

COPY

MEMORANDUM OF UNDERSTANDING

BETWEEN

The Animal Welfare Institute of New Zealand, ("AWINZ")

AND

Animal Welfare Services of Waitakere City ("the linked organisation").

WHEREAS the Minister of Agriculture has declared AWINZ to be an approved organisation in accordance with section 121 of the Animal Welfare Act 1999 ("the Act") and AWINZ has agreed to implement and administer a programme ("the programme") in compliance with the criteria set out in section 122 of the Act.

AND WHEREAS the linked organisation desires that certain employees be appointed Inspectors under the Animal Welfare Act 1999.

1. The parties agree to implement the Performance and Technical Standards approved by the Minister on 1 April 2001 and the Memorandum of Understanding between the Ministry of Agriculture and Forestry and the Animal Welfare Institute of New Zealand signed on 4 December 2003.
2. The linked organisation agrees to—
 - (a) Provide the necessary funding to enable each employee so appointed to comply with the programme;
 - (b) Provide support services for Inspectors;
 - (c) Supply Inspectors with all necessary equipment;
 - (d) Install, maintain and adhere to a quality system provided by AWINZ for the administration of the programme;
 - (e) Allow time for the Inspector to carry out his or her functions in relation to each complaint or matter that arises from his or her performance as an Inspector;
 - (f) Carry out regular internal audits of its quality system;
 - (g) Facilitate auditing of the quality system by AWINZ and provide access to documentation as requested by AWINZ quality auditors;
 - (h) Advise AWINZ by facsimile or e-mail when an investigation is likely to result in a prosecution under the Animal Welfare Act 1999, and initiate such prosecution only when authorised to do so by AWINZ;
 - (i) Advise AWINZ of any decision not to prosecute where the investigation reveals that an offence has been committed but the circumstances warrant that no further action be taken or that a warning be given;
 - (j) Keep records secure in accordance with the Privacy Act 1993;
 - (k) Not disclose any information about the Inspector other than to those who are entitled to the information in accordance with the provisions of the Privacy Act 1993 or for any other lawful purpose;

- (l) Refer to AWINZ any serious complaint made against an Inspector and advise AWINZ of any trivial complaint made against an Inspector and the manner in which it was dealt with.
3. AWINZ agrees to:
- (a) Establish a written quality system which includes objective evidence of compliance with the programme;
 - (b) Process applications for appointment of Inspectors on behalf of the employer without undue delay;
 - (c) Ensure that training of Inspectors is carried out in accordance with the performance standards and technical standards with section 122 (2) of the Act;
 - (d) Maintain training records for each Inspector;
 - (e) Provide legal services to support Inspectors;
 - (f) Prosecute those cases referred for prosecution;
 - (g) Carry out regular internal audits of its quality system;
 - (h) Facilitate auditing of the quality system by MAF and provide access to any documentation requested by MAF quality auditors;
 - (i) Keep records secure in accordance with the Privacy Act 1993;
 - (j) Not disclose any information about the Inspector other than to those who are entitled to the information in accordance with the provisions of the Privacy Act 1993 or for any other lawful purpose.

This agreement is dated this 20th day of January 2004

SIGNED by Thomas Didovich
on behalf of the linked organisation



SIGNED by Neil Edward Wells
on behalf of the Animal Welfare Institute of
New Zealand

