

South Australia

Livestock Regulations 2013

under the *Livestock Act 1997*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Livestock Regulations 2013*.

2—Commencement

These regulations will come into operation on the day on which the *Livestock (Miscellaneous) Amendment Act 2012* comes into operation.

3—Interpretation

- (1) In these regulations—

Act means the *Livestock Act 1997*;

Agvet Code of South Australia has the same meaning as in the *Agricultural and Veterinary Chemicals (South Australia) Act 1994*;

animal holding area includes a goat depot;

authorised manufacturer, in relation to identification tags or PIDs, means a person authorised by the Chief Inspector under regulation 76 to manufacture identification tags or PIDs;

authorised recycler, in relation to PIDs, means a person authorised by the Chief Inspector under regulation 76 to recycle PIDs;

birds includes poultry;

bobby calf means a weaned calf of or under 6 weeks of age;

cattle includes buffalo and bobby calves but does not include deer;

class 1 vaccine—see Schedule 1 Part 1;

class 2 vaccine—see Schedule 1 Part 2;

corresponding law means—

- (a) *Animal Diseases Act 2005* of the Australian Capital Territory;
- (b) *Stock Diseases Act 1923* of New South Wales;
- (c) *Livestock Act* of the Northern Territory;
- (d) *Stock Act 1915* of Queensland;
- (e) *Animal (Brands and Movement) Act 1984* of Tasmania;
- (f) *Livestock Disease Control Act 1994* of Victoria;
- (g) *Biosecurity and Agriculture Management Act 2007* of Western Australia;
- (h) *Stock Diseases (Regulations) Act 1968* of Western Australia;
- (i) *Stock (Identification and Movement) Act 1970* of Western Australia;

deer means an animal of the family *Cervidae*;

destination land, in relation to the movement of animals, means the land to which the animals are or are to be moved;

foundation, in relation to a beehive, means material impressed with the pattern of cell bases on which bees build comb;

HGP earmark means an earmark of the kind required to be made immediately after cattle or buffalo are treated with a hormonal growth promotant (see regulation 32);

HGP free declaration means a declaration, in a form approved by the Chief Inspector, that cattle or buffalo have not been treated with hormonal growth promotants;

HGP free invoice means an invoice issued by a stock agent in respect of cattle or buffalo sold by the agent containing an endorsement in a form approved by the Chief Inspector for the purposes of indicating that HGP free tags were attached to cattle or buffalo at the time of sale;

HGP free tag means a tag of a colour, and conforming to any other requirements, specified by the Chief Inspector for the purposes of indicating that cattle or buffalo to which such tags are attached have not been treated with hormonal growth promotants;

hive identification code—see Part 2 Division 2;

hormonal growth promotant means a product containing one or more hormones (including but not limited to oestradiol, progesterone, trenbolone and zeranol) that increases the growth rate of, and enhances feed conversion in, cattle or buffalo;

identification code, in relation to a place, means—

- (a) a current PIC for the place; or
- (b) a code (by whatever description) that is currently applied to the place for the purposes of identification under a corresponding law;

identification code of a stock agent—see Part 10 Division 3;

identification tag, in relation to a deer, means an ear tag obtained from an authorised manufacturer (see Part 11);

land of dispatch, in relation to the movement of animals, means the land from which the animals are, or are to be, removed;

lice means sheep body lice of the genus *Bovicola ovis*;

lice-infested sheep means sheep on which 1 or more live lice are present;

live export depot means premises at which livestock are prepared or inspected for live export;

livestock saleyard includes any place where the public sale of livestock is conducted;

manufactured stock food means anything that is manufactured or processed as food for livestock but does not include stock food comprised only of chaff, hay or wholegrains;

movement documentation—see regulation 62;

national vendor declaration, in relation to animals of a particular type, means a vendor declaration of a kind designated, for the time being by the Chief Inspector by notice in the Gazette as a national vendor declaration for animals of that type for the purposes of these regulations;

NLIS means National Livestock Identification System;

NLIS database manager means the person designated for the time being by the Chief Inspector by notice in the Gazette as the NLIS database manager for the purposes of these regulations;

non-functioning PID, in relation to an electronic PID, means a PID that fails to provide a reading when scanned;

over-the-hooks sale means the sale of the carcass of an animal on the basis of the weight of the carcass immediately after slaughter (commonly known as hot standard carcass weight);

owner of land—

- (a) in relation to land alienated from the Crown in fee simple—means the owner of an estate in fee simple in the land;
- (b) in relation to land held from the Crown by lease, licence or agreement to purchase—means the lessee, licensee or purchaser;

package, in relation to a stock food, means anything in or by which the stock food is cased, covered, enclosed, contained or packed;

PIC or **property identification code**—see Part 10 Division 1;

PID or **permanent identification device** means a device for the permanent identification of livestock of a particular class obtained from an authorised manufacturer or an authorised recycler or a person authorised under a corresponding law to manufacture or recycle such devices or through an ordering system approved under a corresponding law;

pig tattoo code—see Part 10 Division 2;

port for live export includes a wharf, airport or other area at which livestock are assembled immediately before their live export, but does not include a live export depot;

prescribed movement details—see subregulation (2);

prescribed premises means—

- (a) premises on which a special event is held; or
- (b) an animal feedlot; or
- (c) an animal holding area; or
- (d) a live export depot; or
- (e) a pound;

registered beekeeper means a person registered as a beekeeper under section 17 of the Act;

registered veterinary product has the same meaning as in the Agvet Code of South Australia;

responsible person, for an identification code, means—

- (a) in the case of a PIC for land on which poultry are kept—the person nominated as the responsible person for the PIC in an application for allocation or renewal of the PIC or, in the absence of such an application or nomination, the relevant accredited poultry grower or person who is required to hold such an accreditation for the poultry; or
- (b) in the case of a PIC for land on which birds are kept for the purposes of an egg production business—the person nominated as the responsible person for the PIC in an application for allocation or renewal of the PIC or, in the absence of such an application or nomination, the person who is accredited to engage in the egg production business or who is required to hold an accreditation to engage in the business; or
- (c) in the case of a PIC for land on which any other livestock are kept or handled—the person nominated as the responsible person for the PIC in an application for allocation or renewal of the PIC or, in the absence of such an application or nomination, the owner or occupier of the place identified by the PIC; or
- (d) in the case of a hive identification code—the relevant registered beekeeper; or
- (e) in the case of an identification code of a stock agent—the stock agent;

restricted animal material means material derived wholly or partly from a vertebrate, but does not include milk, a milk product, gelatine, tallow or an extracted oil;

sheep health statement means a declaration about the health of sheep in a form approved by the Chief Inspector;

special event means an event at which animals are exhibited, or involved in a competitive activity, and includes a show, fair, rodeo and campdraft;

stock agent, in relation to a vendor or purchaser of livestock, means a person who, for fee or reward, arranges for the sale or purchase of the livestock on behalf of the vendor or purchaser;

stock food means—

- (a) manufactured stock food; or
- (b) chaff, hay or wholegrains; or
- (c) anything else used as food for livestock;

unmanaged goat means a goat other than a goat kept in a domestic or captive state;

vaccine means—

- (a) a class 1 or class 2 vaccine; or
- (b) any other preparation or substance capable of producing immunity in livestock to disease;

vendor declaration means a declaration made in connection with the sale or proposed sale of livestock, using—

- (a) a form known as a "Vendor Declaration" from time to time approved by the Chief Inspector in respect of livestock of the relevant kind; or

- (b) a form to the same effect as the form referred to in paragraph (a).
- (2) For the purposes of these regulations, the *prescribed movement details*, for cattle, sheep or goats being moved, means the following details:
- (a) the number of animals and the type of animals (that is, whether cattle, sheep or goats) being moved;
 - (b) the serial number of the national vendor declaration (if any) accompanying the animals during their movement;
 - (c) the date on which the animals are being moved;
 - (d) the identification code of the land of dispatch;
 - (e) the identification code of the destination land;
 - (f) in addition—
 - (i) in the case of sheep or goats that were bred on the land of dispatch—that fact; and
 - (ii) in the case of sheep or goats that were not bred on the land of dispatch and are not identified with a PID bearing the identification code of the land of dispatch—the number or code on each PID attached to the animals; and
 - (iii) in the case of cattle—the number or code on each animal's PID.
- (3) For the purposes of these regulations—
- (a) an animal will not be regarded as being removed from land if that land and the destination land have the same identification code;
 - (b) an animal will not be regarded as being pastured on land if—
 - (i) it is kept for a period not exceeding 7 days at a livestock saleyard to which it has been consigned for sale; or
 - (ii) it is kept for a period not exceeding 7 days at an abattoir at which it is to be slaughtered;
 - (c) an animal will not be taken to be bred on land unless it has been pastured on the land since its birth;
 - (d) a requirement to provide to a person, or notify a person of, details comprised of a number or code on a PID will be satisfied if either of the following is provided:
 - (i) the number or code generated when the PID is scanned; or
 - (ii) the number or code that appears on the exterior of the PID or tag;
 - (e) the NLIS database manager will only be taken to be notified if notified in a manner authorised by the NLIS database manager;
 - (f) a reference to the operator of prescribed premises will, in the case of premises on which a special event is held, be taken to be a reference to the person in charge of the special event.

4—Prescribed expiable offences

For the purposes of section 82 of the Act, the following are prescribed expiable offences:

- (a) an expiable offence under section 33(3) of the Act;
- (b) expiable offences under Part 11 of these regulations.

5—Authorisations

- (1) An authorisation of the Chief Inspector under these regulations—
 - (a) must be in writing; and
 - (b) may be given to a particular person or to a class of persons or may apply generally; and
 - (c) may be subject to conditions; and
 - (d) may be varied or revoked by the Chief Inspector at any time.
- (2) An authorisation of the Chief Inspector under these regulations or the variation or revocation of such an authorisation takes effect—
 - (a) if the authorisation is given to a particular person—when written notice of the authorisation or of the variation or revocation (as the case may be) is served on the person; or
 - (b) if the authorisation is given to a class of persons or applies generally—when notice of the authorisation or of the variation or revocation (as the case may be) is published in the Gazette.

Part 2—Special provisions relating to bees

Division 1—Registration of beekeepers

6—Registration of beekeepers

- (1) Bees for which a hive is kept are a prescribed class of livestock for the purposes of section 17 of the Act.
- (2) A person who keeps bees is not required to be registered under section 17 of the Act if—
 - (a) the bees are kept only in hives in respect of which another person is registered as a beekeeper; or
 - (b) the bees are kept in a hive brought into the State from another State or Territory for a period of not more than 90 days in any continuous period of 12 months and the manner in which the person keeps the bees would, if those bees were being kept in that other State or Territory, comply with the requirements of the corresponding laws of that State or Territory.

7—Term of registration and renewal

- (1) Registration as a beekeeper is for a term expiring on the last day of February following registration.

- (2) Registration as a beekeeper may be renewed from time to time for a further term of 12 months.
- (3) An application for renewal of registration as a beekeeper must—
 - (a) be made to the Chief Inspector; and
 - (b) be in the form and contain or be accompanied by the information required by the Chief Inspector; and
 - (c) be accompanied by the fee set out in Schedule 3.
- (4) The Chief Inspector may, at his or her discretion and on payment of the late application fee set out in Schedule 3, renew registration on a late application despite the fact that the registration has expired and, in that event, the renewal has effect from the end of the term for which the registration was previously granted or renewed.

8—Change of address

A registered beekeeper must within 14 days after changing his or her postal address notify the Chief Inspector of the change in writing.

Maximum penalty: \$250.

Expiation fee: \$80.

Division 2—Hive identification

9—Hive identification

- (1) A registered beekeeper must ensure that each hive in which bees are kept by the beekeeper is marked in accordance with this regulation with a hive identification code allocated to the beekeeper in writing by the Chief Inspector.

Maximum penalty: \$5 000.
Expiation fee: \$315.
- (2) Unless otherwise directed by the Chief Inspector, the hive identification code must be marked on a hive in the following manner:
 - (a) subject to subregulation (3), the code must be placed in the centre of an external vertical face of the hive; and
 - (b) the code may be burned, stencilled, embossed, carved or etched directly onto the face of the hive, or it may be inscribed on a metal plate secured to the face of the hive; and
 - (c) each character of the code must be 30 millimetres in height.
- (3) If the face of a hive has previously been marked with a hive identification code (or a brand under the *Apiaries Act 1931*), any subsequent hive identification codes allocated to the hive must be marked on the same vertical face, the first such code being placed in the top left hand corner of that face and each subsequent code being placed in the next corner proceeding clockwise.

Division 3—Health and management of bees

10—Annual honey testing for American Foul Brood

- (1) The Chief Inspector may, by notice in writing, require a beekeeper to provide the Chief Inspector, within a period specified in the notice, with—
 - (a) a copy of the results of an AFB test carried out on a composite sample of honey collected following the notice or within the preceding 3 months from hives kept by the beekeeper; or
 - (b) a composite sample of honey collected following the notice or within the preceding 3 months from hives kept by the beekeeper to be subjected to an AFB test at the cost of the beekeeper.
- (2) The Chief Inspector may not make a requirement under subregulation (1) of the same beekeeper more than once in each 12 month period commencing on 1 March.
- (3) If a beekeeper refuses or fails to comply with a requirement under subregulation (1), the Chief Inspector may—
 - (a) cause a composite sample of honey to be collected by an inspector from hives kept by the beekeeper and to be subjected to an AFB test; and
 - (b) recover costs and expenses reasonably incurred in doing so as a debt owed by the person of whom the requirement was made.
- (4) A beekeeper who does not comply with a requirement made under subregulation (1) is guilty of an offence.
Maximum penalty: \$1 250.
Expiation fee: \$160.
- (5) This regulation does not derogate from other powers of an inspector to take samples of honey or to require honey to be tested.
- (6) For the purposes of this regulation, a composite sample of honey must be collected from hives kept by a beekeeper as follows:
 - (a) if the number of hives kept is 20 or less—a sample of at least 10 millilitres of honey must be collected from each of the hives;
 - (b) if the number of hives kept is more than 20 but less than 100—a sample of at least 10 millilitres of honey must be collected from each of 20 different hives chosen randomly;
 - (c) if the number of hives kept is more than 100—a sample of at least 10 millilitres of honey must be collected from each of a number of different hives chosen randomly, that number being 20 per cent of the total number of hives kept (ignoring any resulting fraction).
- (7) In this regulation—

AFB test means a test for the presence of American Foul Brood conducted by a laboratory approved for the purpose by the Chief Inspector.

11—Bees must be kept in frame-hive

A person who keeps bees, unless otherwise authorised by the Chief Inspector in accordance with regulation 5, must keep the bees in a hive (a frame-hive) that complies with the following requirements:

- (a) the hive must consist of a box with a lid that is removable so that the movement of bees in and out of the frame-hive can be easily controlled; and
- (b) the box must be fitted with movable frames supported inside the box so that they stand on edge in a vertical position and there is an interval of at least six millimetres, but not more than 20 millimetres, between adjacent frames; and
- (c) each movable frame must—
 - (i) have inserted at its centre a flat sheet of foundation; and
 - (ii) be separated from all inner surfaces of the box and any other movable frame placed above it by a space of at least eight millimetres; and
 - (iii) be placed inside the box so that it can be easily removed for inspection.

Maximum penalty: \$5 000.

Expiation fee: \$315.

12—Exposure of hive or bee products

A beekeeper must not without reasonable excuse, leave a hive, part of a hive (including frames, combs, honey, foundation or beeswax) or an appliance (including any article, apparatus or implement used in connection with the keeping of bees or the extraction or storage of honey) exposed in a manner or under conditions likely to attract robber bees.

Maximum penalty: \$5 000.

Expiation fee: \$315.

13—Abandonment and neglect of hives

- (1) A beekeeper must not, without reasonable excuse—
 - (a) abandon a hive previously kept by the beekeeper; or
 - (b) neglect the management and care of a hive kept by the beekeeper to the extent that the hive is likely to become infected with disease or to attract robber bees; or
 - (c) fail to destroy or properly dispose of any unwanted bees or part of a hive (including frames, combs, honey, foundation or beeswax).

Maximum penalty: \$5 000.

Expiation fee: In the case of an offence against paragraph (b) in the circumstances set out in subregulation (2)(b)—\$315.

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Part 2—Special provisions relating to bees

Division 3—Health and management of bees

- (2) Without limiting paragraph (b) of subregulation (1), a beekeeper will be taken to neglect the management and care of a hive to the extent referred to in that paragraph if—
- (a) the hive is not examined for the presence of disease at least once in each 6 month period; or
 - (b) the hive is one of a number of hives comprising an apiary and at least three of the following conditions apply to the apiary:
 - (i) there is no source of water accessible to bees within 200 metres of a hive in the apiary;
 - (ii) the prescribed number of hives in the apiary are, or exhibit signs of having been, infested with wax moth;
 - (iii) the prescribed number of hives in the apiary are dead;
 - (iv) a hive or part of a hive in the apiary has been left exposed in a manner or under conditions likely to attract robber bees.
- (3) In proceedings for an offence against this regulation, hives located on the same holding will, in the absence of proof to the contrary, be taken to comprise an apiary.
- (4) In this regulation—
- apiary** means a number of hives managed together;
- prescribed number of hives** in an apiary means—
- (a) if the number of hives comprising the apiary is less than 10—one;
 - (b) if the number of hives comprising the apiary is 10 or more—the number that is 10 per cent of the total number of hives comprising the apiary (ignoring any resulting fraction).
- (5) For the purposes of this regulation, a hive is **dead** if a substantial number of the bees in the hive are dead.

Part 3—Registration of deer keepers

14—Registration of deer keepers

Deer are a prescribed class of livestock for the purposes of section 17 of the Act.

15—Term of registration and renewal

- (1) The term fixed for the purposes of section 23(1) and (2) of the Act is 2 years.
- (2) However, the Chief Inspector may fix a term that is shorter or longer than 2 years if that is necessary in order for the term to expire at the same time as the term of a PIC for land on which the deer are or are to be kept.
- (3) An application for renewal of registration under section 17 of the Act must—
 - (a) be made to the Chief Inspector; and
 - (b) be in the form and contain or be accompanied by the information required by the Chief Inspector; and
 - (c) be accompanied by the fee set out in Schedule 3.

- (4) The Chief Inspector may, at his or her discretion and on payment of the late application fee set out in Schedule 3, renew registration on a late application despite the fact that the registration has expired and, in that event, the renewal has effect from the end of the term for which the registration was previously granted or renewed.

Part 4—Artificial breeding

16—Prescribed class of livestock

The following are prescribed classes of livestock for the purposes of the definition of *artificial breeding centre* in section 3 of the Act and for the purposes of section 19(1) of the Act:

- (a) cattle;
- (b) sheep;
- (c) goats;
- (d) pigs;
- (e) horses.

17—Eligibility requirements for artificial breeding centre

- (1) In determining whether to grant registration under section 18 of the Act to operate an artificial breeding centre, the Chief Inspector must have regard to—
- (a) the suitability of the applicant to be granted registration; and
 - (b) the arrangements that the applicant has made to fulfil the obligations that may arise under these regulations; and
 - (c) the suitability of the premises for their purpose; and
 - (d) the standard of construction of the premises and the standard of the facilities and equipment on the premises; and
 - (e) the nature of the artificial breeding procedures to be carried out at the centre; and
 - (f) any other relevant matter.
- (2) If an application is made in respect of proposed premises, the Chief Inspector—
- (a) must determine whether he or she will grant registration if the premises are completed substantially in accordance with the proposal and, if so, the conditions (if any) he or she will impose on the registration; and
 - (b) if he or she determines that registration will be granted in those circumstances, is bound by that decision.

18—Conditions of registration of artificial breeding centre

The following are conditions of registration under section 18 of the Act to operate an artificial breeding centre:

- (a) there must be compliance in relation to artificial breeding procedures performed by the centre with—

- (i) the *Code of Practice for Australian Livestock Artificial Breeding Centres* published by the Australian Quarantine and Inspection Service, as in force from time to time; and
 - (ii) the *Minimum Health Standards for Stock Standing at Licensed or Approved Artificial Breeding Centres in Australia* published by the Australian Quarantine and Inspection Service, as in force from time to time;
- (b) the premises to which registration of an artificial breeding centre relates must not, without the approval of the Chief Inspector—
 - (i) be altered or extended;
 - (ii) be used for the carrying out of artificial breeding procedures not authorised by the registration;
- (c) the following records must be kept:
 - (i) records that ensure that the animal from which any semen or embryos have been collected and the place and date of collection can, at all times, be readily determined;
 - (ii) accurate records of all artificial breeding procedures carried out pursuant to the registration;
 - (iii) accurate records relating to the health of an animal from which semen or embryos have been collected pursuant to the registration.

19—Eligibility requirements—artificial breeding procedures

A person is not eligible to be registered under section 19 of the Act to perform an artificial breeding procedure unless the person—

- (a) is a fit and proper person to be registered; and
- (b) has qualifications and experience that the Chief Inspector considers appropriate having regard to the kind of procedures that the applicant would be authorised to perform if granted the registration.

20—Conditions of registration—artificial breeding procedures

- (1) The following categories of registration under section 19 of the Act may be granted:
 - (a) insemination of livestock—authorising the holder to carry out artificial insemination of livestock;
 - (b) semen collection and processing—authorising the holder to collect semen from livestock and process it;
 - (c) embryo collection and processing—authorising the holder to collect ova or embryos from livestock and process them.
- (2) The following are conditions of registration under section 19 of the Act:
 - (a) artificial breeding procedures not authorised by the registration must not be performed;
 - (b) the following records must be kept:

- (i) records that ensure that the animal from which any semen or embryos have been collected and the place and date of collection can, at all times, be readily determined;
- (ii) accurate records of all artificial breeding procedures carried out pursuant to the registration;
- (iii) accurate records relating to the health of an animal from which semen or embryos have been collected pursuant to the registration.

21—Term of registration and renewal

- (1) The term of registration of an artificial breeding centre or a person authorised to perform artificial breeding procedures is until 30 June in the third year after its grant.
- (2) Renewal of registration is for three years.

Part 5—Veterinary diagnostic laboratories

22—Eligibility requirements

- (1) In determining whether to grant registration under section 20 of the Act to operate a veterinary diagnostic laboratory, the Chief Inspector must have regard to—
 - (a) the suitability of the applicant to be granted registration; and
 - (b) the arrangements that the applicant has made to fulfil the obligations that may arise under these regulations; and
 - (c) the suitability of the premises for their purpose; and
 - (d) the standard of construction of the premises and the standard of the facilities and equipment on the premises; and
 - (e) the nature of the examinations and tests to be carried out at the laboratory; and
 - (f) any other relevant matter.
- (2) If an application is made in respect of proposed premises, the Chief Inspector—
 - (a) must determine whether he or she will grant registration if the premises are completed substantially in accordance with the proposal and, if so, the conditions (if any) he or she will impose on the registration; and
 - (b) if he or she determines that registration will be granted in those circumstances, is bound by that decision.

23—Conditions of registration

Registration under section 20 of the Act of a veterinary diagnostic laboratory is subject to the following conditions:

- (a) the laboratory must be supervised by a person or persons approved by the Chief Inspector;

In respect of the supervision of animal disease diagnosis carried out at the laboratory, the person must be a veterinary surgeon.

In respect of the supervision of residue analysis carried out at the laboratory, the person must hold appropriate qualifications.

- (b) the methods used at the laboratory for animal disease diagnosis must conform to the *Australian Standard Techniques for Animal Diseases* published for the Australian Agricultural Council (Standing Committee on Agriculture) by CSIRO Australia, as in force from time to time;
- (c) if a result from any test or analysis carried out at the laboratory indicates that any livestock or livestock product or other property is, or is likely to be, affected with a notifiable condition the result must be reported to the Chief Inspector by the quickest practicable means, together with such further information as the Chief Inspector may reasonably require;
- (d) records of results from each test or analysis carried out at the laboratory must be kept for a period of at least 7 years;
- (e) a laboratory sample or specimen affected or reasonably suspected of being affected with a notifiable condition must not, without the approval of the Chief Inspector—
 - (i) be brought into the laboratory from interstate or overseas; or
 - (ii) be sent from the laboratory out of the State;
- (f) laboratory samples or specimens or records of results from a test or analysis carried out at the laboratory, must, at the request of the Chief Inspector, be provided to the Chief Inspector or a person nominated by the Chief;
- (g) the laboratory must participate in a quality assurance program approved by the Chief Inspector.

24—Term of registration and renewal

- (1) The term of registration of a veterinary diagnostic laboratory is until 30 June in the third year after registration is granted.
- (2) Renewal of registration is for 3 years.

Part 6—Sheep lice

25—Offence if lice-infested sheep at market

- (1) If lice-infested sheep are present at a market—
 - (a) the owner of the sheep; and
 - (b) any other person who consigned the sheep to the market,are each guilty of an offence.
Maximum penalty: \$5 000.
Expiation fee: \$315.
- (2) It is a defence to a charge of an offence against subregulation (1) if it is proved—
 - (a) that the sheep (or an appropriate number of the sheep selected on an appropriate basis) had been properly inspected for the presence of lice by a person with suitable experience or training within 14 days before the sheep were taken to the market and no live lice were found in the course of the inspection; and

- (b) that after the inspection and before being taken to the market the sheep were kept separate from sheep other than sheep similarly inspected during that period and found to be free of live lice.
- (3) In this regulation—
market means a market, fair, sale, show, parade or other gathering or competition at which sheep from different holdings are present (but does not include an abattoir).

26—Offence if lice-infested sheep stray

If lice-infested sheep stray, the owner of the sheep and any other person responsible for control of the sheep are each guilty of an offence.

Maximum penalty: \$5 000.

Expiation fee: \$315.

Part 7—Vaccines

27—Sale or supply of vaccines

- (1) A person must not sell or supply a vaccine for use on livestock unless—
 - (a) in the case of a class 1 vaccine—the sale or supply is to a veterinary surgeon, or to some other person approved by the Chief Inspector, for use by that person and the sale or supply has been approved by the Chief Inspector; or
 - (b) in the case of a class 2 vaccine—the sale or supply is to a veterinary surgeon, or to some other person approved by the Chief Inspector, for use by that person; or
 - (c) in any other case—
 - (i) the preparation or substance is registered under the *Agricultural and Veterinary Chemicals (South Australia) Act 1994*; or
 - (ii) the approval of the Chief Inspector has been obtained.

Maximum penalty: \$5 000.

- (2) A person must not sell or supply a vaccine after the date (if any) specified on any label, covering, wrapping or container as the date after which the vaccine should not or must not be used on livestock.

Maximum penalty: \$2 500.

Expiation fee: \$210.

28—Use of vaccines

A person must not, without the approval of the Chief Inspector, use a class 1 or 2 vaccine on livestock unless the person is a veterinary surgeon.

Maximum penalty: \$5 000.

29—Storage and disposal of vaccines

A person who has in his or her possession, custody or control a vaccine intended for sale or supply must—

- (a) ensure that the vaccine is at all times stored in the manner, and at the temperature (if any) specified on any label, covering or wrapping by or under any law; and
- (b) dispose of the vaccine on, or as soon as possible after, the date (if any) specified on any label, covering, wrapping or container as the date after which the vaccine should not or must not be used on livestock.

Maximum penalty: \$2 500.

Expiation fee: \$210.

30—Prohibition on use of diagnostic agents

A person must not, without the approval of the Chief Inspector, use a diagnostic agent (including tuberculin, johnin, mallein or pullorum antigen).

Maximum penalty: \$2 500.

Part 8—Hormonal growth promotants

31—Method of treatment of cattle or buffalo with hormonal growth promotants

A person must not treat cattle or buffalo with a hormonal growth promotant otherwise than by implanting the hormonal growth promotant under the skin behind the ear of the cattle or buffalo.

Maximum penalty: \$5 000.

Expiation fee: \$315.

32—HGP earmarks

- (1) If cattle or buffalo are not, immediately after treatment with a hormonal growth promotant, each marked with an earmark consisting of an equilateral triangle with sides 20 millimetres in length, punched through the centre of the left or right ear of the animal (an *HGP earmark*)—
 - (a) the owner of the cattle or buffalo; and
 - (b) any other person responsible for the husbandry of the cattle or buffalo who treated the cattle or buffalo with the hormonal growth promotant, or caused or permitted the cattle or buffalo to be so treated,

are each guilty of an offence.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (2) Subregulation (1) does not apply in respect of an animal that already has an HGP earmark at the time of treatment with a hormonal growth promotant.

33—HGP records

The owner (or former owner) of cattle or buffalo that are treated with hormonal growth promotants must ensure that records are made, and retained for a period of not less than 2 years after the cattle or buffalo cease to be in his or her ownership, containing the following information:

- (a) in respect of each type of hormonal growth promotant obtained or used to treat cattle or buffalo—
 - (i) the date on which it was obtained; and
 - (ii) a description of its type; and
 - (iii) the name and address of the person from whom it was obtained; and
 - (iv) the number of doses obtained;
- (b) in respect of each treatment of cattle or buffalo with each type of hormonal growth promotant—
 - (i) the date of the treatment; and
 - (ii) the breed or other description of each animal treated; and
 - (iii) the number of animals treated; and
 - (iv) a description of the type of hormonal growth promotant used for the treatment; and
 - (v) the number of doses of hormonal growth promotant used, lost or wasted in the course of the treatment;
- (c) in respect of the disposal to some other person of cattle or buffalo treated with hormonal growth promotants—
 - (i) the number of animals disposed of; and
 - (ii) the breed or other description of each animal; and
 - (iii) the fact that the animals have been treated with hormonal growth promotants; and
 - (iv) the date of the disposal; and
 - (v) the name of that other person.

Maximum penalty: \$2 500.

Expiation fee: \$210.

34—HGP free declarations

- (1) A person must not make an HGP free declaration in respect of cattle or buffalo unless the person is—
 - (a) the owner of the cattle or buffalo; or
 - (b) a person responsible for the husbandry of the cattle or buffalo authorised by the owner to do so.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (2) A person must not make a statement that is false or misleading in a material particular (whether by reason of the inclusion or omission of any particular) in an HGP free declaration.

Maximum penalty/expiation fee:

- (a) If the person made the statement knowing that it was false or misleading:
- (i) Maximum penalty—\$10 000.
- (b) In any other case:
- (i) Maximum penalty—\$5 000.
 - (ii) Expiation fee—\$315.
- (3) For the purposes of subregulation (2), the statement in an HGP declaration that the cattle or buffalo have not been treated with hormonal growth promotants will be taken to be false if the cattle or buffalo have HGP earmarks.
- (4) A person must not make an HGP free declaration in respect of cattle or buffalo that have not been continuously in the same ownership since birth unless the current owner of the cattle or buffalo received an HGP free declaration or an HGP free invoice in respect of the cattle or buffalo when they came into his or her ownership.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (5) In proceedings for an offence against subregulation (4), the burden of proving that the current owner received an HGP free declaration or invoice in respect of the cattle or buffalo when they came into his or her ownership lies on the defendant.

35—HGP free tags

- (1) If HGP free tags are attached to cattle or buffalo that have HGP earmarks or, despite not having HGP earmarks, have been treated with hormonal growth promotants—
- (a) the owner of the cattle or buffalo; and
 - (b) any other person responsible for the husbandry of the cattle or buffalo who attached the tags or caused or permitted the tags to be so attached,

are each guilty of an offence.

Maximum penalty:

If the owner or person responsible for the husbandry of the cattle or buffalo knows that the cattle or buffalo have been treated with hormonal growth promotants—\$10 000.

In any other case—\$5 000.

- (2) If HGP free tags are attached to cattle or buffalo that have not been continuously in the same ownership since birth—
- (a) the owner of the cattle or buffalo; and
 - (b) any other person responsible for the husbandry of the cattle or buffalo who attached or caused or permitted the tags to be so attached,

are each guilty of an offence unless the owner received an HGP free declaration or an HGP free invoice in respect of the cattle or buffalo when they came into his or her ownership.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (3) In proceedings for an offence against subregulation (2), the burden of proving that the owner received an HGP free declaration or invoice in respect of the cattle or buffalo when they came into his or her ownership lies on the defendant.

36—HGP free invoices

- (1) A stock agent must give to the purchaser of cattle or buffalo sold by the agent that are identified at the time of sale with HGP free tags either—
- (a) an HGP free invoice; or
 - (b) if the stock agent has, in connection with the sale, received an HGP free declaration in respect of the cattle or buffalo—
 - (i) a copy of the declaration; and
 - (ii) if the declaration extends to cattle or buffalo not sold to the purchaser—an invoice that specifies the number and type of cattle or buffalo referred to in the declaration that have been sold to the purchaser (a *split lot invoice*).

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (2) A stock agent must ensure that each HGP free invoice issued by the agent—
- (a) specifies the number and type of cattle or buffalo that were identified at the time of sale with HGP free tags; and
 - (b) identifies the land on which the cattle or buffalo were pastured before removal for sale.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (3) A stock agent must retain for a period of not less than 2 years a copy of each HGP free invoice, HGP free declaration and split lot invoice given to a purchaser under this regulation.

Maximum penalty: \$2 500.

Expiation fee: \$210.

Part 9—Stock foods

Division 1—Feeding of livestock

37—Feeding of restricted animal material to ruminants

A person must not—

- (a) feed to ruminants, or permit ruminants to feed on, restricted animal material (whether or not the material has been rendered suitable for animal consumption); or
- (b) dispose of restricted animal material (whether or not the material has been rendered suitable for animal consumption) in a manner that ruminants may gain access to it.

Maximum penalty: \$10 000.

38—Feeding of restricted animal material from placental mammals to non-ruminants

(1) A person must not—

- (a) feed to livestock, or permit livestock to feed on, restricted animal material from a placental mammal unless the material has been rendered suitable for animal consumption by means of a process approved by the Chief Inspector; or
- (b) dispose of restricted animal material from a placental mammal that has not been rendered suitable for animal consumption as referred to in paragraph (a) in a manner that livestock may gain access to it.

Maximum penalty: \$10 000.

(2) In this regulation—

livestock does not include cats, dogs or ruminants.

39—Feeding of stock foods containing faeces

A person must not feed to livestock, or permit livestock to feed on, a stock food that consists wholly or partly of faeces.

Maximum penalty: \$10 000.

40—Feeding of stock foods containing registered veterinary products

A person must not feed to livestock, or permit livestock to feed on, a stock food that contains a registered veterinary product unless—

- (a) —
 - (i) the product is registered for use on the species of animal to which the livestock belongs; and
 - (ii) the stock food is being used to treat the livestock for a disease or condition of the livestock, or infestation of the livestock by a pest, specified on the approved label (within the meaning of the Agvet Code of South Australia) for containers of that product; or

- (b) the person does so in accordance with a permit (within the meaning of the Agvet Code of South Australia) or the instructions of a veterinary surgeon responsible for treating the livestock.

Maximum penalty: \$10 000.

Division 2—Standards for stock foods

41—Offence

- (1) A person must not supply stock food unless the stock food complies with the standards prescribed by this Division.

Maximum penalty: \$10 000.

- (2) This regulation does not apply in relation to stock food supplied for consumption by cats, dogs, caged birds (other than poultry) or aquarium fish.

- (3) In this regulation—

supply means supply through sale, gift, loan, exchange or hire and includes offer to supply.

42—Restricted animal material in stock foods

- (1) A stock food supplied for consumption by ruminants must not contain restricted animal material.
- (2) A stock food supplied for consumption by non-ruminant livestock must not contain restricted animal material from a placental mammal unless the material has been rendered suitable for animal consumption by means of a process approved by the Chief Inspector.

43—Substances prohibited in stock foods

A stock food must not contain a substance specified in Schedule 2 Part 1 except as provided in that Part.

44—Organochlorine pesticides in stock foods

A substance specified in Schedule 2 Part 2 must not be present in stock food in a level that is more than the maximum level prescribed by that Part for that substance.

45—Antioxidants in stock foods

A substance specified in Schedule 2 Part 3 must not be present in stock food in a level that is more than the maximum level prescribed by that Part for that substance.

46—Registered veterinary products in stock foods

- (1) A stock food must not contain a registered veterinary product unless—
- (a) the stock food is supplied for consumption by a species of animal for which the product is registered for use on; and
- (b) the stock food is supplied for the purpose of treating such an animal for a disease or condition of the animal, or infestation of the animal by a pest, specified on the approved label (within the meaning of the Agvet Code of South Australia) for containers of that product; and

- (c) the proportion or amount of the product in the stock food is a proportion or amount determined in accordance with the directions for use of the product specified on the approved label (within the meaning of the Agvet Code of South Australia) for containers of the product.
- (2) Subregulation (1) does not prevent stock food containing a registered veterinary product being supplied to a veterinary surgeon for use in the treatment of livestock or to a person holding a permit (within the meaning of the Agvet Code of South Australia) authorising the supply or use of the registered veterinary product in stock food.

Division 3—Labelling of manufactured stock foods

47—Offences

- (1) A person must not supply manufactured stock food unless the stock food is labelled, or information is provided to the person to whom the stock food is supplied, in accordance with this Division.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (2) A person must not, without reasonable excuse—
 - (a) deface, alter or obscure a label for a package of stock food containing information required by this Division; or
 - (b) remove from a package of stock food containing restricted animal material a label for the food containing information required by this Division.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (3) This regulation does not apply in relation to stock food supplied for consumption by cats, dogs, caged birds (other than poultry) or aquarium fish.
- (4) In this regulation—

supply means supply through sale, gift, loan, exchange or hire and includes offer to supply.

48—Requirement for label or advice note

- (1) A stock food must—
 - (a) if supplied in a package—have affixed to, or printed or stencilled on, the package a label that complies with this Division; or
 - (b) if supplied without a package—be supplied in accordance with this regulation with an advice note that complies with this Division.
- (2) If stock food supplied without a package is delivered to a person, the advice note for the stock food must be handed to the person or an agent of the person.
- (3) If stock food supplied without a package is delivered to premises where no person is in attendance to accept delivery of the advice note for the stock food, the advice note must, within 7 days of the delivery, be given or sent to the person to whom the stock food was supplied.

49—General information to be included on label or advice note

A label or advice note for a stock food must state—

- (a) the distinctive name of the stock food; and
- (b) the name and principal place of business of the manufacturer, producer or supplier of the stock food.

50—Information about restricted animal material content

(1) If—

- (a) a stock food manufactured or produced before 20 December 2001 contains restricted animal material from animals other than fish or birds; and
- (b) the stock food is not supplied for consumption by dogs or pigeons; and
- (c) the label or advice note for the stock food does not contain a statement that the stock food is suitable for consumption by non-ruminant livestock only,

the label or advice note for the stock food must contain—

- (d) a statement indicating whether or not the restricted animal material is from a placental mammal; and
- (e) if the restricted animal material is from a placental mammal—a statement indicating that the stock food must not be fed to ruminants.

(2) A label or advice note for a stock food manufactured or produced on or after 20 December 2001 must—

- (a) if the stock food contains restricted animal material—contain the following statement:

This product contains restricted animal material—DO NOT FEED TO CATTLE, SHEEP, GOATS, DEER OR OTHER RUMINANTS.

- (b) if the stock food does not contain restricted animal material—contain the following statement:

This product does not contain restricted animal material.

Part 10—Identification codes**Division 1—PICs****51—Requirement to have current PIC**

(1) For the purposes of section 26A(3) of the Act—

- (a) the following persons are each guilty of an offence if the land on which 1 or more prescribed animals are kept does not have a current PIC:
 - (i) the owner of the land;
 - (ii) the occupier of the land;
 - (iii) the owner of the animals;
 - (iv) the person responsible for the management of the animals; and

- (b) a person who—
 - (i) keeps poultry (within the meaning of the *Primary Produce (Food Safety Schemes) (Meat Industry) Regulations 2006*) on land; and
 - (ii) is an accredited poultry grower (within the meaning of those regulations) or is required to hold such an accreditation for the poultry,

is guilty of an offence if the land does not have a current PIC; and

- (c) a person who—
 - (i) keeps birds on land for the purpose of engaging in an egg production business (within the meaning of the *Primary Produce (Food Safety Schemes) (Egg) Regulations 2012*); and
 - (ii) is, under those regulations, accredited to engage in the egg production business or is required to hold such an accreditation to engage in the business,

is guilty of an offence if the land does not have a current PIC.

- (2) Pursuant to section 6A of the Act, the following categories of offences are prescribed for the purposes of section 26A(3) of the Act (and accordingly the corresponding penalties or expiation fees set out in section 26A(3) apply):

- (a) a category 1 offence is—
 - (i) an offence against subregulation (1)(a) committed, or alleged to have been committed, in connection with the keeping of more than 250 animals other than birds; or
 - (ii) an offence against subregulation (1)(b) or (c) committed, or alleged to have been committed, in connection with the keeping of more than 1 000 birds;
- (b) a category 2 offence is—
 - (i) an offence against subregulation (1)(a) committed, or alleged to have been committed, in connection with the keeping of 21 to 250 (inclusive) animals other than birds; or
 - (ii) an offence against subregulation (1)(b) or (c) committed, or alleged to have been committed, in connection with the keeping of 101 to 1 000 (inclusive) birds;
- (c) a category 3 offence is—
 - (i) an offence against subregulation (1)(a) committed, or alleged to have been committed, in connection with the keeping of 1 to 20 (inclusive) animals other than birds; or
 - (ii) an offence against subregulation (1)(b) or (c) committed, or alleged to have been committed, in connection with the keeping of 1 to 100 (inclusive) birds.

(3) In this regulation—

prescribed animals means—

- (a) buffalo;
- (b) camels;
- (c) cattle;
- (d) deer;
- (e) equines (including horses, donkeys and mules);
- (f) goats;
- (g) pigs;
- (h) sheep;
- (i) South American camelids (including alpaca, llama, vicuna and guanaco).

52—Allocation and renewal of PICs

- (1) The Chief Inspector may, on application or on his or her own initiative, allocate or renew a PIC identifying a particular place where livestock or livestock of a specified class may be kept or handled.
- (2) An application for the allocation or renewal of a PIC for a place may be made by—
 - (a) a person who is required to have a current PIC for the place under regulation 51; or
 - (b) if the place is a livestock saleyard, abattoir, prescribed premises or port for live export—the owner or operator of the place; or
 - (c) if the place is a place where a special event is held—the organiser of the special event; or
 - (d) a person who proposes to become such a person or who otherwise satisfies the Chief Inspector that he or she has a proper interest in the allocation of a PIC to a place.
- (3) The boundaries of a place identified by a PIC are to be determined at the absolute discretion of the Chief Inspector.
- (4) Subject to this Division, a PIC remains current in relation to a place for the period specified in the instrument of allocation or renewal or, if no period is so specified, 2 years.
- (5) The Chief Inspector may, at his or her discretion and on payment of the late application fee set out in Schedule 3, renew a PIC on a late application despite the fact that the term for which the PIC was current has expired and, in that event, the renewal has effect from the end of the term for which the PIC was previously current.

53—Substitution of responsible person, variation of boundaries and cancellation of PIC

- (1) The Chief Inspector may, on application by the responsible person for a PIC or on his or her own initiative—
 - (a) substitute the person who is the responsible person for the PIC; or

- (b) vary the boundaries of the place identified by the PIC; or
 - (c) cancel the PIC.
- (2) Before taking action in relation to a PIC on his or her own initiative, the Chief Inspector must give the responsible person for the PIC a reasonable opportunity to make submissions.
 - (3) Whether a substitution, variation or cancellation should be made under this regulation is to be determined at the absolute discretion of the Chief Inspector.

Division 2—Pig tattoo codes

54—Allocation of pig tattoo code

- (1) The Chief Inspector may, on application by a person who keeps pigs or a responsible person for a PIC for land on which pigs are or are proposed to be kept or on his or her own initiative, allocate a pig tattoo code and associate the pig tattoo code with a PIC for the land.
- (2) Subject to this Division, a pig tattoo code remains current for so long as the PIC to which it is associated remains current.
- (3) More than 1 pig tattoo code may be associated with the same PIC.

55—Cancellation of pig tattoo code

- (1) The Chief Inspector may, on application by the responsible person for a PIC to which a pig tattoo code is associated or on his or her own initiative, cancel the pig tattoo code.
- (2) Before taking action in relation to a pig tattoo code on his or her own initiative, the Chief Inspector must give the responsible person for the PIC to which the pig tattoo code is associated a reasonable opportunity to make submissions.
- (3) Whether a pig tattoo code should be cancelled under this regulation is to be determined at the absolute discretion of the Chief Inspector.

Division 3—Stock agent identification codes

56—Allocation and cancellation of stock agent identification code

- (1) The Chief Inspector may, on application or on his or her own initiative, allocate an identification code to a stock agent.
- (2) The Chief Inspector may, on application or on his or her own initiative, cancel the identification code of a stock agent.
- (3) Before taking action in relation to an identification code on his or her own initiative, the Chief Inspector must give the person to whom the code is allocated a reasonable opportunity to make submissions.
- (4) Whether an identification code should be cancelled under this regulation is to be determined at the absolute discretion of the Chief Inspector.

Division 4—General

57—Applications under this Part

- (1) An application under this Part must—
 - (a) be made to the Chief Inspector; and
 - (b) be in the form and contain or be accompanied by the information required by the Chief Inspector; and
 - (c) be accompanied by the fee (if any) set out in Schedule 3.
- (2) An application under this Part may be combined with an application for registration or renewal of registration under section 17 of the Act or with any other application under this Part.

58—Register of PICs and pig tattoo codes

- (1) The Chief Inspector must maintain a register of PICs including, for each PIC—
 - (a) details of the name and address of the responsible person for the PIC; and
 - (b) details of the land identified by the PIC; and
 - (c) details of any associated pig tattoo code.
- (2) The register may contain other information that the Chief Inspector considers appropriate, such as further contact details of the responsible person or the identity and contact details of the registered proprietor of the land or the species or number of livestock kept on the land.
- (3) The operator of a livestock saleyard or abattoir, a stock agent or other person who has, in the opinion of the Chief Inspector, a legitimate interest in information as to the PIC applying to particular land and any associated pig tattoo code may, on payment of the fee set out in Schedule 3, obtain an extract from the register of the PIC, associated pig tattoo code and land details.
- (4) The Chief Inspector may make information in the register available—
 - (a) to the NLIS database manager for the purposes of the database; or
 - (b) to South Australia Police, South Australian Country Fire Service or South Australian State Emergency Service; or
 - (c) to a Natural Resources Management Board for the purposes of the performance of functions under the *Natural Resources Management Act 2004* relating to the containment of livestock; or
 - (d) to an agency or instrumentality of another State or a Territory of the Commonwealth for the purposes of the administration of a corresponding law; or
 - (e) otherwise for the purposes of the administration of the Act or these regulations.

59—Change of address

A responsible person for an identification code must, within 14 days after changing his or her postal address, notify the Chief Inspector of the change in writing.

Maximum penalty: \$250.

Expiation fee: \$80.

Part 11—Livestock identification

Division 1—Identification of cattle, sheep and goats

60—Application of Division

This Division applies only in relation to cattle, sheep and goats.

61—PIDs

- (1) For the purposes of this Division, an animal will not be taken to be identified with a PID unless—
 - (a) in the case of cattle—
 - (i) a PID is attached to the off-side ear of the animal, with the component of the PID containing the electronic microchip placed on the inside of the ear; or
 - (ii) a PID is inserted in the animal and a tag, indicating that the animal has such a PID inserted in it, attached to the off-side ear of the animal; or
 - (b) in the case of sheep or goats—a PID is attached to an ear of the animal.
- (2) The owner or person responsible for the management of an animal must not bring the animal into the State or remove the animal from land on which it has been pastured unless the animal is identified with a PID.

Maximum penalty: \$5 000.
Expiation fee: \$315.
- (3) Subregulation (2) does not apply to an unmanaged goat that is—
 - (a) captured; and
 - (b) pastured on land for a period not exceeding 6 weeks; and
 - (c) consigned from the land to an abattoir for slaughter and over-the-hooks sale.

62—Movement documentation

- (1) For the purposes of this Division, movement documentation, in relation to animals being moved, must comprise—
 - (a) either—
 - (i) a copy of the vendor declaration completed in relation to the animals; or
 - (ii) a document containing—

- (A) the prescribed details (see subregulation (6)) in relation to the animals; and
 - (B) the name and signature of the person completing the document; and
- (b) in addition, in the case of sheep other than sheep consigned direct from a livestock saleyard outside the State to an abattoir in the State for slaughter—a sheep health statement.
- (2) The owner or person responsible for the management of animals that are brought into this State or removed from land on which they have been pastured (the *consignor*), is guilty of an offence unless movement documentation that complies with subregulation (1) in relation to the animals—
- (a) accompanies the animals during their movement; and
 - (b) is provided to a person (the *consignee*) as follows:
 - (i) if the animals are brought into the State or removed for the purposes of sale by a stock agent—to the stock agent;
 - (ii) if the animals are brought into the State or removed for the purposes of direct sale to a purchaser—to the purchaser or the person responsible for the management of the animals following the sale;
 - (iii) if the animals are brought into the State or removed for the purposes of their movement to an abattoir or prescribed premises—
 - (A) to the person responsible for the management of the animals following their movement; and
 - (B) to the operator of the abattoir or prescribed premises;
 - (iv) in any other case—to the person responsible for the management of the animals following their movement.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (3) If animals at a livestock saleyard are sold by a stock agent, a copy of the movement documentation, or a document containing the prescribed movement details, relating to the movement of the animals to the saleyard must be provided by the agent to a person (the *consignee*) as follows:
- (a) if the animals are to be consigned direct to an abattoir for slaughter—
 - (i) to the person responsible for the management of the animals at the abattoir; and
 - (ii) to the operator of the abattoir,by the end of the day of sale;
 - (b) in any other case—to the purchaser or the person responsible for the management of the animals following the sale within 2 working days after the sale.

Maximum penalty: \$5 000.

Expiation fee: \$315.

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- (4) Without limitation, a stock agent will be taken to have complied with subregulation (3) if, within the period specified, the agent has—
- (a) uploaded the copy of the documentation to the NLIS database; and
 - (b) notified the consignee of that upload.
- (5) Records of documentation under this regulation must be kept as follows:
- (a) a consignor must keep a copy of the movement documentation relating to the consignment for at least 7 years;
 - (b) a consignee (other than the operator of an abattoir or the person in charge of a special event) must keep a copy of the movement documentation relating to the consignment for at least 7 years;
 - (c) a consignee who is the operator of an abattoir or the person in charge of a special event must keep a copy of the movement documentation relating to the consignment for at least 2 years.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (6) In this regulation—

prescribed details, in relation to animals being moved, means the following:

- (a) the number of animals and the type of animals (that is, whether cattle, sheep or goats) being moved;
- (b) the breed, gender and approximate age of the animals;
- (c) the date on which the animals are being moved;
- (d) the identification code of the land of dispatch;
- (e) the identification code of the destination land (or the address or a description of the location of that land);
- (f) in addition—
 - (i) in the case of sheep or goats that were bred on the land of dispatch—that fact; and
 - (ii) in the case of sheep or goats that were not bred on the land of dispatch and are not identified with a PID bearing the identification code of the land of dispatch—the number or code on each PID attached to the animals; and
 - (iii) in the case of bobby calves—
 - (A) the date and time movement commenced; and
 - (B) the name and signature of the person responsible for the management of the animals during their movement.

63—NLIS notification before removal of animals from land of pasture

If an animal is pastured on land (other than land on which it was bred), the owner or person responsible for the management of the animal must not remove the animal from that land unless the NLIS database manager has been notified of—

- (a) the number or code on the animal's PID; and
- (b) the identification code of the land; and
- (c) in addition, in the case of sheep or goats—the identification codes of any other land on which the animal has previously been pastured as far as may be reasonably ascertained (for example, from movement documentation relating to the movement of the animal).

Maximum penalty: \$5 000.

Expiation fee: \$315.

64—NLIS notification after animals moved to different land of pasture

- (1) Subject to this regulation, if an animal is removed from land on which it has been pastured (the *land of dispatch*) and pastured on other land (the *destination land*), the following provisions apply:
 - (a) if the land of dispatch is land or premises other than prescribed premises or a port for live export, the owner or person responsible for the management of the animal after its arrival at the destination land must notify the NLIS database manager of the prescribed movement details relating to the movement of the animal to the destination land—
 - (i) in the case of cattle—within 2 working days after the arrival of the animal at the destination land, or before the animal is removed from the destination land, whichever occurs earlier; and
 - (ii) in the case of sheep or goats—within 7 working days after the arrival of the animal at the destination land, or before the animal is removed from the destination land, whichever occurs earlier;
 - (b) if the destination land is prescribed premises, the operator of the prescribed premises must notify the NLIS database manager, by the end of the next working day after the arrival of the animal at the premises, of—
 - (i) in the case of the movement of cattle to premises on which a special event of 3 days or less is held before their direct return to the land of dispatch—
 - (A) the number or code on each animal's PID; and
 - (B) the date on which each animal's electronic PID is scanned at the special event; and
 - (C) the identification code of the premises of the special event; and
 - (ii) in the case of prescribed premises comprised of a pound—
 - (A) the date of impoundment; and
 - (B) the identification code of the pound; and

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- (C) the identification code of the land on which the animal was last pastured, or, if that code is not known, the identification code approved by the Chief Inspector for use in the circumstances as a default code; and
 - (D) the number or code on each of the animal's PIDs including, in the case of an animal that arrived at the pound without being identified with a PID, the number or code of the replacement PID attached to the animal at the pound; and
 - (E) in addition, in the case of sheep or goats—the total number of animals in the consignment (including the animal); and
- (iii) in any other case—
- (A) the prescribed movement details relating to the movement of the animal to the prescribed premises; and
 - (B) the date of arrival of the animal at the prescribed premises;
- (c) if the land of dispatch is prescribed premises other than an animal feedlot and the destination land is land or premises other than a port for live export, the operator of the prescribed premises must notify the NLIS database manager, by the end of the next working day after the removal of the animal from the prescribed premises, of the prescribed movement details relating to the movement of the animal to the destination land;
- (d) if the land of dispatch is a live export depot and the destination land is a port for live export, the operator of the depot must, by the end of the next working day after the removal of the animal from the depot, notify the NLIS database manager of—
- (i) the date of removal of the animal; and
 - (ii) the identification code of the depot; and
 - (iii) the identification code of the port; and
 - (iv) in addition—
 - (A) in the case of sheep or goats—the total number of animals in the consignment (including the animal); and
 - (B) in the case of cattle—the number or code on each animal's PID.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (2) The owner or person responsible for the management of an animal after its arrival at prescribed premises must provide the operator of the premises with information necessary for that person to comply with subregulation (1)(b).

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (3) The owner or person responsible for the management of an animal after its removal from prescribed premises must provide the operator of the premises with information necessary for that person to comply with subregulation (1)(c) or (1)(d).
Maximum penalty: \$5 000.
Expiation fee: \$315.
- (4) If the owner or person responsible for the management of an animal becomes aware that information provided to the operator of prescribed premises or the NLIS database manager in respect of the animal under this regulation is inaccurate or incomplete or that the animal was not moved direct to the destination contemplated at the time the information was provided, the person must, as soon as practicable, notify the NLIS database manager of the correct or complete information.
Maximum penalty: \$5 000.
Expiation fee: \$315.
- (5) It is not a defence to a charge of an offence under this regulation comprised of a failure to notify the NLIS database manager of the identification code of destination land to establish that an identification code had not previously been allotted to the land.
- (6) For the purposes of this regulation, if an animal is removed from land of dispatch and unloaded at any other land or premises (including a livestock saleyard) during transit, that other land or premises will be taken to be the destination land.

65—Animals at livestock saleyards must have PID and movement documentation

- (1) If an animal at a livestock saleyard is not identified with a PID, the owner and the person responsible for the management of the animal immediately before its movement to the saleyard are each guilty of an offence.
Maximum penalty: \$5 000.
Expiation fee: \$315.
- (2) If, at a livestock saleyard, an animal—
 - (a) that is not identified with a PID; or
 - (b) in respect of which movement documentation relating to the movement of the animal to the saleyard has not been provided as required under regulation 62,is sold, the saleyard operator, the stock agent acting on behalf of the vendor and the person responsible for the management of the animal at the saleyard are each guilty of an offence.
Maximum penalty: \$5 000.
Expiation fee: \$315.
- (3) If an animal bears a non-functioning PID, the operator of the saleyard or a stock agent may cause the animal to be identified with a replacement PID bearing the identification code of the saleyard.

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- (4) Before an animal that is not identified with a PID, or bears a non-functioning PID, is removed from a livestock saleyard—
- (a) the operator of the saleyard or a stock agent must, if the animal is not identified with a PID, cause the animal to be identified with a replacement PID bearing the identification code of the saleyard; and
 - (b) the operator of the saleyard must notify the NLIS database manager of—
 - (i) the prescribed movement details relating to the movement of the animal to the saleyard (including, in the case of a non-functioning PID, the number or code on that PID); and
 - (ii) the number or code on any replacement PID.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (5) If an animal is identified with a replacement PID under subregulation (3) or (4), the saleyard operator or stock agent must make, and keep for at least 2 years, a written record of—
- (a) the prescribed movement details relating to the movement of the animal to the saleyard; and
 - (b) the name of the person responsible for causing the animal to be identified with the replacement PID; and
 - (c) the date on which the PID was attached or inserted; and
 - (d) the name of the vendor of the animal.

Maximum penalty: \$5 000.

Expiation fee: \$315.

66—NLIS notification of animals consigned to livestock saleyard for sale

- (1) The following provisions apply in relation to animals consigned to a livestock saleyard for sale:
- (a) by the end of each day on which animals are offered for sale at the saleyard, the operator of the saleyard must notify the NLIS database manager—
 - (i) for each animal that arrives at the saleyard and is sold at the saleyard on that day, of—
 - (A) the prescribed movement details relating to the movement of the animal to the saleyard; and
 - (B) the date of the sale; and
 - (ii) for each animal that arrives at the saleyard but is not sold at the saleyard on that day, of—
 - (A) the prescribed movement details relating to the movement of the animal to the saleyard; and
 - (B) the date of the arrival; and

- (C) in addition, in the case of an animal that was dead on arrival—the identification code approved by the Chief Inspector for use in the circumstances as a default deceased code;
- (b) the operator of the saleyard must, for each animal sold at the saleyard, update the entry in the database for the animal with details as follows:
 - (i) if, by the end of the day of sale of the animal, the operator is aware of the destination land for the animal, the operator must—
 - (A) if the destination land is an abattoir—by the end of that day;
or
 - (B) in any other case—within 2 working days after the sale, update the entry with the identification code of that land and, in the case of sheep or goats, the total number of animals in the consignment (including the animal) that are to be or have been moved direct to that land;
 - (ii) if, by the end of the day of sale of the animal, the operator is not aware of the destination land for the animal, the operator must, within 2 working days after the sale, update the entry with—
 - (A) the identification code of the stock agent acting on behalf of the purchaser of the animal, or, if no such agent was used, the stock agent acting on behalf of the vendor of the animal;
and
 - (B) in the case of sheep or goats, the total number of animals in the consignment (including the animal) that are to be or have been moved direct to the destination land;
- (c) if the operator of the saleyard updates the entry in the database for an animal with the identification code of a stock agent under paragraph (b)(ii)(A), the operator must ensure that the stock agent is aware that his or her identification code has been used for that purpose;
- (d) before, or as soon as practicable (and, in any event, within 2 working days) after, an animal that has not been sold at the saleyard is removed from the saleyard, the operator of the saleyard must update the entry in the database for that animal with the identification code of the destination land for the animal;
- (e) before, or as soon as practicable (and, in any event, within 2 working days) after an animal that has died at the saleyard is disposed of at the saleyard or removed from the saleyard, the operator of the saleyard must update the entry in the database for that animal with the identification code approved by the Chief Inspector for use in the circumstances as a default deceased code;
- (f) if the operator of the saleyard becomes aware that information provided to the NLIS database manager is inaccurate or incomplete through an omission or error made by the operator, the operator must, as soon as practicable, provide the correct or complete information.

Maximum penalty: \$5 000.

Expiation fee: \$315.

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- (2) A person (whether or not a stock agent) who offers an animal for sale at a livestock saleyard must provide the operator of the saleyard with information necessary for the operator to comply with subregulation (1).

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (3) A person (whether or not a stock agent) who purchases an animal at a livestock saleyard must comply with the following provisions:
- (a) if the destination land for the animal has been determined before the end of the day of the purchase, the person must, on that day, notify the operator of the saleyard of the identification code of that land;
 - (b) if the destination land for the animal has not been determined before the end of the day of the purchase, the person must, on that day, notify the operator of the saleyard of the identification code of the stock agent acting on behalf of the purchaser, or, if no such agent was used, the stock agent acting on behalf of the vendor.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (4) If a person notifies the saleyard operator of the identification code of destination land under subregulation (3)(a), the agent must, as soon as practicable (and, in any event, within 2 working days) after that notification, give written notice to the purchaser of the animal setting out details of the identification code provided.

Maximum penalty: \$5 000.

Expiation fee: \$315.

Note—

The notice may be included on an invoice.

- (5) If a person notifies the saleyard operator of the identification code of a stock agent under subregulation (3)(b), the person must ensure that the stock agent is aware that his or her identification code has been used for that purpose.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (6) A stock agent whose identification code has been provided to the saleyard operator under subregulation (3)(b) must, before, or as soon as practicable (and, in any event, within 7 working days) after, the animal is removed from the saleyard, notify the NLIS database manager of the identification code of the destination land for the animal.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (7) If a stock agent notifies the NLIS database manager of the identification code of destination land under subregulation (6), the agent must, as soon as practicable (and, in any event, within 2 working days) after that notification, give written notice to the purchaser of the animal setting out details of the identification code provided.

Maximum penalty: \$5 000.

Expiation fee: \$315.

Note—

The notice may be included on an invoice.

- (8) It is not a defence to a charge of an offence against subregulation (3) to establish that an identification code had not previously been allocated in respect of the land or person concerned.
- (9) A person selling or purchasing an animal through a stock agent must provide the stock agent with information necessary for the stock agent to comply with this regulation.
Maximum penalty: \$5 000.
Expiation fee: \$315.
- (10) If the purchaser of an animal becomes aware that information provided to the operator of a livestock saleyard or the NLIS database manager in respect of the animal under this regulation is inaccurate or incomplete or that an animal was not moved direct to the destination land contemplated at the time the information was provided, the purchaser must, as soon as practicable, notify the NLIS database manager of the correct or complete information.
Maximum penalty: \$5 000.
Expiation fee: \$315.

67—NLIS notification of movement of bobby calves from land of pasture to abattoir

The person responsible for transporting bobby calves from land on which they have been pastured to an abattoir must—

- (a) ensure that the PID attached to each calf is scanned and the electronic information recorded before removal of the calves from the land; and
- (b) notify the NLIS database manager, before the end of the day of arrival of the calves at the abattoir or before their slaughter (whichever occurs first), of the prescribed movement details relating to the movement of the calves to the abattoir.

Maximum penalty: \$5 000.

Expiation fee: \$315.

68—Animals at abattoirs must have PID and movement documentation

- (1) If an animal at an abattoir is not identified with a PID, the owner and the person responsible for the management of the animal immediately before its movement to the abattoir are each guilty of an offence.
Maximum penalty: \$5 000.
Expiation fee: \$315.
- (2) If, at an abattoir, an animal—
 - (a) that is not identified with a PID; or
 - (b) in respect of which—

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- (i) in the case of an animal that was moved direct to the abattoir from land on which it was pastured—movement documentation relating to the movement of the animal to the abattoir has not been provided as required under regulation 62(2); or
- (ii) in the case of an animal that was moved direct to the abattoir from a livestock saleyard to which it was consigned for sale and kept for a period not exceeding 7 days—documentation relating to the movement of the animal to the saleyard has not been provided as required under regulation 62(3),

is slaughtered, the operator of the abattoir and the person responsible for the management or slaughter of the animal are each guilty of an offence.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (3) No offence is committed under subregulation (2) if the operator of the abattoir notifies an inspector, before the slaughter, of the omission and of as many prescribed movement details relating to the movement of the animal to the abattoir as may be reasonably ascertained in the circumstances.

69—NLIS notification when animals slaughtered

- (1) The operator of an abattoir must, within 2 working days after slaughtering an animal, notify the NLIS database manager of—
 - (a) the date of slaughter of the animal; and
 - (b) in addition—
 - (i) in the case of cattle—
 - (A) if the animal was moved direct to the abattoir from land on which it was pastured—the prescribed movement details relating to the movement of the animal to the abattoir; or
 - (B) if the animal was moved direct to the abattoir from a livestock saleyard to which it had been consigned for sale and at which it had been kept for a period not exceeding 7 days—
 - the number or code on the animal's PID; and
 - the identification code of the land on which the animal was last pastured; or
 - (ii) in the case of sheep or goats—
 - (A) if the animal was moved direct to the abattoir from land on which it was pastured—the prescribed movement details relating to the movement of the animal to the abattoir; or
 - (B) if the animal was moved direct to the abattoir from a livestock saleyard to which it had been consigned for sale and at which it had been kept for a period not exceeding 7 days—

- the type of animal (that is, whether sheep or goat); and
- the total number of animals in the consignment to the abattoir (including the animal); and
- the identification code of the saleyard.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (2) The operator of an abattoir must keep a written record of the details referred to in subregulation (1) (other than those details required to be kept by the operator under regulation 62(5)) for at least 2 years.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (3) The owner or person responsible for the management of an animal at an abattoir must provide the operator of the abattoir with information necessary for the operator to comply with subregulation (1).

Maximum penalty: \$5 000.

Expiation fee: \$315.

70—Identification of animal at abattoir must be possible until fitness for human consumption assessed

The operator of an abattoir must ensure that the abattoir has in place post-slaughter procedures approved by the Chief Inspector that will enable the determination, at any time until an assessment is made of the fitness for human consumption of the carcass of an animal, of—

- (a) in the case of an animal that was moved direct to the abattoir from land on which it was pastured—the prescribed movement details relating to the movement of the animal to the abattoir; or
- (b) in the case of an animal that was moved direct to the abattoir from a livestock saleyard to which it had been consigned for sale and at which it was kept for a period not exceeding 7 days—the prescribed movement details relating to the movement of the animal to the saleyard.

Maximum penalty: \$5 000.

Expiation fee: \$315.

71—False or misleading statements under this Division

A person must not make a statement that is false or misleading in a material particular (whether by reason of the inclusion or omission of any particular) in any details required to be provided under this Division.

Maximum penalty/expiation fee:

- (a) If the person made the statement knowing that it was false or misleading:

Maximum penalty—\$10 000.

- (b) In any other case:

Maximum penalty—\$5 000.

Expiation fee—\$315.

Division 2—Identification of pigs

72—Identification of pigs

- (1) A person who keeps pigs must ensure that a pig that weighs 20 kilograms or more is not removed for the purposes of sale or slaughter from land on which it is kept unless it has a tattoo that complies with the requirements of subregulation (2).

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (2) The tattoo must comply with the following requirements:
- (a) the tattoo must comprise the characters of a pig tattoo code associated with a current PIC for the land from which the pig is removed;
 - (b) the characters making up the pig tattoo code must be clearly legible;
 - (c) the tattoo must be marked with paste or ink of a kind approved by the Chief Inspector;
 - (d) the tattoo must be on the following shoulder of the pig:
 - (i) if the tattoo was applied on the property on which the pig was born—the left shoulder of the pig; and
 - (ii) in any other case—the right shoulder of the pig.
- (3) A person who keeps pigs is guilty of an offence if, when a pig kept by the person is marked with a pig tattoo code, the code is not associated with a current PIC for the land on which the pig is kept.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (4) A person must not—
- (a) mark the shoulder of a pig with a tattoo other than for the purposes of this regulation; or
 - (b) remove a tattoo from the shoulder of a pig other than as authorised by the Chief Inspector in accordance with regulation 5.

Maximum penalty: \$5 000.

Expiation fee: \$315.

Division 3—Identification of deer

73—Identification of deer

A person who keeps deer must ensure that deer are not removed from land on which they are kept unless attached to the ear of each animal is an identification tag that bears the identification code of the land from which it is removed.

Maximum penalty: \$5 000.

Expiation fee: \$315.

Division 4—General

74—Removal of livestock in contravention of this Part

- (1) If an inspector suspects on reasonable grounds that a person has removed, or is about to remove, livestock from property in contravention of this Part, the inspector may—
 - (a) require the owner or person in charge of the animals to—
 - (i) muster them at or take them to a specified place convenient for inspecting or attaching identification tags to the animals;
 - (ii) attach PIDs or identification tags to animals found not to be tagged or otherwise identified in accordance with this Part;
 - (iii) detain the animals at a specified place, or return the animals to the place from which they have been removed, until they are tagged or otherwise identified in accordance with this Part; and
 - (b) if the owner or person in charge refuses or fails to comply with such a requirement, take the action required to be taken, with or without assistance.
- (2) The Minister may recover costs and expenses reasonably incurred by an inspector under subregulation (1)(b) by action in a court of competent jurisdiction as a debt owed by the person of whom the requirement was made.

75—Types of devices

A person must only attach to, or insert in, an animal a PID of the following kind:

- (a) if the device is to be attached to or inserted in the animal on the property on which the animal was born—a device of a kind approved by the Chief Inspector as a breeder device; or
- (b) in any other case—a device of a kind approved by the Chief Inspector as a post-breeder device.

Maximum penalty: \$5 000.

Expiation fee: \$315.

76—Authorisation of manufacturers and recyclers

The Chief Inspector may, in accordance with regulation 5, authorise a person—

- (a) to manufacture identification tags or PIDs for the purposes of this Part; or
- (b) to recycle PIDs for the purposes of this Part.

77—Supply of tags and devices

An authorised manufacturer or authorised recycler—

- (a) may only supply identification tags or PIDs to persons on receipt of an order form validated in a manner approved by the Chief Inspector; and

- (b) must keep records of the persons to whom the tags or devices are supplied and the number and type of tags or devices supplied in respect of each identification code.

Maximum penalty: \$5 000.

Expiation fee: \$315.

78—Animal must not have more than 1 PID

- (1) A person must not attach to or insert in an animal a PID if the animal already has a PID attached to or inserted in it.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (2) This regulation does not apply to the attachment of a post-breeder device to an animal—
 - (a) in accordance with regulation 75(b); or
 - (b) as a replacement for any non-functioning PID.

79—PIDs and tags must bear correct information

- (1) If a person attaches to or inserts in an animal a PID, or a tag, that bears an identification code of land other than—

- (a) the land on which the animal is then pastured; or
- (b) a livestock saleyard to which the animal has been consigned for sale and is then kept,

the owner of the animal and any person who caused the PID or tag to be so attached or inserted are each guilty of an offence.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (2) If a person attaches a tag to an animal indicating that the animal has a PID inserted in it and the animal does not have a PID inserted in it, the owner of the animal and any person who caused the tag to be so attached are each guilty of an offence.

Maximum penalty: \$5 000.

Expiation fee: \$315.

80—Removal and disposal of PIDs

- (1) A person must not remove a PID from an animal.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (2) Subregulation (1) does not apply—
 - (a) to an inspector or a person acting in the course of his or her duties at an abattoir; or
 - (b) to the removal of a non-functioning PID before its replacement with a functioning PID.

- (3) The operator of an abattoir must ensure that all PIDs removed from animals at the abattoir are, on a regular basis and in any event at least monthly—

- (a) destroyed; or
- (b) sent to an authorised recycler.

Maximum penalty: \$5 000.

Expiation fee: \$315.

- (4) Any other person who has possession of a PID in circumstances in which the person is not entitled to use the PID for the purposes of this Part must deal with or dispose of the PID in a manner approved by the Chief Inspector.

Maximum penalty: \$5 000.

Expiation fee: \$315.

81—Replacement of lost devices other than at livestock saleyards

- (1) If—

- (a) an animal has a PID attached to or inserted in it; and
- (b) the device is subsequently lost; and
- (c) a replacement PID is then attached to or inserted in the animal,

the person who attaches or inserts the replacement device must keep records which will enable the replacement device to be identified.

Maximum penalty: \$2 500.

Expiation fee: \$210.

- (2) A person must keep records required under subregulation (1) in relation to an animal for not less than 2 years after the date on which the animal dies or is otherwise disposed of by the person.
- (3) This regulation does not apply in relation to a replacement PID attached to an animal at a livestock saleyard under regulation 65.

82—Offence to alter or deface tags and devices

A person must not alter or deface an identification tag or PID that is attached to or inserted in an animal.

Maximum penalty: \$5 000.

Expiation fee: \$315.

83—Signing of vendor declarations

A person must not sign a vendor declaration in connection with the sale or proposed sale of livestock unless the person is, or was immediately before the sale or consignment of the livestock for sale—

- (a) the owner of the livestock; or
- (b) a person responsible for the husbandry of the livestock authorised by the owner to do so.

Maximum penalty: \$5 000.

Expiation fee: \$315.

84—False or misleading vendor declarations

A person must not make a statement that is false or misleading in a material particular (whether by reason of the inclusion or omission of any particular) in a vendor declaration.

Maximum penalty/expiation fee:

- (a) If the person made the statement knowing that it was false or misleading:

Maximum penalty—\$10 000.

- (b) In any other case:

Maximum penalty—\$5 000.

Expiation fee—\$315.

85—Chief Inspector may authorise acts otherwise prohibited under this Part

The Chief Inspector may authorise (in accordance with regulation 5) an act or activity that would otherwise be prohibited under this Part.

86—Records kept under this Part

A person who is required to keep a record under this Part must, at the request of an inspector or other person authorised in writing by the Chief Inspector, produce the record for inspection.

Maximum penalty: \$2 500.

Expiation fee: \$210.

Part 12—Fees

87—Fees

- (1) The fees payable under the Act and these regulations are set out in Schedule 3.
- (2) The Chief Inspector may waive or reduce a fee if the Chief Inspector considers it appropriate in the circumstances.

Schedule 1—Vaccines

Part 1—Class 1 vaccines

1—Class 1 vaccines

A class 1 vaccine is a preparation or substance capable of producing immunity in livestock to the following organisms or disease syndromes:

- (a) anthrax;
- (b) avian encephalomyelitis;
- (c) *Dichelobacter nodosus*;
- (d) Mareks disease;
- (e) rabies;
- (f) Shopes fibroma virus.

Part 2—Class 2 vaccines

2—Class 2 vaccines

A class 2 vaccine is a preparation or substance capable of producing immunity in livestock to the following organisms or disease syndromes:

- (a) bovine pestivirus;
- (b) *Campylobacter fetus* var *venerealis*;
- (c) canine adenovirus;
- (d) canine distemper;
- (e) canine calicivirus;
- (f) canine parainfluenza virus;
- (g) canine parvovirus;
- (h) canine staphylococcal dermatitis;
- (i) equine staphylococcal dermatitis;
- (j) feline calicivirus;
- (k) feline herpes virus;
- (l) feline panleukopaenia;
- (m) feline viral rhinotracheitis;
- (n) feline T-lymphocytic lentivirus;
- (o) infectious bovine rhinotracheitis;
- (p) infectious canine hepatitis;
- (q) Parainfluenza 3 virus;
- (r) Staphylococcal mastitis;
- (s) *Streptococcus equi*.

Schedule 2—Stock foods

Part 1—Prohibited substances

Hormones (whether a natural or synthetic product)
Hydroquinone
Phenothiazine
Phthalysulfacetamide
Piperazine and related compounds
Promazines
Reserpine
Sulfacetamide
Sulfacetamide sodium
Sulfachloropyridazine
Sulfafurazole
Sulfamethoxydiazine
Sulfamonomethoxine

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Schedule 2—Stock foods

Sulfanilimide

Sulfanitran

Sulfapyridine

Sulfathiazole

Thiofurfuran (except in stock food supplied for consumption by pigs)

Thiouracil

Part 2—Permitted levels of organochlorine pesticides

Substance	Permitted maximum level
Aldrin	0.01 ppm
Chlordane	0.01 ppm
DDT, DDD, DDE combined total	0.05 ppm
Dieldrin	0.01 ppm
Endrin	0.03 ppm
Heptachlor	0.02 ppm
Hexachlorobenzene (HCB)	0.01 ppm
Lindane (BHC)	0.10 ppm
Any combination of the above	0.10 ppm in aggregate

ppm = parts per million

Part 3—Permitted levels of certain antioxidants

Substance	Permitted maximum level
Butylated hydroxy toluene	100 ppm
Butylated hydroxy anisole	100 ppm
Ethoxyquin	150 ppm
Propyl gallate	100 ppm
Any combination of the above	150 ppm in aggregate

ppm = parts per million

Schedule 3—Fees

- | | | |
|---|---|---------|
| 1 | Application for registration or renewal of registration under section 17 of the Act as a beekeeper | \$23.60 |
| | No fee is payable under item 1 if the bees are kept for the purposes of instruction in an educational institution approved by the Chief Inspector. | |
| 2 | Application for registration or renewal of registration under section 17 of the Act as a deer keeper | \$76.00 |
| | If the term for which registration is to be granted or renewed is less than or more than 24 months, a pro rata adjustment is to be made to the amount of the fee under item 1 or 2 by applying the proportion that the number of whole months in the term bears to 24 months. | |

No registration fee is payable under item 2 if—		
	<ul style="list-style-type: none"> (a) the application is accompanied by an application for the allocation or renewal of a PIC for the land where the deer are or are to be kept; and (b) the proposed term of registration is no longer than the proposed term for which the PIC will be current; and (c) a fee is payable for the application for the allocation or renewal of the PIC that is not less than the fee that would be payable for registration apart from this provision. 	
3	Application for registration or renewal of registration of an artificial breeding centre	\$330.00
4	Application for registration or renewal of registration authorising an artificial breeding procedure (The same fee applies in relation to an applicant for, or for renewal of, registration authorising more than 1 category of artificial breeding procedure).	\$66.50
5	Application for registration or renewal of registration of a diagnostic laboratory	\$413.00
6	Late application fee for renewal of registration	\$39.25
7	Replacement certificate of registration	\$33.25
8	Application for allocation or renewal of identification code—for each code If the term for which the code is to be allocated or renewed is less than or more than 24 months, a pro rata adjustment is to be made to the amount of the fee under item 7 by applying the proportion that the number of whole months in the term bears to 24 months.	\$76.00
9	Late application fee for renewal of PIC	\$39.25
10	For an extract from the register of identification codes comprised of a PIC or associated pig tattoo code and related details—	
	(a) for each PIC	\$34.25
	(b) to a maximum of	\$183.00

Schedule 4—Revocation and transitional provisions

Part 1—Revocation of *Livestock Regulations 1998*

1—Revocation of *Livestock Regulations 1998*

The *Livestock Regulations 1998* are revoked.

Part 2—Transitional provisions

2—Interpretation

In this Part—

revoked regulations means the *Livestock Regulations 1998*.

3—HGP free declaration

An approval by the Chief Inspector of the form of a declaration for the purposes of the definition of *HGP free declaration* under the revoked regulations in force immediately before the commencement of this clause will be taken, on that commencement, to be an approval by the Chief Inspector of that matter for the purposes of the definition of *HGP free declaration* under these regulations.

4—HGP free invoice

An approval by the Chief Inspector of the form of an endorsement for the purposes of the definition of *HGP free invoice* under the revoked regulations in force immediately before the commencement of this clause will be taken, on that commencement, to be an approval by the Chief Inspector of that matter for the purposes of the definition of *HGP free invoice* under these regulations.

5—HGP free tag

A specification by the Chief Inspector in relation to the colour of a tag and any other requirement for the purposes of the definition of *HGP free tag* under the revoked regulations in force immediately before the commencement of this clause will be taken, on that commencement, to be a specification by the Chief Inspector in relation to those matters for the purposes of the definition of *HGP free tag* under these regulations.

6—National vendor declaration

A notice in the Gazette designating a vendor declaration in relation to animals of a particular type as a national vendor declaration for animals of that type for the purposes of the definition of *national vendor declaration* under the revoked regulations, in force immediately before the commencement of this clause will be taken, on that commencement, to be a notice in the Gazette in relation to that matter for the purposes of the definition of *national vendor declaration* under these regulations.

7—NLIS database manager

A notice in the Gazette designating a person as the NLIS database manager, for the purposes of the definition of *NLIS database manager* under the revoked regulations, in force immediately before the commencement of this clause will be taken, on that commencement, to be a notice in the Gazette in relation to that matter for the purposes of the definition of *NLIS database manager* under these regulations.

8—Sheep health statement

An approval by the Chief Inspector of a form of declaration about the health of sheep for the purposes of the definition of *sheep health statement* under the revoked regulations, in force immediately before the commencement of this clause will be taken, on that commencement, to be an approval by the Chief Inspector of that matter for the purposes of the definition of *sheep health statement* under these regulations.

9—Vendor declaration

An approval by the Chief Inspector of a vendor declaration form, for the purposes of the definition of *vendor declaration* under the revoked regulations, in force immediately before the commencement of this clause will be taken, on that commencement, to be an approval by the Chief Inspector of that matter for the purposes of the definition of *vendor declaration* under these regulations.

10—Authorisations

- (1) An authorisation of the Chief Inspector of a matter under regulation 5A of the revoked regulations and in force immediately before the commencement of this clause will be taken, on that commencement, to be an authorisation of the Chief Inspector of that matter under regulation 5 of these regulations.
- (2) The authorisation under these regulations is subject to the same conditions (if any) as the authorisation under the revoked regulations.

11—Annual honey testing for American Foul Brood

- (1) A notice issued by the Chief Inspector under regulation 5F of the revoked regulations and in force immediately before the commencement of this clause will be taken, on that commencement, to be a notice issued by the Chief Inspector under regulation 10 of these regulations.
- (2) An approval of a laboratory by the Chief Inspector under regulation 5F of the revoked regulations for the purpose of testing for the presence of American Foul Brood and in force immediately before the commencement of this clause will be taken, on that commencement, to be an approval by the Chief Inspector of the laboratory for that purpose under regulation 10 of these regulations.

12—Conditions of registration of artificial breeding centre

An approval by the Chief Inspector under regulation 8(b) of the revoked regulations in force immediately before the commencement of this clause in relation to—

- (a) the alteration or extension of premises; or
- (b) the use of the premises for procedures not authorised by the registration,

will be taken, on that commencement, to be an approval of the Chief Inspector in relation to those respective matters under regulation 18(b) of these regulations.

13—Conditions of registration of veterinary diagnostic laboratories

- (1) An approval by the Chief Inspector of a person or persons to supervise a laboratory under regulation 13(a) of the revoked regulations in force immediately before the commencement of this clause will be taken, on that commencement, to be an approval by the Chief Inspector of the person or persons to supervise the laboratory under regulation 23(a) of these regulations.
- (2) An approval by the Chief Inspector in relation to the movement of a laboratory sample or specimen under regulation 13(e) of the revoked regulations in force immediately before the commencement of this clause will be taken, on that commencement, to be an approval by the Chief Inspector in relation to that matter under regulation 23(e) of these regulations.

- (3) An approval by the Chief Inspector of a quality assurance program under regulation 13(g) of the revoked regulations in force immediately before the commencement of this clause will be taken, on that commencement, to be an approval by the Chief Inspector of the quality assurance program under regulation 23(g) of these regulations.

14—Sale or supply of vaccines

An approval by the Chief Inspector under regulation 15(1) of the revoked regulations in force immediately before the commencement of this clause of—

- (a) a person to whom a class 1 vaccine may be sold or supplied and the sale or supply of that vaccine; or
- (b) a person to whom a class 2 vaccine may be sold or supplied; or
- (c) the sale or supply of any other vaccine for use on livestock,

will be taken, on that commencement, to be an approval by the Chief Inspector of those matters under regulation 27(1) of these regulations.

15—Use of vaccines

An approval by the Chief Inspector under regulation 16 of the revoked regulations in force immediately before the commencement of this clause in relation to the use of a class 1 or class 2 vaccine will be taken, on that commencement, to be an approval by the Chief Inspector of that matter under regulation 28 of these regulations.

16—Prohibition on use of diagnostic agents

An approval by the Chief Inspector under regulation 18 of the revoked regulations in force immediately before the commencement of this clause in relation to the use of a diagnostic agent will be taken, on that commencement, to be an approval by the Chief Inspector in relation to that matter under regulation 30 of these regulations.

17—Approvals relating to restricted animal material

An approval by the Chief Inspector under regulation 37 or regulation 41 of the revoked regulations in force immediately before the commencement of this clause of a process in relation to restricted animal material from a placental mammal will be taken, on that commencement, to be an approval by the Chief Inspector in relation to that matter under regulation 38 or regulation 42 of these regulations.

18—PICs

A PIC allocated by the Chief Inspector under regulation 25 of the revoked regulations and active in relation to a place immediately before the commencement of this clause will be taken, on that commencement—

- (a) to be a current PIC in relation to that place allocated under regulation 52 of these regulations; and
- (b) to remain current in relation to that place for the remainder of the period for which it would have been active under regulation 25 of the revoked regulations immediately before that commencement.

19—Pig tattoo codes

A pig tattoo code allocated by the Chief Inspector under regulation 25B of the revoked regulations and active in relation to land (by means of an associated PIC for the land) immediately before the commencement of this clause will be taken, on that commencement, to be a current pig tattoo code in relation to that land allocated under regulation 54 of these regulations.

20—Stock agent identification codes

An identification code allocated by the Chief Inspector to a stock agent under regulation 25D of the revoked regulations and active immediately before the commencement of this clause will be taken, on that commencement, to be a current identification code allocated in relation to that stock agent under regulation 56 of these regulations.

21—Register of PICs and pig tattoo codes

The register of property identification codes maintained under regulation 25F of the revoked regulations immediately before the commencement of this clause continues, on that commencement, as the register of PICs under regulation 58 of these regulations.

22—Approval of default code or default deceased code

- (1) An approval by the Chief Inspector of an identification code as a default code under regulation 27D(1)(b)(ii)(C) of the revoked regulations in force immediately before the commencement of this clause will be taken, on that commencement, to be an approval of that matter under regulation 64(1)(b)(ii)(C) of these regulations.
- (2) An approval by the Chief Inspector under regulation 27EA(1) of the revoked regulations of an identification code as a default deceased code in force immediately before the commencement of this clause will be taken, on that commencement, to be an approval of that matter under regulation 66(1) of these regulations.

23—Identification of animal at abattoir must be possible until fitness for human consumption assessed

An approval by the Chief Inspector of a post-slaughter procedure under regulation 27EF of the revoked regulations in force immediately before the commencement of this clause will be taken, on that commencement, to be an approval of that matter under regulation 70 of these regulations.

24—Identification of pigs

An approval by the Chief Inspector of a kind of paste or ink (for a tattoo) under regulation 27FA(2)(c) of the revoked regulations in force immediately before the commencement of this clause will be taken, on that commencement, to be an approval of that matter under regulation 72(2)(c) of these regulations.

25—Breeder and post-breeder devices

An approval by the Chief Inspector of a device as a breeder device or a post-breeder device under regulation 28 of the revoked regulations in force immediately before the commencement of this clause will be taken, on that commencement, to be an approval of that matter under regulation 75 of these regulations.

26—Supply of tags and devices

An approval by the Chief Inspector of a manner of validation of an order form under regulation 29B of the revoked regulations in force immediately before the commencement of this clause will be taken, on that commencement, to be an approval of that matter under regulation 77 of these regulations.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 1 August 2013

No 197 of 2013

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