



Compensation Claims – User Guide

Please read this guide to help you when filling in your Compensation claims form.

Important note:

This document is intended as general guidance for claimants and is not to be regarded as legal advice. Claimants may wish to seek their own independent advice.

The document contains a summary of the legal requirements. While MPI has taken reasonable care to ensure this document is accurate, it is not responsible to any person for any error or omission or any loss caused as a result of relying on this document.

What is the claims form and process all about? What can I claim for?

The Ministry for Primary Industries (MPI) has developed this guide to help people complete claims for compensation under the Biosecurity Act 1993 (the Act).

Who should complete the form?

To be a claimant you must be a person or business who is the legal owner of the property or goods that were destroyed or damaged, or goods that were affected by movement restrictions as a direct result of an exercise of powers authorised by the Ministry for Primary Industries (MPI).

Compensation Claim form

If you're eligible for compensation, you'll need to complete a compensation claim form and submit proof of your loss. You can either download the compensation claim form or ask us to send you a copy by emailing compensationcoordinator@mpi.govt.nz

More than one claim?

You'll need to make a separate claim for each of the different types of losses you are claiming for. All claims should be submitted to MPI within one year from the date of loss. If you incur further losses after being paid compensation, you may still make another claim.

Losses from destruction of Property – see Part 2 and 3 of the form

Where MPI has exercised powers that has resulted in the damage or destruction of property (e.g. plants, equipment, ropes, cages etc.) the person owning those goods may be entitled to claim compensation for their value.

The compensation offered is determined by the amount of loss incurred as a direct result of MPI's exercise of powers – typically, this includes healthy or economically viable stock, and any equipment or other property destroyed as directed by MPI to limit the spread of the unwanted pest or disease.

MPI may have assessed certain market process to establish default values for some elements of compensation. We are satisfied they are representative and robust, and will be used where more accurate information is not available. If you feel these values are not accurate for your situation, please provide your own evidence and we will discuss this with you.

NOTE: All business claims are to be made on a GST exclusive basis. All wholesale sales prices are to be supplied on a GST exclusive basis.



Useful information

Biosecurity Act 1993

The Biosecurity Act 1993 (the Act) provides the legal framework for MPI and others to help keep harmful organisms, such as *Mycoplasma bovis*, out of New Zealand. Compensation may be paid under section 162A of the Act where a person has suffered loss as a result of MPI's exercise of powers under the Act in order to control and eradicate the organism.

Compensation payments are based on showing that your loss was caused as a direct result of MPI exercising powers on your property or goods.

You can claim compensation if:

MPI has exercised powers to eradicate or manage a harmful organism.

- ☒ That has caused you to incur a loss, because either:
 - ☐ the loss was caused by the damage or destruction to your property or
 - ☐ the loss was caused by movement restrictions imposed on your goods.
- ☒ The loss can be verified (complete Part 3: Supporting your claim).

Compensation cannot be paid if losses were incurred:

- ☒ Before MPI's exercise of powers commenced.
- ☒ More than one year before the claim was submitted.
- ☒ Because you have failed to comply with Biosecurity Act.
- ☒ Because your goods are unauthorised or uncleared.

Requesting a review

Receiving a full or part payment from MPI does not prevent you seeking a re-assessment of your claim. Once payment is made, you may request a review up to 12 months after you have received payment.

You will need to complete and submit a review application form. This is available either on the MPI website, or by contacting the compensation coordinator. We'll be happy to email it to you.

Once you have completed the review application form, you can email it or send it by post/courier to MPI's compensation team, along with supporting documentation.

Privacy Act 1993

Please refer to MPI's website for information on our Privacy Policy

Official Information Act 1982

MPI is subject to the Official Information Act 1982 (OIA) and may be required to disclose information regarding this claim in accordance with its obligations under the OIA.

Our Process



In some instances MPI might need to contact you for further information either before an assessment can commence (the triage stage) or during the assessment process.