New Zealand

Animal Protection Index 2014 ranking: A

Animal Protection Index Indicators

Goal 1: Recognition of animal sentience and the importance of animal protection as a societal value

1. Animal sentence is formally recognised in legislation and/or policy

Ranking: B

<table>
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<tr>
<td>There is legislation with partial application</td>
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<td>Whilst the word ‘sentience’ is not expressly used in the Animal Welfare Act 1999, the Act recognises elements of sentience in referring to pain and distress and to animals’ behavioural needs [section 19]. This relates to mammals, birds, reptiles, amphibians, fish, octopus, squid, crab, lobster and crayfish. Draft legislation in the form of the proposed Animal Welfare Amendment Bill 2013 will introduce an explicit recognition of animal sentience into the statement of intent in the Long Title of the Animal Welfare Act 1999 [section 3A of the Bill]. At a policy level, The New Zealand Animal Welfare Strategy¹ states that animals are sentient, explains what this means and why non-provision of minimum standards of animal welfare is unacceptable.</td>
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<th>Part 2: Assessment</th>
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<tr>
<td>Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?</td>
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<tr>
<td>Animal welfare is acknowledged as an independent issue. As well as the Animal Welfare Act, the New Zealand government’s Animal Welfare Strategy acknowledges animal welfare as being the responsibility of all its citizens and as a critical issue in many areas of industry. The strategy is</td>
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Particularly compelling in that it provides that one of the two desired outcomes for an animal welfare strategy for New Zealand is care for animals, thus the requirement of meeting the needs of animals and avoiding unnecessary harm is recognised for the benefit it will provide to the animal itself, as well as for international reputation and the integrity of New Zealand’s economy. Indeed there were many submissions to the 2013 Animal Welfare Amendment Bill showing that New Zealanders recognise that animals are sentient, and sentence is explicitly recognised in the draft Bill.

Are there economic and societal barriers to improving this aspect of animal welfare?
Animal welfare is formally recognised in legislation and is fully supported by the government. The National Animal Welfare Advisory Committee is established and its functions described under the Act. The job of the committee is to advise the responsible Minister (the Minister of Primary Industries) on animal welfare. This committee has devised many codes and policies that support the Act and provide specific standards and points of reference for the treatment of different animals and in different industries. The recommendations in the codes exceed the legally enforceable standards in the Animal Welfare Act and cover many practices. The establishment of this committee and the National Animal Ethics Advisory Committee, and their role in advising the Minister, adds an animal welfare perspective to decisions made by the Minister regarding animals that might otherwise be more strongly influenced by economic factors.
The 2013 strategy discusses the importance of high animal welfare standards and the benefits to New Zealand from implementation of these. The government states in its policy that adherence to minimum welfare standards will benefit New Zealand and that animal welfare is a responsibility shared by all New Zealanders. The draft Animal Welfare Amendment Bill 2013 will introduce an explicit recognition of sentence into legislation [section 3A of the Bill].

Are enforcement mechanisms in place in policy and legislation?
New Zealand has punitive measures for those who do not comply with the Animal Welfare Act 1999 including fines and/or jail time [with larger penalties for corporations]. The Animal Welfare Strategy of 2013 acknowledges the role of government to set and update minimum standards for welfare and to use a range of regulatory and other interventions to ensure these standards are met. The 2013 Animal Welfare Amendment Bill, if enacted, would increase the enforcement mechanisms available to authorised bodies.

2. The government has pledged in principle support for the Universal Declaration on Animal Welfare

Ranking: A

Part 1: Verification

There is full government support

In 2008, the Agricultural Minister Jim Anderton announced full government in principle support for the UDAW.

Note: The Universal Declaration on Animal Welfare is a proposed formal international
Acknowledgment of a set of principles giving animal welfare due recognition among governments and the international community. An expression of support for the UDAW demonstrates a government’s commitment to working with the international community to improve animal welfare.

### Part 2: Assessment

**Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?**

Many of the UDAW principles are reflected in the codes of welfare that have been devised to support the Animal Welfare Act 1999. Codes of welfare set minimum standards that articulate what is acceptable in the treatment of animals. They are not directly enforceable, but have evidential status in establishing compliance with legal requirements.

The New Zealand government has stated in its animal welfare strategy that both sector and government leadership should guide adherence to current welfare principles that are aligned with the UDAW. Recognition of the UDAW shows the government’s assimilation into policy of these high international standards and objectives with regard to animal protection, which is a powerful agent to include animals in decision-making processes taking place in the country.

**Are there economic and societal barriers to improving this aspect of animal welfare?**

New Zealanders consider themselves to be leaders in the field of animal welfare. They consider that their current legislation and policies are aligned with the UDAW. Indeed, when both hard and soft laws are factored in, their regulations and expectations of animal welfare are consistent with UDAW principles and with an aim that their animal welfare legislation will keep improving, encouraging industries to keep animal welfare at the forefront of their policies and inspiring change in public attitudes.

There are no significant obstacles to improvement in this area.

**Are enforcement mechanisms in place in policy and legislation?**

Full support has been given to the UDAW and the government has taken all the official procedures to do so.

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3. There are animal protection laws that prohibit causing animal suffering either by a deliberate act of cruelty or by a failure to act

**Ranking: A**

### Part 1: Verification

**There is legislation**

The Animal Welfare Act 1999 prohibits causing animals suffering through cruelty or failure to act; sections 28, 28A, 10 and 11 specify obligations such as provision of food, water, shelter and treatment, and ban the wilful and reckless illtreatment of animals and other related offences. The Crimes Act 1961 also covers deliberately causing sickness to an animal (section 298A). The Animal Welfare Act 1999 is supported by various codes of welfare that encourage compliance with standards above the minimum requirements.

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There are also requirements to limit or prevent harm caused to particular animals, such as marine mammals (the Marine Mammals Protection Act 1978 prohibits activities including killing, injuring, harassing or disturbing protected animals) and game animals (the Game Animal Council Act 2013 prohibits activities including harassing animals).

**Part 2: Assessment**

**Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?**

Animal welfare is deemed to be an independent important national issue, as evidenced by the Animal Welfare Act 1999 and the large amount of policy that has been issued in support of it. The stated purpose of the Act is to ensure that owners of animals and those in charge of animals attend properly to the welfare of those animals (section 9). The Animal Welfare Strategy released in 2013 shows the intention of New Zealand to follow closely and maintain adherence to international standards. It acknowledges that the humane treatment of animals will benefit New Zealand, including through financial benefits. It is apparent that the status of animals in New Zealand has moved beyond the traditional perception of being mere property to being worthy of having a duty of care placed on those who have control of animals. Part 1 of the Animal Welfare Act 1999 requires that scientific developments and best practice principles are taken into account to meet the needs of animals, including their physical and behavioural needs, which means that as further practices are recognised as cruel, these should be considered.

Part 2 of the Act lists the requirements for conduct towards animals, and both wilful and reckless offences are recognised in sections 28 and 28A. Making the illtreatment of animals a strict liability offence is symbolic of the tough stance that the New Zealand government wishes to take.

**Are there economic and societal barriers to improving this aspect of animal welfare?**

The government recognises its own role and the role of industry leaders in educating and implementing the minimum animal welfare standards, as discussed in the 2013 Strategy. As dialogue and collaboration has been encouraged, this should continue to support the achievement of minimum standards recognised in the Animal Welfare Act 1999. The legislation formally recognises the National Animal Welfare Advisory Committee and the National Animal Ethics Advisory Committee (which were first established in the late 1980s). Members of these committees are appointed by the responsible Minister and must be knowledgeable members of fields with strong links to animal welfare including veterinary science, animal science, the commercial use of animals, public interest and animal welfare NGOs. They have the ability to advise the Minister independent to the Ministry of Primary Industries.

**Are enforcement mechanisms in place in policy and legislation?**

There are sanctions for non-compliance with the Animal Welfare Act 1999 including fines and jail time for individuals, and higher fines for corporations. Illtreatment of animals is a strict liability offence unless it can be proven that minimum guidelines have been complied with (section 30). The Ministry for Primary Industries, the Royal New Zealand Society for the Prevention of Cruelty to Animals and the Police currently enforce the Act. The proposed new Animal Welfare Amendment Bill (2013), if passed, will significantly improve available enforcement mechanisms for compliance with the Act. Improvements will include regulations to complement the sixteen existing codes of welfare
that will specify mandatory and enforceable animal welfare standards, compliance orders that complement the current section 130 notices requiring a person to start or stop an action, increasing the scope for infringement notices, creating more sanctions for lower and medium level breaches of animal welfare standards, and increasing inspector powers.

4. a. There are laws that apply to animals used in farming including rearing, transport and slaughter

**Ranking: A**

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Animals used in farming are protected by the Animal Welfare Act 1999, including the general anti-cruelty and duty of care provisions. Specific sections address surgical procedures, transport, sale of animals and killing of animals. Codes of welfare established under the Animal Welfare Act 1999 provide detailed standards for transport, painful husbandry procedures, commercial slaughter and specific requirements for farmed animals. There are codes of welfare issued for dairy cattle, sheep and beef cattle, llamas and alpaca, goats and deer. There are also codes for layer hens, pigs and meat chickens.²

Part 3 of the Act requires the issue of an Animal Welfare Export Certificate before any live export of animals can take place. In addition, in November 2007, the government introduced the Customs Exports Prohibition [Livestock for Slaughter] Order, which explicitly prohibits all exports of livestock for slaughter unless approval is obtained on a specific case-by-case basis direct from the Director General of the Ministry of Agriculture and Forestry. Factors the Director General may take into account when considering exemptions include making sure the importing country meets relevant OIE guidelines relating to the slaughter, unloading, post-journey handling and transport of livestock. Exporters will also, in accordance with the requirements of the Act, need to satisfy the Director General as to the conditions for international transport of livestock up until the point of disembarkation. Where livestock are being transported by sea there may be a requirement that a MAF-accredited veterinarian accompany the shipment, experienced stockmen are on board and provision is made for rapid disembarkation and, if required, quarantine. No application to export for slaughter has been made since the Prohibition Order has been in place.

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There are many codes of welfare giving recommendations and minimum standards for various areas of welfare relating to farmed animals, including husbandry, slaughter and transport. Codes of welfare are extensive and go into depth about the appropriate welfare standards expected. For

example, the code on the commercial slaughter of animals requires that slaughter personnel must be
competent, gives expected transportation conditions and requires that priority should be given for
slaughter of dairy cattle calves, milk lambs and heavily lactating or pregnant animals.
The Animal Welfare Amendment Bill, if passed, would also bring in new regulations containing
mandatory standards for live exports, with offences and penalties for non-compliance, and would
incorporate the existing Customs Exports Prohibition (Livestock for Slaughter) Order.

Are there economic and societal barriers to improving this aspect of animal welfare?

New Zealand is a regional leader in animal welfare and its legislation and policy reflect a
progressive viewpoint with the acknowledgment that standards of humane treatment should evolve
over time and that government resources should be used to maintain the high standards currently
pursued.
The proposed Animal Welfare Amendment Bill, if enacted, would also introduce higher levels of
penalty for those who do not meet the new regulations as well as the minimum standards provided
for in the many codes of welfare that accompany the Animal Welfare Act 1999.

Are enforcement mechanisms in place in policy and legislation?

There are sanctions for not adhering to legislative standards in the Animal Welfare Act 1999,
including the revocation of veterinary certificates for improperly performed procedures. Where
animals are exported in conditions below the required standards (which cover departure and
journey but not destination) they are liable to fines and imprisonment. A director-general may
delegate his powers of inspection to other bodies and impose conditions on export certificates
including powers of inspection, powers to seize animals, to take steps or order steps to be taken to
prevent animal suffering, and keep the animals until forfeited to the Crown or returned (section 53).
Regarding the many different codes of welfare specific to species and different industries, these have
indirect legal effect as they can be used as evidence of failure to meet standards in prosecutions
recommends improvements to enforcement mechanisms for those who do not comply, including new
regulations that will complement the codes of welfare by specifying mandatory and enforceable
animal welfare standards, compliance orders that will accompany current section 130 Notices
which are currently more limited in scope (only issuable where an inspector believes an animal is
likely to suffer), new lower-level offences with lower penalties, meaning medium and lower level
offences may be recognised, and increasing the power of animal welfare inspection officers. It
would still be possible to obtain court orders, compliance with which is compulsory.
There would also be more enforceable mandatory standards for live export.

4. b. There are laws that apply to animals in captivity

Ranking: A

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| The general antici
| cruelty and duty of |
| care provisions of |
| the Animal Welfare |
| Act 1999 apply to |
| this |

Recommendations are provided where it is desirable to exceed the minimum standard, but these are not legally enforceable. With the introduction of the proposed Animal Welfare Amendment Bill, new regulations may arise that would create compulsory compliance with animal welfare standards that currently exist in Codes of Welfare, for example the code of welfare for animals in circuses stipulates recommendations for appropriate welfare standards for specific exotic breeds commonly found in circuses elsewhere in the world (although not currently in New Zealand).

### Part 2: Assessment

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Some animals in captivity are protected under the Wild Animal Control Act 1977 and the Marine Mammals Protection Act 1978, and all captive animals are covered by the Animal Welfare Act 1999. Recommended standards for animals in zoos and circuses are both covered in codes of welfare.

The minimum standards in both policies are of a relatively high standard in terms of animal welfare, but it is noted that the country has not adopted a full ban on the use of animals in circuses, while international standards are moving in this direction. A ban on the use of animals in circuses would be in line with emerging best practice internationally.

With the passing of the Animal Welfare Amendment Bill, more enforcement mechanisms would be available to ensure that people who hold exotic animals are adhering to expectations under New Zealand law, including the issuing of compliance orders and infringement notices.

The government reported in March 2014 that the National Animal Welfare Advisory Committee was reviewing the use of animals in entertainment and on public display, including in zoos.³

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<td>Are there economic and societal barriers to improving this aspect of animal welfare?</td>
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The New Zealand government aims to improve progressively animal welfare and to encourage standards that exceed the minimum enforceable requirements. The 2013 draft Animal Welfare Amendment Bill, if enacted, is set to achieve further improvement. There do not appear to be significant barriers to improvement.

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<td>Are enforcement mechanisms in place in policy and legislation?</td>
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The basic welfare needs of captive animals are covered by the Animal Welfare Act 1999. In addition, there are codes of welfare that apply to zoo and circus animals.

### 4. c. There are laws that apply to companion animals

**Ranking: A**

### Part 1: Verification

**There is legislation**

As well as the general provisions under the Animal Welfare Act 1999 that provide for a basic duty of care for all animals and the prohibition of ill treatment, there are some specific provisions relating to companion animals such as debarking and declawing. There are also codes of welfare relating to companion cats (the Animal Welfare (Companion Cats) Code of Welfare 2007) and dogs (Animal Welfare (Dogs) Code of Welfare 2010) that provide guidance on animal welfare standards. Although these recommendations are not legally enforceable, they can be used to as evidence of substandard welfare in a prosecution. As at the date of publication of this report, the government is consulting on a proposed code of welfare for the temporary housing of companion animals. This would cover housing such as pet shops, boarding kennels and catteries and quarantine facilities, and set standards on housing and providing for behavioural needs. The proposed Bill includes the transfer of some parts of the codes of welfare into regulations so that failure to comply would automatically constitute an offence.

### Part 2: Assessment

**Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?**

It is positive that the government has produced policy and minimum standards in this area, including a code of recommendations and minimum standards for the sale of all companion animals, and separate codes of welfare relating to cats and dogs. For example, the code relating to dogs covers ill health and injury, caring for their claws and coat and guidance for breeding puppies. The fact that the government has produced codes of welfare for the most common companion animals shows that there is intent to acknowledge the welfare of companion animals as an important animal welfare issue.

**Are there economic and societal barriers to improving this aspect of animal welfare?**

Due to government support, human and financial resources do not seem to be lacking. There are separate codes of welfare for dogs, cats and the sale of companion animals.

**Are enforcement mechanisms in place in policy and legislation?**

The Animal Welfare Act 1999 contains enforceable basic requirements for all animals, such as providing for animals’ health and behavioural needs and alleviating any distress or illness. Animal welfare codes provide guidance relating to companion animals and exceeding the legislative minimum. Although these are not directly enforceable, failure to comply with the recommendations may be used as evidence to show that an offender has not complied with minimum standards. If the Animal Welfare Amendment Bill is enacted, there will be more enforcement mechanisms available, meaning that there will be more scope to convict and punish low and medium level offenders. Further, regulations may be provided that complement the codes of welfare and make the minimum standards provided for in these codes enforceable.
4. d. There are laws that apply to animals used for draught or recreational purposes

Ranking: B

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<td><strong>There is legislation</strong></td>
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<td>The Animal Welfare Act 1999, including the general anticruelty and duty of care provisions, applies generally to this category of animals. Animals are rarely used for draught purposes in New Zealand. Low numbers of horses, such as Clydesdale are used for ploughing by enthusiasts. The Wild Animal Control Act 1977 specifies where animals may be hunted and gives powers of inspection of premises to those within the Ministry and those with powers delegated by the Minister and Director General (sections 6 and 7). It states that hunting for recreation is a legal means of controlling the numbers of wild animals (section 27). Further, with a warrant the powers of search and seizure are granted for safari parks to monitor compliance with the Act (section 12C). The Minister is given wide powers concerning powers over hunting areas and wild animal recovery operations on Crown Land (section 21). There are policies concerning animal welfare for animals used for recreational purposes, including animals in circuses as well as rodeos. Minimum standards state that rodeo animals or stock must be cared for by personnel who possess the appropriate ability, knowledge and professional competence to maintain the health and welfare of the animals. A code of welfare relating to circuses provides some welfare-related restrictions.</td>
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<td>The government has attempted to cover the area of animals used in recreation quite extensively through policy. It is noted that animals, including wild animals, are permitted to be used for circus type performances, which can result in significant challenges to the welfare of such animals. It would be preferable to see a ban on the use of wild animals in circuses but it is positive that a code of welfare for circuses provides some welfare-related considerations and restrictions. There is at present no legislation or policy in existence that specifically targets animals used for draught purposes, although there is a code of welfare under development for horses and donkeys, including working horses. Also, this is not a significant issue in a country that is not heavily reliant on the use of draught animals, and in any event the general provisions of the Animal Welfare Act 1999 would apply to these animals. The government reported in March 2014 that the National Animal Welfare Advisory Committee was reviewing the use of animals in entertainment, including in zoos, circuses and racing.4</td>
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<td><strong>Are there economic and societal barriers to improving this aspect of animal welfare?</strong></td>
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<td>Traditional practices such as animal circuses could pose a challenge in this area. For example, the</td>
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Code for Circuses does not ban the use of animals in circuses, which would be an appropriate step to signal a progressive attitude towards animals. However it is worth noting that the use of animals in circuses is not common in New Zealand and there are no public exotic animal performances. The importance of complying with best practice and international standards is discussed in the code, which encourages recommended best practices that exceed the minimum standards in the codes of welfare which are the minimum necessary to meet the Animal Welfare Act. Even though regulated, animal welfare is put at risk in the permitted use of animals in rodeos.

Are enforcement mechanisms in place in policy and legislation?

Section 12C(1) of the Wild Animal Control Act 1977 grants power to an employee of the Department or a responsible ministry to inspect any regulated deer farm or safari park to ensure that it complies with the requirements prescribed by the Act, with costs recoverable from the permit holder (section 12C(2)). It also grants the power of warranted officers to make inspections (section 13) which allow them to exercise powers of search and seizure.

There is evidence of the government providing guidance on the expected conditions to be maintained for animals used in zoos and rodeos, through the Animal Welfare codes for zoos and rodeos, which maintain that staff must be trained, animals kept in clean and hygienic conditions. Although these levels of guidance are not directly legally enforceable, they have some enforcement status as they can be used as evidence of whether minimum standards are met should proceedings be brought against an alleged offender.

If the proposed Animal Welfare Amendment Bill is enacted, however, regulations may be brought into effect that would create legally enforceable mandatory standards, complementing the existing codes.

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4. e. There are laws that apply to animals used for scientific research

**Ranking: A**

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Part 6 of the Animal Welfare Act 1999 sets legislative standards for animals used in research, testing and teaching, and excludes animals used in this way from the rest of the Act.

In order to carry out research, testing or teaching institutions or individuals must hold a code of ethical conduct that has been approved under the Act or be authorised by a contract of employment to conduct such research, testing or teaching (section 82(1)). It provides for compulsory reviews of animal ethics committees and code holders that are established under the Act (section 105).

Specifically, the Act establishes the National Animal Ethics Advisory Committee, and lists its functions (section 62). There is an obligation imposed to ensure that benefits derived from use of animals in this category are not outweighed by the suffering and harm caused to animals (section 80). There are further restrictions on the use of non-human hominids, requiring that research using such animals can only be approved if in the best interests of the individual animal or of the species to which the animal belongs (section 85).
**Part 2: Assessment**

**Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?**

The Animal Welfare Act 1999 applies to all who engage in research, testing and teaching with animals within New Zealand. All projects requiring ethical approval must be overseen by an approved animal ethics committee, and includes animal welfare in the decisionmaking process for decisions that might have an impact on the welfare of the animals used in research. The National Animal Ethics Advisory Committee has several functions listed in the legislation, including advising the Minister on ethical and animal welfare issues arising from research, testing, and teaching, and providing advice to animal ethics committees (section 63(a), 63(q)). Those who are codeholders must establish animal ethics committees who will consider and determine approval for projects, and monitor compliance with conditions of the approved projects. The Animal Welfare Act 1999 encompasses the principles of the Three Rs through the criteria and restrictions which are placed on applications for approval of experiments, including avoiding duplication where possible and using non-animal methods where appropriate.

**Are there economic and societal barriers to improving this aspect of animal welfare?**

The duties required of the National Animal Ethics Advisory Committee demonstrate that financial and government resources have been allocated and that the government intends to maintain standards for animals used in testing, research and teaching, in line with the internationally accepted principles of the Three Rs. There are no significant barriers to improvement.

**Are enforcement mechanisms in place in policy and legislation?**

Part 6 of the Animal Welfare Act 1999 regulates the use of animals in scientific experiments. Section 100 sets out criteria that must be taken into account by animal ethics committees when giving their clearance for the experiments. The Director-General may revoke approval under certain conditions, such as if it is believed that the code holder has been convicted of an offence or has failed to comply with the requirements of the Act (section 86(1)). Enforcement is also provided for in the Act through the requirement of code holders to create an animal ethics committee to oversee any research, testing and teaching involving animals. The animal ethics committee is responsible for monitoring compliance with the conditions of the project approvals and for ensuring the code holder collects and maintains records as required by the Act and by the code of ethical conduct. Those wanting to engage in research, testing and teaching using animals must apply to the Director General for a code of ethical conduct in relation to the use of animals (section 87). This must contain provisions and procedures to be followed to enable the animal ethics committee to carry out its functions effectively and ensure the purposes of Part 6 are met adequately (section 88). Any complaints of members of the animal ethics committee are required to be addressed by the code holder and committee as a whole (section 88(2)).

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**4. f. There are laws that apply to wild animals**

**Ranking: B**
## Part 1: Verification

**There is legislation**

The anti-cruelty provisions of sections 28, 28A and 29 of the Animal Welfare Act 1999 cover wild animals (including fish). Under section 34 it is an offence to use a prohibited trap or a prohibited device, or without complying with relevant regulations to use a restricted trap or a restricted device. Section 175 provides that it is lawful to hunt or kill any wild animal in a wild state, any wild animal, pest or game in accordance with relevant legislation, and any fish from a constructed pond, thus exempting lawful hunting and fishing activities from the humane killing provisions of the Act. The Wild Animal Control Act 1977 is also relevant here. Section 4 states that the Act is for the purposes of controlling wild animals generally, and section 12 states that unless permitted it is prohibited to capture or keep in captivity any wild animal for farming, zoo or safari park purposes (where safari parks are generally used for recreational hunting). Sections 8 and 9 deal with killing and ownership of wild animals respectively. Section 27 allows the government to establish areas as recreational hunting areas where recreational hunting is to be used to control (though not exclusively) the numbers of wild animals.

The Marine Mammals Protection Act 1978 states that it is illegal to use a purse seine net for fishing unless it contains an escape panel from which dolphins and porpoises can escape (section 17(1)). Sections 62(d)(xi), 71(d)(xi), 82(d)(xi) and 91(d)(xi) of the Biosecurity Act 1993 require animal welfare to be taken into account at each stage of making plans are made for pest management. Hunting regulations under the Wildlife Act 1953 include some welfare-related restrictions. It is prohibited to hunt using traps, motor vehicles or dogs (other than for finding, flushing or retrieving game) (section 18). The Game Animal Council Act 2013 allows that body to develop codes of practice for hunting, including hunting assisted by fixed-wing aircraft and helicopters.

## Part 2: Assessment

**Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?**

Wild animals are included in the Wild Animal Control Act 1977, the Marine Mammals Protection Act 1978 and the Animal Welfare Act 1999. Although there are some welfare considerations such as banning certain types of trap, current legislation does not sufficiently cover the welfare of wild animals being hunted. This is further seen through the establishment in the Wild Animal Control Act 1977 of a National Recreational Hunting Advisory Committee, the duty of which is to foster hunting or shooting in recreational hunting areas. However, the Game Animal Council, a recently established statutory body, has been given a function to develop codes of practice for hunting of particular game animals. The codes of practice will include requirements relating to animal welfare, with the first code of welfare covering aerial hunting (hunting assisted by helicopter or fixed-wing aircraft). These codes will be mandatory for licence holders. In addition, the National Animal Welfare Advisory Committee has a function to work with the hunting and fishing sectors to develop humane best practice guidance. The guidance is not normally mandatory, although this depends on the situation. For instance, pest control contractors operating according to tuberculosis management contracts can be held to codes of practice as a contractual requirement.
Are there economic and societal barriers to improving this aspect of animal welfare?
Although general acceptance of recreational hunting in the country presents some degree of barrier to improvement of the welfare of wild animals, the Animal Welfare Amendment Bill, if enacted, should see some improvement through clarifying that acts of cruelty are not permitted as part of normal hunting and fishing practices, with a defence of following generally accepted practice.

Are enforcement mechanisms in place in policy and legislation?
There are enforcement mechanisms for breach of the relevant legislation including use of unauthorised traps.

Goal 2: Presence of effective governance structures and systems

5. The government has assigned responsibility and accountability for improving animal protection at a high government level and has provided resources

Ranking: A

Part 1: Verification
There is legislation
The Animal Welfare Act 1999 provides an international standard of animal protection. The National Animal Welfare Advisory Committee has been established as an independent body to advise the Minister for Primary Industries, which facilitates the management of animal welfare policy, as set out in section 57 of the Act.
The National Animal Ethics Advisory Committee has been established as a separate body to advise the Minister for Primary Industries, as authorised by section 63 of the Act, which sets out the Committee’s functions.
Schedule 1 of the Act outlines the fees and allowances for both Committees, which states that members may be remunerated out of public money for fees, salary, allowances and travel expenses.
The Animal Welfare Strategy released in 2013 emphasises the perspective of the New Zealand government that it wishes to take a progressive stance in relation to animal welfare and stay as industry and world leaders, keeping up to date with scientific and technological advances.
The strategy also emphasises the need for leadership and partnership across sectors to set standards and provide education so that adequate animal welfare standards are maintained by all those involved with and responsible for animals (at page 4).

Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
The 2013 Animal Welfare Strategy emphasises the role that all New Zealanders should play in
ensuring that New Zealand remains a global leader in animal welfare. The government has assigned overall responsibility under the Animal Welfare Act 1999 to the Minister for Primary Industries, with some delegated functions performed by subsidiary bodies in specific areas such as the National Animal Welfare Advisory Committee and the National Animal Ethics Advisory Committee. The government has also stated its expectation that the strategy is dynamic and that it will be subject to progress and constant improvement to keep up with best practice and scientific standards. It is emphasised in the 2013 strategy that animal welfare is everyone’s responsibility.

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<td>It appears that government resources including finance have been allocated to ensure that the National Animal Welfare Advisory Committee and the National Animal Ethics Advisory Committee are able to carry out their duties and that the government is fully supportive of leading and setting examples of maintaining a high level of animal welfare. It appears that human and financial resources have been adequately allocated to achieve oversight of and compliance with the Act. Under schedule 1, members of the National Animal Welfare Advisory Committee and the National Animal Ethics Advisory Committee may be remunerated out of public money for fees, salary, allowances and travel expenses.</td>
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<table>
<thead>
<tr>
<th>Are enforcement mechanisms in place in policy and legislation?</th>
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</thead>
<tbody>
<tr>
<td>Responsibilities of relevant government bodies, including the National Animal Welfare Advisory Committee and the National Animal Ethics Advisory Committee, is set out in primary legislation and thus enforceable.</td>
</tr>
</tbody>
</table>

**Goal 3: Implementation of animal protection standards**

6. The government is actively engaged with the OIE to improve animal welfare internationally, regionally and nationally

**Ranking: C**

<table>
<thead>
<tr>
<th>Part 1: Verification</th>
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<tbody>
<tr>
<td><strong>There is policy</strong></td>
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<tr>
<td>The government is actively engaged with the OIE; a New Zealand/Australia Collaborating Centre for Animal Welfare Science and Bioethical Analysis at the Institute of Veterinary, Animal and Biomedical Sciences has been recognised by the OIE and New Zealand is engaged with the Regional Animal Welfare Strategy. There is emphasis of involvement and leadership encouraged across many sectors, including government and industry leaders. The government’s Animal Welfare and International Trade Strategy is currently under review following the production of the Animal Welfare Strategy. The Animal Welfare and International Trade Strategy explicitly recognises and details the government’s relationship with the OIE. The</td>
</tr>
</tbody>
</table>
government works with the OIE within the region (Asia, the Far East and Oceania) and also at a central level. New Zealand government policy strongly reflects a desire to engage with and comply with the OIE and to meet international standards of animal welfare, as reflected in the 2013 Animal Welfare Strategy (page 4). New Zealand plays a strong role in OIE activities by membership of and chairing key committees and expert Groups and the New Zealand Delegate has recently filled the role of OIE President.

<table>
<thead>
<tr>
<th>Part 2: Assessment</th>
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<tbody>
<tr>
<td>Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?</td>
</tr>
<tr>
<td>The OIE Collaborating Centre helps with New Zealand’s research collaboration and to support the OIE's Global Animal Welfare Mandate. The New Zealand/Australia Centre is currently involved in projects including devising an Animal Welfare Training Programme for Asia, surveys to gauge what areas of animal law are perceived to be priority training areas and working on a commitment to OIE standards and guidelines on a regional basis with a main focus on slaughter and transport. These projects allow for the implementation of OIE principles on a regional level. This is an important project with direct Ministry involvement. The physical location of the OIE centre in New Zealand may provide benefits from a collaborative perspective; where the National Animal Welfare Advisory Committee and the National Animal Ethics Advisory Committee require advice or direction on international guidelines when devising policy, this could provide assistance.</td>
</tr>
<tr>
<td>Are there economic and societal barriers to improving this aspect of animal welfare?</td>
</tr>
<tr>
<td>Government support appears to be high generally, with the OIE Collaborating Centre and Regional Animal Welfare Strategy being particular areas of focus. The 2013 welfare strategy confirms the aims to not only meet, but to continue to contribute to the development of international obligations, networks and guidelines. There are no significant barriers to improvement.</td>
</tr>
<tr>
<td>Are enforcement mechanisms in place in policy and legislation?</td>
</tr>
<tr>
<td>Although there are no legal enforcement mechanisms relevant to this indicator, the policy of the country is consistent and strong enough to create regional and international commitments which create some enforceability at policy level. The Animal Welfare and International Trade Strategy applies and mandates support for the OIE and OIE standards, regardless of changes in government.</td>
</tr>
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</table>

7. The government has incorporated the OIE’s guiding principles for animal welfare and its animal welfare standards into policy and legislation

Ranking: A

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5 http://www.rr-asia.oie.int/fileadmin/Regional_Representation/Programme/I_Welfare/2013_Animal_Welfare/S_Prof__Coleman_OIE_Collaborating_Centre_current_projects_OIE_Korea.pdf
### Part 1: Verification

**There is legislation**

Current New Zealand legislation seems to be on par with the OIE’s minimum standards, and it is clear that the OIE’s guiding principles have been considered in creating the Welfare Strategy in 2013. The OIE standards are included in or in many cases surpassed in New Zealand’s various Codes of Welfare. This is supported by a requirement for government to align domestic standards with international standards produced by recognised international standard setting bodies.

In terms of animals used in research, the OIE places more emphasis on veterinary care than in the Animal Welfare Act 1999, which places emphasis on ethics committees overseeing any teaching or research involving animals. However, it is a statutory requirement that animal ethics committees contain at least one veterinarian.

Policy does extend further than legislation but is not legally enforceable.

### Part 2: Assessment

**Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?**

The Animal Welfare Act 1999 emphasises the importance of collaboration between government, industries, scientists, professionals and non-government organisations to achieve and maintain high levels of animal welfare. Various codes have been produced that recommend practice standards that exceed the minimums stipulated in the Animal Welfare Act 1999. The codes also highlight the intention of the New Zealand government to continue to collaborate internationally and to work on international welfare guidelines.

**Are there economic and societal barriers to improving this aspect of animal welfare?**

Government support for improvement is high. The 2013 welfare strategy demonstrates that the government aims to continue to contribute to international obligations, networks and guidelines. Evidence for this is the establishment of the National Animal Welfare Advisory Committee and the National Animal Ethics Advisory Committee under the Animal Welfare Act 1999. The Committees are tasked with working closely with the Minister on areas of animal welfare where research is required, making legislative proposals, making recommendations to the Minister and promoting current guidelines (sections 57 and 63 Animal Welfare Act 1999).

The development of the Animal Welfare Amendment Bill reflects a strong desire by the government to implement further changes and improvements to current legislation and policy to provide further protection to animals.

It appears that the New Zealand government is prepared to provide financial and human resources to ensure that it maintains its position as one of the international leaders in animal welfare.

**Are enforcement mechanisms in place in policy and legislation?**

There are enforcement mechanisms (fines, imprisonment) in relation to the provisions of the Animal Welfare Act 1999 that cover the OIE’s standards.

The introduction of the Animal Welfare Amendment Bill would further add to the enforcement of standards that come closer to meeting the OIE’s guidelines than the current Animal Welfare Act 1999, as this Bill is set to introduce detailed mandatory enforceable standards and regulations.
8. The government publishes reports on progress towards goals set to monitor and improve standards of animal welfare

Ranking: B

Part 1: Verification

<table>
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<tr>
<th>There is legislation</th>
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<tr>
<td>There have been several reports published on New Zealand’s progress towards animal welfare goals. The Animal Welfare Act 1999 provides that the National Animal Welfare Advisory Committee and the National Animal Ethics Advisory Committee are required to provide an annual report to the Minister describing their operations for the year. It is positive that the reports are made publicly available online, although the Act does not require that this is done. A report on ‘Safeguarding our Animals, Safeguarding our Reputation: Improving animal welfare compliance in New Zealand’ was published by the Minister of Agriculture and Forestry in 2010 and is an action plan demonstrating that the government has considered in detail how to improve animal welfare in the country. The Minister for Primary Industries published a policy document that identified problems with the Animal Welfare Act and proposed amendments for public consultation in ‘Animal Welfare Matters Proposals for a New Zealand Animal Welfare Strategy and amendments to the Animal Welfare Act 1999’. The 2013 Animal Welfare Strategy states that animal welfare progress is to be tracked to see whether the strategy is working to improve animal welfare. The strategy also recognises that measuring animal welfare performance is important for improvement and providing evidence for their claim of being an international leader. The National Animal Welfare Advisory Committee and the National Animal Ethics Advisory Committee make summaries of their meetings available online. In addition, the Ministry for Primary Industries is required by statute to report on its operations annually, including in relation to animal welfare, with the report being publicly available.</td>
</tr>
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Part 2: Assessment

<table>
<thead>
<tr>
<th>Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?</th>
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<tr>
<td>The 2013 Animal Welfare Strategy lists the ways in which the New Zealand government plans to monitor the success and progress of the strategy. These include finding evidence to show whether there has been improved compliance with animal welfare standards, and developing a better evidence base to measure animal welfare performance, evidence of early intervention in current animal welfare problems, levels of public satisfaction with the New Zealand government’s handling of animal welfare issues.</td>
</tr>
</tbody>
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8 http://www.biosecurity.govt.nz/regs/animalwelfare/rawacmeetings
of animal welfare issues, and evidence of consumer trust in the animal welfare system. This is reflective of the New Zealand government’s desire to keep up with international standards across many facets of animal protection.

The annual reports of the National Animal Welfare Advisory Committee and the National Animal Ethics Advisory Committee reflect work and progress made throughout the year across all areas of animal law in which both committees are involved, and are available online.

**Are there economic and societal barriers to improving this aspect of animal welfare?**

Evidence for strong government support for the regular production of reports can be seen through the Animal Welfare Act 1999, which mandates annual reports to the Minister for Primary Industries from the publicly funded National Animal Welfare Advisory Committee and National Animal Ethics Advisory Committee (sections 53 and 67).

The government has also produced reports that are not specifically required by legislation, which provides evidence of a willingness to spend funds and time investigating and improving the implementation and level of animal welfare standards.

**Are enforcement mechanisms in place in policy and legislation?**

Legislation mandates that the National Animal Welfare Advisory Committee and the National Animal Ethics Advisory Committee make reports to the Minister for Primary Industry, but does not require that this takes the form of annual reports, although it is noted that the Committees have published annual reports since their establishment.

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**Goal 4: Provision of humane education**

9. **Animal care and protection are included in the national education system**

**Ranking: D**

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<tr>
<td><strong>There is policy</strong></td>
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The education of those who have a responsibility for animals is required by New Zealand’s 2013 Animal Welfare Strategy, which states that education is necessary to implement high animal welfare standards.

The role of government and industry leaders in setting examples and leading by example are highlighted as part of the strategy.

Many codes of welfare state that those responsible for animals must be educated on how to properly handle them. This requirement is supported by government support for and involvement with training bodies (for example, the Primary Industries Training Organisation) and industry bodies that provide training (for example, DairyNZ).

At present animal welfare is not taught in schools as a separate subject. However, New Zealand’s national school curriculum is broadly described, rather than prescribing specific areas. Pupils must
achieve specific values and competencies. Animal welfare may therefore be used to teach a certain value, for instance, the use of animals in research, testing and teaching is often used to teach students about ethics. There are governments-supported initiatives and NGOs that provide resource material to assist with this (for example, the Australian New Zealand Council for the Care of Animals in Research and Teaching, and the SPCA).

<table>
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<tr>
<td>Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?</td>
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<tr>
<td>The 2013 Animal Welfare Strategy states that it is the role and responsibility of all New Zealanders to understand and provide for the needs of animals in their care, improve practices and adopt better technology if necessary and address animal welfare issues early before problems occur. It acknowledges that the education and training of staff is an important step in reaching the desired level of animal welfare and humane treatment across all industries involving use of animals. Beyond this recognition, government policy does not identify a need for the government to make mandatory requirements on education on animal care and protection.</td>
</tr>
<tr>
<td>Are there economic and societal barriers to improving this aspect of animal welfare?</td>
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<tr>
<td>The 2013 Animal Welfare Strategy has stated that together with government, it is the role of industry groups to educate personnel about the expected standard of animal welfare. However, whilst funds have been allocated to the National Animal Welfare Advisory Committee, it does not appear that a national education system on animal protection has been a priority thus far, and it is noted that the government does not identify a need to make mandatory requirements on animal care and protection. Collaboration with the Ministry of Education and the recognition of the importance of education on the care and humane treatment of animals could assist with improvement.</td>
</tr>
<tr>
<td>Are enforcement mechanisms in place in policy and legislation?</td>
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<tr>
<td>There is no enforcement mechanism relevant to this indicator.</td>
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Goal 5: Communication and awareness

10. The government works with others to improve animal protection by consulting and engaging relevant stakeholders, including NGOs

Ranking: A

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<tr>
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<tbody>
<tr>
<td>There is legislation</td>
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<tr>
<td>The Animal Welfare Act 1999 requires public and targeted consultation for the development of regulations and codes of welfare, and requires the National Animal Welfare Advisory Committee</td>
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</table>
and the National Animal Ethics Advisory Committee to include a range of stakeholders.
The responsibility for advising the Minister for Primary Industries is given to the National Animal Welfare Advisory Committee, which is required to provide a report annually on its progress. The National Animal Welfare Advisory Committee is formally recognised by the Animal Welfare Act. Persons with knowledge and experience in relevant fields are formally appointed to the Committee, meaning that recommendations should come from those with an understanding of the necessity of a high standard of welfare. In addition, the Committee provides for lay person representation to represent societal expectations.
The 2013 Animal Welfare Strategy places strong emphasis on the importance of collaboration between government and sector groups, with the aim of improving compliance with the Animal Welfare Act 1999.
The Royal New Zealand Society for the Prevention of Cruelty to Animals is an NGO that performs the vast majority of companion animal welfare inspection work in New Zealand. The Minister has the authority to appoint inspectors and declare non-governmental organisations to be approved under the Animal Welfare Act 1999 (section 121). This is demonstrative of a high level of government and NGO collaboration to increase compliance with the Act. The government also publishes all of its policy papers for public consultation.

Part 2: Assessment
Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

In the 2013 Animal Welfare Strategy, the government encourages a significant level of collaboration, including professionals, scientists, government and non-government organisations, in recognition of the importance of working together and transparency in achieving desired welfare standards.
The Strategy states that animal welfare is everyone’s responsibility and acknowledges the government is a main player in New Zealand’s animal welfare system. This helps to improve animal welfare as it demonstrates the government’s support of NGOs and its encouragement of their support and input as it endeavours to maintain high standards.
Further evidence provided in the 2013 Strategy is found in the listed government priorities, which include working with the National Animal Welfare Advisory Committee, sector and industry groups to agree on priorities and best interventions, and continuing to implement the joint Government/industry welfare compliance plan “Safeguarding our animals, safeguarding our reputation”. The Minister of Agriculture and Forestry produced this plan in 2010 and it aims to tackle non-compliance and achieve improved animal welfare by encouraging voluntary compliance and deterring non-compliance before offences become serious. It also discusses the role of various stakeholders in implementing animal welfare, including the Royal New Zealand Society for the Prevention of Cruelty to Animals, New Zealand Police, Federated Farmers, industry groups, the New Zealand Veterinary Association, and local government [pages 9-10].
The appointment of the Royal New Zealand Society for the Prevention of Cruelty to Animals as an

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approved organisation helps to add focus and outside resources to enforcement. Further evidence of the government collaborating with other stakeholders can be seen through the consideration of over 2000 submissions regarding the content of the proposed Animal Welfare Amendment Bill\textsuperscript{10}. Through inviting the public to contribute, many perspectives will be brought to the table that may broaden considerations for progression.

<table>
<thead>
<tr>
<th>Are there economic and societal barriers to improving this aspect of animal welfare?</th>
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<tr>
<td>There does not appear to be any barrier to strong government and NGO collaboration. Indeed, collaboration with a range of professionals and NGOs is encouraged in the 2013 Animal Welfare strategy. A legislative mechanism has been set up to enable the Minister to appoint organisations to become approved under the Animal Welfare Act, and to appoint inspectors (sections 121 and 124), providing clarity as to process and requirements. The government supports and attends a number of stakeholder forums, where information is openly shared with the NGO sector, animal welfare academics and industry.</td>
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<thead>
<tr>
<th>Are enforcement mechanisms in place in policy and legislation?</th>
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<tbody>
<tr>
<td>The requirement to engage relevant stakeholders within the National Animal Welfare Advisory Committee and the National Animal Ethics Advisory Committee is mandated in primary legislation.</td>
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</tbody>
</table>

Publication: November 2014

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\textsuperscript{10} http://www.biosecurity.govt.nz/biosec/consult/proposalsforaw-strategy-and-awact
New Zealand: Socioeconomic Information

Politics
Where not otherwise noted, information for this section has been sourced from the Economist Intelligence Unit’s (EUI) country profiles.

Government type
Parliamentary monarchy

Capital
Wellington

International law organisation
Accepts ICJ and ICC jurisdiction

Suffrage
18

Legal system
English common law

Executive branch
Head of state: Queen Elizabeth II, represented by Sir Jerry Mateparae
Prime Minister, Minister for Tourism & Security Intelligence Service: John Key

Judicial branch
The highest judicial authority is the Supreme Court, consisting of a Chief Justice and four justices. Below that you have the Court of Appeal and then the High Court.

Legislative branch
Unicameral system with a House of Representatives normally consisting of 120 members, although currently there are 121 members. They are elected for a term of three years.

Political parties
National Party, Labour Party, Green Party

Economics
Where not otherwise noted, information for this section has been sourced from the World Bank.

Following major earthquakes in New Zealand in 2011, reconstruction has been "the major source of growth" in New Zealand. "Household consumption and private investment" will be the main drivers.

http://treaties.un.org/Pages/ViewDetails.aspx?src=TR EATy&mtdsg_no=XVIII10&chapter=18&lang=en#1
http://aceproject.org/epic en/CDTable?question=VR001#g
http://www.nyu lawglobal.org/globalex/New_Zealand.htm

15 http://www.courtsa nz.govt.nz/about/supreme/judge s
16 http://www.courtsa nz.govt.nz/about/system/structur e/diagram
of growth in 2014. As global demand for dairy products continues to increase, especially from Asia which accounts for 32% of sales in New Zealand, exports will remain strong\(^\text{19}\). The BMI predicts that real GDP growth in 2014 will be 2.3\(^\text{20}\). In the long term, the EIU predicts annual real GDP to average out at 3.2% for the period 2013-2020\(^\text{21}\).

**Main trading partners (2012)\(^\text{22}\)**

**Import**
- China - 16.4%
- Australia - 15.2%
- US - 9.3%

**Exports**
- Australia - 21%
- China - 15%
- US - 9.2%

**Commodities (2012)\(^\text{23}\)**

**Imports**
- Machinery and electrical equipment - 20.2%
- Mineral fuels - 17.7%
- Transport equipment - 12.3%

**Exports**
- Dairy products - 24.8%
- Meat products - 11.2%
- Forestry products - 9.3%


term%20outlook&subsubtopic=Summary)


**GDP (current USD, 2012)**
- $167,347,054,534

**GDP per capita, PPP (2012)**
- $32,219

**Labour force, total (2012)**
- 2,375,137

**Currency**

**Dollar**

**Equivalence to 1 USD**
- 1.2689

**Central government debt, total, (% of GDP, 2011)**
- 63.9

**Manufacturing, value added (% of GDP, 2012)**
- NA

**Agriculture, value added (% of GDP, 2012)**
- NA

**Industry, value added (% of GDP, 2012)**
- NA

**Exports of goods and services (% of GDP, 2012)**
- 30 (2011)

**Imports of goods and services (% of GDP, 2012)**
- 29 (2011)

**Services, etc., value added (% of GDP) (2012)**
- NA

**Unemployment rate, (%, 2011)**
- 6.5
Education expenditure (% of GDP, 2012) 7.2 (2010)

Adjusted savings: Education expenditure USD (2011) 9,876,591,060 (2010)

**Society**
Where not otherwise noted, information for this section has been sourced from the World Bank.

Total population (2012) 4,433,100

Religion
Christian (57%), Unaffiliated (36.6%), Hindu (2.1%), Buddhist (1.6%), Muslim (1.2%), Other religions (0.7%), Folk religions (0.5%), Jewish (0.2%)

Languages
English; Maori has official status

Population growth, annual % (2012) 0.6

Population: ages 0-14 (% of total) (2012) 20

Population: ages 15-64 (% of total) (2012) 66

Population: ages 65 and over (% of total) (2012) 14

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24 http://features.pewforum.org/gfd/population-percentage.php
