

Regulatory Impact Statement

PROPOSAL TO ESTABLISH A GAME ANIMAL COUNCIL

Agency Disclosure Statement

This Regulatory Impact Statement has been prepared by the Department of Conservation.

It summarises analysis of a proposal to establish a Game Animal Council, as agreed in the Government's confidence and supply agreement with the United Future Party.

The proposal includes the introduction of separate legislation establishing a Game Animal Council.

The proposal may impose additional costs on some businesses.

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Signature:

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Status quo and problem definition

Status quo

The Department of Conservation is the leading central government agency responsible for the conservation of New Zealand's natural and historic heritage. It also has a statutory obligation to foster recreation and allow tourism, to the extent that such use is not inconsistent with the conservation of any natural or historic resource.

The Department of Conservation also administers the Wild Animal Control Act 1977 (the Act). The purpose of the Act is to control harmful species of introduced wild animals and regulate the operations of recreational and commercial hunters, to achieve effective wild animal control.

The Act is administered to:

- Ensure concerted action against the damaging effects of wild animals on vegetation, soils, waters, and wildlife;
- Achieve co-ordination of hunting measures; and
- Provide for the regulation of recreational hunting, commercial hunting, wild animal recovery operations, and the training and employment of staff.

To achieve the purpose of the Act, the majority of these animals are managed as pest species, with densities kept low enough to ensure that they are not having a damaging effect. Where possible, and especially where there is significant value to hunters in a particular species or area, these animals are also managed to maximise their recreational value.

A number of actions have recently been undertaken to improve the recreational hunting experience while still meeting the purpose of the Act. For example, the hunting permit system has been reformed, restrictions on hunting of sambar deer have been removed and changes have been made to minimise the effects of culling on tahr trophy heads.

Within the hunting sector there are competing user groups and a lack of shared objectives on issues such as animal density. These groups often take opposing or conflicting positions on how animals should be managed. The lack of shared objectives is one reason why there is currently no single body representing the hunting sector as a whole.

A range of non-hunting groups also take an interest in the management of wild animals because of their effects on land uses and values. For example, these animals can threaten biodiversity, spread disease to farm animals, damage domestic gardens and compete with stock for food.

Problem definition

There is no information clearly establishing that current institutional arrangements in the management regime for wild animals requires change to improve participation among the different groups with interests in these animals and their effects on the environment.

Differences in values and viewpoints between the relevant stakeholders are longstanding, well understood within the sector and have not been resolved over many years.

There is no evidence that current user groups and organisations (for example the Deerstalkers' Association) are deficient in representing their members' interests.

Relevant decisions already taken

As part of its confidence and supply agreement with the United Future Party, the Government has made a commitment to “proceed with the establishment of a Big Game Hunting Council as part of a national wild game management strategy with a view to it becoming a statutory authority”.

Objectives

The objective of the proposal is to establish a Game Animal Council. The purpose is to improve the management of deer, tahr, chamois, goat or pig; including improving hunting opportunities.

Secondary objectives include:

- Reducing the degree of conflict within the hunting sector;
- Providing the Minister of Conservation with balanced advice that reflects the views of the different groups with interests in these animals;
- Increasing the education and training of hunters in relation to reducing the risks they pose to themselves and others;
- Identifying herds that could be specifically managed for recreational hunting outcomes without adversely affecting other users and biodiversity values.

Regulatory impact analysis

It is proposed that the Game Animal Council will be made a statutory body within the meaning of the Fees and Travelling Allowances Act 1951. The Council would be a Crown entity and would be established under a new statute.

Alternatively, the Game Animal Council could be established either:

- Under Section 5 of the Wild Animal Control Act, which allows the Minister of Conservation to establish any type of committee that is relevant to the purpose of that Act;

Or

- Through an amendment to the Wild Animal Control Act.

Costs and benefits

Non-regulatory options for achieving the objectives above have not been explored or analysed further because the decision to proceed with the establishment of a Game Animal Council has already been taken.

The key questions are what is the most appropriate statutory arrangement and how should the Game Animal Council be funded?

Given the Game Animal Council’s proposed functions, the Council does not need to be a body corporate and require separate legislation. A Ministerial advisory committee under the Wild Animal Control Act would be a more appropriate structure.

Establishing the Game Animal Council as an advisory committee under the Wild Animal Control Act would also achieve better integration with other wild animal control work.

Establishment costs

Introducing separate legislation to create a Game Animal Council would have the highest costs in regulatory time and resources.

Some of these costs would be reduced by amending the Wild Animal Control Act instead, because an amendment to this Act relating to heli-hunting is already on the 2011 legislative programme. It would be possible to include the establishment of a Game Animal Council in the same Bill.

Establishing the Game Animal Council under section 5 of the Wild Animal Control Act would have the least cost in regulatory time and resources. While this would be the simplest and most cost-effective way to establish a Game Animal Council, it would allow the Minister of Conservation to disestablish the Council at any time. If this was not considered appropriate, amending the Wild Animal Control Act would be the least cost option.

Operating costs

The operating budget for the Game Animal Council has not been confirmed. It is estimated, however, that the cost of running an eleven member council with the range of functions proposed and minimal servicing costs would be between \$100,000 and \$200,000 per annum, based on conservation board costs.

The proposal is for the Game Animal Council to be self-funded by a levy on the export of trophy heads (approximately 3000 are exported each year). The levy would fall largely on hunters using the services of private guiding companies. While not significant compared to the overall cost of a hunting expedition, this would target only some of the hunters the Game Animal Council is intended to represent. This could be viewed as unfair, and become a new source of tension within the hunting sector.

The Game Animal Council could be funded from a levy on hunting permits (approximately 34,000 are issued each year). Hunting permits are currently free of charge and a simplified web-based system for issuing permits has recently been introduced. The costs would be more fairly shared, but such a levy is likely to be opposed by the majority of recreational hunters and reverses the long history of not charging for hunting permits.

A small Crown contribution is proposed of \$100,000 next financial year and \$50,000 in subsequent years (funded from re-prioritising Vote:Conservation).

Consultation

A Government-appointed Establishment Committee, with representatives from the hunting sector, ran a consultation process for a proposed Game Animal Council. Stakeholder views were typically aligned along sector interests.

Within the hunting sector there was majority support, including the Deerstalkers' Association, although a number of recreational hunters were opposed.

Other sectors did not support the proposal due to concerns such as the potential impact on the environment or farm animal health if there were significant changes to the way that wild animals were currently controlled.

There has been no consultation on the proposed funding mechanism, with affected parties.

The Government is not proposing any further consultation until the proposed option is introduced as a Bill.

Conclusions and recommendations

The proposal to establish a Game Animal Council with separate legislation has the highest regulatory burden.

It is likely to have the highest costs and be the least aligned to the current wild animal control regime and legislative framework.

It will also compete for time with other Bills on the 2011 legislative programme.

On balance, officials recommend establishing the Game Animal Council as a Ministerial advisory committee under the Section 5 of the Wild Animal Control Act, self-funded from a levy on hunting permits.

Implementation

The proposed option requires the Game Animal Council to be established through separate legislation. A new Act is not currently included in the bids for legislative priority for 2011.

Monitoring, evaluation and review

There are currently no proposals to monitor or review the effectiveness of the Game Animal Council.