied for.
Where an applicant is refused recognition as a recognised person, these fees will still be payable as the work they cover must still be undertaken regardless of outcome.
If there are any changes to the contact details provided in this application subsequent to recognition, the recognised agency must inform the Manager of the Animal Imports and Exports Group in writing.
The MAFBNZ conflict of interest policy is available on the MAF website at http://www.biosecurity.govt.nz.

- 1. Applicant name: Full name of applicant:
2. Organisation name (where appropriate) - (provide registered company name or partnership names (including the trading name) or sole trader name):

The use of initials is not permitted. The name will appear on the Notice of Recognition as stated in the application form, including the use of upper and lower case as provided by the applicant.

- 3. Address and contact details of applicant: Physical address (for service): Postal address (for communication): Phone No: Mobile No: Fax No: Email:
4. Recognised agency details: Recognised agency name: Physical address (for service): Postal address (for communication): Phone No: Fax No: Email:

5. Functions management table:

List of functions		
<ol style="list-style-type: none"> 1. Confirming that export requirement(s) and all other legal requirements under the Act have been met in respect of the export of all live animal species (excluding bees) and germplasm and issuing eligibility documents for the same 2. Confirming that export requirement(s) and all other legal requirements under the Act have been met in respect of the export of bees and broodcomb and issuing eligibility documents for the same. 3. Auditing semen centres and embryo teams and recommending their approval. 4. Auditing bee teams and recommending their approval. 5. Approving pre-export isolation facilities. 6. Auditing continuously approved pre-export isolation facilities and recommending their approval. 7. Approving consignment plans. 		
Names of person to be recognised	Specified functions (list No's as above)	Evidence of competency and date(s) of assessment by the recognised agency (refer to section 2.7, 3.6-3.13 of this notice).
e.g. Mary Smith	e.g. 1	e.g. provide documentation to show that the requirements of section 3.6 of the is notice have been met.

If the organisation name and contact details provided in section 2 are the same as the recognised agency, then only provide the recognised agency name. If the name and contact details of the recognised agency differ from that provided in sections 2, then provide the name and contact details of the recognised agency.

6. Applicant declaration: To be completed by the applicant.

I declare that:

- a. the information supplied in this application is accurate
- b. I am of good character and reputation
- c. in the year between the date of submission of my previous application and the date of submission of this application, I have not been charged with a crime and have no convictions pending*
- d. I have read and understood the MAFBNZ conflict of interest policy
- e. I confirm (please tick) that:
 - I do not have any conflict of interest that would prevent me verifying live animals and germplasm for export, and
 - I will avoid conflicts of interest with my professional duties under the Act and associated regulations, notices, requirements and specifications, wherever possible, and where this is not possible, I will declare them fully and promptly so that they can be effectively managed to the satisfaction of MAFBNZ
- f. there is no other information that I am aware of that affects my ability to carry out the function(s) and activities as an recognised person.

* applies to applications for initial recognition only.

Name:

Date:

Designation(s):

Signature:

7. Recognised agency declaration: To be completed by the recognised agency recommending the applicant for recognition.

I declare that this recognised agency has completed a thorough assessment of the competency of this applicant to perform the functions for which recognition is requested. I am also satisfied that the applicant is of good character and reputation, and should be recognised to perform the functions listed above.

Name:

Date:

Designation(s):

Signature:

This declaration must be completed by a staff member of the recognised agency with delegated authority to make declarations on behalf of the agency for any person for whom recognition is being sought.
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8. MAFBNZ fees:

Recognised person application fee: \$137.25 inc. GST

Assessment fee: \$137.25 inc. GST per hour

CONSENT TO DISCLOSURE OF INFORMATION

Licensing & Vetting Service Centre

Office of the Commissioner

PO Box 3017

WELLINGTON

I,

(Surname)

(Fore Names)

.....

(Maiden or any other names used)

Sex.....(M/F) Date and place of birth.....

Nationality..... Residential Address.....

Suburb..... City.....

NZ Driver Licence number

hereby consent to the disclosure by the New Zealand Police of any information they may have pursuant to this application, to MAFBNZ. I understand that any record of criminal convictions I might have will automatically be concealed if I meet the eligibility criteria stipulated in Section 7 of the Criminal Records (Clean Slate) Act 2004.

Signed.....

Date.....

COMMENTS OF THE NEW ZEALAND POLICE

NOTE: This page must be printed on letterhead paper

Collection of Personal Information on Individuals

In regard to any information being collected on this application for recognition as an agency or person, pursuant to the Animal Products Act 1999 (that is personal information identifying or being capable of identifying an individual person), notification is provided, in accordance with principle 3 of the Privacy Act 1993, to individuals of the following matters:

1. This information is being collected for purposes relating to the application for recognition and general administration of recognised agencies under the Animal Products Act 1999.
2. The recipient of this information, which is also the agency that will collect and hold the information, is the Ministry of Agriculture and Forestry Biosecurity New Zealand (MAFBNZ), PO Box 2526, Wellington.
3. The collection of information is authorised under section 102 of the Animal Products Act 1999. The provision of this information is necessary in order to process this application. Failure to provide information is likely to result in the return of this application form to the applicant.
4. You are reminded that under Principles 6 and 7 of the Privacy Act 1993, you have the right of access to, and correction of, any personal information that has been provided.

Template 1: Audit report from recognised agency

1. Auditee information:

Registration number:

Name of approved semen centre/embryo team, pre-export isolation facility or bee team:

Name of approved semen centre/embryo team veterinarian, pre-export isolation facility manager, or
bee team manager:

Recognised person:

2. Inspection date:

3. Expiry date of registration:

4. Recommendation:

5. Details of audit to be attached.

6. Non-compliance report to be attached where applicable (see template 2).

Template 2: Non-compliance report

1. Auditee information:

Registration number:.....

Name of semen centre/embryo team/pre-export isolation facility/bee team:

Name of approved semen centre/embryo team veterinarian, pre-export isolation facility manager, or
bee team manager:

Recognised person:

2. Inspection date:

3. Expiry date of approval:

4. Type of non-compliance (tick as appropriate):

Critical Non-compliance Major non-compliance Minor non-compliance

5. Description of non-compliance:

.....
.....
.....
.....
.....

6. Agreed corrective action:

.....
.....
.....
.....
.....

7. Date for completion of corrective action:

.....
Signature of recognised person:

Date

.....
Signature of semen centre/embryo team veterinarian, pre-export isolation facility manager, or bee team manager:

Date

8. Audit of corrective action

The action taken to correct the above non-compliance has been satisfactorily dealt with and the semen centre/embryo team/pre-export isolation facility/bee team is now in compliance with the issue(s), which is (are) the subject(s) of this corrective action notice.

.....
Signature of recognised person

Date

.....
Signature of semen centre/embryo team veterinarian, pre-export isolation facility manager, or bee team manager

Date

or

The semen centre/embryo team, pre-export isolation facility, or bee team is still in non-compliance and a new corrective action request has been issued.

.....
Signature of recognised person

Date

.....
Signature of semen centre/embryo team veterinarian, pre-export isolation facility manager, or bee team manager

Date