Code of Welfare

Horses and Donkeys

1 October 2018

Issued under the Animal Welfare Act 1999

New Zealand Government

TITLE

Code of Welfare: Horses and Donkeys

COMMENCEMENT

This Code of Welfare came into force on 1 October 2018.

Revocation deleted on 9 May 2021 by Notice in the Gazette 2021-go1589

ISSUING AUTHORITY

This Code of Welfare is issued by the Minister of Agriculture, by a notice published in the *Gazette*, under section 75 and 76 of the Animal Welfare Act 1999, after having complied with the matters specified in section 75(1) and 76(2).

AMENDMENTS

This Code of Welfare has been amended by:

Animal Welfare (Care and Procedures) Amendment Regulations 2020

Notice in the Gazette 2021-go1589

Amendments inserted on 9 May 2021 by Notice in the Gazette 2021-go1589

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Introduction

This introduction and any appendices are not part of the Code of Welfare but are intended to indicate its general effect.

Introduction amended on 9 May 2021 by Notice in the Gazette 2021-go1589

Purpose

The purpose of this Code is to provide information to the owners and persons in charge of horses and donkeys about the standards they must achieve in order to meet their obligations under the Animal Welfare Act 1999.

This Code of Welfare encourages all those responsible for horses and donkeys to adopt the highest standards of husbandry, care and handling, and to equal or exceed the minimum standards.

Adequately maintaining the welfare of horses and donkeys requires experience, training and the observance of high standards.

Background

The Animal Welfare Act 1999 provides for the welfare of animals in New Zealand. It puts obligations on people who own or are in charge of animals to provide for the welfare of their animals.

The Act establishes the fundamental obligations relating to the care of animals and provides for the development and issue of codes of welfare.

Codes of welfare expand on the basic obligations of the Act by setting minimum standards and recommending best practice for the care and management of animals.

This Code of Welfare also references regulations issued under the Animal Welfare Act 1999. Regulations are prescribed under the Animal Welfare Act and impose enforceable requirements on owners and persons in charge of animals. For ease of reference, regulations relevant to this Code are set out in an appendix to this Code. Penalties for failure to comply with the regulations are specified in the relevant regulations. The appendix to this Code is not intended to provide an exhaustive list of all obligations under the Act or regulatory requirements. Owners and persons in charge of animals are responsible for ensuring that they are aware of and understand all Act and regulatory requirements that are relevant to them including all applicable Codes of Welfare.

Note that the Act sets criteria for whether a procedure carried out on an animal is a significant surgical procedure. Only a veterinarian, or a person who is acting under the direct supervision of a veterinarian and who is a student undergoing his or her training to become a veterinarian, are able to perform a significant surgical procedure, unless a regulation says otherwise.

Who should read this Code of Welfare?

This Code of Welfare is intended for all persons responsible for the welfare of horses and donkeys.

Under the Act the “owner” and every “person in charge” of an animal are responsible for meeting the legal obligations for the welfare of animals under their care.

For some horses and donkeys, the owner of the animals places them in the care of others who become the persons in charge, but this does not derogate from their responsibility to ensure that the requirements of the Act and regulations are met.

Who should read this Code of Welfare amended on 9 May 2021 by Notice in the Gazette 2021-go1589

Why is this important?

Failure to meet a minimum standard in this Code may be used as evidence to support a prosecution for an offence under the Act. A person who is charged with an offence against the Act can defend him or herself by showing that he or she has equalled or exceeded the minimum standards in this Code.

This Code of Welfare includes information and example indicators for each minimum standard. The list of indicators is not exhaustive but is given to provide guidance on ways in which a minimum standard may be met.

Owners and persons in charge of animals are not required to comply with the recommendations for best practice in this Code, but are encouraged to do so to provide higher standards of welfare.

Legislative background

This Code does not provide an exhaustive list of the Act's requirements, and owners and those in charge of animals should note that they must comply with the minimum standards in this Code and the general provisions of the Act, and any regulations issued under the Act. A copy of the Act and animal welfare regulations are available at: www.legislation.govt.nz.

Legislative background amended on 9 May 2021 by Notice in the Gazette 2021-go1589

Other information

Other codes of welfare should be consulted where appropriate (see www.mpi.govt.nz).

Codes of welfare must be accompanied by a report that sets out the deliberations that the National Animal Welfare Advisory Committee (NAWAC) undertook when developing the codes of welfare including the standards and recommendations for best practice, the nature of any significant differences of opinion during drafting and consultation, and any matters that should be dealt with by regulation. Code reports can be accessed online (see www.mpi.govt.nz).

Although efforts to include relevant regulations within this Code have been made, there may be other regulations which are relevant to you. The full list of all animal welfare regulations should be consulted where appropriate (see www.legislation.govt.nz).

Part 1: General Requirements

1.1 Application

This Code of Welfare applies to all horses (as defined in Schedule I: Interpretation and definitions) including horses kept as companions (pets), for breeding, for sport, entertainment or as working animals and any horse captured from the wild.

1.2 Interpretation and definitions

Refer to Schedule I: Interpretation and definitions.

Part 2: Equine Management

2.1 Equine Management

Introduction

Owners and persons in charge are required to ensure that they have the skills and personal qualities necessary to be both effective and safe when handling horses. It is necessary that personnel working with horses possess knowledge of their needs and behaviours, an understanding of their husbandry, and skill in the practical aspects of equine handling and care. It is important that anyone involved in husbandry procedures such as handling, shoeing, treating, educating, conditioning, breeding, training, riding or driving horses are able to prove competence relevant to the activity being carried out, or be under the supervision of a competent person.

It is essential that personnel responsible for horses also have a good knowledge of their normal appearance and behaviour and are able to recognise early signs of distress or ill-health so that prompt remedial action can be taken or expert advice sought. A good knowledge of basic equine first aid and access to a veterinarian is essential for anyone caring for horses.

Minimum Standard No. 1 – Equine Management
Horses must be cared for by a sufficient number of personnel, who, collectively, possess the ability, knowledge and competence necessary to maintain the health and welfare of the animals in accordance with this Code.

Example Indicators for Minimum Standard No. 1 – Equine Management

- Training/competence in the care of horses can be demonstrated and personnel are aware of how their actions may affect the welfare of the animals
- Job descriptions or other documentation of expectations of personnel duties include reference to equine health and welfare
- Owners and people in charge of horses arrange for competent personnel to supervise horses when travelling away

Recommended Best Practice

a) Training and handling procedures should be adapted and modified to suit the individual animal.
b) Staff should be trained on the job by supervisors who have competence in handling horses.
c) Existing systems and practices for the management of horses should be reviewed regularly to ensure that they continue to be necessary and improved systems incorporated where possible.
d) Accurate records should be kept of the history and treatment of the animals.

General Information

Good equine management skills, appropriate care and timely intervention can lead to positive outcomes for animal behaviour and for health and welfare. There are some differences in the types of handling and care required to maintain the welfare of donkeys, mules and horses. Further information on the care of different horses can be obtained by contacting specific equine groups.

The New Zealand Qualifications Authority (NZQA) lists a number of training qualifications for those wishing to gain experience in a broad range of areas relating to equine health and management. In addition, a number of universities in New Zealand run a variety of courses in the area of equine studies. Further information on these qualifications and accredited training providers is available through the NZQA website: www.nzqa.govt.nz.

Part 3: Food and Water

Introduction

When considering the amount and type of food, nutrients and water that any equine requires, a number of factors need to be taken into account, including physiological state, the size of the equine, its age, the management system being used, the climate and the amount of work an equine is required to perform.

In their natural state, horses will eat a variety of forages (mainly grasses, which have a high roughage and low energy content) to meet their nutritional needs and, due to the small size of their stomach, they will eat little and often and will normally consume their daily intake over 16-20 hours. When energy requirements are low (such as for horses in good body condition, those in light or no work, or dry broodmares), an adequate amount of fresh forage can provide most of the horse's needs. Horses in moderate-to-heavy work generally need supplementary feeding in the form of grains or concentrates, as forages alone will not provide sufficient energy. It is important that they continue to consume some forage, however, to aid digestion and keep healthy. To avoid potentially serious health problems, it is important that if changes are made to the type and quantity of feed, that the changes are made gradually over a period of several days and any contaminated, mouldy or stale leftover food or forage is removed. Feeding levels are best determined by monitoring the body condition of horses (see Schedule I: Interpretation and definitions). Body condition score (BCS) is a means of taking into account the variability in size and conformation.

The provision of an adequate supply of water is critical for maintaining equine health and welfare. Water needs for different horses vary widely, and there will be seasonal variation as water needs will increase when horses are grazing dry summer pastures. Water sources need to be checked to ensure that they are clean, adequate and easily accessible. If water needs are not met, both animal health and welfare will deteriorate.

See summary of regulations appended to this Code:

- Regulation 18: Horses and other equids tethered for the purpose of grazing

Introduction amended on 9 May 2021 by Notice in the Gazette 2021-go1589

Minimum Standard No. 2 – Food and Water

(a) Horses must receive adequate daily quantities of food and nutrients to enable each horse to:
  i) maintain good health; and
  ii) meet its physiological demands; and
  iii) minimise metabolic and nutritional disorders.
(b) If any horse shows signs of being emaciated, or if the body condition score of any horse falls below 2 (on a scale of 0-5), urgent remedial action must be taken to improve the condition of the horse.
(c) If any horse shows signs of being very fat, or if the body condition score of any horse is greater than 4 (on a scale of 0-5), urgent remedial action must be taken to reduce the body condition score of the horse.
(d) All horses must have access to a reliable daily supply of drinking water that is palatable, sufficient for their needs, and not harmful to their health.

Example Indicators for Minimum Standard No. 2 – Food and Water

- Horses show no signs of problems that are due to poor nutrition
- Horse body condition score is maintained between 2 and 4
- Paddock size, pasture cover and/or feeding frequency and type and amount of supplementary feed is appropriate to the age, physiological state, level of work and breed of the horse
- Steps are taken to reduce competition for feed between individuals, such as distributing feed in a number of separate piles or feeding individual animals in separate areas

- If horses become overweight, they are moved to a smaller grazing area or an area providing feed of lower nutritional value
- Horses have sufficient water to maintain their health and show no signs of dehydration
- Water quality is monitored and does not contain contaminants at a level harmful to the health of horses
- Water reticulation systems provide a sufficient amount of water to meet the daily needs of the horses, are monitored and maintained efficiently, and any delivery failure is rectified immediately

Recommended Best Practice

a) Any changes to a horse's diet should be introduced gradually over a period of several days and horses monitored closely during this period.
b) When feeding baled forage, twine and wrap should be removed to prevent the risk of illness or death from ingestion and to avoid injury from entanglement.
c) Horses receiving supplementary concentrated feed should have this fed to them in smaller amounts spread evenly throughout the day, rather than in one large feed.
d) When working horses are given a "rest" day (i.e. a day without any work), the concentrate or grain part of the ration should be reduced to decrease the risk of metabolic problems.
e) Stallions and pregnant mares should be fed at a level commensurate with their increased energy demands associated with breeding.
f) Forage should be fed at floor level and the underlying ground kept reasonably clean, to aid horses' respiratory health.
g) Paddocks should be maintained free of plants that are poisonous to horses.
h) Watering facilities should be designed to reduce fouling and wastage.
i) Troughs should be cleaned often to ensure that water is available and uncontaminated.

General Information

Most equine pastures contain a large proportion of weeds and rank pasture (areas of paddock under-grazed by horses resulting in the growth of tall grasses and weeds) due to their grazing habits. Horses can be grazed in conjunction with cattle or sheep, which will consume the pasture that horses prefer not to eat, while also reducing the worm contamination on pasture. Where no cattle or other grazers are available, it is important to remove the dung from the paddock as horses will not eat pasture that is contaminated with equine dung. Regular paddock rotation can help to maintain the quality of the pasture.

Donkeys, mules and smaller ponies generally require proportionally more roughage and less protein in their food than larger ponies and horses. Donkeys, mules and smaller ponies usually only need grain and rich feeds such as lucerne or haylage if they are in hard work. Access to high energy pasture needs to be monitored closely to avoid laminitis and obesity, as ponies and donkeys generally tend to be more prone to developing these problems than horses.

In wet weather, higher stocking rates may cause excessive pugging of soil. On small blocks, where the opportunity to spell paddocks and prevent pugging is limited, stocking rate should be reduced and supplementary feeding may be required.

Part 4: Shelter and Housing Facilities

4.1 Shelter

Introduction

Horses kept outdoors may be exposed to the effects of weather: heat, cold, rain, snow and wind. In areas lacking natural shelter belts and trees, horses benefit from constructed artificial shelters or covers for protection from the elements.

Horses kept in yards do not have the same freedom of movement as those in open paddocks. They are more susceptible to the chilling effect of cold winds and rain, and heat stress from direct summer sun and will require additional shelter to ensure their health and welfare. Lack of adequate shelter and/or feeding can result in stress, discomfort, loss of body condition and increased susceptibility to disease.

See summary of regulations appended to this Code:

- Regulation 18 – Horses and other equids tethered for the purpose of grazing

Introduction amended on 9 May 2021 by Notice in the Gazette 2021-go1589

Minimum Standard No. 3 – Shelter
(a) Horses must have access to shelter to reduce the risk to their health and welfare caused by exposure to cold or wet weather conditions. (b) Horses must be provided with the means to minimise the effects of heat stress. (c) Covers must be used to protect horses from climatic extremes where other forms of shelter are not sufficient to maintain the horse's health and welfare. (d) Where used, covers must be fitted correctly and inspected regularly to ensure that they are providing suitable protection and are not causing the horse discomfort. (e) Where horses develop health problems associated with exposure to adverse weather conditions, priority must be given to remedial action that will minimise the consequences of such exposure. (f) Additional measures must be taken to enable clipped horses to keep warm in cold weather.

Example Indicators for Minimum Standard No. 3 – Shelter

- Horses are not cold (e.g. shivering) or experiencing heat stress (e.g. rapid breathing or panting, excessive sweating)
- Where necessary, horses are covered with rugs or covers to enable them to effectively thermoregulate
- Horses housed in yards are provided with rugs or covers appropriate to the weather conditions
- Clipped horses are stabled or provided with additional rugs or covers, shelter and/or feed appropriate for the weather conditions
- Horses have access to shelter from sun, rain, wind and adverse weather conditions
- Natural shade or shelter is available or artificial shelter/s are provided and are large enough to hold all horses
- Horses have no skin lesions due to rubbing of the rugs or covers
- When ambient temperatures are extreme, horses are monitored more frequently than usual, animal behaviour is observed and corrective action taken if needed

Recommended Best Practice

a) Horses should not be clipped if the forecast is for cold wet weather unless they are stabled or provided with sufficient rugs or covers, additional roughage and/or suitable shelter to minimise the effects of exposure.
b) Horses should be inspected regularly to ensure that the weight of rug or cover is appropriate for the weather conditions.
c) Horse rugs or covers should be inspected daily to ensure they fit correctly and have no loose or broken straps.
d) All donkeys should have permanent access to shelter.

General Information

Horses and ponies of different breeds will have differing requirements for shelter. Some breeds of domestic horse, such as the thoroughbred and the Arabian, are recognised as being more susceptible and require additional attention to ensure that their shelter requirements are met. Susceptible horses, ponies or donkeys (i.e. young, old, sick, injured or non-acclimatised animals) will require additional shelter to maintain their health and welfare. The coat of donkeys is less waterproof than that of horses and ponies and so donkeys may be more susceptible to exposure to cold climatic extremes than horses.

Provision of a waterproof, well insulated cover is necessary for non-acclimatised, clipped, sick, injured, and old horses for warmth during cold weather. It needs to be ensured that rugs or covers are the correct size and weight to suit each horse and the environmental conditions to which the horses are exposed. Horses will require different rugs or covers for summer and winter. If worn during inclement weather, rugs or covers need to be maintained in a waterproof condition. Unclipped horses and ponies, turned out in paddocks with reasonable shelter, generally adapt well to their environment and when fully acclimatised, may not require covering if feed supplies are adequate.

4.2 Facilities

Introduction

In the context of this Code, 'facilities' are fixed or portable stalls or yards, which may be used when indoor accommodation is not available, or where horses are being held outside for work purposes or to perform husbandry procedures such as shoeing, worming or grooming. These facilities usually provide some shelter from the elements.

Minimum Standard No. 4 – Facilities
(a) All facilities must be designed, constructed, maintained and operated in a manner that minimises the likelihood of distress or injury to the horses. (b) All fittings and internal surfaces must be constructed and maintained to ensure that there are no hazards likely to cause injury to horses. (c) Faeces and urine must not be permitted to accumulate to such an extent that they pose a threat to the health and welfare of the horses.

Example Indicators for Minimum Standard No. 4 – Facilities

- Handlers are trained and familiar with the operation of facilities and understand how incorrect operation may affect the horses in their care
- Floor surfaces are not slippery
- Potential hazards such as windows, ventilators, light bulbs, power cables and associated fittings are covered or placed out of reach of horses

- Grain based feeds, health remedies, toxic materials and associated equipment are securely stored and unable to be accessed by horses
- Sharp objects, protrusions, edges, gaps and damaged flooring likely to cause injury have been removed, repaired or covered
- All stable and barn doorways are wide enough for a horse and handler to move through easily
- No toxic paint or timber preservatives are used
- Personnel take action to rectify any problems, or potential problems, with facilities that are apparent upon inspection of horses within the facilities

Recommended Best Practice

a) Yards and pens used to contain horses for unsupervised periods should not be constructed with electrified tape or electrified wire as the only barrier.
b) Horses should be yarded within visual contact of familiar horses to reduce stress.
c) Horses should be inspected regularly in facilities to ensure that they are in good health and have sustained no injuries.

General Information

Some horses in New Zealand may be kept in a semi-wild state and in this case, special handling facilities may be necessary to enable routine management such as worming and hoof trimming to be performed. When constructing facilities such as these, the design needs to take into account the need to keep stress in these horses to a minimum to reduce danger and avoid injury for both horse and handler.

It is not uncommon for horses or ponies, as a prey and herd animal, to flee as a herd when one horse is panicked. When a large number of horses are being kept within the vicinity of each other, particularly in a novel environment (e.g. at a multiple-day competitive event) and where horses are being contained in temporary yards and pens, this fleeing behaviour can result in horses being injured, sometimes fatally. The use of sturdy materials to construct temporary yards, rather than materials such as electric fencing, reduces the chance of horses panicking or joining the fleeing herd, which reduces the risk of injury to horses and persons in the area. As well as being soundly constructed, it is important that yards are also situated in well-drained areas.

4.3 Housing

Introduction

Horses may be held in indoor housing in stables, loose boxes or stalls. When horses are housed, they are totally dependent on their handlers for all daily requirements, welfare and safety and handlers must be aware that there are additional responsibilities of care to those horses being managed extensively outdoors.

Loose boxes are commonly used for overnight or long-term individual accommodation of horses. Housing horses in loose boxes that are too small may increase the risk of injury to both horse and handler. If horses are to be housed in loose boxes for an extended period of time, the provision of bedding is necessary to give them the opportunity to rest.

Some premises in New Zealand provide covered stalls for the temporary accommodation of individual horses. Most stalls are used for temporary housing and are not suitable for on-going or long-term use, due to their small size.

It is important that priority is given to the health and safety of both horses and handlers when planning the layout of stables, loose boxes and stalls. Housing should be dry, well-ventilated and draught-free. Non-slip floor surfaces designed to direct liquid effluent away from the animal accommodation will help reduce effluent build up. Regular checking and filling of holes which may develop in the floor will help to maintain an even surface. Good hygiene is important in order to maintain the health and welfare of horses and to minimise

disease and distress. Fire is a significant threat in a stable environment but the risk can be minimised by taking precautions

Minimum Standard No. 5 – Housing

(a) All housing for horses must be designed, constructed, maintained and operated in a manner that minimises the likelihood of distress or injury to the horses.
(b) When housed, horses must be confined in a manner which prevents them causing injury to themselves or adjacent animals, and have sufficient room to lie down, readily rise and turn around in comfort.
(c) Despite para (b) above, horses may be tied in a stall, but for no more than 6 hours in a 24 hour period, unless under veterinary recommendation, and while untied must receive daily exercise sufficient to ensure that minimum standard 7 (b) is satisfied.
(d) Horses must be able to lie down and rest comfortably for a sufficient time each day to meet their behavioural needs.
(e) Ventilation must ensure that housed horses do not become heat or cold stressed and prevent a build up of harmful concentrations of noxious gases.
(f) Immediate and appropriate action must be taken to reduce ammonia levels if they exceed 15ppm at horse level.
(g) Bedding must be of good quality, friable, and with minimal risk of toxic agent contamination.
(h) Horses housed in buildings must be monitored at a frequency that ensures their health and welfare.
(i) Natural or comparable artificial lighting must be provided during daylight hours.
(j) Floors must be constructed of a non-slip surface or material and must be designed to drain liquid effluent away.
(k) Water containers and feed bins should be constructed and sited in a manner that minimises the risk of injury to horses.
(l) Persons in charge of horses housed in buildings must have contingency plans to address any event which could result in a potentially significant welfare impact on the horses.

Example Indicators for Minimum Standard No. 5 – Housing

- Horses are able to exhibit signs of relaxation when housed (lying down or neck low, drooping lower lip, nostrils narrowed)
- When the horse is standing with all four feet on the floor there is sufficient space above it to enable the full range of head and neck motion without touching the ceiling
- All stable and barn doorways are wide enough for a horse and handler to move through easily
- Adequate lighting is provided to allow inspection of all horses
- Levels of ammonia are no more than 15ppm at any time
- Bedding is clean and dry, provides warmth and protects against abrasion
- Where a large number of horses are housed together, a roster system is used to ensure all animals have regular supervision by competent personnel
- Contingency plans are in place for dealing with any hazards or emergencies, and include the ability to rapidly release horses into a safe and secure environment

Recommended Best Practice

a) Alleyways in stables should be wide enough to allow horses to be turned around in comfort without risk of injury to other horses and people.
b) The clear space above normal head position of a horse should exceed 1 metre.
c) Loose boxes should be of a size that allows horses to perform rolling behaviour without risk of injury or becoming cast.
d) A stall should provide sufficient space for a horse to be led in and turned around, to reduce possible injury associated with moving horses backward into position.

e) If a horse is cross-tied in a stall, it should be cross-tied at a length that allows the horse to drop its head to at least the level of its knees, with leads attached from the head collar to each side rail, to allow the horse to clear its respiratory system of contaminants.
f) Ammonia levels should be maintained at less than 10ppm.
g) Appropriate fire prevention measures and an emergency plan should be devised and documented and personnel trained to implement it.
h) Damp straw, hay and used bedding should not be stored in or near stables as it is a common cause of fires.
i) Smoking in stable areas should be prohibited due to the risk of fire.
j) Bedding should be provided for horses housed in loose boxes.
k) Horses that have recently been turned out from housing into paddocks should be checked daily to ensure they are not experiencing negative effects as a result of the change of environment.
l) Measures should be put in place for the isolation of incoming and sick horses, when required, to avoid spreading disease.

General Information

Contingency plans for potential fire, flood and restriction of supplies are essential in any equine environment. It is important that everyone working where horses are housed is aware of the procedures that are in place should an emergency occur. Alarm systems that give immediate warning of a fire can be fitted for additional assurance.

Complexes housing a large number of horses, those with a significant turnover of horses or those importing horses from overseas need to consider installing isolation facilities in order to minimise the risk of transfer of disease between horses.

As a guide, a level of 10-15ppm of ammonia in the air can be detected by smell and an ammonia concentration above 25ppm will cause eye and nasal irritation in people. In general, if the level of noxious gases is uncomfortable to people, it will also be uncomfortable for horses. Such levels compromise their welfare and may predispose them to respiratory disease and reduced performance.

Cross ventilation can be provided by fitting windows or ventilators at a high level on opposite walls however, care needs to be taken to ensure that they are at an appropriate height to avoid directing draughts on to the animals.

Precautions need to be taken to prevent horses in stalls kicking and biting adjacent animals, or damaging themselves.

Housed horses will be totally reliant on the handler to provide their feed and water. If the horse is being fed concentrates, it is preferred if the total concentrate feed provided for the day is given to the horse in two or three feeds across the day. Horses also need to be provided with sufficient amounts of roughage during stabling in order to maintain their health and welfare.

Horses that are foaling and those with a foal at foot will require additional space to be provided in the box.

When providing bedding for horses housed in loose boxes, the bedding can be banked up on the sides of the loose box, which will reduce the risk of the horse becoming cast and unable to rise to its feet.

4.4 Restraint and Containment

The construction of suitable fencing is vital to ensure that horses do not become entangled in the fencing material, or escape and become injured roaming away from the property. The suitability of fencing varies according to the breed, sex and disposition of the horses, as well as stocking density and paddock size. It is important that fences are readily visible to horses and are well maintained, with no sharp protrusions from the fence on the inner side.

In the context of this Code, 'tethering' refers to securing a horse for the purpose of grazing. This is different from 'tying up' a horse for management purposes such as grooming or attention by a farrier. Tethering is sometimes used to contain horses within a specified area without the necessity to erect boundary fences. Tethering has the potential to cause injury and is recommended to be used only for short time periods and when other forms of grazing or containment are unavailable. Only horses adequately trained to accept the practice can be tethered in relative safety and, even then, will require close supervision. In addition, the food, water and shelter requirements described in Part 3: Food and Water and Part 4, Section 4.1: Shelter apply to all horses, including tethered horses.

Equipment such as the twitch or hobbles may be used in situations where horses need to be restrained for short periods of time for management purposes.

See summary of regulations appended to this Code:

- Regulation 18 – Horses and other equids tethered for the purpose of grazing
- Regulation 19 – Use of equipment that may injure horses and other equids
- Regulation 47 – Collars and tethers

Restraint and containment amended on 9 May 2021 by Notice in the Gazette 2021-go1589

Minimum Standard No. 6 – Restraint and Containment

(a) Any method to restrain or contain horses must be used in a way that minimises the possibility of injury, harm or distress to the horses.
(b) Fences must be designed, constructed and maintained to minimise risk of injury to horses.
(c) When restraining horses, the mildest effective method of restraint available must be used and be applied for the minimum period required.
(d) Horses that are restrained by tethering must be:
    i) trained to the conditions;
    ii) provided with food, water, shade, and protection from extremes of heat and cold.
    iii) able to walk and move around without undue hindrance and;
    iv) kept under general surveillance.
(e) Horses must not be tethered for longer than 15 hours without being released for exercise sufficient to ensure that minimum standard 7 (b) is satisfied.
(f) Horses must not be tethered if they are physiologically compromised in such a way that tethering may affect their health or welfare.
(g) A tether must be sited so as to prevent the horse reaching any public access-way or becoming entangled with objects or other animals.

Example Indicators for Minimum Standard No. 6 – Restraint and Containment

- Hobbles used to restrain a horse are used for short periods of time only
- The horse has been trained to accept the use of hobbles and remains calm during their use
- The nose twitch is only used on the upper lip of the horse
- Wire and electric fencing is kept at a sufficient tension so horses cannot become entangled in it
- Horses are only introduced to a new paddock in the dark if the paddock is known to be safe, secure and free from hazards
- The height, strength and quality of fences and gates being used to contain horses are sufficient to prevent them escaping and are clearly visible
- Gateways are wide enough to allow for the easy and safe passage of horses
- Non-toxic preparations are used if painting or treating wooden fencing rails
- Electric fencing used for fencing horses is highly visible
- Horses that are tethered are calm, have been trained to accept tethering, and to accept human approach
- Horses are not tethered if they are very young, pregnant, nursing, sick or injured

- Horses that have been tethered during the day are placed in a paddock or loose box overnight
- Food and water requirements for tethered horses are met according to food and water minimum standards and indicators (see Part 3: Food and Water).
- Sites that are to be used for tethering horses are examined beforehand for potentially harmful objects that a horse could eat such as toxic plants or litter, and for objects or vegetation that might snag on the tether or headcollar and prevent the horse's movement
- Tethered horses have the ability to walk and move around within the constraints of the tethered range

Recommended Best Practice

a) Wire with the potential to cause serious injury, such as high-tensile steel or barbed wire, should not be used when constructing fences for horses.
b) When using electric fencing, horses should be supervised until they have become accustomed to the boundaries of the new paddock.
c) Measures should be taken to ensure that boundary fences are visible to horses.
d) Items of machinery, equipment or rubbish (especially wire) should be removed from paddocks used to accommodate horses.
e) Horses should not be tethered.
f) If horses are tethered, wide ropes made of hemp or other soft material should be used instead of nylon rope, which can cause serious burns if the horse becomes entangled.

General Information

Post-and-rail type fences painted with non-toxic preparations provide an ideal visual barrier for premises designed mainly for horses. A popular alternative to post and rail fencing, which also provides a good visual barrier, is a single top rail attached to a conventional post-and-wire fence.

If electric fencing is used to contain horses, it needs to be designed, installed and maintained so that the fence does not cause more than a momentary discomfort to the animal. It is important that power units are earthed correctly and fences checked daily to ensure that they are taut and not posing a risk to the horses.

If wire with a potential to cause injury to horses, such as barbed wire, is used to contain horses in paddocks, an inner fence (e.g. electric fencing) can be used to reduce the risk of a horse making direct contact with the barbed wire.

Tethering is not suitable for long-term management of horses as it restricts the animal's freedom to exercise itself, find its own food and water, escape attacks from predators and take its own measures to reduce the effects of extremes of temperature. Tethering also risks the animal becoming entangled or injuring itself on the tethering equipment. The longer the tether used, the less chance that it will become dangerously twisted and cause injury. It is recommended that the tether is 9m or longer, is fixed as low as possible to the anchor post and includes a swivelling device on the tether. It is important that the area chosen to tether the horse is free of obstructions that may entangle the tether. When tethering horses in close proximity to other tethered animals, they need to be sufficient distance away from each other to avoid becoming entangled.

Hobbles can be used to temporarily limit the locomotion of a horse by inhibiting the action of one or more legs. They are used in situations where effective restraint is required including medical treatment or surgery, to restrain mares being served at stud or to shoe difficult horses. A number of types of hobbles are available and they are generally made of rope, leather or synthetic materials. Horses need to be gradually introduced to hobbles using recognised techniques until they become accustomed to the new equipment.

Exerting pressure on the upper lip of a horse using a nose twitch can be used to restrain the animal in certain situations. Placing pressure on the upper lip calms the horse by causing endorphins to be released from the brain. As such, a nose twitch is only to be used on the upper lip.

Part 5: Behaviour

Introduction

In New Zealand, horses are kept under a variety of conditions, from extensive grazing to intensive housing in yards, pens and stables. Horses are highly social and hierarchical in nature and thrive best in herds, where they can establish hierarchies. Whenever animals are introduced into a herd, they will be challenged as newcomers and will have to establish their place in the group. These challenges can be aggressive and lead to injury and distress. Such behaviour needs to be managed and this is particularly important when introducing young horses into a herd for the first time. The risk of injury increases where horses are overcrowded, and competition for food, water and space may lead to fighting. Subordinate animals need to have sufficient space to escape bullying by dominant animals.

Signs of injury, aggression or stress include continual harassment, hair loss, fighting, excessive fence pacing and isolation. A large paddock can be used to minimise confrontation and, where possible, paddocks with broken contours and natural cover will assist in reducing stress. Colts, stallions, mares close to foaling, and sick animals generally require segregation from other groups to reduce the risk of injury and/or transfer of disease.

When mixing horses, consideration needs to be given to differences in the individuals, such as the temperament of the animals to be mixed, physiological status of the horses and differences in breed, age and body size, as well as the availability of food and water, ground conditions and size of the paddock.

Exercise is extremely important for a horse's physical and mental health, particularly where they are stabled for many hours of the day. Insufficient exercise can lead to behavioural problems and the development of stereotypical behaviours. Horses are usually exercised by being ridden or turned loose into a paddock to exercise themselves, but they can also be exercised in other ways such as lunging them or walking them in hand or on a walker.

Minimum Standard No. 7 – Behaviour
(a) When horses are mixed into new groups, they must be managed to minimise the effects of aggression and injury. (b) Horses must receive daily exercise sufficient to maintain their health and welfare.

Example Indicators for Minimum Standard No. 7 – Behaviour

- Horses are active and alert and do not exhibit signs of discomfort, injury or distress
- Stallions are kept in a separate paddock if they are likely to cause injury to other individuals in a herd
- Personnel observe the temperament and the social structure of the horses under their care and are aware which horses can and cannot be mixed
- Horses are provided with sufficient space to enable subordinate horses to move away from those individuals exhibiting threatening behaviour
- When horses are first mixed, management practices are used that aim to reduce the chances of competition and aggression between individuals occurring, for example, spreading additional feed (hay) over a large surface area, feeding individuals in separate areas, providing additional space etc.
- Horses are observed closely when unfamiliar horses are first placed together, and then daily until settled, to monitor for signs of injury or continued aggression
- Horses subjected to persistent bullying are removed from the herd
- The level of exercise is appropriate for the age and level of fitness of the horse

Recommended Best Practice

a) The introduction of new horses to the herd should not occur more frequently than necessary because of the social distress involved while the introduced and resident horses re-establish a hierarchy.
b) If any horses are subjected to persistent bullying, they should be removed from the paddock, checked for illness and injury and, if returned to the group, be monitored closely thereafter to ensure that confrontation is minimised.
c) Horses should be kept with at least with one other social companion. If this is not possible, horses should be kept where they can see or hear other horses (or other animals).
d) Horses should be provided with an area in which they are able to move freely and obtain daily exercise sufficient to meet their health and welfare.
e) Horses should be given the opportunity to graze daily.

General Information

Horses, donkeys and mules are all social animals and need to be provided with companions to maintain their welfare. While interaction with humans may provide a substitute for some of their social and behavioural needs, the provision of social companions of their own species is preferable. Horses can, however, live with companions such as sheep, cattle or goats. If it is not possible to keep a horse in a herd with others, providing them with the opportunity to see or hear other horses (or other animals) can provide some welfare benefits.

Donkeys bond strongly to their companions. Care needs to be taken not to separate bonded partnerships in order to minimise the risk of stress and illness that this may cause, particularly if the donkey only has one other companion.

Horses are not always kept as riding or working animals. They can be kept for a number of other reasons including as pets or as companions for other horses. In cases such as these, even though the horse is not being worked, it still needs to be provided with a standard of care that will maintain its health and welfare.

Part 6: Handling, Training and Equipment

6.1 Equine Handling and Training

Introduction

Horses naturally exist as prey animals and so are likely to flee in response to situations or objects that they are unsure of. The risk of injury to both handlers and horses is reduced when good handling skills are used and the horse is held in appropriate facilities. Knowledge of appropriate handling and management skills can lead to positive welfare outcomes for the horse.

Young horses (under two years old), benefit from being introduced to basic training and positive handling techniques that will instil confidence in them and positively influence their relationship with their handlers. Horses pushed beyond their level of capability at a young age are more likely to sustain injuries or develop undesirable behavioural traits that can continue to be present as an adult. A competent person will ensure that horses are trained in a way that is not physically or psychologically damaging. For this reason, it is important that persons training horses are experienced, confident and competent in this role.

Reinforcing and rewarding positive behaviour is crucial when training horses to perform to their full potential. Horses exhibiting abnormal or undesirable physiological and/or behavioural responses to handling, training and confinement can do so for a number of reasons, including negative prior experience, frustration or pain. Responses may include aggressive threats, biting and kicking. Behaviours such as pacing, weaving and crib biting are more likely to be associated with restricted housing conditions and the feeding of concentrated low fibre foods. Factors such as early weaning and the horse's temperament may also contribute to the development of these behaviours. Pacing, weaving and crib biting behaviours need to be addressed through changes in the management of the horse as these behaviours will not be resolved by disciplinary intervention.

Appropriate techniques for correcting undesirable behaviours will vary depending on the underlying reason for the behaviour. Undesirable behaviours are likely to become increasingly problematic if not corrected promptly and, if they occur, it is necessary to seek advice from a person experienced in equine handling.

See summary of regulations appended to this Code:

- Regulation 19 – Use of equipment that may injure horses and other equids
- Regulation 20 – Persons must not strike an equid on its head
- Regulation 48 – Use of electric prodders
- Regulation 49 – Prodding animals in sensitive areas

Introduction amended on 9 May 2021 by Notice in the Gazette 2021-go1589

Minimum Standard No. 8 – Equine Handling and Training
(a) Horses must be handled and trained at all times in such a way as to minimise the risk of pain, injury or distress.
(b) Horses must not be worked at such an intensity that is likely to cause exhaustion, heat stress, injury or distress.
(c) Electric prodders must not be used on horses.
(d) Horses must not be struck or prodded with a goad in the udder, anus, genitals, or eyes.
(da) Horses must not be prodded in sensitive areas.
(db) Horses must not be struck around their heads.
(e) The whip, lead or any other similar object must only be used for safety, correction and encouragement and not used in an unnecessary, excessive or improper manner.

Example Indicators for Minimum Standard No. 8 – Equine Handling and Training

- Handlers' behaviour towards horses is patient
- Horses are handled in such a manner that they remain relaxed and do not exhibit signs of discomfort or anxiety (such as hind leg kicking, flared nostrils, contracted lips, visible white of the eyes or tail swishes)
- Handlers are able to recognise the different behaviour patterns of horses and react appropriately
- Handlers appreciate how individual horses may react to and interact with other horses, animals, humans, strange noises, sights and smells
- Handlers are trained in the use of equipment used to move and restrain horses
- Horses are introduced to basic training and are backed, or started in harness, at a suitable level of maturity
- Horses are not expected to accept practices and perform procedures prior to the level of maturity where they are able to physically and psychologically cope with what is being expected of them
- Horses are trained by competent persons using accepted techniques
- The mildest form of discipline that will achieve the required behavioural change is used

Recommended Best Practice

a) Appropriate advice (for example, from a person knowledgeable in equine behaviour) should be sought at the first signs of unwanted behaviour occurring. This may prevent more persistent behavioural problems developing which are likely to be more difficult to cure.
b) Riders should not be heavier than is appropriate for the equine in question, taking into account the size of the animal, its breed, physiological status and workload that it is being asked to perform.

General Information

The age that horses begin their training can vary considerably depending on their breed and the discipline for which they are to be used. The weight of rider and amount of work they are asked to perform needs to be commensurate with their size and development. Thoroughbred racehorses often have small, light riders on their backs as early as 15 months of age, in order to race as two or three year olds. Horses used in other disciplines often begin their training at a later age, and may be three or four years old before they are first backed and ridden.

Horses respond best when aids and instructions are humane, clear and consistent. Ill-timed or inappropriate reprimands are counterproductive and may result in the development of unwanted behaviours. The whip needs to be used only as an additional aid for a horse, not as a punishment. Often, the use of positive reinforcement behavioural techniques can bring changes in behaviour, creating the same results as restrictive or harsher methods, without reducing the horse's welfare.

Some horses, such as stallions or those that are young or unbroken, may be unpredictable and require more advanced handling skills to ensure the safety of both horse and handler. Geldings (castrated males) are in general, calmer and easier to handle than stallions, and will not seek to mate with mares. It is recommended that colts are gelded within their first year, and preferably before they reach sexual maturity.

Some equine facilities, such as riding schools, offer advice and training days to enable those who are responsible for horses to learn how to handle or improve their handling skills. Equine related organisations or clubs can also offer advice on horse husbandry and care.

6.2 Saddlery and Equipment

Introduction

The equipment used with horses can have a large influence on their health and welfare. It is important that all equipment used to handle, ride or drive horses is of a suitable size and is correctly fitted to reduce rubbing or slipping and minimise discomfort. For reasons of comfort, hygiene and safety it is necessary that all equipment is maintained in a clean, supple condition, free from cracks and other features likely to cause injury.

Much of the equipment used on horses is to help guide or control a horse and influence its movement and behaviour, and so the incorrect use and handling of this type of equipment has the potential to cause pain and distress. For this reason, it is important that handlers and riders are aware of the potential effects that incorrect and harsh use of equipment can have on the health and welfare of a horse. It is important that techniques, methods and equipment that have a mild effect on horses are used in place of severe equipment wherever possible. However, how the equipment is used by the handler or rider will largely determine the effect that any piece of equipment has on a horse. Ropes that are used for educating and restraining horses can cause significant injury to both horse and handler if they are of the wrong type.

Halters or headcollars are sometimes left on horses that have a history of being difficult to catch when turning them out into paddocks. However, this practice can be potentially hazardous as the headcollar may catch on items in the paddock and cause injury. If halters or headcollars are left on horses when turning them out, it is necessary to check frequently to ensure that the headcollar is not damaged and is not chaffing or causing injury. Young horses outgrow their halters rapidly, which can result in pressure injury if they are not adjusted and changed as necessary.

See summary of regulations appended to this Code:

- Regulation 19 – Use of equipment that may injure horses and other equids
- Regulation 47 – Collars and tethers

Introduction amended on 9 May 2021 by Notice in the Gazette 2021-go1589

Minimum Standard No. 9 – Saddlery and Equipment
(a) Equipment used on horses must be maintained in good condition and be fitted so as not to cause injury. (b) Equipment must be used in such a way as to avoid pain, injury or distress to the horse.

Example Indicators for Minimum Standard No. 9 – Saddlery and Equipment

- Equipment is regularly cleaned and inspected to ensure that leather/synthetic fibre etc. is supple and all parts of the equipment are in good order
- Bits are clean and have no rough or sharp edges
- Equipment does not pinch, rub or cut horses on which it is used
- Every effort is made to ensure that equipment is fitted correctly for the individual horse on which it is being used
- Equipment that is placed next to the horse's skin is kept clean, soft and free from debris
- Equipment that is restrictive for the horse is used by knowledgeable and competent persons only

Recommended Best Practice

a) Ropes used for educating and restraining horses should be pliable, at least 15 mm thick and not made of nylon.

b) Ropes should not be attached directly to a horse's legs.
c) Where leg restraint is essential, felt-lined leather straps should be used for this purpose.
d) Covers should be removed from horses on a weekly basis and aired, and loose hair and caked-on dirt removed from the cover.
e) All horses, especially young and inexperienced ones, should be handled gently with equipment that exerts a mild effect only.
f) Horses should be monitored when being brought back into work to ensure that the equipment does not cause injury or discomfort while the skin hardens with consistent use of the equipment.
g) Halters or headcollars should not be left on horses when they are turned out into the paddock.

General Information

The use of restrictive equipment (e.g. harsh bits and over tightened nosebands) used for controlling a horse needs to be reduced to a minimum through the application of appropriate, effective and safe training and handling techniques so as to maintain the horse's welfare.

It is important that all equipment is assessed for its suitability and fit before use, with consideration given to the horse's natural movement, behaviour, temperament and physical capabilities. If in doubt, or where expertise is required (e.g. when fitting saddles) this needs to be sought to ensure that the equipment is not causing the horse pain or discomfort.

If boots or leg bandages are used, they need to be suitable for the purpose and correctly fitted to avoid discomfort or injury, and left on only for the minimum length of time necessary.

Part 7: Husbandry Practices

7.1 Breeding and Foaling

Introduction

The majority of mares are sexually mature at two years of age and will begin to regularly come into season after this age. Jenny donkeys mature later than mares and are not bred until three years of age. As day length increases they will start cycling and come into season every 21 days until day length decreases in autumn and cycling ceases. When a mare is in season, she is more willing to accept a stallion, and at this stage, a mare and stallion can be mated for breeding purposes.

Breeding management techniques and programmes that optimise genetic potential are used in all sectors of the equine industry in New Zealand. In addition to selecting animals with desirable genotypes for breeding, there are a number of established and developing technologies being used to facilitate genetic gains and better manage animals.

Some of these techniques may meet the criteria for a significant surgical procedure. Only a veterinarian, or a person who is acting under the direct supervision of a veterinarian and who is a student undergoing his or her training to become a veterinarian, are able to perform a significant surgical procedure, unless a regulation says otherwise – see section 8.1 significant surgical procedures).

See summary of regulations appended to this Code:

- Regulation 54 – Castrating equids
- Regulation 59A – Surgical reproductive procedures
- Regulation 59B – Transcervical insemination
- Regulation 59D – Performing Caslick's procedure on horses
- Regulation 59E – Epidurals
- Regulation 59G – Rectal examination of equids

Introduction amended on 9 May 2021 by Notice in the Gazette 2021-go1589

Minimum Standard No. 10 – Breeding and Foaling
(a) Owners or persons in charge of mating horses must ensure that they possess the appropriate experience and level of competency in the technique used so that the health and welfare of the horses is not compromised.
(b) Horses that are foaling, or are due to foal, must be provided with a suitable area in a safe, sheltered and quiet environment.
(c) Horses that are due to foal must be observed discreetly and as frequently as required to ensure that they are not experiencing difficulties.
(d) If a horse is exhibiting signs to indicate that she is experiencing difficulties at any point during or following foaling, expert assistance must be provided immediately.
(e) A rectal examination can only be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian throughout the procedure unless performed for the purposes of a non-surgical reproductive procedure.
(f) A non-surgical reproductive procedure can only be undertaken by a person experienced with, or who has received training in, the correct use of the method used and who is able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.
(g) A surgical reproductive procedures can only be undertaken—

i) by a person experienced with or who has received training in, the correct use of the method used and who is able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice;
ii) if throughout the procedure the animal is under the influence of pain relief that is authorised by a veterinarian for the purpose of the procedure.

Minimum Standard No. 10(e) to (g) replaced amended on 9 May 2021 by regulation 25(2) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020

Example Indicators for Minimum Standard No. 10 – Breeding and Foaling

- The person supervising a mare that is due to foal knows the indicators that the mare may be experiencing problems foaling
- Contact details for a veterinarian are accessible to all personnel
- Horses that are foaling are given a suitable safe and quiet place to enable them to foal, for the foal to suckle and for the mare to bond with her foal
- Persons in charge of breeding horses have received training in the relevant techniques (natural insemination, artificial insemination or embryo transfer)

Recommended Best Practice

a) When selecting animals for breeding, attention should be given to selecting animals of appropriate size, breed and foaling experience.
b) If foaling is to take place in a paddock, the area should be free from hazards such as ponds and ditches in which the foal can become injured or drown, and free from large livestock such as other horses or cattle, which are likely to be curious of the new foal and may accidently injure it.
c) If foaling is to take place in a foaling box, the box should be thoroughly disinfected and sufficient straw provided to create a warm but well ventilated environment. Potential hazards such as hay nets or bucket holders should be removed before foaling.
d) Boxes provided for foaling should be substantially larger (preferably twice as big) as those used for housing a single horse so as to minimise the risk of the mare injuring the foal.
e) Mares in late pregnancy should be observed at least twice daily for signs of impending foaling.

General Information

Precautions can be taken to reduce the chances of either the mare or stallion becoming injured, acquiring or spreading infection during the breeding process.

Inexperienced mares or those who have experienced foaling difficulties previously are more likely to experience problems and care needs to be taken that these horses have experienced persons on hand to assist if required. Difficulties during foaling are a veterinary emergency and help needs to be sought as soon as possible.

Horses usually give birth to one foal only. Twin births do happen, but it is rare that both foals survive and usually one or both of the foals die during the pregnancy.

Pregnancy can be confirmed by ultrasound, blood test, urine test or manual palpation.

7.2 Rearing and Weaning

Introduction

Foals rely on the dam's milk to obtain nutrients for the first few weeks of life. Colostrum is the first milk produced by the dam after foaling and contains nutrients and antibodies that are essential to protect the foal from disease. The newborn foal absorbs antibodies from colostrum, but begins to lose that ability about six

hours after birth. It is important that foals receive sufficient colostrum as soon as possible after birth to ensure their health and welfare.

Weaning foals from their dam combines a number of factors with the potential to compromise animal welfare – the physical separation of dam and foal, changes to the foal's feeding regime, and cessation of milk being taken from the dam. In some cases, weaning may also mean a change in the environment for the foal and mixing with other new social groups.

Weaning is stressful for mare and foal, but if the process is properly managed, foals generally appear to adapt within a few days without any long lasting consequences to their health and welfare.

Minimum Standard No. 11 – Rearing and Weaning
(a) Newborn foals must receive sufficient colostrum or a good quality commercial colostrum substitute to ensure their health and welfare. (b) Weaning must be managed in a way that avoids undue stress on the dam and foal and minimises negative impacts on their health and welfare.

Example Indicators for Minimum Standard No. 11 – Rearing and Weaning

- Handlers are able to recognise if a foal is not receiving adequate feed and will remedy the situation
- Foals are not weaned until they are receiving at least 75% of their daily feed requirements from solid feed

Recommended Best Practice

a) Foals should receive colostrum as soon as possible after birth, preferably within the first six hours.
b) Horses should not be weaned from their dams until they are at a level of maturity where minimal negative consequences are likely to result.
c) Prior to weaning, foals should be introduced to the feed that they will be expected to consume following weaning, to help reduce weight loss and growth problems in the foal after being weaned.
d) Where foals are unable to be reared with their natural mother, alternative equine company should be provided.

General Information

Colostrum, either fresh or stored, can provide local immunity in the gut and is a highly digestible, high quality food. Antibodies cannot be absorbed by the foal beyond 24-36 hours after birth, so colostrum needs to be fed as soon as possible after birth.

Weaning can be undertaken abruptly (with dam and foal kept out of visual and auditory contact from each other) or progressively (gradually removed from each other but kept in adjacent paddocks). The latter method may be less stressful for horses, but requires good fences and greater resources. There is some evidence that weaning foals in pairs or groups, in an environment which is as familiar as possible, and providing them with access to clean water and a high fibre diet, is beneficial for their health and welfare.

7.3 Identification

Introduction

Identification of horses using specified systems is a compulsory requirement in some areas of horse sport such as thoroughbred and standardbred racing. However, identification can also be used as a temporary method of tracking a horse when it is sold or being transported, and can also be a way of proving ownership in the case of horse theft. There are a number of different methods of identification, which vary in their permanency and the amount of pain that they cause the horse when applied. Methods of identification include branding, microchipping and DNA analysis.

Some of these methods may meet the criteria for a significant surgical procedure. Only a veterinarian, or a person who is acting under the direct supervision of a veterinarian and who is a student undergoing his or her training to become a veterinarian, are able to perform a significant surgical procedure, unless a regulation says otherwise - see section 8.1 significant surgical procedures).

See summary of regulations appended to this Code:

- Regulation 55K – Freeze branding cattle beasts or equids
- Regulation 55L – Prohibition on hot branding of animals generally
- Regulation 55M – Hot branding of horses, ponies, and donkeys

Introduction amended on 9 May 2021 by Notice in the Gazette 2021-go1589

Minimum Standard No. 12 – Identification
(a) All identification procedures must be applied by a competent operator. (b) Hot branding must not be used.

Minimum Standard No. 12 replaced on 9 May 2021 by regulation 25(2) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020

Example Indicators for Minimum Standard No. 12 – Identification

- No injuries or infections are apparent at the site of identification
- One application to the skin, for the minimum time, is required to produce a brand

Example indicators for Minimum Standard No, 12 – Identification amended on 9 May 2021 by Notice in the Gazette 2021-go1589

Recommended Best Practice

a) Freeze branding, if undertaken, should only be used with pain relief. The brand site should be closely shaved before branding.
b) Freeze branding should be performed using liquid nitrogen, rather than dry ice, as the brand is applied to the skin for a shorter period, with a similar result.
c) Microchipping should be administered by a veterinarian or trained equine handler who ensures good aseptic technique.

Recommended Best Practice amended on 9 May 2021 by Notice in the Gazette 2021-go1589

7.4 Pre-transport Selection

Introduction

Where specific guidelines for the selection and transport of horses exist, they should be consulted. Otherwise, transport should generally be in accordance with the Animal Welfare (Transport within New Zealand) Code of Welfare 2011. All persons in charge of horses, including staff and contract transport operators, should be aware of the requirements for pre-transport selection and transport of horses.

In cases of doubt about the condition of an animal, a veterinarian needs to be consulted. A veterinarian can certify an animal as fit for transport, in which case the appropriate documentation needs to accompany the animal on its journey.

Transport can be a stressful experience for horses, particularly for those animals that have not been transported previously, that have had a negative past experience while being transported, or that are not accustomed to human contact. Good handling techniques will help to reduce anxiety during the process.

Minimum Standard No. 13 – Pre-transport Selection

(a) All horses selected for transport must be examined by the person in charge prior to loading to ensure that they are fit for transport and are able to withstand the journey without suffering unreasonable or unnecessary pain or distress.
(b) Any horse likely to give birth during transport, or be affected by metabolic complications of late pregnancy as a result of the journey, must not be selected for transport.
(c) Proper care must be taken when deciding if it is appropriate to transport young, old, pregnant or otherwise physiologically or behaviourally compromised horses.

Example Indicators for Minimum Standard No. 13 – Pre-transport Selection

- Transported horses do not display symptoms of unreasonable pain or distress
- No horse gives birth during transport
- Foals under four months of age are transported with their dam

Recommended Best Practice

a) Every effort should be made to ensure that horses are transported for the shortest possible time.
b) When undertaking long journeys, horses should be familiarised with the feed and provided with the same type of feed that they are used to eating at home, both at rest stops during the journey and upon arrival.
c) When undertaking long journeys, horses should be provided with water with which they have been familiarised.

General Information

All precautions should be taken to ensure the safety and security of horses during transportation. Horses are transported on land, sea or in the air in a variety of trailers and containers, from small boxes that carry one horse alone to large trucks or containers that are capable of carrying a large number of horses simultaneously.

Part 8: Health, Injury and Disease

Introduction

Health and welfare are closely associated, and owners and people in charge of horses have a responsibility to, as far as possible, prevent ill-health in their horses and treat it where it occurs. Every person responsible for the care of horses needs to be able to recognise signs of ill-health, have knowledge of basic equine first aid, and have access to a veterinarian to diagnose and treat any serious illness or injury. Potential problems need to be noted as early as possible and steps taken to rectify the problem. Animal health programmes need to include disease prevention strategies. The ability to detect ill-health early in horses is crucial for successful diagnosis and treatment.

Regular examination of the hooves of horses can ensure that signs of injury, other abnormalities, loose shoes and impacted foreign material are detected before they cause further problems to the health of the horse.

The dental health of horses can have a large influence on their health and welfare. Horses with worn, sharp or otherwise abnormal teeth often experience discomfort or pain and are unable to chew their food properly, which can result in poor digestion or malnutrition.

Parasite infestation can cause disease and death. It is important that a parasite management programme is in place, as large parasite burdens can cause disease, loss of weight and a gradual deterioration in the health of horses. Management strategies such as pasture rotation, faecal egg count monitoring, cross grazing the pasture with other animal species, harrowing or regular removal of faeces can be used to control parasites. A holistic approach encompassing a number of management strategies is optimal for minimising parasitic burdens. Products such as worming pastes are available when quick and effective measures are needed to reduce worm burdens.

There are a range of alternative therapies available for the treatment of various conditions in horses. When using alternative therapies, the person in charge needs to ensure that the use of these therapies do not cause harm to horses.

Some procedures may meet the criteria for a significant surgical procedure. Only a veterinarian, or a person who is acting under the direct supervision of a veterinarian and who is a student undergoing his or her training to become a veterinarian, are able to perform a significant surgical procedure, unless a regulation says otherwise - see 8.1 significant surgical procedures).

See summary of regulations appended to this Code:

- Regulation 54 – Castrating horses
- Regulation 56D – Cutting teeth of animals
- Regulation 56E – Extracting equids' teeth

Introduction amended on 9 May 2021 by Notice in the Gazette 2021-go1589

Minimum Standard No. 14 – Health, Injury and Disease
(a) Those responsible for the welfare of horses must be competent at recognising the signs of ill-health or injury and take prompt remedial action, as appropriate. (b) Medication must only be used in accordance with registration conditions and manufacturer's instructions or professional advice. (c) Hooves must be trimmed as required to permit normal mobility and to maintain hoof health, shape and function. (d) Teeth must be maintained as required to permit normal grazing and chewing.

Example Indicators for Minimum Standard No. 14 – Health, Injury and Disease

- Horses are active, bright, alert, move freely and actively graze
- Persons working with horses demonstrate a good knowledge of equine first aid, are able to recognise key physical and behavioural signs that a horse is unwell, in pain or distressed, and will undertake prompt action and treatment as necessary
- Hygiene standards and management procedures protect against ill-health and spread of disease
- When the early signs of a disease outbreak are recognised or suspected, expert advice is sought promptly and any intervention is documented
- A regular health programme is implemented
- Expert advice and treatment is sought for any irregularities in the hoof which are causing lameness, or may cause problems if not remedied
- Horses are not losing condition, resisting bridling, feed-packing in cheeks or dropping hard feed while eating as a result of dental abnormalities
- When using a roster system, full documentation is maintained and is available to all personnel outlining any health problems, or potential health problems, that have been apparent upon inspection of horses

Recommended Best Practice

a) Following illness or injury, the owner or person in charge should follow veterinary instructions regarding the resumption of work for the horse.
b) Horses should have an annual health check conducted by a veterinarian.
c) Horses should receive regular expert care from a qualified and competent hoof care professional to maintain the health of the hoof.
d) Equine teeth should be examined and treated as necessary, but at least annually for dental conditions that may cause pain or interfere with normal feeding, digestion or work.
e) A record should be maintained of any medicinal treatment given to horses.
f) Horses should be vaccinated according to veterinary recommendations, to protect them from infectious diseases.

General Information

The optimal frequency for trimming a horse's hooves to maintain its health and welfare will depend on factors such as age, time of year, nutrition, management, the present condition of the hoof and the presence of injury. Unless running on dry abrasive surfaces, hooves need regular trimming to avoid cracking and disease. Horses standing in excess moisture, such as that which occurs in stabled horses under conditions of poor stable management, or pastured horses standing in excess moisture for extended periods of time can suffer skin problems or hoof problems such as thrush (an infection of the frog of the hoof which may cause tenderness of the foot and lameness).

Where abnormal heat or painful pressure points are found in the hoof, a veterinarian or competent farrier can provide advice on the cause and appropriate action to prevent further problems developing.

Following trimming of the hoof, horses can have shoes fitted, be left unshod, or the hooves can be trimmed leaving the hoof shaped as a 'barefoot trim'. The most appropriate method for a particular horse will depend on a number of factors such as the individual horse's hooves, the management schedule that the horse is kept under and its workload. Shoes, if used, need to be removed and adjusted or replaced regularly in response to hoof wall growth, or when shoes have moved off the wall.

Hoof trimming and shoe fitting needs to be carried out by persons trained and competent in equine anatomy and hoof care. Trimming of hooves and fitting shoes by persons who have not received adequate training in equine anatomy and hoof care can cause lameness, muscular problems and impaired movement which can possibly result in irreparable damage to the horse.

Sharp and uneven points can develop on a horse's teeth. Regular attention is required to file these edges so that the horse can chew more effectively. Older horses (i.e. those over 16 years of age) may require extra dental care and attention than younger horses.

As a result of being ridden, horses and ponies can develop muscular pain, including back pain. If horses are experiencing pain, they may change their behaviour in an attempt to escape the discomfort. This can be interpreted as 'disobedience' or 'misbehaviour' by the novice rider. Both gradual or sudden changes in equine behaviour need to be investigated and, if necessary, a veterinarian called to perform an assessment of the horse to determine if the horse is experiencing pain, before other methods of correction are considered.

All those responsible for managing horses, even if the horses are in different ownership, need to devise and implement a parasite control programme to apply to all horses in the same establishment.

8.1 Significant Surgical Procedures

The Animal Welfare Act 1999 sets criteria for whether a procedure carried out on an animal is a significant surgical procedure. The criteria are set out in Section 16 of the Act.

If any person has to determine whether a procedure carried out on an animal is a significant surgical procedure under this Act, the person must determine the question by considering the following criteria:

a) whether the procedure has the potential to—

   i) cause significant pain or distress; or
   ii) cause serious or lasting harm, or loss of function, if not carried out by a veterinarian in accordance with recognised professional standards; and

b) the nature of the procedure, including whether this involves—

   i) a surgical or operative procedure below the surface of the skin, mucous membranes, or teeth or below the gingival margin; or
   ii) physical interference with sensitive soft tissue or bone structure; or
   iii) significant loss of tissue or loss of significant tissue.

Only a veterinarian, or a person who is acting under the direct supervision of a veterinarian and who is a student undergoing his or her training to become a veterinarian, are able to perform a significant surgical procedure, unless a regulation says otherwise.

For all animal welfare regulations please see www.legislation.govt.nz. Note that not all of the surgical procedures included within these regulations meet the criteria of a significant surgical procedure, some have been regulated for clarity only.

See also the summary of regulations appended to this Code:

- Regulation 51A – Docking equids' tails
- Regulation 54 – Castrating equids
- Regulation 55K – Freeze branding cattle beasts or equids
- Regulation 55L – Prohibition on hot branding of animals generally
- Regulation 55M – Hot branding of horses, ponies, and donkeys
- Regulation 56D – Cutting teeth of animals
- Regulation 56E – Extracting equids' teeth
- Regulation 58I – Prohibition on blistering, firing, soring, and nicking equids
- Regulation 59A – Surgical reproductive procedures
- Regulation 59B – Transcervical insemination
- Regulation 59C – Cystocentesis
- Regulation 59D – Performing Caslick's procedure on horses

- Regulation 59E – Epidurals
- Regulation 59F – Urinary catheterisation
- Regulation 59G – Rectal examination of equids

Significant Surgical Procedures inserted on 9 May 2021 by Notice in the Gazette 2021-go1589

Part 9: Emergency Humane Destruction

Introduction

Humane destruction needs to be performed using a recognised acceptable method and only by persons who are able to prove competence or appropriate training in using the method selected.

Humane killing requires brain activity to cease as rapidly and painlessly as possible, with death ensuing as soon as possible.

Minimum Standard No. 15 – Emergency Humane Destruction
(a) Horses must be handled, restrained and killed in such a manner as to minimise unnecessary pain and distress prior to death. (b) Personnel undertaking emergency humane destruction must be competent in the handling and killing of horses. (c) Horses must be rapidly rendered insensible and remain in that state, until death. (d) Horses must not be shot in the back of the head. (e) The spinal cord must not be severed or broken in any horse. (f) Animals rendered insensible by a blow or shot to the brain must be bled out immediately to ensure that death occurs before recovery from stunning.

Example Indicators for Minimum Standard No. 15 – Emergency Humane Destruction

- Persons undertaking humane killing are appropriately trained to do so
- Horses are handled gently and calmly at all stages of the process
- Any equipment used to undertake humane killing is well maintained in order to operate efficiently
- Horses are inspected following the procedure to confirm death

Recommended Best Practice

a) Shotguns and rifles should be at least 10cm from the animal's head when aimed.
b) Captive bolt firearms, of a suitable design and calibre, should be used to render animals insensible.
c) Wherever possible, emergency destruction of horses should be conducted discreetly and at a site distant from other animals so as not to cause anxiety to other horses.

General Information

Firearms that are used to shoot a horse must be at least 0.22 calibre (long rifle). The target area and direction of the bullet are shown in Schedule III: Captive Bolt and Free-bullet Firearm Stunning Sites. Correct position is critical for the humane and effective destruction of animals.

Adequate precautions must be taken to protect other animals and people from injury and it is essential that the operator is competent in using the equipment.

Schedule I: Interpretation and definitions

Act

The Animal Welfare Act 1999.

animal

As defined in the Act:

a) Means any live member of the animal kingdom that is –

   i) A mammal; or
   ii) A bird; or
   iii) A reptile; or
   iv) An amphibian; or
   v) A fish (bony or cartilaginous); or
   vi) Any octopus, squid, crab, lobster, or crayfish (including freshwater crayfish); or
   vii) Any other member of the animal kingdom which is declared from time to time by the Governor-General, by Order in Council, to be an animal for the purposes of the Act; and

b) Includes any mammalian foetus, or any avian or reptilian pre-hatched young, that is in the last half of its period of gestation or development; and
c) Includes any marsupial pouch young; but
d) Does not include –

   i) A human being; or
   ii) Except as provided in paragraph (b) or paragraph (c), any animal in the pre-natal, pre-hatched, larval, or other such developmental stage."

body condition score

A scoring system used to classify the condition of animals, based on the assessment amount of fat and/or muscle covering they have (see Part 3: Food and Water and Schedule II: Body Condition Scoring of Horses).

breeding

Copulation of a male and female horse.

colt

A male horse under 4 years of age.

dam

A nursing mare.

electric prodder

A device that is capable of delivering an electric shock to make an animal move, but does not include electric stunners use to stun an animal immediately before slaughter or electric devices used on animals by the New Zealand Police.

foaling

Parturition. The act of giving birth.

goad

An object used to make an animal move, but does not include an electric prodder.

good practice

NAWAC takes to mean a standard of care that has a general level of acceptance among knowledgeable practitioners and experts in the field; is based on good sense and sound judgment; is practical and thorough; has robust experiential or scientific foundations; and prevents unreasonable or unnecessary harm to, or promotes interests of, the animals to which it is applied. Good practice also takes account of the evolution of attitudes about animals and their care.

hobbles

For the purpose of this Code hobbles are defined as devices used to restrict the movement of one leg or to fasten together two legs of a horse in order to apply restraint and prevent free motion.

horse

The term “horse”, unless specifically stated otherwise, refers to any domestic equid including horses, ponies, donkeys, and their hybrids and including foals and excluding zebras.

hybrid

An offspring of parents of different species.

ill-treat

As defined in the Act: “in relation to an animal, means causing the animal to suffer, by any act or omission, pain or distress that in its kind or degree, or in its object, or in the circumstances in which it is inflicted, is unreasonable or unnecessary.”

loose box

A single box that provides shelter for one horse (although may be two horses in case of mother and foal) to rest and sleep.

mare

A female horse of four years or older.

minimum standards

Minimum standards provide the details of specific actions people need to take in order to meet the obligations of the Act. They are identified in the text by heading, and generally use the word ‘must’ or similar. They are highlighted in boxes within the text.

non-surgical reproductive procedure

A procedure for reproductive purposes that does not involve cutting into or piercing the abdominal cavity of the equid and that includes -

i) transcervical or cervical insemination; and
ii) embryo retrieval through transcervical methods; and
iii) pregnancy diagnosis.

owner

As defined in the Act: "in relation to an animal, includes the parent or guardian of a person under the age of 16 years who –

a) owns the animals; and
b) is a member of the parent's or guardian's household living with and dependent on the parent or guardian."

person in charge

As defined in the Act: "in relation to an animal, includes a person who has an animal in that person's possession or custody, or under that person's care, control, or supervision."

physiological state

Relates to the functioning of the body, its organs and body systems.

recommended best practice

NAWAC takes to mean the best practice agreed at a particular time, following consideration of scientific information, accumulated experience and public submissions on this Code. It is usually a higher standard of practice than the minimum standard, except where the minimum standard is best practice. It is a practice that can be varied as new information comes to light. Recommendations for best practice will be particularly appropriate where it is desirable to promote or encourage better care for animals than is provided as a minimum standard.

Recommended best practices are identified in the text by a heading, and generally use the word "should".

rectal examination

A procedure involves either or both of the following:

i) entry into the rectum by any or all of the arm, hand, or fingers:
ii) entry into the rectum by an instrument, excluding a rectal thermometer.

scientific knowledge

NAWAC takes to mean knowledge within animal-based scientific disciplines, especially those that deal with nutritional, environmental, health, behavioural and cognitive/neural functions, which are relevant to understanding the physical, health and behavioural needs of animals. Such knowledge is not haphazard or anecdotal; it is generated by rigorous and systematic application of the scientific method, and the results are objectively and critically reviewed before acceptance.

season

Oestrus. The time in the reproductive cycle when a female shows an interest in mating. Normally around ovulation (release of the egg).

shelter

Cover or protection from weather including sun, rain, wind and snow.

stable

For the purposes of this Code, the term stable refers to any building containing loose boxes or stalls. Such buildings frequently incorporate loose boxes, stalls, feed storage and tack rooms.

stall

A narrow covered area where a single horse can be tied for temporary accommodation.

stallion

An uncastrated male horse of 4 years of age or more.

surgical reproductive procedure

Includes a procedure that involves:

i) cutting into or piercing the abdominal cavity for the purpose of artificial insemination or for the purpose of harvesting, transferring, or implanting embryos; or
ii) transvaginal techniques that involves piercing the vaginal wall.

Does not include a procedure carried out for the primary purpose of desexing or the delivery of offspring.

tethering

Securing a horse to an object, for purposes of grazing, by a halter, headcollar or secure restraint around the neck.

transcervical insemination

A procedure to deliver sperm directly to the uterus through the cervix using a catheter and may involve either or both of the following:

i) deep abdominal palpation; and / or,
ii) using an endoscope.

weaning

The process of separating the foal from the dam when it becomes nutritionally independent.

working horse

A horse whose primary purpose is to provide practical assistance to humans. Includes police horses and those kept primarily for the purpose of driving and managing livestock.

yard

For the purpose of this Code, a yard means any small enclosure without a roof, not being a stable, loose box or paddock.

*Schedule 1 **electric prodder**: amended on 27 August 2020 by section 25(1) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020*
*Schedule 1 **non-surgical reproductive procedure** inserted on 9 May 2021 by section 25(2) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020*
*Schedule 1 **rectal examination** inserted on 9 May 2021 by section 25(2) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020*
*Schedule 1 **surgical reproductive procedure**: inserted on 9 May 2021 by section 25(2) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020*
*Schedule 1 **transcervical insemination**: inserted on 9 May 2021 by section 25(2) of the Animal Welfare (Care and Procedures) Amendment Regulations 2020*

Schedule II: Body Condition Scoring of Horses

Method

To obtain the condition score for any horse, first score the pelvis, then adjust the pelvis score up or down by 0.5 if it differs by 1 or more points from the back or neck score.

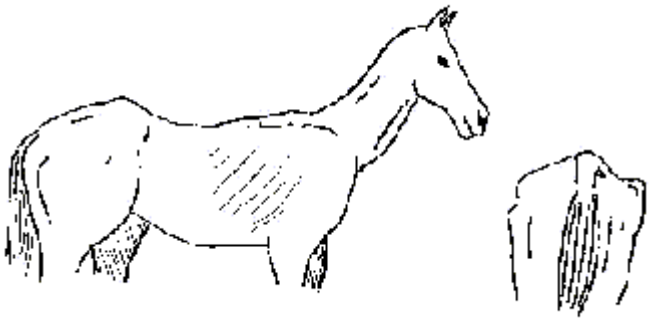
Score

0 – Emaciated

Pelvis
Angular, skin tight
Very sunken rump
Deep cavity under tail

Back and ribs
Skin tight over ribs
Very prominent and sharp backbone

Neck
Marked ewe neck
Narrow and slack at base

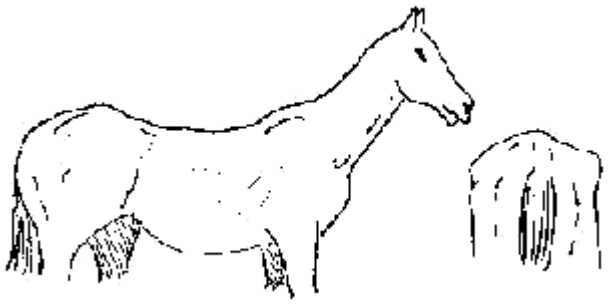


1 – Thin

Pelvis
Prominent pelvis and croup
Sunken rump but skin supple
Deep cavity under tail

Back and ribs
Ribs easily visible
Prominent backbone with skin sunken on either side

Neck
Ewe neck, narrow and slack at base

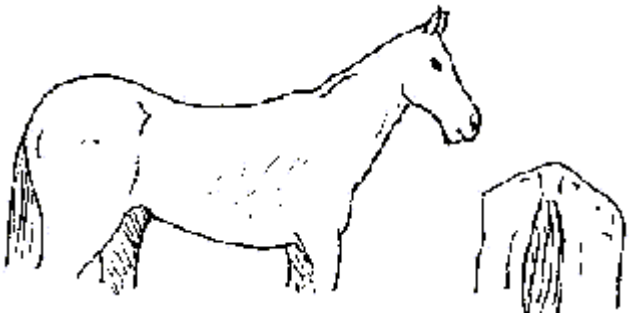


2 - Moderate

Pelvis
Rump flat either side of backbone
Croup well defined, some fat,

Back and ribs
Ribs just visible
Backbone covered but spines can be felt

Neck
Narrow but firm

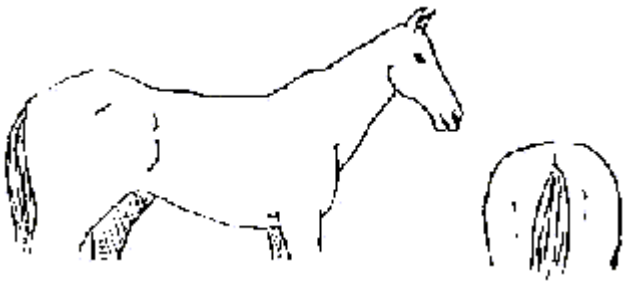


3 - Good

Pelvis
Covered by fat and rounded
No gutter
Pelvis easily felt

Back and ribs
Ribs just covered and easily felt
No gutter along back
Backbone well covered but spines can be felt

Neck
No crest (except for stallions) firm neck

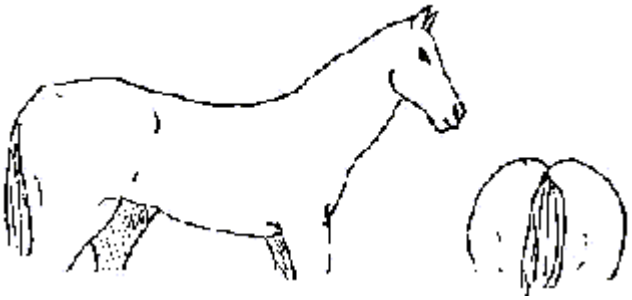


4 - Fat

Pelvis
Gutter to root of tail
Pelvis covered by soft fat
Need firm pressure to feel

Back and ribs
Ribs well covered - need firm pressure to feel
Gutter along backbone

Neck
Slight crest
Wide and firm



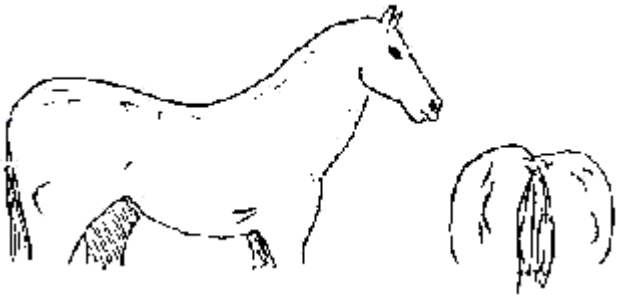
5 - Very fat

Pelvis
Deep gutter to root of tail
Skin distended
Pelvis buried, cannot be felt

Back and ribs
Ribs buried, cannot be felt
Deep gutter along back

Back broad and flat

Neck
Marked crest
Very wide and firm
Fold of fat



Note: When using this chart to assist in calculating bodyweight, the score must be calculated to the nearest 0.5 points.

Based on the Carroll and Huntington Method

Schedule III: Captive Bolt and Free-bullet Firearm Stunning Sites

Horses



The optimum position for horses is at right angles to the frontal surface, well above the point where imaginary lines from eye to ear cross.

Figure source: Based on Humane Slaughter Association (2005) Guidance Notes No. 3: Humane Killing of Livestock Using Firearms. Published by the Humane Slaughter Association, The Old School, Brewhouse Hill, Wheathampstead, Hertfordshire AL4 8AN, UK. www.hsa.org.uk

Appendix of extracts from the Animal Welfare (Care and Procedures) Regulations 2018

This Appendix is not part of the Code of Welfare but is included as a reference

Although efforts to include relevant regulations within this Code have been made, there may be other regulations which are relevant to you. The full list of all animal welfare regulations should be consulted where appropriate (see www.legislation.govt.nz).

3 Interpretation

In these regulations, unless the context otherwise requires,—

castrate means to remove the testes, sever or crush blood supply to the testes, sever or crush the spermatic cords, or force the testes against the abdominal wall

equid means any member of the equidae family, including any horse, pony, donkey, mule, wild ass, zebra, and any of their hybrids

pain relief means any anaesthetic, analgesic, or sedation administered with the aim of providing effective and significant alleviation or pain.

skin abrasion means an injury where the skin has started to scrape or rub away, but does not include (by itself) hair loss

tether means any form of restraint that secures any part of an animal to an object or the ground

18 Horses and other equids tethered for purpose of grazing

(1) The owner of, and every person in charge of, an equid that is tethered for the purpose of grazing must ensure that, at all times while the equid is tethered, the equid has access to—

a) food; and
b) water; and
c) shade; and
d) protection from extremes of heat and cold.

(2) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding $900.

(3) The offence in subclause (2) is an infringement offence with an infringement fee of $300.

(4) In this regulation, **equid** does not include a zebra.

19 Use of equipment that may injure horses and other equids

(1) The owner of, and every person in charge of, an equid must ensure that—

a) any halter, lead rope, or other equipment on the equid's head or neck does not—

i) cause a cut that bleeds or discharges; or
ii) cause a skin abrasion that bleeds or discharges; or
iii) cause a swelling; or
iv) prevent the animal from breathing normally or drinking; and

b) any other equipment used on the rest of the equid's body does not—

i) cause a cut that bleeds or discharges; or
ii) cause a skin abrasion that bleeds or discharges; or

iii) prevent the animal from breathing normally or drinking.

(2) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding $900.

(3) The offence in subclause (2) is an infringement offence with an infringement fee of $300.

(4) In this regulation, **equid** does not include a zebra.

20 Persons must not strike equid on its head

(1) A person must not strike an equid on its head.

(2) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding $1,500.

(3) The offence in subclause (2) is an infringement offence with an infringement fee of $500.

(4) In this regulation, **equid** does not include a zebra.

47 Collars and tethers

(1) The owner of, and every person in charge of, an animal must ensure that any collar or tether on the animal (whether on the neck or on any other part of the animal) does not—

a) cause a cut that bleeds or discharges; or
b) cause a skin abrasion that bleeds or discharges; or
c) cause a swelling; or
d) prevent the animal from breathing normally, panting, or drinking.

(2) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding $900.

(3) The offence in subclause (2) is an infringement offence with an infringement fee of $300.

48 Use of electric prodders

(1) A person must not use an electric prodder on any animal, except—

a) on cattle that weigh over 150 kg; or
b) during loading or unloading for transport, on pigs that weigh over 150 kg; or
c) during loading of a stunning pen at any slaughter premises, -

i) on pigs that weigh over 150 kg; or
ii) on pigs that weight over 70 kg if the pigs are in a single-file slaughter race leading into, and within 15 metres of, the stunning pen; or

d) during loading of a stunning pen at any slaughter premises, on deer of any weight.

(2) If an electric prodder is used on an animal where permitted by subclause (1),—

a) the prodder may be used only on the muscled areas of the animal's hindquarters or forequarters; and
b) the animal must have sufficient room to move away from the prodder.

(3) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding,—

a) in the case of an individual, $1,500; or
b) in the case of a body corporate that has been issued an infringement notice for the offence, $1,500; or
c) in the case of a body corporate that has not been issued an infringement notice for the offence (because proceedings in respect of the infringement offence have been commenced by filing a charging document), $7,500.

(4) The offence in subclause (3) is an infringement offence with an infringement fee of $500.

(5) In this regulation, **electric prodder—**

a) means a device that is capable of delivering an electric shock to make an animal move; but
b) does not include –

i) electric stunners used to stun an animal immediately before slaughter; or
ii) electric devices used on an animal by the New Zealand Police.

49 Prodding animals in sensitive areas

(1) A person must not strike or prod an animal with a goad in the udder, anus, genitals, or eyes.

(2) A person who fails to comply with this regulation commits an offence and is liable on conviction to a fine not exceeding $1,500.

(3) The offence in subclause (2) is an infringement offence with an infringement fee of $500.

(4) In this regulation, **goad** means an object used to make an animal move, but does not include an electric prodder as defined in regulation 48(5).

51A Docking equids' tails

(1) A person must not dock the tail of an equid.

(2) The owner of, and every person in charge of, an equid must not allow the equid's tail to be docked.

(3) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction, —

a) in the case of an individual, to a fine not exceeding $3,000; or
b) in the case of a body corporate, to a fine not exceeding $15,000.

(4) A person has a defence to a prosecution for an offence against this regulation if—

a) the person is a veterinarian, or a veterinary student under the direct supervision of a veterinarian throughout the procedure; and
b) the person docked the tail of the equid for therapeutic purposes; and
c) the equid was given pain relief at the time of the procedure.

54 Castrating equids

(1) A person must not castrate an equid unless—

a) the person is a veterinarian, or a veterinary student under the direct supervision of a veterinarian throughout the procedure; and
b) the horse is given pain relief at the time of the procedure.

(2) The owner of, and every person in charge of, an equid must not allow the equid to be castrated in breach of subclause (1).

(3) A person who fails to comply with this regulation commits an offence and is liable on conviction, —

a) in the case of an individual, to a fine not exceeding $5,000; or
b) in the case of a body corporate, to a fine not exceeding $25,000.

55K Freeze branding cattle beasts or equids

(1) A person who freeze brands a cattle beast or an equid must—

a) be experienced with, or have received training in, the correct use of the method being used; and
b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.

(2) The owner of, and every person in charge of, a cattle beast or equid that is to be freeze branded must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—

a) has suitable equipment; and
b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.

55L Prohibition on hot branding of animals generally

(1) A person must not hot brand an animal other than an animal to which regulation 55M applies.

(2) The owner of, and every person in charge of, an animal must not allow the animal to be hot branded in breach of subclause (1).

(3) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction, —

a) in the case of an individual, to a fine not exceeding $5,000; or
b) in the case of a body corporate, to a fine not exceeding $25,000.

55M Hot branding of horses, ponies, and donkeys

(1) A person must not hot brand a horse, pony, or donkey unless the horse, pony, or donkey is given pain relief that is authorised by a veterinarian for the purpose of the procedure.

(2) The owner of, and every person in charge of, a horse, pony, or donkey must not allow the horse, pony, or donkey to be hot branded in breach of subclause (1).

(3) A person who hot brands a horse, pony, or donkey must—

a) be experienced with, or have received training in, the correct use of the method being used; and
b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.

(4) The owner of, and every person in charge of, a horse, pony, or donkey that is to be hot branded must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—

a) has suitable equipment; and
b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.

(5) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction, —

a) in the case of an individual, to a fine not exceeding $3,000; or
b) in the case of a body corporate, to a fine not exceeding $15,000.

(6) In this regulation, horse, pony, or donkey—

a) includes any hybrid of a horse, pony, or donkey; but
b) does not include any other equids.

(7) This regulation is revoked on the date that is 5 years after the commencement date.

56D Cutting teeth of animals

(1) A person must not cut a tooth of an animal unless—

a) the person is a veterinarian, or a veterinary student under the direct supervision of a veterinarian throughout the procedure; or
b) the tooth is—

i) a needle tooth of a pig that is 4 days of age or under; or
ii) a tusk of a boar; or
iii) a fighting tooth of a llama or an alpaca; or

c) the tooth of the animal is cut under a standard operating procedure that has been approved by an animal ethics committee.

(2) The owner of, and every person in charge of, an animal must not allow the animal's teeth to be cut in breach of subclause (1).

(3) A person must not cut a tusk of a boar or a fighting tooth of a llama or an alpaca unless the person uses—

a) an obstetrical wire; or
b) a saw suitable for the purpose of dentistry.

(4) The owner of, and every person in charge of, a boar, a llama, or an alpaca must not allow the tusks of the boar, or the teeth of the llama or alpaca, to be cut in breach of subclause (3).

(5) A person who cuts a tooth of an animal must—

a) be experienced with, or have received training in, the correct use of the method being used; and
b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.

(6) The owner of, and every person in charge of, an animal that is to have a tooth cut must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—

a) has suitable equipment; and
b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.

(7) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction, —

a) in the case of an individual, to a fine not exceeding $3,000; or
b) in the case of a body corporate, to a fine not exceeding $15,000.

(8) A person who fails to comply with subclause (3) or (4) commits an offence and is liable on conviction, in the case of an individual, to a fine not exceeding $1,500.

(9) The offence in subclause (8) is an infringement offence with an infringement fee of $500.

(10) In this regulation, —

fighting tooth means a modified canine and incisor tooth found in the jaw between the incisors and the molars

needle tooth means any small sharp tooth in a piglet (sometimes referred to as a milk tooth), but principally a canine tooth.

56E Extracting equids' teeth

(1) A person must not extract a tooth other than a wolf tooth or a finger-loose deciduous tooth from an equid unless—

a) the person is a veterinarian, or a veterinary student under the direct supervision of a veterinarian throughout the procedure; and
b) pain relief is given to the equid at the time of the procedure.

(2) A person must not extract a wolf tooth from an equid unless throughout the procedure the animal is under the influence of pain relief that is authorised by a veterinarian for the purpose of the procedure.

(3) The owner of, and every person in charge of, an equid must not allow the equid's teeth to be extracted in breach of subclause (1) or (2).

(4) A person who extracts a wolf tooth or a finger-loose deciduous tooth from an equid must—

a) be experienced with, or have received training in, the correct use of the method being used; and

b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.

(5) The owner of, and every person in charge of, an equid that is to have a wolf tooth or finger-loose deciduous tooth removed must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—

a) has suitable equipment; and
b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.

(6) A person who fails to comply with subclause (1), (2), or (3) commits an offence and is liable on conviction, —

a) in the case of an individual, to a fine not exceeding $3,000; or
b) in the case of a body corporate, to a fine not exceeding $15,000.

(7) In this regulation, —

deciduous tooth means a baby tooth or milk tooth

finger loose, in relation to a tooth, means the tooth is loose enough to move easily with a finger

wolf tooth means an upper or lower first premolar tooth that sits in front of the second premolar (sometimes referred to as a first cheek tooth).

58I Prohibition on blistering, firing, soring, and nicking equids

(1) A person must not perform any of the following procedures on an equid:

a) blistering:
b) firing:
c) mechanical:
d) nicking.

(2) The owner of, and every person in charge of, an equid must not allow the procedures specified in subclause (1) to be performed on the equid.

(3) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction, —

a) in the case of an individual, to a fine not exceeding $5,000; or
b) in the case of a body corporate, to a fine not exceeding $25,000.

(4) In this regulation, —

blistering, in relation to an equid, means a procedure that involves the application of a chemical cautery to the legs of the equid and that creates tissue damage to, or an inflammatory reaction in, the legs of the equid

firing, in relation to an equid, means a procedure that involves the application of a hot or cold cautery to the legs of the equid and that creates tissue damage to, or an inflammatory reaction in, the legs of the equid

mechanical soring—

a) means the application of devices, including chains and weighted platforms, to the hooves or legs of an equid for the purpose of distorting the natural gait of the equid; but
b) does not include the use of toe weights

nicking, in relation to an equid, means the cutting of the skin or ligaments of the tail of the equid to make the equid carry its tail in a raised position.

59A Surgical reproductive procedures

(1) A person must not perform a surgical reproductive procedure on an animal unless throughout the procedure the animal is under the influence of pain relief that is authorised by a veterinarian for the purpose of the procedure.

(2) The owner of, and every person in charge of, an animal must not allow the animal to have a surgical reproductive procedure performed on it in breach of subclause (1).

(3) A person who performs a surgical reproductive procedure on an animal must—

a) be experienced with, or have received training in, the correct use of the method being used; and
b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.

(4) The owner of, and every person in charge of, an animal that is to have a surgical reproductive procedure performed on it must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—

a) has suitable equipment; and
b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.

(5) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction, —

a) in the case of an individual, to a fine not exceeding $3,000; or
b) in the case of a body corporate, to a fine not exceeding $15,000.

(6) In this regulation, **surgical reproductive procedure**—

a) includes a procedure that involves—

i) cutting into or piercing the abdominal cavity for the purpose of artificial insemination or for the purpose of harvesting, transferring, or implanting embryos; or
ii) transvaginal techniques that involve piercing the vaginal wall:

b) does not include a procedure carried out for the primary purpose of desexing or the delivery of offspring.

59B Transcervical insemination

(1) A person who performs a transcervical insemination on an animal must—

a) be experienced with, or have received training in, the correct use of the method being used; and
b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.

(2) The owner of, and every person in charge of, an animal that is to have a transcervical insemination performed on it must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—

a) has suitable equipment; and
b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.

(3) In this regulation, **transcervical insemination** means a procedure to deliver sperm directly to the uterus through the cervix using a catheter and may involve either or both of the following:

a) deep abdominal palpation:
b) using an endoscope.

59C Cystocentesis

(1) A person who performs cystocentesis on an animal must—

a) be experienced with, or have received training in, the correct use of the method being used; and

b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.

(2) The owner of, and every person in charge of, an animal that is to have cystocentesis performed on it must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—

a) has suitable equipment; and
b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.

(3) In this regulation, cystocentesis means a procedure involving the insertion of a needle through the wall of an animal's body into the bladder to obtain urine samples.

59D Performing Caslick's procedure on horses

(1) A person must not perform a Caslick's procedure or open or close a seam created in the course of a Caslick's procedure unless—

a) the person is a veterinarian, or a veterinary student under the direct supervision of a veterinarian throughout the procedure; or
b) the person opens a seam created in the course of a Caslick's procedure on a horse that is being serviced or that is foaling; or
c) the person closes a seam created in the course of a Caslick's procedure after a horse has been serviced.

(2) A person who is not a veterinarian student or a veterinary student under the direct supervision of a veterinarian must not remove tissue when opening or closing a seam created in the course of a Caslick's procedure.

(3) A person must not perform a Caslick's procedure or open or close a seam created in the course of a Caslick's procedure unless, throughout the procedure, the horse is under the influence of pain relief that is authorised by a veterinarian for the purpose of the procedure.

(4) The owner of, and every person in charge of, a horse must not allow a Caslick's procedure to be performed or repaired or a seam created in the course of a Caslick's procedure to be opened in breach of subclause (1), (2), or (3).

(5) A person who opens a seam created through a Caslick's procedure or closes a seam opened when a horse is being serviced must—

a) be experienced with, or have received training in, the correct use of the method being used; and
b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.

(6) The owner of, and every person in charge of, a horse that is to have a seam that was created in the course of a Caslick's procedure opened must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—

a) has suitable equipment; and
b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.

(7) A person who fails to comply with subclause (1), (2), (3), or (4) commits an offence and is liable on conviction, —

a) in the case of an individual, to a fine not exceeding $3,000; or
b) in the case of a body corporate, to a fine not exceeding $15,000.

59E Epidurals

(1) A person must not perform an epidural on an equid unless the person is a veterinarian, or a veterinary student under the direct supervision of a veterinarian throughout the procedure.

(2) A person must not perform an epidural on an animal other than an equid unless the person—

a) is a veterinarian or a veterinary student under the direct supervision of a veterinarian throughout the procedure; or
b) injects a local anaesthetic authorised by a veterinarian for the purpose of the procedure into the epidural space.

(3) The owner of, and every person in charge of, an animal must not allow an epidural to be performed on the animal in breach of subclause (1) or (2).

(4) A person who performs an epidural on an animal other than an equid must—

a) be experienced with, or have received training in, the correct use of the method being used; and
b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.

(5) The owner of, and every person in charge of, an animal other than an equid that is to have an epidural performed on it must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—

a) has suitable equipment; and
b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.

(6) A person who fails to comply with subclause (1), (2), or (3) commits an offence and is liable on conviction, —

a) in the case of an individual, to a fine not exceeding $3,000; or
b) in the case of a body corporate, to a fine not exceeding $15,000.

59F Urinary catheterisation

(1) A person who performs a urinary catheterisation procedure on an animal must—

a) be experienced with, or have received training in, the correct use of the method being used; and
b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.

(2) The owner of, and every person in charge of, an animal that is to have a urinary catheterisation procedure performed on it must ensure that the health and welfare needs of the animal are met during the procedure and recovery, by ensuring that at all times a person is available who—

a) has suitable equipment; and
b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.

59G Rectal examination of equids

(1) A person must not perform a rectal examination of an equid unless—

a) the person is a veterinarian, or a veterinary student under the direct supervision of a veterinarian throughout the procedure; or
b) the rectal examination is performed for the purposes of a non-surgical reproductive procedure.

(2) The owner of, and every person in charge of, an equid must not allow a rectal examination of the equid to be performed in breach of subclause (1).

(3) A person who fails to comply with subclause (1) or (2) commits an offence and is liable on conviction, —

a) in the case of an individual, to a fine not exceeding $3,000; or
b) in the case of a body corporate, to a fine not exceeding $15,000.

(4) A person who performs a rectal examination for the purposes of a non-surgical reproductive procedure on an equid must—

a) be experienced with, or have received training in, the correct use of the method being used; and

b) be able to recognise early signs of significant distress, injury, or ill-health so that the person can take prompt remedial action or seek advice.

(5) The owner of, and every person in charge of, an equid that is to have a rectal examination must ensure that the health and welfare needs of the equid are met during the procedure and recovery, by ensuring that at all times a person is available who—

a) has suitable equipment; and
b) has the relevant knowledge, has received relevant training, or is under appropriate supervision.

(6) In this regulation, —

non-surgical reproductive procedure, in relation to an equid, —

a) means a procedure for reproductive purposes that does not involve cutting into or piercing the abdominal cavity of the equid; and
b) includes—

i) transcervical or cervical insemination; and
ii) embryo retrieval through transcervical methods; and
iii) pregnancy diagnosis

rectal examination includes 1 or more of the following:

c) entry into the rectum by any or all of the arm, hand, or fingers:
d) entry into the rectum by an instrument, excluding a rectal thermometer.

Appendix replaced on 9 May 2021 by Notice in the Gazette 2021-go1589