



## Application Form AP43: Application for Certificate of Competency as a Sampler

- Certification of samplers is required under clause 14.4 of the Animal Products Notice: Regulated Control Scheme - Bivalve Molluscan Shellfish for Human Consumption.
- Please send the completed application form to the local MPI Animal Products Officer.
- If there are any changes to the details provided in this application, you must inform the Animal Products Officer in writing.
- Please refer to the Privacy Act Notice at the end of the form regarding collection of personal information on individuals.

### 1. Applicant's Name

Registered company name or partnership names (including the trading name) or individual name.

Full legal name:

### 2. Business Address and Contact Details

Physical (for service):

Phone No:

Postal (for communication):

E-mail: [ ]

*[Tick for consent to being provided electronic information]*

### 3. Registered Company Address and Contact Details

Only complete if the applicant is a registered company and if details are different from the business address in Section 2.

Registered address:

Phone No:

E-mail:

### 4. Sampling Initials to be used by the Applicant:

### 5. Minimum Documentation Requirements Attached ( ✓ ):

[ ] Documentation e.g. training record, certificates, diplomas, curriculum vitae to demonstrate compliance with Clause 14.3 (2) a) of the Animal Products Notice: Regulated Control Scheme - Bivalve Molluscan Shellfish for Human Consumption

### 6. Sampler Declaration:

The sampler must complete either Option A or Option B as relevant (refer to notes page 3 on Conflict of Interest).

#### Option A

I declare that, in relation to my responsibilities as described in the Animal Products (Regulated Control Scheme – Bivalve Molluscan Shellfish) Regulations 2006 and the Animal Products Notice: Regulated Control Scheme - Bivalve Molluscan Shellfish for Human Consumption, I am unaware of any conflict of interest that might directly or indirectly compromise the full, effective and impartial discharge of those responsibilities and I undertake to forthwith advise the Animal Products Officer of any situation that creates or may create such a conflict of interest.

Name: (Sampler) \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**OR** (see next page)

## Option B

I declare that, in relation to my responsibilities as described in the Animal Products (Regulated Control Scheme – Bivalve Molluscan Shellfish) Regulations 2006 and the Animal Products Notice: Regulated Control Scheme - Bivalve Molluscan Shellfish for Human Consumption, I am aware of the following actual or potential conflicts of interest that might directly or indirectly compromise the full, effective and impartial discharge of those responsibilities :

I undertake to work with the Animal Products Officer to agree and carry out a plan to manage these conflict of interest situations in such a way that they do not directly or indirectly compromise the full, effective and impartial discharge of my responsibilities.

Name: (Sampler) \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Animal Products Officer notes the conflict of interest and finds them acceptable in accordance with Clause 14.3 (2) c) of Animal Products Notice: Regulated Control Scheme - Bivalve Molluscan Shellfish for Human Consumption.

Name: (Animal Products Officer) \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Guidance notes on Declaration of Conflict of Interest

Certified Samplers must carry out their regulatory responsibilities honestly and impartially, and, where possible, avoid situations that might compromise their integrity or otherwise lead to conflicts of interest. Proper observation of this principle will enable regulators, industry and the public to maintain confidence in the sampling system.

### What is a conflict of interest?

A conflict of interest occurs when a person's personal or financial interests conflict with their professional or institutional obligations.

Examples of possible conflict of interest situations include:

- Sampler is an employee of an operator in the shellfish industry
- Sampler has a financial interest in one or more shellfish companies
- Sampler has other employment, in which the interests of one job contradict another,
- Sampler has family members e.g. a spouse, child, or other close relative employed by an operator in the shellfish industry and/or with financial interest in one or more shellfish companies.

### How is a conflict of interest judged?

The test for determining whether there is a real or potential conflict of interest is what a reasonable person would think if they knew all the relevant facts, rather than the subjective viewpoint of the person involved. It is important when exercising judgment therefore, that thought be given to how a situation may appear to others and to ask 'Would a reasonable person believe that the personal or other professional interests of a Sampler influence their decisions?'

### What is the procedure if a conflict of interest arises?

There may be many instances where a conflict of interest may arise. The important thing is to properly manage these situations in a fair and transparent manner. This is best done by declaring a possible conflict well in advance of its becoming a reality or to declare potential conflicts as soon as possible after the relevant facts have come to your notice, particularly if persons outside the regulatory system may be aware of, or have concerns about, the issue.

All Samplers must therefore declare any actual or potential Conflict of Interest to the Animal Products Officer. It is then the responsibility of both parties to ensure appropriate actions are taken either to remove the conflict of interest situation or to develop an agreed method for managing the conflict of interest.

The Animal Products Officer must have confidence that the possibility for conflicts of interest for Samplers is minimised and that systems exist to manage any situation that develops into a conflict of interest.

## Collection of Personal Information on Individuals

In regard to any personal information being collected on this application for certificate of competency as a Bivalve Molluscan Shellfish (BMS) Sampler under the Animal Products Act 1999 (that is personal about an identifiable individual), notification is hereby provided in accordance with Principle 3 of the Privacy Act 1993, to individuals of the following matters:

1. This information is being collected for purposes relating to certificate of competency as a Sampler and administration of the Animal Products Act 1999, and regulations and notices made under the Act.
2. The recipient of this information, which is also the agency that will collect and hold the information, is the local Ministry for Primary Industries, Verification Services office.
3. The collection of information is authorised under Clause 14.3 of the Animal Products Notice: Regulated Control Scheme - Bivalve Molluscan Shellfish for Human Consumption. The provision of this information is necessary in order to process this application. Failure to provide information is likely to result in the return of this application form to the applicant for completion and may ultimately result in refusal to certify, in accordance with Clause 14.4 of the Animal Products Notice: Regulated Control Scheme - Bivalve Molluscan Shellfish for Human Consumption.
4. You are reminded that under Principles 6 and 7 of the Privacy Act 1993, you have the right of access to, and correction of, any personal information, which has been provided.