

Queensland



*Brands Act 1915*

# **BRANDS REGULATION 1998**

**Reprinted as in force on 3 July 1998  
(regulation not amended up to this date)**

**Reprint No. 1**

This reprint is prepared by  
the Office of the Queensland Parliamentary Counsel  
Warning—This reprint is not an authorised copy

## **Information about this reprint**

This regulation is reprinted as at 3 July 1998.

**See endnotes for information about when provisions commenced.**

Queensland



**BRANDS REGULATION 1998**

**TABLE OF PROVISIONS**

Section		Page
	<b>PART 1—PRELIMINARY</b>	
1	Short title .....	3
	<b>PART 2—DISTRICTS</b>	
2	Districts under Act, s 4(2) .....	3
	<b>PART 3—BRANDS AND EARMARKS</b>	
	<i>Division 1—Shapes, patterns and positions</i>	
3	Cattle earmarks .....	3
4	Horse and cattle brands .....	4
5	Sheep earmarks .....	4
6	Sheep brands .....	4
7	Pig brands .....	5
	<i>Division 2—Cancellation</i>	
8	Cancellation .....	5
	<b>PART 4—MISCELLANEOUS</b>	
9	Fees .....	6
10	Repeal .....	6
	<b>SCHEDULE 1</b> .....	7
	<b>SHAPES AND PATTERNS OF CATTLE EARMARKS</b>	
	<b>SCHEDULE 2</b> .....	8
	<b>POSITION OF CATTLE EARMARKS</b>	
	<b>SCHEDULE 3</b> .....	9
	<b>SHAPES AND PATTERNS OF HORSE AND CATTLE BRANDS</b>	
	<b>SCHEDULE 4</b> .....	10
	<b>SHAPES AND PATTERNS OF SHEEP EARMARKS</b>	

	<b>SCHEDULE 5</b> .....	13
	<b>POSITION OF SHEEP EARMARKS</b>	
	<b>SCHEDULE 6</b> .....	14
	<b>SHAPES AND PATTERNS OF PIG BRANDS</b>	
	<b>SCHEDULE 7</b> .....	15
	<b>FEES</b>	
	<b>ENDNOTES</b>	
1	Index to endnotes .....	16
2	Date to which amendments incorporated .....	16
3	Key .....	16
4	List of legislation .....	17
5	List of annotations .....	17

# BRANDS REGULATION 1998

[reprinted as in force on 3 July 1998]

## PART 1—PRELIMINARY

### Short title

1. This regulation may be cited as the *Brands Regulation 1998*.

## PART 2—DISTRICTS

### Districts under Act, s 4(2)

2. The districts appointed under section 4(2)(a)<sup>1</sup> of the Act are the districts shown on copies of miscellaneous plans M.391 and M.392 held by the registrar.<sup>2</sup>

## PART 3—BRANDS AND EARMARKS

### *Division 1—Shapes, patterns and positions*

### Cattle earmarks

- 3.(1) The shapes and patterns for cattle earmarks that may be allotted and

---

<sup>1</sup> Section 4 (Officers and districts) of the Act

<sup>2</sup> Copies of the plans are available for inspection at the registrar's office at 80 Ann Street, Brisbane.

registered under section 6(1)<sup>3</sup> of the Act are in schedule 1.

(2) For section 6C(3)<sup>4</sup> of the Act, the prescribed positions of cattle earmarks are in schedule 2.

### **Horse and cattle brands**

4. The shapes and patterns for horse and cattle brands that may be allotted and registered under section 6(1) of the Act are in schedule 3.<sup>5</sup>

### **Sheep earmarks**

5.(1) The shapes and patterns for sheep earmarks<sup>6</sup> that may be allotted and registered under section 10(1)<sup>7</sup> of the Act are in schedule 4.

(2) A sheep earmark must be made in the off side ear of male sheep and goats or in the near side ear of female sheep and goats.

(3) The earmark must be made on the ear in a position described in schedule 5.

### **Sheep brands**

6.(1) A sheep brand that may be allotted and registered under section 10(1) of the Act must consist of—

- (a) 1 or 2 letters of the alphabet; or
- (b) 1 or 2 numerals; or
- (c) 1 letter and 1 numeral; or

---

<sup>3</sup> Section 6 (Registration of horse and cattle brands and cattle earmarks) of the Act

<sup>4</sup> Section 6C (Cattle earmarks) of the Act

<sup>5</sup> For the position of the brands, see section 7 (Order of branding horses, camels and cattle) of the Act.

<sup>6</sup> Section 3 (Definitions) of the Act—

‘**“sheep earmark”** means any registered mark or cut upon the ear of sheep or upon goats.’.

<sup>7</sup> Section 10 (Registration of sheep brands and marks) of the Act

(d) a sign or symbol.<sup>8</sup>

(2) In subsection (1)—

“**numeral**” means a whole number from 0 to 9, both inclusive.

### **Pig brands**

7. The shapes and patterns for pig brands that may be allotted and registered under section 11A(1)<sup>9</sup> of the Act are in schedule 6.<sup>10</sup>

## *Division 2—Cancellation*

### **Cancellation**

8.(1) The registrar may, with the Minister’s approval, cancel a registered brand or earmark if its registered owner has within 5 years been convicted of a disqualifying offence.

(2) In subsection (1)—

“**disqualifying offence**” means an offence—

(a) against the following provisions of the Criminal Code—

(i) section 444B(1);<sup>11</sup>

(ii) section 445(1);<sup>12</sup>

(iii) section 447(1);<sup>13</sup>

(iv) section 448(1);<sup>14</sup> or

(b) committed outside the State if the act or omission that formed the

---

<sup>8</sup> For the position of a sheep brand, see section 10(3) to (3C) of the Act.

<sup>9</sup> Section 11A (Registration of pig brands) of the Act

<sup>10</sup> For the position of a pig brand, see section 11A(5) of the Act.

<sup>11</sup> Criminal Code, section 444B (Using registered brands with criminal intention)

<sup>12</sup> Criminal Code, section 445 (Unlawfully using cattle)

<sup>13</sup> Criminal Code, section 447 (Illegal branding)

<sup>14</sup> Criminal Code, section 448 (Defacing brands)

offence would have been an offence mentioned in paragraph (a) had the act or omission happened in the State.

## **PART 4—MISCELLANEOUS**

### **Fees**

**9.** The fees payable under the Act are in schedule 7.

### ***Repeal***

**10.(1)** *The subordinate legislation made under the Act, other than this regulation, is repealed.*

**(2)** *This section expires the day after it commences.*<sup>15</sup>

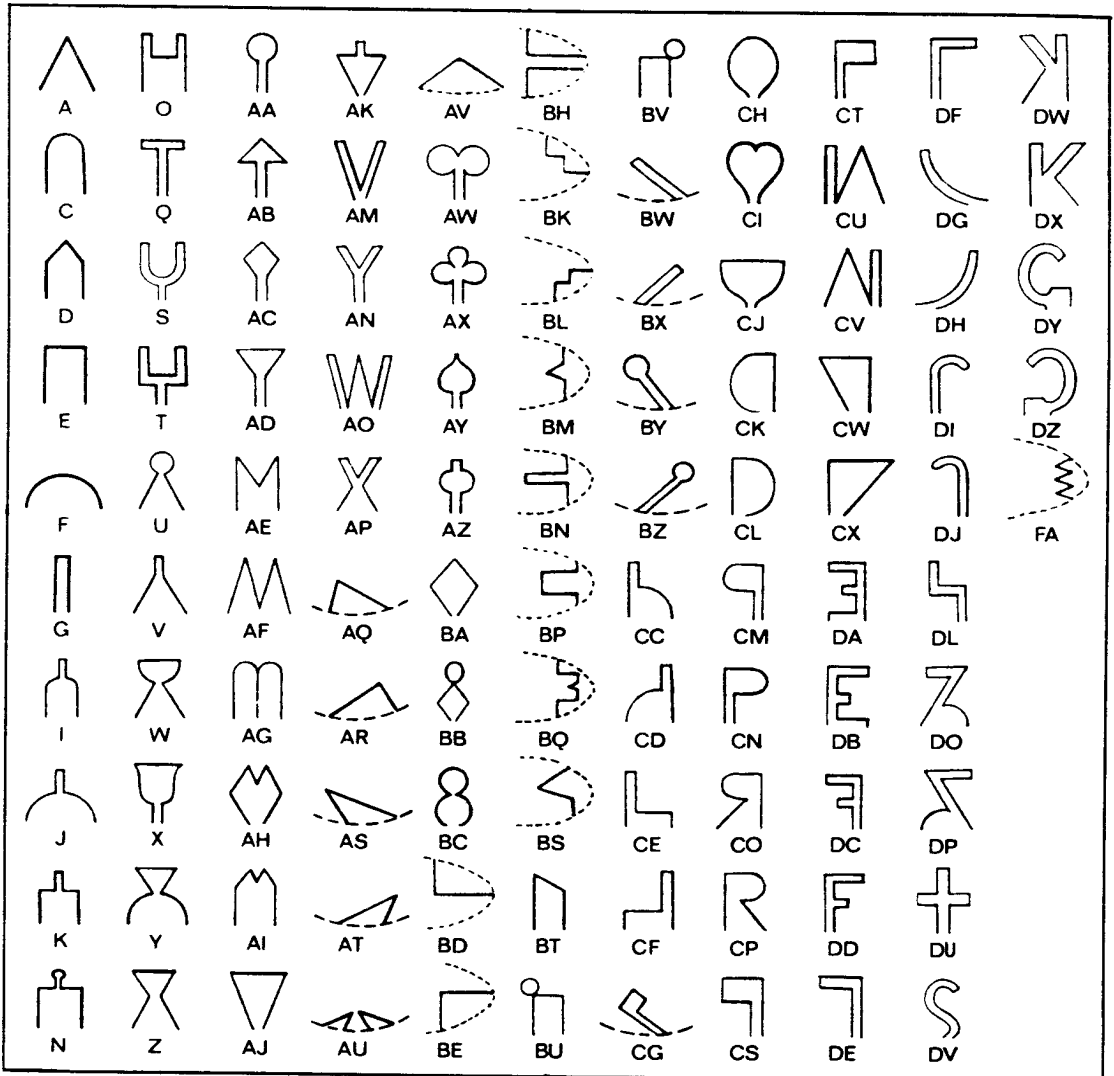
---

<sup>15</sup> This provision has expired and is included in this reprint for informational purposes only. It will be omitted in the next reprint.

# SCHEDULE 1

## SHAPES AND PATTERNS OF CATTLE EARMARKS

section 3(1)



**SCHEDULE 2****POSITION OF CATTLE EARMARKS**

section 3(2)

Position 1—The front or top of the off side ear

Position 2—The point of the off side ear

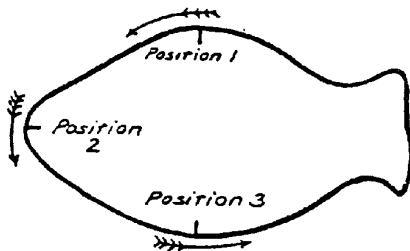
Position 3—The back or bottom of the off side ear

Position 5—The front or top of the near side ear

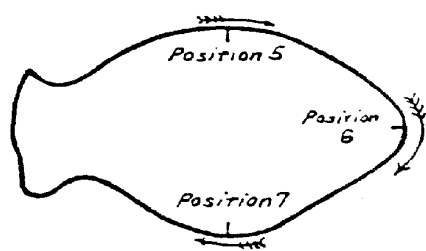
Position 6—The point of the near side ear

Position 7—The back or bottom of the near side ear

**off side ear**



**near side ear**



## SCHEDULE 3

## SHAPES AND PATTERNS OF HORSE AND CATTLE BRANDS



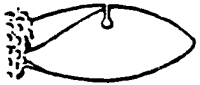
















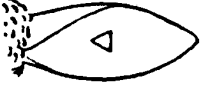




section 4

Series	Description and Arrangement	Brand Components
A	Original registration of three-piece horse and cattle brands consisting of 2 letters and 1 numeral all in the upright position	A B C D E F G H J K L M N $\odot$ P Q R S T U V W X Y Z 0 1 2 3 4 5 6 7 8 9
B	Original registration of three-piece horse and cattle brands consisting of 2 letters and 1 numeral with the second letter horizontal falling to the right	A B G D E F G H J K L M N P Q R S T U Y W Y Z 0 1 2 3 4 5 6 7 8 9
C	Original registration of three-piece horse and cattle brands consisting of 2 letters and 1 numeral all in the upright position	A B C D E F G H J K L M N O P Q R S T U V W X Y Z 0 1 2 3 4 5 6 7 8 9
E	Subsequent registration of any three-piece horse and cattle brand originally registered as Series A, B, C, F, G, H, or M which has been surrendered or cancelled and which may be re-registered	As originally registered
F	Original registration of three-piece horse and cattle brands consisting of 2 letters and 1 numeral with the first letter horizontal falling to the left	As specified for Series B
G	Original registration of three-piece horse and cattle brands consisting of 2 letters and 1 device or 1 letter 1 numeral and 1 device	As specified for Series A plus the devices $\diamond$ , $\heartsuit$ , $\spadesuit$ , $\clubsuit$ except that the letter X must be used instead of the letter >X and that the letter $\odot$ must not be used
H	Original registration of three-piece horse and cattle brands consisting of 2 letters and 1 device or 1 letter 1 numeral and 1 device	As specified for Series A plus the devices $\uparrow$ , $\wedge$ , $\cap$ , $\nabla$ except that the letter X must be used instead of the letter >X and that the letter $\odot$ must not be used
M	Original registration of three-piece horse and cattle brands consisting of 3 letters all in the upright position	As specified for Series A except that the letter X must be used instead of the letter >X and the letters $\odot$ and $\nabla$ must not be used












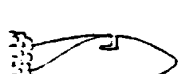



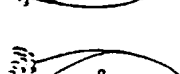


















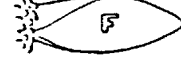







**SCHEDULE 4**

**SHAPES AND PATTERNS OF SHEEP EARMARKS**






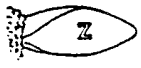














































section 5(1)

<b>A</b>		<b>L</b>		<b>T</b>	
<b>B</b>		<b>M</b>		<b>U</b>	
<b>C</b>		<b>N</b>		<b>V</b>	
<b>F</b>		<b>O</b>		<b>W</b>	
<b>C</b>		<b>P</b>		<b>X</b>	
<b>I</b>		<b>Q</b>		<b>Y</b>	
<b>J</b>		<b>R</b>		<b>Z</b>	
<b>K</b>		<b>S</b>		<b>AA</b>	

SCHEDULE 4 (continued)

AB		AQ		BE	
AC		AR		BF	
AD		AS		BG	
AE		AT		BH	
AF		AU		BI	
AG		AV		BJ	
AH		AW		BK	
AI		AX		BL	
AJ		AY		BM	
AK		AZ		BN	
AL		BA		BO	
AM		BB		BP	
AN		BC		BQ	
AO		BD		BR	

SCHEDULE 4 (continued)

BS		CC		CW		DK	
BT		CH		CX		DL	
BU		CK		CY		DM	
BV		CL		CZ		DN	
BW		CM		DA		DO	
BX		CN		DB		DP	
BY		CO		DC		DQ	
BZ		CP		DD		DT	
CA		CQ		DE		DU	
CB		CR		DF		DV	
CC		CS		DG			
CD		CT		DH			
CE		CU		DI			
CF		CV		DJ			

**SCHEDULE 5****POSITION OF SHEEP EARMARKS**

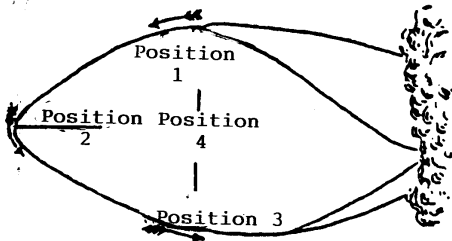
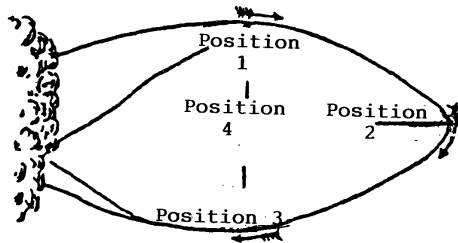
section 5(3)

Position 1—Front or top of the ear

Position 2—Point of the ear

Position 3—Back or bottom of the ear

Position 4—Centre of the ear

**off side ear****near side ear**

## SCHEDULE 6

### SHAPES AND PATTERNS OF PIG BRANDS

section 7

Series	Description and Arrangement	Brand Components
P Style 1	Original registration of pig brand consisting of the numeral 4 followed by 3 letters all in the upright position	A B C D E F G H J K L M N O P R S T U V X Y Z 4
P Style 2	Original registration of pig brand consisting of the numeral 4 followed by 3 letters with the second letter horizontal falling to the right	As specified for Series P Style 1 except that the letters D, G, N, O, X & Z must not be used
P Style 3	Original registration of pig brand consisting of the numeral 4 followed by 3 letters the third letter horizontal falling to the left	As specified for Series P Style 2
Q	Subsequent registration of any pig brand originally registered Series P which has been surrendered, or cancelled and which may be re-registered.	As originally registered

**SCHEDULE 7****FEES**

	section 9
	\$
1. Registration of a horse and cattle 3 piece brand . . . . .	58.00
2. Registration of a cattle earmark . . . . .	58.00
3. Registration of a horse and cattle symbol brand . . . . .	168.00
4. Transfer of a horse and cattle 3 piece brand . . . . .	28.00
5. Transfer of a horse and cattle symbol brand . . . . .	28.00
6. Registration of a pig brand . . . . .	28.00
7. Transfer of a pig brand . . . . .	28.00
8. Registration of a sheep letter/numeral fire brand . . . . .	58.00
9. Registration of a sheep letter/numeral paint brand . . . . .	58.00
10. Registration of a sheep symbol fire brand . . . . .	63.00
11. Registration of a sheep symbol paint brand . . . . .	63.00
12. Registration of a sheep earmark . . . . .	58.00
13. Transfer of a sheep letter/numeral fire brand . . . . .	28.00
14. Transfer of a sheep letter/numeral paint brand . . . . .	28.00
15. Transfer of a sheep symbol fire brand . . . . .	28.00
16. Transfer of a sheep symbol paint brand . . . . .	28.00
17. Transfer of a sheep earmark . . . . .	28.00

## ENDNOTES

### 1 Index to endnotes

		Page
2	Date to which amendments incorporated . . . . .	16
3	Key . . . . .	16
4	List of legislation . . . . .	17
5	List of annotations . . . . .	17

### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). However, no amendments have commenced operation on or before that day. Future amendments of the Brands Regulation 1998 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

### 3 Key

#### Key to abbreviations in list of legislation and annotations

AIA	=	Acts Interpretation Act 1954	prev	=	previous
amd	=	amended	(prev)	=	previously
amdt	=	amendment	proc	=	proclamation
ch	=	chapter	prov	=	provision
def	=	definition	pt	=	part
div	=	division	pubd	=	published
exp	=	expires/expired	R[X]	=	Reprint No.[X]
gaz	=	gazette	RA	=	Reprints Act 1992
hdg	=	heading	reloc	=	relocated
ins	=	inserted	renum	=	renumbered
lap	=	lapsed	rep	=	repealed
notfd	=	notified	s	=	section
o in c	=	order in council	sch	=	schedule
om	=	omitted	sdiv	=	subdivision
p	=	page	SIA	=	Statutory Instruments Act 1992
para	=	paragraph	SL	=	subordinate legislation
prec	=	preceding	sub	=	substituted
pres	=	present	unnum	=	unnumbered

## **4 List of legislation**

### **Brands Regulation 1998 SL No. 137**

made by the Governor in Council on 14 May 1998  
notfd gaz 15 May 1998 p 311–16  
commenced on date of notification  
exp 14 May 2008 (see SIA s 54)

## **5 List of annotations**

### **Repeal**

**s 10** exp 16 May 1998 (see s 10(2))