

**Reprint  
as at 22 April 2010**



**Biosecurity (Forms) Regulations  
1995**

(SR 1995/129)

Catherine A Tizard, Governor-General

**Order in Council**

At Wellington this 19th day of June 1995

Present:

The Right Hon D C McKinnon presiding in Council

Pursuant to section 165(x) of the Biosecurity Act 1993, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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**Note**

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

**These regulations are administered by the Ministry of Agriculture and Forestry.**

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## Regulations

- 1 Title and commencement**
- (1) These regulations may be cited as the Biosecurity (Forms) Regulations 1995.
- (2) These regulations shall come into force on the 28th day after the date of their notification in the *Gazette*.
- 2 Interpretation**
- In regulation 3,—
- the principal Act** means the Biosecurity Act 1993
- the Schedule** means the Schedule of these regulations.
- 3 Certain forms prescribed**
- There are hereby prescribed—
- (a) for the purposes of section 110 of the principal Act, the form of warrant set out in the Schedule as form A:
- (b) for the purposes of section 111 of the principal Act, the form of warrant set out in the Schedule as form B:
- (c) *[Revoked]*
- (d) for the purposes of clause 5(2) of Schedule 2 of the principal Act, the form of summons set out in the Schedule as form D.
- (e) *[Revoked]*

Regulation 3: amended, on 17 December 1998, by regulation 2(a) of the Biosecurity (Forms) Amendment Regulations 1998 (SR 1998/350).

Regulation 3(c): revoked, on 22 April 2010, by regulation 4 of the Biosecurity (Forms) Amendment Regulations 2010 (SR 2010/66).

Regulation 3(d) paragraph number: substituted, on 17 December 1998, by regulation 2(b) of the Biosecurity (Forms) Amendment Regulations 1998 (SR 1998/350).

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**Biosecurity (Forms) Regulations 1995**

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Regulation 3(e): revoked, on 22 April 2010, by regulation 4 of the Biosecurity (Forms) Amendment Regulations 2010 (SR 2010/66).

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## Schedule Prescribed forms

### Form A

Warrant to enter and inspect dwellinghouse,  
marae, or building associated with marae

*Section 110, Biosecurity Act 1993*

**To** [full name], an inspector or authorised person.

**Being satisfied**, on written application made on oath by you, that there is reasonable ground for believing that there is (or are) on or in [description of place]

the following thing (or things)

[description of thing or things]

which (or each of which) is—

- a pest, pest agent, or unwanted organism; or
- unauthorised goods; or
- risk goods

**I authorize you** to enter and inspect that place on one occasion within 14 days of the date of this warrant.

**This warrant is issued subject to any conditions specified below**

[Conditions (if any)]

Issued at: [place, date]

District Court Judge

(or Justice of the Peace)

(or Registrar (not being a constable))

Schedule form A heading: amended, on 17 December 1998, by regulation 3(1)(a) of the Biosecurity (Forms) Amendment Regulations 1998 (SR 1998/350).

Schedule form A: amended, on 1 October 2008, pursuant to section 116(a)(ii) of the Policing Act 2008 (2008 No 72).

Schedule form A: amended, on 17 December 1998, by regulation 3(1)(b) of the Biosecurity (Forms) Amendment Regulations 1998 (SR 1998/350).

Schedule form A: amended, on 17 December 1998, by regulation 3(1)(c) of the Biosecurity (Forms) Amendment Regulations 1998 (SR 1998/350).

Form B  
Search warrant

*Section 111, Biosecurity Act 1993*

**To** any inspector or authorised person

*or* any constable

*or* [full name], an inspector or authorised person or constable

**Being satisfied**, on written application made on oath by an inspector or authorised person under the Biosecurity Act 1993, that there is reasonable ground for believing that there is (or are) on or in

[description of place]

the following thing (or things) which or each of which is a thing

- in respect of which an offence against the Biosecurity Act 1993 punishable by imprisonment has been or may have been committed; or
- that is or may be evidence of the commission of an offence against the Biosecurity Act 1993 punishable by imprisonment; or
- that is intended to be used for the commission of an offence against the Biosecurity Act 1993 punishable by imprisonment

[Description of thing or things and, in respect of each, reference to offence concerned]

**I authorize you** to enter and search that place on one occasion at any reasonable time within 14 days of the date of this warrant.

**This warrant is issued subject to the conditions specified below**

If issued to any inspector or authorised person, or to a named inspector or authorised person, this warrant may not be executed unless the inspector or authorised person executing it is accompanied by a constable.

[Other conditions (if any)]

Issued at: [place, date]

District Court Judge  
(*or* Justice of the Peace)  
(*or* Registrar (not being a constable))

**Form B**—*continued*

Schedule form B: amended, on 1 October 2008, pursuant to section 116(a)(ii) of the Policing Act 2008 (2008 No 72).

Schedule form B: amended, on 17 December 1998, by regulation 3(2) of the Biosecurity (Forms) Amendment Regulations 1998 (SR 1998/350).

**Form C**  
**Infringement notice**  
*[Revoked]*

Schedule form C: revoked, on 22 April 2010, by regulation 5 of the Biosecurity (Forms) Amendment Regulations 2010 (SR 2010/66).

Form D  
Witness summons

**In the matter of:** the Biosecurity Act 1993

**and**

**in the matter of:** an inquiry into the proposed [*name of pest*] National (*or* Regional) Pest Management Strategy.

**To:** [*name, place of residence, occupation*]

You are required to attend at [*place*] on [*date*] at [*time*] am (*or* pm) and from day to day from then on until you are discharged from attendance, to give evidence relating to this inquiry.

\*You are also required to bring with you and produce at the same time and place any papers, documents, records, or things in your possession or under your control that are relevant to this inquiry.

Dated at: [*place, date*]

Chairperson  
(*or* Hearings Commissioner)

\*Delete if inapplicable.

**Notes**

- 1 You are entitled to be paid witnesses' fees, allowances, and travelling expenses in accordance with the scales currently prescribed by regulations made under the Summary Proceedings Act 1957.
- 2 An estimate of the allowances and travelling expenses to which you will be entitled must be paid or tendered to you either on the service of this summons or at some other reasonable time before the date on which you are required to attend.
- 3 The address for service of the body or person holding the inquiry is [*address*].

Form E  
Infringement notice  
*[Revoked]*

Schedule form E: revoked, on 22 April 2010, by regulation 5 of the Biosecurity (Forms) Amendment Regulations 2010 (SR 2010/66).

Marie Shroff,  
Clerk of the Executive Council.

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Issued under the authority of the Acts and Regulations Publication Act 1989.  
Date of notification in *Gazette*: 22 June 1995.

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## **Notes**

### **1 *General***

This is a reprint of the Biosecurity (Forms) Regulations 1995. The reprint incorporates all the amendments to the regulations as at 22 April 2010, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, *see* <http://www.pco.parliament.govt.nz/reprints/>.

### **2 *Status of reprints***

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

### **3 *How reprints are prepared***

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked

are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

#### **4 Changes made under section 17C of the Acts and Regulations Publication Act 1989**

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
  - indentation
  - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
  - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
  - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

**5 *List of amendments incorporated in this reprint  
(most recent first)***

Biosecurity (Forms) Amendment Regulations 2010 (SR 2010/66)

Policing Act 2008 (2008 No 72): section 116(a)(ii)

Biosecurity (Forms) Amendment Regulations 1998 (SR 1998/350)

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