



Animal Products (Recognised Agencies and Persons Specifications for the Export of Live Animals and Germplasm) Notice 2011

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

- a. functions and activities in relation to the export of live animals and germplasm, that will only be valid for official assurances purposes, where they are performed by recognised agencies and persons; and
- b. requirements to be met by persons or bodies wishing to become recognised agencies; and
- c. competencies or other requirements to be met by persons wishing to become recognised persons; and
- d. procedures for the recognition of agencies and persons under section 102 and 103; and
- e. performance standards and other matters for the performance of functions and activities by recognised agencies and persons
- f. 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 revokes the notice previously issued on 20 May 2010.

Signed at Wellington this 28th day of June 2011.

Signed: Tim Knox
Director Import and Export
Standards
Ministry of Agriculture and Forestry
(Acting under delegated authority)

Published by the Ministry of Agriculture and Forestry
PO Box 2526
Wellington 6140



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Notice

Title

This notice is the Animal Products (Recognised Agencies and Persons Specifications for the Export of Live Animals and Germplasm) Notice 2011.

Commencement

This notice comes into force on 1 July 2011 for relevant sections of this notice relating to all industry groups except for Poultry.

This notice comes into force 1 September for the relevant sections of this notice relating to Poultry.

Part 1 Preliminary Provisions

1.1 Application

1.1.1 This notice specifies the requirements that apply to persons or bodies seeking recognition or that have been recognised to perform specialist functions in relation to the export of live animals (other than live animals which are themselves the object of any primary processing under the Animal Products Act 1999) and germplasm, for the purposes of obtaining official assurance for export.

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.

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: a. any mammal, bird (including hatching eggs), finfish, shellfish, reptile, amphibian, insect, or invertebrate b. any 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 This OAP applies only to official assurances issued for live animals (other than live animals which are themselves the object of any primary processing under the Animal Products Act 1999) and germplasm
Animal Imports and Exports Group	the section within MAF responsible for the development, negotiation and setting of, and adherence to Export Requirements for live animals and germplasm
authorised person	a person employed by MAF and designated by the Director-General of MAF 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 MAF-approved and registered bee exporter
centre veterinarian	a veterinarian who is approved by the Director-General and responsible for day-to-day compliance of semen collection,

	processing and/or storage in accordance with this OAP and any relevant requirements
cleaning	<p>the application of procedures that effectively remove surface and built-up dirt, as appropriate to the equipment/facility. These procedures may vary according to the nature of the equipment/facility they are applied to. Examples are:</p> <ol style="list-style-type: none">a. high-pressure hose and/or steam cleaning for concrete, steel, rubber and wooden surfaces associated with a collection facilityb. hot water, detergents and/or abrasive cleaning agents for smooth work/interior surfaces in a laboratory or storage facility
competence	in relation to a person, means a demonstrated ability to apply that person's knowledge and skills
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
conflict of interest	where the duties or responsibilities of a person required by this OAP or under the Act could be improperly affected by some other interest or duty the person may have
consignment	one or a number of live animals, or germplasm, being moved from one country to another and covered, where required, by an official assurance
Director-General	this term generally applies to the Director-General of MAF and for the purposes of this document includes his/her authorised delegates namely: the Deputy Director-General; the Director Import and Export; Animal Imports and Exports Group Manager; or other MAF employees with delegated authority to exercise appropriate powers under the Animal Products Act
disinfection	the application, after cleaning, of procedures intended to destroy agents of disease
eligibility document	a copy of an export certificate template 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, and including facilities related to their

	operations, under the supervision of a team veterinarian, competent to perform the collection/production, processing and storage of embryos/ova and approved by the Director-General
embryo team veterinarian	a veterinarian who is approved by the Director-General and who is responsible for day-to-day compliance of embryo collection, processing and/or storage in accordance with this OAP and any relevant requirements
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 OAP, 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) and 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, hatcheries, 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 of animals
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
hatchery	facilities related to the management of hatching eggs and day-old chicks destined for export under the supervision of a poultry manager
hatching	the emergence of a bird from its egg

hatching eggs	fertilised eggs, suitable for incubation and hatching
IATA	International Air Transport Association
internal audit	managerial tool with its primary function being to measure and evaluate the adequacy and effectiveness of internal control systems
ISO 17020	AS/NZS ISO/IEC 17020:2000 ‘General criteria for the operation of various types of bodies performing inspection’ http://infostore.saiglobal.com/store
isolation	keeping animals of the same export status separate from other animals of a different or unknown status
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
lot	a number of animals, or a collection of containers (e.g. straws, ampoules) containing semen/embryos
MAF	Ministry of Agriculture and Forestry
MAF website	http://www.maf.govt.nz
MAFBNZ	Ministry of Agriculture and Forestry Biosecurity New Zealand. This was the department of the New Zealand Ministry of Agriculture and Forestry that fulfilled 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 <p>A critical non-compliance compromises the integrity of export certification</p> <p>Examples include but are not limited to:</p> <ul style="list-style-type: none">negligencenon-disclosure of unfavourable test or examination resultssubstitution of animals or samplesfailure to keep essential recordsfalse certification and/or altered signaturefailure to declare a conflict of interestfailure to rectify any major non-compliance(s) within the agreed timeframe <p>A major non-compliance is one that demonstrates a major</p>

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

official assurance	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 OAP, 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 OIE <i>Code</i> (Veterinarians authorised or recognised under the Animal Products Act 1999 can be termed 'official veterinarians')
OIE	World Organisation for Animal Health (the name Office International des Epizooties was abolished in 2003; the acronym has been maintained)
OIE Code	the current edition of the <i>Terrestrial Animal Health Code</i> , which can be found on the OIE website: http://www.oie.int/international-standard-setting/terrestrial-code/access-online/ The current edition of the <i>Aquatic Animal Health Code</i> , which can be found on the OIE website: http://www.oie.int/international-standard-setting/aquatic-code/access-online/
OIE Manual	the current edition of The OIE <i>Manual of Diagnostic Tests</i>

and *Vaccines for Terrestrial Animals* (mammals, birds and bees) for diseases listed in the *Code*. This can be found on the OIE website:

<http://www.oie.int/international-standard-setting/terrestrial-manual/access-online/>

The current edition of the OIE *Manual of Diagnostic Tests for Aquatic Animals*, which can be found on the OIE website:

<http://www.oie.int/international-standard-setting/aquatic-manual/access-online/>

poultry declaration	a copy of an export certificate template with relevant sections completed, issued by an approved poultry veterinarian to an authorised person and which confirms information supporting the eligibility for export of any hatching eggs and day-old chicks that require an official assurance
poultry veterinarian	a veterinarian who is approved by the Director-General and responsible for the day-to-day compliance of source flocks and hatchery operations in accordance with this OAP and any relevant requirements
pre-export isolation facility	a supervised facility where animals spend a specified period of time immediately prior to export in ‘isolation’ or ‘quarantine’
premises	the place where a live animal business is operated
recognised agency	in relation to any function or activity set out in this notice means a person or body recognised as an agency under section 103 of the Act for the purpose of performing specified functions and/or activities required for export certification of animals and germplasm to which this notice applies
recognised person	in relation to any function or activity set out in this notice means a person recognised under section 103 of the Act for the purpose of performing specified functions and/or activities relating to the export of live animals and germplasm to which this notice applies
ruminants	cattle, deer, goats, lamoids and sheep
source flocks	poultry flocks from which day-old chicks and hatching eggs are derived
security paper	watermarked and individually numbered security paper. The front side of each sheet has a disruptive wavy background with the words ‘Ministry of Agriculture and Forestry Te Manatu Ahuwhenua, Ngaherehere’. Security paper intended for the front page of an official assurance also has at the top the MAF logo and the New Zealand Government Coat of Arms. A unique shoulder number is on the top right corner of the front page and subsequent sheets have a space for the shoulder number to be entered

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
signatory seal	a MAF stamp, with a unique, four-digit number, issued to an authorised person
specifications	any specification issued under the 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	a veterinarian approved by the Director-General and 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, relating to the export of live animals and germplasm, and who acts as the recognised agency's point of contact with MAF
veterinarian	a veterinarian registered under the Veterinarians Act 2005

1.2.2 Interpretation of Export Requirements

Terms occurring in some export certificate templates and their interpretations are presented below. Where terms are defined otherwise in the supplementary notes to an export certificate template that definition takes precedence over the interpretation listed here.

after due enquiry / to the best of my knowledge and belief

Where declarations are taken to support 'due enquiry', a number of declarations may be required to satisfy an Export Requirement, depending on the depth of knowledge of the person providing the declaration. Declarations must be taken from appropriate persons and must relate to their first-hand knowledge of a situation, not their knowledge of another person's integrity.

area / premises / herd / flock / apiary of origin / individual animal disease status

Disease status may be required to be certified for area / premises / herd / flock / apiary of origin / individual animal. For further information, see 'clinically diagnosed', 'disease', 'disease-free region', 'evidence of contagious or infectious disease', 'free from veterinary/quarantine restrictions', 'freedom from disease', 'not been known to occur' and 'premises of origin'. Animals for export must be able to be individually traced, by a documented trail, back to the entities above to satisfy this clause.

cleaning and disinfection

See definitions for 'cleaning' and 'disinfection' in section 1.4 Definitions.

For germplasm and pre-export isolation facilities, MAF accepts the following surfaces as able to be cleaned and disinfected:

- wood and concrete surfaces, as long as they are in good condition (e.g. rotten wood and broken concrete surfaces are not able to be cleaned and disinfected)
- surfaces where aggregate (e.g. sand) is used, for example in semen collection centres to provide secure footing. These areas must have concrete flooring underneath, so the aggregate can be removed and the flooring underneath effectively cleaned and disinfected
- other surfaces (e.g. carpet), although not able to be effectively cleaned and disinfected, may be used if they can be easily removed.

clinically diagnosed

For a disease to be clinically diagnosed, it would require a visual and physical veterinary examination of the animal. Declarations for this type of activity should include:

- type of examination carried out
- extent of examination
- date and place of examination
- findings.

Disease

'Disease' may be mentioned in the context of the following broad categories:

OIE diseases

These can be found in the Terrestrial Animal Health Code (Mammals, Birds and Bees). Export Requirements usually refer to specific diseases. The Animal Imports and Exports Group may be consulted for further information regarding these diseases.

specific diseases

These are specified in the Export Requirements. Their status should be established using the information under 'freedom from disease'.

notifiable diseases

These may be notifiable in New Zealand or in the importing country. They should be specified in the Export Requirements. Notifiable diseases in New Zealand are published under the current Biosecurity (Notifiable Organisms) Order on the MAF Biosecurity New Zealand website.

general disease

This is often used in terms of assessing the fitness of an animal to travel (see 'fit to travel'). Where specific examinations are required, these will be stated in the Export Requirements.

disease-free region

The term 'region' is not definitive. It should either be defined in the supplementary notes to the Export Requirements or be part of an official disease control or eradication programme. Investigations for this type of claim should include the relevant enquiries from those listed under 'freedom from disease'.

equivalent health status

Any in-contact animals must be of the same certifiable disease status as those being certified; therefore, treatment and testing of the in-contact animals may be necessary. The term 'equivalent health status' may also be applicable to the disease status of the premises or herd/flock/apiary of origin, and the means of transport to a collection point. If the disease status of an animal or group of animals is unclear, they must not be mixed with another group until the disease status is clarified.

evidence of contagious or infectious disease

The diagnostic criteria may be specified in the Export Requirements. For some diseases, this may be solely laboratory confirmation of the disease. For others, e.g. ringworm, a clinical veterinary examination may be required. Declarations for this type of statement should include:

- type of examination carried out
- extent of examination
- date and place of examination
- findings.

fit to travel

Animals for export must be healthy, not show any injury that could affect their ability to travel and be in adequate body condition. Factors to take into account:

- animals should be bright and mentally alert. If sedated, they should be in a reasonable mental state considering the sedation
- young animals must be sufficiently developed to cope with the duration and type of journey
- animals must be able to stand on all feet and move freely
- any wounds should be under treatment and not likely to present problems during transport
- where an animal is on medication, consideration must be given to whether the stress of travel might compromise that animal's health
- animals should have no abnormal discharges from external orifices or skin diseases
- body condition must be adequate for the duration and type of journey
- animals should be pre-conditioned to on-board rations, where applicable
- transport containers/crates must be suitable for animals in question as well as the type of journey

- where relevant IATA and MAF standards and guidelines are published, they must be adhered to
- pregnancy status.

flock/herd/apiary of origin

A group of animals, living and feeding together as an epidemiological unit, from which animals to be exported have been derived or had their primary source. The importing country may qualify the term of 'herd/flock/apiary of origin' for a specified amount of time in the immediate past. Some farming units may be able to have more than one herd/flock/apiary of origin on the one property, however, shared facility(s) may be used only where the following are unequivocal:

- (a) sharing does not compromise the export status of the animals
- (b) the facility(s) is constructed such that it can be cleaned and disinfected between usage by animals of a different export status.

Any changes to the make-up of the herd/flock/apiary of origin should not affect the ability to certify with regard to disease freedom. Therefore the following should be considered:

- the health status of the animals entering the herd/flock/apiary
- the health status of the property from which they originate
- specific Export Requirements.

freedom from disease

The Export Requirements must state:

- the disease in question
- the period of time for which freedom is required
- the area to which the term "freedom from disease" applies.

Declarations to support this type of statement should be based on information from:

- registered veterinarians or apiary officers who service the premises/animal(s) in question
- industry control or eradication databases
- animal health laboratory databases
- National Notifiable Diseases databases
- National Disease Surveillance reports
- MAF Verification Animal and Food Products
- animal product businesses
- export test reports
- owners of animals.

A number of declarations may be required to satisfy an Export Requirement clause, depending on the depth of knowledge of the person providing the declaration. For example, the farmer may state that to the best of his or her knowledge no cases of a disease have been diagnosed and give the names of the veterinary practices that have serviced the farm over the period required. The veterinarian(s) servicing the farm, in a separate declaration, may state that the practice has visited the farm a certain number of times in the period in question and that no cases of the disease have been diagnosed by their veterinary practice. The official veterinarian has the discretion to decide where a declaration is insufficient.

free from veterinary/quarantine restrictions

The owner of the premises in question should be asked whether the property is under movement control or other restrictions. The Animal Health Board database shows properties under 'movement control' for bovine tuberculosis.

fully vaccinated

This means vaccinated according to the recommendations of the manufacturer. Other terms such as 'correctly', 'properly' and 'appropriately' will be taken to mean the same as 'fully' unless otherwise stated.

not been in contact

Where all contact (both direct and indirect) is to be prevented, there must have been no direct contact between the export animals and other animals that could compromise their export status, or indirect contact via their feed, water and waste products, the facility(s), or personnel handling other animals during the specified period. Allowance may need to be made for other species coming into contact with the animals for export. For example, in general, dogs should be allowed to be used to move ruminants. Where this term applies to transport of animals, declarations for this type of activity should include:

- a. time of departure from the collection point
- b. route taken to the destination
- c. time of arrival at the destination
- d. information required regarding cleaning and disinfection (including active ingredient and concentration used).

The Export Requirements may specify that a seal be used on the means of transport. It is appropriate for the recognised person to require the means of transport to be sealed, even when not required by the conditions of the Export Requirements, where he/she deems it necessary to prevent contact with other animals.

not been known to occur

This refers to the absence of clinical disease (see 'clinically diagnosed'). Enquiries should be made such as those set out in 'freedom from disease'.

premises of origin

Premises are considered to be the unit of land, including buildings, from which the animal(s) for export are derived. Clarification of this term may be required in the supplementary notes of the Export Requirements to give a time period over which all the premises on which the animal(s) has resided must be considered to be premises of origin for disease freedom purposes, particularly where the animal(s) is not required to stay on a single property during the time stated.

scheduled date of departure/export

The term 'scheduled date of departure/export' is commonly used rather than the 'date of departure/export'. The actual date of departure may be up to five days later than the 'scheduled date of departure' without jeopardising the validity of the official assurance. This may occur when the intended date of departure of the ship/plane is delayed, e.g. due to mechanical problems.

supervision

Supervision may be direct or indirect.

'Direct supervision' means that the specified person is present throughout the task.

'Indirect supervision' means that the specified supervisor is in a position to respond to a request for assistance. In both cases, the person undertaking the activity must be properly informed of the expectations placed on them. Some Export Requirements state that persons of a certain status must perform activities in the export process. In those cases, the specified person must perform the task.

Part 2 Requirements for Recognised Agencies

2.1 Requirements for recognised agencies

2.1.1 A recognised agency performing functions in relation to the export of live animals and germplasm to which this notice applies must:

- a. at the time of performing such functions, 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. have the relevant competencies and resources to reliably meet and maintain the specified functions and activities
- c. be of good reputation, including the reputation and character of the director(s) and/or manager(s) of the agency
- d. remain impartial and independent when carrying out the relevant functions and activities
- e. meet the requirements of any regulations or specifications made under the Act
- f. demonstrate to the Animal Imports and Exports Group a successful audit, as conducted by the accreditation body, and at a frequency recommended by that body, for its compliance with this notice. A copy of the assessment report from the accreditation body must be forwarded to the Animal Imports and Exports Group
- g. demonstrate to the Animal Imports and Exports Group completion by the recognised laboratory of an annual internal audit of their systems
- h. make payment of any fees and charges required under the Act
- i. appoint a technical manager who will be the contact point between the recognised agency and the organisation for time being responsible for the management of official assurances relating to animals and germplasm.

2.1.2 A recognised agency must meet all other technical requirements as prescribed by the Director-General for one or more of the following functions for which they are seeking recognition:

- a. issuing eligibility documents for all animal species (excluding bees and broodcomb) and germplasm
- b. issuing eligibility documents for bees and broodcomb
- c. auditing semen centres and embryo teams and recommending their approval, and verifying germplasm declarations
- d. auditing bee teams and recommending their approval, and verifying bee declarations
- e. approving isolation plans and verifying facility compliance for MAF-approved pre-export isolation facilities
- f. approving isolation plans and verifying facility compliance for non MAF-approved pre-export isolation facilities
- g. auditing continuously-approved MAF-approved pre-export isolation facilities
- h. approving consignment plans for export of large consignments of livestock
- i. auditing hatcheries and recommending their approval, and verifying poultry declarations
- j. such other verification functions and activities in relation to Export Requirements for live animals and germplasm, as may be required for the purposes of the Act.

2.2 Requirements for recognised agencies where a person applies for recognition

- 2.2.1 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 3.1.8 and 3.5-3.14), as well as the criteria specified in section 101(2) of the Act
 - b. forward the application for recognition to MAF on the applicant's behalf when satisfied that the person meets the criteria
 - c. provide documentation to the Animal Imports and Exports Group that attests that the person meets the criteria.
- 2.2.2 Where a person applying for recognition is employed or contracted by more than one agency, each agency must assess the applicant's competence to perform the functions for which recognition is sought.

2.3 Application to become a recognised agency

- 2.3.1 Any person or any organisation wishing to become a recognised agency must apply to the Animal Imports and Exports Group using the application form, Form 1 "Recognised Agency (Live Animals and Germplasm)" located in Appendix I, and pay the required fee and any direct charges.
- 2.3.2 The Director-General may treat any group of persons within MAF as a recognised agency, and with any necessary modifications, without application having to be made.
- 2.3.3 A recognised agency must apply to an accreditation body authorised to accredit to AS/NZS ISO/IEC 17020:2000.
- 2.3.4 A controlled copy of the recognised agency's systems and procedures must be provided to the Animal Imports and Exports Group as soon as practicable after recognition.

2.4 Refusal to grant recognition

- 2.4.1 If the Director-General proposes to refuse to grant recognition of an agency, the agency must be notified of that intention, together with reasons. The agency will be given reasonable opportunity to make written or oral submissions prior to a final decision being made.

2.5 List of recognised agencies

- 2.5.1 The Animal Imports and Exports Group must maintain a list of all recognised agencies and the functions and activities for which they have recognition.

2.6 System requirements for recognised agencies

- 2.6.1 A recognised agency must establish, document and maintain systems and procedures that comply with the Act, associated regulations, notices, specifications, directions, its conditions of recognition (if any) and this OAP.

- 2.6.2 Recognised agencies must ensure that:
- a. functions for which the agency is recognised are carried out only by persons specifically recognised to do so (administrative activities and related support services may be carried out by non-recognised persons)
 - b. the competency of recognised persons performing functions for which the agency is recognised is assessed and maintained
 - c. recognised persons are not placed in situations that compromise their impartiality and independence in the performance of their functions as recognised persons
 - d. the agency is adequately resourced to carry out its functions and activities
 - e. where non-recognised persons carry out activities and services that support the issuance of official assurances for the export of live animals and germplasm, systems and procedures are in place for these activities.
- 2.6.3 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 compromises the recognised persons' impartiality and independence.
- 2.6.4 A recognised agency must ensure that any recognised persons under its management comply with the requirements of the Act, associated regulations, notices, specifications, and directions, and this OAP, relevant to their functions and activities, irrespective of the employment or contractual basis of their relationship with the agency.
- 2.6.5 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.
- 2.6.6 A recognised agency must ensure that its recognised persons who are performing relevant functions have access to:
- a. up-to-date versions of the Act, this OAP, 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 Export Requirements (where applicable) and EU Directives/Decisions/Regulations
 - b. the agency's own systems and procedures
 - c. all policies and procedures issued by the Director-General, that are relevant to the performance of the functions of that agency including (without limitation) policies on conflict of interest, and access to relevant departmental websites
 - d. IATA Regulations relating to the carriage of animals by air
 - e. communication systems of telephone, fax, email and courier services.
- 2.6.7 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.

2.7 Transfer of documentation relating to a MAF-approved entity 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 MAF-approved entity elects to transfer to another recognised agency the new agency must ensure:
- the entity's registration is current
 - the recognised agency is recognised to perform the functions and activities for which the entity is engaging that agency
 - the entity's outstanding non-compliances have been appropriately resolved and closed out
 - the audit frequency applied by the former recognised agency is known.

2.7.3 The former recognised agency must complete the verification services in relation to Export Requirements for live animals and germplasm that it provides 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:
- notify the Animal Imports and Exports Group that it has accepted the transfer within twenty four (24) hours of acceptance of transfer
 - notify the former recognised agency that they have accepted the transfer within twenty four (24) hours of acceptance of transfer
 - request copies of all audit records and non-compliance records from the former recognised agency
 - conduct a full audit of the entity within one (1) month of accepting the transfer. This audit may be regarded as the entity's next six (6) / twelve (12) monthly re-approval audit.

2.8 Recognised agency's cessation of service to an entity

- 2.8.1 If a recognised agency ceases to provide verification services in relation to Export Requirements for live animals and germplasm to an entity, the agency must notify the Animal Imports and Exports Group within twenty four (24) hours of cessation, with the reason for cessation.

2.9 Movement of recognised persons and functions between recognised agencies

- 2.9.1 Where a recognised person is conducting ongoing export functions and informs the recognised agency that he/she intends to leave and as a consequence the recognised agency will no longer be able to provide those functions after the recognised person has moved, the recognised agency must notify the Animal Imports and Exports Group within twenty four (24) hours of being so informed and use its best endeavours to ensure that any export functions already in progress, are completed.
- 2.9.2 Where a recognised person elects to be contracted or employed by another recognised agency, the new agency must ensure that any outstanding non-compliances of the recognised person are closed out before he/she commences any export function for the new agency.

2.10 Amendments to functions of the recognised agency

- 2.10.1 A recognised agency that decides to alter the functions for which it is recognised, must apply to the Animal Imports and Exports Group for a variation to its conditions of

recognition using the application form, Form 1 “Recognised Agency (Live Animals and Germplasm)” located in Appendix I.

2.11 Retention of status of a recognised agency

- 2.11.1 A recognised agency retains recognition on the basis of:
- a. submission of the completed application form, Form 1 “Recognised Agency (Live Animals and Germplasm)” located in Appendix I, to the Animal Imports and Exports Group
 - b. a successful audit, as determined by the joint audit of the accreditation body and MAF 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
 - d. full payment of all fees and direct charges as set by MAF.

2.12 Communication of status as a recognised agency

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

“Approved by the Director-General of MAF to provide [*state the functions for which the agency is recognised*]”.

- 2.12.2 A recognised agency must not, except as provided in section 2.12.1, make reference to, or use a logo associated with, MAF, or any other department of state.

2.13 Surrender of status as a recognised agency

- 2.13.1 Following the surrender of status as a recognised agency the agency must return its notice of recognition to MAF.
- 2.13.2 A recognised agency must continue to provide all functions up until the agreed date of surrender unless doing so would violate the conditions of recognition.

2.14 Withdrawal of status as a recognised agency

- 2.14.1 MAF may at any time, by notice in writing, propose to withdraw the recognition of an agency if satisfied that the agency:
- a. is no longer fit and proper to undertake functions and activities for which recognition was granted
 - b. has failed to comply with any term or condition of the recognition or has failed to meet any performance criteria specified by the Director-General by notice under section 167 of the Act
 - c. has contravened or failed to comply with any requirement of the Act.
- 2.14.2 MAF must give the agency reasonable opportunity to be heard prior to withdrawal of the recognition status. Review rights may be exercised in accordance with section 162 where the decision is made by a person acting under the delegated authority of the Director-General.
- 2.14.3 The recognised agency must acknowledge receipt from MAF of the withdrawal of their recognition and must not perform any further functions as a recognised agency.

2.14.4 As soon as is practicable following the withdrawal of recognition, the recognised agency must take all reasonable steps to formally notify this to all organisations and persons to which it was providing services immediately prior to the withdrawal of recognition.

2.14.5 If recognition is withdrawn, the agency must return the notice of recognition to the Animal Imports and Exports Group within twenty (20) working days of the effective date of the withdrawal of recognition.

2.15 Reporting

2.15.1 The recognised agency must provide to MAF the following reports at specific frequencies, as stated in Table 3.1.

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Table 3.1: Reporting requirements

Reports	Event	Quarterly
For semen centres, embryo teams, continuously-approved MAF-approved pre-export isolation facilities, bee teams and hatcheries, the audit report and non-compliance report (see application forms located Appendix I).	X ³ X ¹ where critical	
Advanced notification of the dates of each centre/team/hatchery approval audit	X ⁴	
<p>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:</p> <p>a. a copy of the endorsed and approved isolation plan for each large export consignment of livestock; prior to the issuing of an eligibility document, and</p> <p>b. a summary of these approvals including:</p> <p>i. number of approvals/plans and type</p> <p>ii issues.</p>	X ³ each isolation plan	X summary
Interceptions of live animals or germplasm by importing countries of which recognised agencies have been made aware.	X ¹	
<p>Eligibility documents, identifying:</p> <p>a. number completed</p> <p>b. issues.</p>		X summary
<p>Germplasm declarations / bee declarations / poultry declarations, identifying:</p> <p>a. number of each type received, and number verified</p> <p>b. non-compliance findings and corrective actions.</p>		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	
<p>Disputes and appeals, identifying:</p> <p>a. background to the issue</p> <p>b. outcome</p> <p>c. legal action and settlements where applicable.</p>		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. The Director-General reserves the right to audit such significant changes.	X ³	
Changes to the approval status of centre veterinarians supervising semen centres.	X ²	
Changes to the approval status of team veterinarians supervising embryo teams.	X ¹	
Changes to the approval status of bee teams.	X ²	
Changes to approval status of poultry veterinarians supervising hatcheries.	X ²	
Changes in the conflict of interest status for veterinarians supervising semen centres / embryo teams / hatcheries.	X ³	
Scheduled livestock exports.		X _{summary}

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

² Written notification to the Animal Imports and Exports Group must be within five (5) working days of this event.

³ Written notification to the Animal Imports and Exports Group must be within ten (10) working days of this event.

⁴ Written notification in the form of a monthly schedule to the Animal Imports and Exports Group. Any subsequent changes to this schedule must be notified, in writing, as soon as practicable.

2.15.2 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 Animal Imports and Exports Group.

2.15.3 Quarterly reports must be submitted to the Animal Imports and Exports Group by the dates as stated in Table 3.2.

Table 3.2: 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/Jun	July

2.16 Information

- 2.16.1 For the purpose of determining the recognised agency's compliance with this OAP, all information obtained by a recognised agency whilst conducting its functions and activities relating to export of live animals and germplasm must:
- where it is "personal information" be managed in accordance with the Privacy Act 1993
 - except where non-disclosure is permitted by law, be made available to the Director-General if requested by the Director-General
 - not be released to a third party without prior approval from the Animal Imports and Exports Group.

2.17 Records

- 2.17.1 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:
- eligibility documents
 - competency/skills assessments of its recognised persons
 - audit reports and audit checklists
 - non-compliances found during internal/external audits of the recognised agency and the associated corrective actions
 - facility approvals
 - disputes and appeals
 - service contracts.
- 2.17.2 Records referred to in 2.17.1 must be:
- retrievable as hard or electronic copy for a period of seven (7) years
 - a faithful and legible copy of the supporting documentation and records, where the original is not kept
 - uniquely identified, dated and traceable to the recognised person undertaking the certification activity.
- 2.17.3 Audit records must include the following information:
- animal/germplasm type(s)
 - audit location
 - entity staff assessed
 - audit scope
 - any non-compliances and their classifications
 - agreed corrective actions and their implementation dates

g. future audit status and frequency.

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

2.17.5 Upon termination of the recognised agency's services, 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.

2.18 Audit requirements

2.18.1 A recognised agency must be audited by its chosen accreditation body at a frequency recommended by that body. The Animal Imports and Exports Group may nominate a person to be either part of the audit team or an observer.

2.18.2 The Director-General may elect to carry out audits independently from those of the chosen accreditation body for the purpose of determining the recognised agency's compliance with this OAP.

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Part 3 Requirements for Recognised Persons

3.1 Requirements for recognised persons carrying out functions related to export of live animals and germplasm

- 3.1.1 Persons who carry out functions in relation to the issuing of an official assurance for the export of live animals and germplasm 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 comply with the requirements of the Act, associated regulations, notices, and directions, and this OAP, relevant to their functions and activities.
- 3.1.6 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 MAF. The recognised agency and the technical manager of the recognised agency must assist in the resolution of this situation.
- 3.1.7 All information obtained by a recognised person conducting functions in relation to export testing of live animals and germplasm, which relates to the functions for which that person is recognised, shall:
- a. where it is personal information, be managed in accordance with the Privacy Act 1993
 - b. except where non-disclosure is permitted by law, be made available to the Animal Imports and Exports Group if requested by the Animal Imports and Exports Group
 - c. not be released to a third party without prior approval from the Animal Imports and Exports Group.
- 3.1.8 For a person to be recognised, the Director-General must be satisfied that the person is suitable, and will consider the:
- a. relevant competencies and resources of the applicant to reliably meet and maintain the specified functions and activities
 - b. reputation of the applicant
 - c. ability of the applicant to remain impartial when carrying out their functions
 - d. requirements of any regulations or specifications made under the Act.
- 3.1.9 A recognised person must meet all other technical requirements as specified by the Director-General relating to the function(s) for which he or she is seeking recognition, including payment of any fees and charges required under the Act.

3.2 Functions for which persons may be recognised

- 3.2.1 In relation to the issue of an official assurance for live animals and germplasm under the Act, a person must be recognised to carry out the following functions, as appropriate:
- a. issuing eligibility documents for all animal species (excluding bees and broodcomb) and germplasm
 - b. issuing eligibility documents for bees and broodcomb
 - c. auditing semen centres and embryo teams and recommending their approval, and verifying germplasm declarations
 - d. auditing bee teams and recommending their approval, and verifying bee declarations
 - e. approving isolation plans and verifying operator compliance for MAF-approved pre-export isolation facilities
 - f. approving isolation plans and verifying facility compliance for non MAF-approved pre-export isolation facilities
 - g. auditing continuously-approved MAF-approved pre-export isolation facilities
 - h. approving consignment plans for export of large consignments of livestock
 - i. auditing hatcheries and recommending their approval, and verifying poultry declarations
 - j. such other verification functions and activities in relation to Export Requirements for live animals and germplasm, as may be required for the purposes of the Act.
- 3.2.2 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.

3.3 Application to become a recognised person

- 3.3.1 A person applying to become recognised or a recognised person wishing to change his/her current recognition must apply (in accordance with section 102 of the Act) to the Animal Imports and Exports Group, using the application form, Form 2 “Recognised Person (Live Animals and Germplasm)” located in Appendix I, and pay any fees and charges required under the Act.
- 3.3.2 The Director-General may treat any person within MAF as a recognised person without application having to be made.

3.4 Refusal to grant recognition as a recognised person

- 3.4.1 Where the Director General proposes to refuse to grant recognition, the applicant must be notified, through the relevant recognised agency, of that intention, together with reasons (see section 104 of the Act).

3.5 General competencies

- 3.5.1 Any person applying to be recognised for any of the functions in 3.2.1 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 requirements of this OAP

- iii. the current Veterinary Council of New Zealand *Code of Professional Conduct for Veterinarians*
 - iv. the current OIE *Code*, as appropriate
 - v. the current IETS *Manual*, as appropriate
 - vi. Export Requirements, as appropriate
 - vii. EU Directives/Decisions/Regulations, as appropriate
 - viii. the MAFBNZ conflict of interest policy
- b. Provide evidence of the relevant competencies (see sections 3.6-3.14).

3.6 Competencies for issuing eligibility documents for all animal species (excluding for bees and broodcomb) and germplasm

- 3.6.1 In addition to meeting the requirements of section 3.5.1, 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 (2) 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).

3.7 Competencies for issuing eligibility documents for bees and broodcomb and verifying bee declarations

- 3.7.1 In addition to meeting the requirements of section 3.5.1, 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 Director-General as being equivalent
 - b. demonstrate sound knowledge of the infrastructure and operational norms of the bee and broodcomb export industry and have prepared two (2) 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 for bees and broodcomb.

3.8 Competencies for auditing semen centres and embryo teams and recommending their approval, and verifying germplasm declarations

- 3.8.1 In addition to meeting the requirements of section 3.5.1, 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 (6) or above. If the quality system audit qualification was completed more than three (3) years previously, be able to demonstrate an ongoing involvement in performing audits over the intervening years or must complete re-qualification
- e. for the initial recognition have, within a twelve (12) month period, carried out at least two (2) 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 of those semen centres and embryo teams
- f. must be competent in performing audits.

3.9 Competencies for auditing bee teams and recommending their approval, and verifying bee declarations

3.9.1 In addition to meeting the requirements of section 3.5.1, 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 Director-General 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 (6) or above. If the quality system audit qualification was completed more than three (3) years previously, be able to demonstrate an ongoing involvement in performing audits over the intervening years or must complete re-qualification
- d. for the initial recognition have, within a twelve (12) month period, carried out at least two (2) 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.

3.10 Competencies for MAF-approved pre-export isolation facilities

3.10.1 In addition to meeting the requirements of section 3.5.1, a recognised person approving isolation plans and verifying facility compliance for MAF-approved 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.

3.11 Competencies for non MAF-approved pre-export isolation facilities

- 3.11.1 In addition to meeting the requirements of section 3.5.1, a recognised person approving isolation plans and verifying facility compliance for non MAF-approved 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, MAF-approved pre-export isolation facilities

- 3.12.1 In addition to meeting the requirements of section 3.5.1, a recognised person auditing continuously-approved MAF-approved 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
 - 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 (6) or above. If the quality system audit qualification was completed more than three (3) years previously, be able to demonstrate an ongoing involvement in performing audits over the intervening years or must complete re-qualification
 - e. for the initial approval have, within a twelve (12) month period, carried out at least two (2) approvals of isolation plans and verification of facility compliance for MAF-approved pre-export isolation facilities under the direct supervision of a recognised person. The supervising recognised person must be recognised for the function of approving isolation plans and verifying facility compliance for MAF-approved pre-export isolation facilities
 - 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 section 3.5.1, 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. for the initial recognition have, within a twelve (12) month period, carried out at least two (2) 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 Competencies for auditing hatcheries and recommending their approval, and verifying poultry declarations

- 3.14.1 In addition to meeting the requirements of section 3.5.1, a recognised person auditing hatcheries 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 poultry 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 (6) or above. If the quality system audit qualification was completed more than three (3) years previously, be able to demonstrate an ongoing involvement in performing audits over the intervening years or must complete re-qualification
 - e. for the initial recognition have, within a twenty four (24) month period, carried out at least two (2) audits under the direct supervision of a recognised person. The supervising recognised person must be recognised for the function of auditing hatcheries and recommending the approval of those hatcheries
 - f. must be competent in performing audits.

3.15 Amendments to the functions of a recognised person

- 3.15.1 A recognised person may apply to the Director-General to vary the function(s) for which he/she is recognised under section 105(5) of the Act, using the application form, Form 2 “Recognised Person (Live Animals and Germplasm)” located in Appendix I.

3.16 Retention of status of a recognised person

- 3.16.1 The recognised person retains his/her recognition on the basis of:
- a. submission of the completed application form, using application Form 2 “Recognised Person (Live Animals and Germplasm) located in Appendix I, to the Director-General
 - b. full payment of all fees and any direct charges as prescribed by the Director-General within agreed time-frames.

3.17 Surrender of status as a recognised person

- 3.17.1 Following the surrender of status by the recognised person, he/she must return their notice of recognition to MAF (see section 110 of the Act) and must no longer perform any functions on behalf of MAF.

3.18 Suspension of status as a recognised person

- 3.18.1 Recognition of a person can be suspended by the Director-General, in full or part, for a specified period not exceeding three (3) months, where he/she has reasonable grounds to believe that the performance of the person is unsatisfactory, having regard to the requirements of the position. Reasonable grounds would be established where, for example:
- a. an assessment by MAF or its representatives identifies significant non-compliance findings that confirm that the recognised person is either not in compliance with the Act or is not operating in accordance with approved procedures
 - b. agreed corrective actions for significant non-compliance findings have not been implemented by the recognised person within the agreed timeframes
 - c. the recognised person fails to make full payment of fees to MAF as required under the Act, unless in dispute
 - d. it is requested by the recognised person.
- 3.18.2 While suspended, the recognised person must not perform any functions on behalf of MAF for which they are suspended.

3.19 Withdrawal of status as a recognised person

- 3.19.1 Recognition of a recognised person may be withdrawn if the person no longer meets the requirements for recognition, has failed to comply with any term or condition of recognition, has contravened the Act or if they fail to pay the retention fees. Where MAF considers it appropriate to remove recognition, MAF must notify the recognised person in writing and give him/her a reasonable opportunity to be heard (see section 109 of the Act).
- 3.19.2 Where recognition is withdrawn, the recognised person must not perform any further functions as a recognised person and must return the notice of recognition to the Animal Imports and Exports Group within twenty (20) working days of the date of withdrawal.

3.20 Activities carried out by non-recognised persons

- 3.20.1 Under the following conditions, non-recognised persons may carry out administrative activities and relevant support services 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 and services undertaken, and must ensure that the person has the relevant training to undertake the activity and service, and
 - c. a declaration or supporting documentation must be provided by the non-recognised person confirming that the activity(s) and service(s) has been carried out.

3.21 Reporting

- 3.21.1 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 OAP, and Export Requirements which he/she considers will compromise the integrity of export



certification, he/she must report this in writing within twenty four (24) hours to the technical manager of the recognised agency.

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Part 4 Appendix I: Application and declaration forms

Application Form 1:	Recognised Agency (Live Animals and Germplasm)
Application Form 2:	Recognised Person (Live Animals and Germplasm)
	Consent to Disclosure of Information
Template 1:	Audit Report from Recognised Agency
Template 2:	Non-compliance Report

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Ministry of Agriculture and Fisheries
Animal Imports and Exports Group
PO Box 2526
Wellington 6140
Ph: 0800 00 83 33
Fax: (04) 894 0733

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 be 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 MAF, 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>

If you have any queries, please contact: animalexports@maf.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:

a) List of functions	
1. Issuing eligibility documents for all animal species (excluding bees and broodcomb) and germplasm. 2. Issuing eligibility documents for bees and broodcomb. 3. Auditing semen centres and embryo teams and recommending their approval, and verifying germplasm declarations. 4. Auditing bee teams and recommending their approval, and verifying bee declarations. 5. Approving isolation plans and verifying facility compliance for MAF-approved pre-export isolation facilities. 6. Approving isolation plans and verifying facility compliance for pre-export isolation facilities. 7. Auditing continuously-approved MAF-approved pre-export isolation facilities. 8. Approving consignment plans for export of large consignments of livestock. 9. Auditing hatcheries and recommending their approval, and verifying poultry declarations.	
b) Names of persons to be recognised	c) Specified functions (list No's as above)
e.g. Mary Smith	e.g. 1, 3, 5

Note: Boxes b) and c) must be completed in the table above, unless a schedule is provided.

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.
- 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. **MAF fees:** Recognised agency application fee: \$140.30 inc. GST Assessment fee: \$140.28 inc. GST per hour.

DRAFT



Ministry of Agriculture and Fisheries
Animal Imports and Exports Group
PO Box 2526
Wellington 6140
Ph: 0800 00 83 33
Fax: (04) 894 0733

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. An application fee will be charged annually, but an annual consent to disclosure of information form is not required.

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 MAF, 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>.

If you have any queries, please contact: animalexports@maf.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:

a) List of functions		
<ol style="list-style-type: none"> 1. Issuing eligibility documents for all animal species (excluding bees and broodcomb) and germplasm. 2. Issuing eligibility documents for bees and broodcomb. 3. Auditing semen centres and embryo teams and recommending their approval, and verifying germplasm declarations. 4. Auditing bee teams and recommending their approval, and verifying bee declarations. 5. Approving isolation plans and verifying facility compliance for MAF-approved pre-export isolation facilities. 6. Approving isolation plans and verifying facility compliance for non MAF-approved pre-export isolation facilities. 7. Auditing continuously-approved MAF-approved pre-export isolation facilities. 8. Approving consignment plans for export of large consignments of livestock. 9. Auditing hatcheries and recommending their approval, and verifying poultry declarations. 		
b) Names of person to be recognised	c) Specified functions (list No's as above)	d) Evidence of competency and date(s) of assessment by the recognised agency (refer to section 4.6-4.15 of the OAP).
e.g. Mary Smith	e.g. 1	e.g. provide documentation to show that the requirements of 4.6 of the OAP have been met.

Note: Boxes b), c) and d) must be completed in the table above, or provided as an attached schedule or spreadsheet in a comparable format.

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
- c. 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 Official Assurance Programme 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 MAF
- e. 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 non-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.
--

8. MAF fees:

Recognised person application fee: \$140.30 inc. GST

Assessment fee: \$140.28 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 MAF. 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 (MAF), PO Box 2526, Wellington 6140.
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. Audit information:

Registration number (where known):

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

.....

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

Recognised person:

2. Inspection date:

3. Expiry date of OAP registration (where known):

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. Audit information:

Registration number (where known):

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

.....

Name of semen centre manager / embryo team veterinarian / bee team manager / pre-export

isolation facility manager / poultry manager:

Recognised person:

2. Inspection date:

3. Expiry date of OAP registration (where known):

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:

8. Acceptance of report:

.....
Signature of recognised person: Date

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

9. Audit of corrective action

The action taken to correct the above non-compliance has been satisfactorily dealt with and the semen centre / embryo team / bee team / pre-export isolation facility / hatchery 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 manager / embryo team veterinarian / bee team manager / pre-export isolation facility manager / poultry manager: Date

OR

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

.....
Signature of recognised person: Date

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

Part 5 Documents incorporated by reference

5.1 Documents incorporated

- 5.1.1 The following documents are incorporated by reference, under section 168 of the APA, into this notice:
- a. MAFBNZ conflict of interest policy 'Policy for managing conflicts of interest under the Official Assurance Programme for exports of live animals and animal germplasm':
<http://www.biosecurity.govt.nz/files/regs/exports/animals/conflict-of-interest-policy.pdf>
 - b. OIE Code (*Terrestrial Animal Health Code*):
<http://www.oie.int/en/international-standard-setting/terrestrial-code/access-online/>
 - c. OIE Code (*Aquatic Animal Health Code*):
<http://www.oie.int/en/international-standard-setting/aquatic-code/access-online/>
 - d. OIE *Manual of Diagnostic Tests and Vaccines for Terrestrial Animals*:
<http://www.oie.int/en/international-standard-setting/terrestrial-manual/access-online/>
 - e. OIE *Manual of Diagnostic Tests for Aquatic Animals*:
<http://www.oie.int/en/international-standard-setting/aquatic-manual/access-online/>
 - f. AS/NZS ISO/IEC 17020:2000 'General criteria for the operation of various types of bodies performing inspection':
<http://infostore.saiglobal.com/store>
 - g. IETS *Manual*:
<http://www.iets.org/manual.htm>
 - h. Veterinary Council of New Zealand *Code of Professional Conduct for Veterinarians*:
<http://www.vetcouncil.org.nz/index.php>

5.2 Location of documents

- 5.2.1 Copies of the MAFBNZ Conflict of Interest Policy can be obtained by:
- a. emailing animalexports@maf.govt.nz or
 - b. phoning 0800 00 83 33.

Part 6 Revocation

- 6.1.1 The Animal Products (Recognised Agencies and Persons Specifications for the Export of Live Animals and Germplasm) Notice 2008 issued on the 20 day of May 2010 is revoked.
- 6.1.2 Despite the revocation of the Animal Products (Recognised Agencies and Persons Specifications for the Export of Live Animals and Germplasm) Notice 2010, any eligibility document or official assurance provided under and in accordance with that notice continues to be valid under this notice.
- 6.1.3 The revocation of the Animal Products (Recognised Agencies and Persons Specifications for the Export of Live Animals and Germplasm) Notice 2010 does not affect -
- a. the validity, invalidity, effect, or consequences of anything done or suffered;
 - b. an existing right, interest, title, immunity, or duty;
 - c. an existing status or capacity;
 - d. the previous operation of the notice revoked or anything done or suffered under it.
- 6.1.4 The revocation of the Animal Products (Recognised Agencies and Persons Specifications for the Export of Live Animals and Germplasm) Notice 2010 does not revive -
- a. a notice that has been revoked;
 - b. any other thing that is not in force or existing at the time the revocation takes effect.
- 6.1.5 The revocation of the Animal Products (Recognised Agencies and Persons Specifications for the Export of Live Animals and Germplasm) Notice 2010 does not affect a liability to a penalty for an offence or for a breach of the notice revoked, committed before the revocation.
- 6.1.6 The revoked notice continues to have effect as if it had not been revoked for the purpose of -
- a. investigating the offence or breach;
 - b. commencing or completing proceedings for the offence or breach;
 - c. imposing a penalty for the offence or breach.