

NAWAC GUIDELINE 01:

Approach to consideration of draft codes of welfare

1. NAWAC will come to its own view

Section 70 of the Act provides for any group or individual to propose a draft code of welfare and forward it to NAWAC for consideration. Some concern has been expressed that a draft code of welfare written by an industry group may be a device to embed current industry approaches, and the fact that an industry group has led the writing of a draft code puts it at an advantage. However, as required by section 71 of the Act NAWAC must follow a transparent public process to ensure that every feature of a draft code has been impartially considered and will come to its *own* view, which will form the basis of its recommendation to the Minister. References to industry guidelines or industry websites should not be included in codes unless they are based on credible, independent scientific analysis.

2. Working constructively together to safeguard the interests of animals

NAWAC will make its own determination on each and every standard in a draft code, working together cooperatively and constructively to safeguard the interests of animals.

3. Reviewing existing codes

Section 78 of the Act provides for NAWAC to review existing codes or any part of any code of welfare at any time. In deciding which codes to review NAWAC will take account whether the code contains section 183A(2) transitions or exemptions (these should be reviewed more urgently), changes in scientific knowledge and good practices and changes in societal ethical concerns. The relevance of all codes should be reviewed after 10 years.

4. There are certain things NAWAC is required to take into consideration

NAWAC must work within the requirements of the Animal Welfare Act 1999. Accordingly, there are certain things NAWAC must take into consideration, and NAWAC may also consider any other matters that it sees as relevant. At present, the list includes:

- (a) scientific understanding of animals' needs;
- (b) practical experience and available technology;
- (c) good practice;
- (d) practicality of making changes;
- (e) international trends;
- (f) societal ethical concerns;
- (g) economic implications;
- (h) religious and cultural practices; and
- (i) whether any adverse animal welfare outcomes are reasonable or necessary.

5. NAWAC is an independent advisory committee

NAWAC will reach its own decisions utilising the framework within which it will examine each draft code. It must examine each and every issue freshly and on its own merits.

Sometimes what NAWAC advises the Minister will accord with public sentiment or industry expectations (and NAWAC will tell the Minister that), and sometimes it will not accord with public sentiment or industry expectations (and NAWAC will tell the Minister that too).

6. NAWAC's obligation is to work to improve animal welfare

NAWAC will not formulate codes by following international trends, industry demands or public opinion. Its *obligation* is to work to improve animal welfare by rigorous evaluations of relevant science, practical experience and good practice first, with economics, international trends and public ethical concerns modulating that information. Economic considerations may constrain the speed of implementation of a change that NAWAC desires, but cannot prevent it.

7. In this country, it is lawful to keep, use and kill animals to provide product

It is important to remember that, in this country, it is *lawful* to keep, use and kill animals to provide product. NAWAC is not charged with relitigating that principle. Its job is to decide on minimum standards and best practice to operate in New Zealand to safeguard the welfare of those animals we keep, use and kill to provide product, and to advise the Minister accordingly.

This guideline was originally approved by NAWAC on 15 May 2002, and has since been updated. This guideline is not a legal interpretation of the Animal Welfare Act 1999. It is anticipated that this guideline will be updated from time to time in light of experience gained by NAWAC during its deliberations.