



Queensland

*Brands Act 1915*

# Brands Regulation 1998

Reprinted as in force on 29 November 2004  
(includes commenced amendments up to 2004 SL No. 231)

Reprint No. 2C

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# Information about this reprint

This regulation is reprinted as at 29 November 2004. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 have also been made to use aspects of format and printing style consistent with current drafting practice (s 35).

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

**Also see endnotes for information about—**

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

## **Dates shown on reprints**

**Reprints dated at last amendment** All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

**Replacement reprint date** If the date of a hard copy reprint is the same as the date shown on another hard copy reprint it means that one is the replacement of the other.



## Queensland

# Brands Regulation 1998

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## **Brands Regulation 1998**

[as amended by all amendments that commenced on or before 29 November 2004]

### **Part 1 Preliminary**

#### **1 Short title**

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

### **Part 2 Districts**

#### **2 Districts under Act, s 4(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>

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1 Section 4 (Officers and districts) of the Act

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

## Part 3 Brands and earmarks

### Division 1 Shapes, patterns and positions

#### 3 Cattle earmarks

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

#### 4 Horse and cattle brands

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>

#### 5 Sheep earmarks

- (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.

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3 Section 6 (Registration of horse and cattle brands and cattle earmarks) of the Act

4 Section 6C (Cattle earmarks) of the Act

5 For the position of the brands, see section 7 (Branding horses, camels and cattle) of the Act.

6 Section 3 (Definitions) of the Act—

*sheep earmark* means any registered mark or cut upon the ear of sheep or upon any goats.

7 Section 10 (Registration and position of sheep brands and marks) of the Act

**6 Sheep brands**

- (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
  - (d) a sign or symbol.<sup>8</sup>
- (2) In subsection (1)—
- numeral* means a whole number from 0 to 9, both inclusive.

**7 Pig brands**

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****8 Cancellation**

- (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>

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

9 Section 11A (Registration of pig brands) of the Act

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

11 Criminal Code, section 444B (Using registered brands with criminal intention)

12 Criminal Code, section 445 (Unlawfully using stock)

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

## **Part 4                      Miscellaneous**

### **9              Fees**

The fees payable under the Act are in schedule 7.

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13 Criminal Code, section 447 (Illegal branding)

14 Criminal Code, section 448 (Defacing brands)

# 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

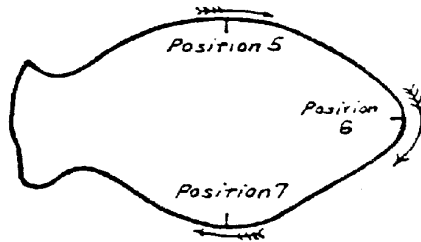
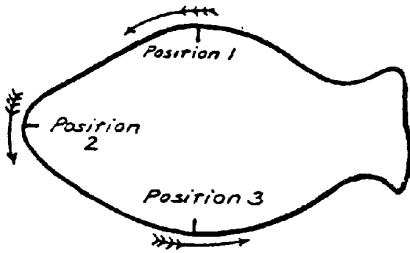
Position 2—The point of the off side ear

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



























## Schedule 3 Shapes and patterns of horse and cattle brands

section 4





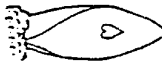










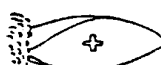
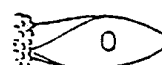








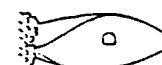






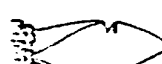

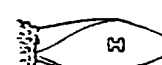
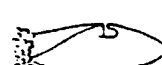

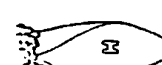
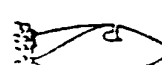


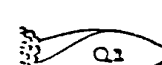
Series	Description and Arrangement	Brand Components
A	Original registration of three-piece horse and cattle brands consisting of 2 letters and 1 numeral all in the upright position	A B C D E F G H J K L M N O P Q R S T U V W X Y Z 0 1 2 3 4 5 6 7 8 9
B	Original registration of three-piece horse and cattle brands consisting of 2 letters and 1 numeral with the second letter horizontal falling to the right	A B C D E F G H J K L M N P Q R S T U V 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 $\diamond$ , $\heartsuit$ , $\spadesuit$ , $\dagger$ except that the letter X must be used instead of the letter >< 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 $\ddagger$ , $\lambda$ , $\cap$ , $\nabla$ except that the letter X must be used instead of the letter >< 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 >< and the letters $\odot$ and $\text{T}$ must not be used

**Schedule 4 Shapes and patterns of sheep earmarks**






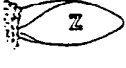






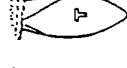




































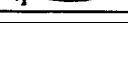
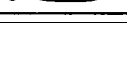
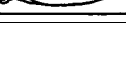
section 5(1)

<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>G</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**

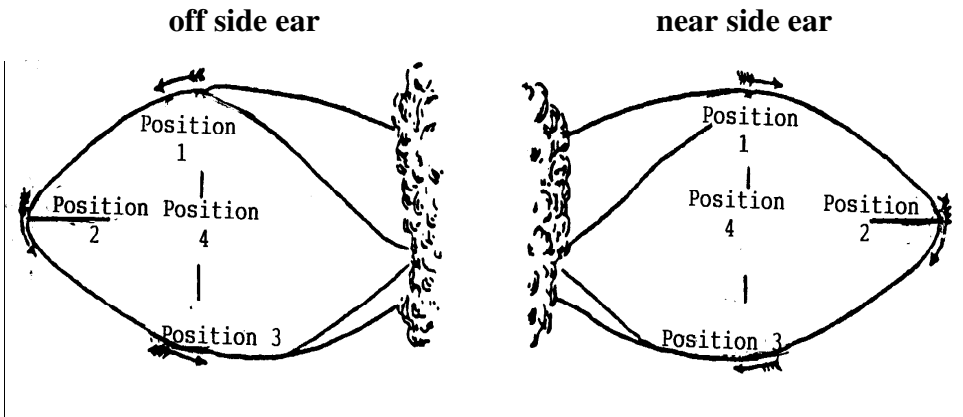
section 5(3)

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



## 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

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## **Schedule 7      Fees**

section 9

	<b>\$</b>
1 Registration of a 3-piece horse and cattle brand . . . . .	66.35
2 Registration of a cattle earmark. . . . .	66.35
3 Registration of a symbol brand . . . . .	192.25
4 Transfer of a 3-piece horse and cattle brand . . . . .	31.95
5 Transfer of a symbol brand . . . . .	31.95
6 Registration of a pig brand . . . . .	31.95
7 Transfer of a pig brand. . . . .	31.95
8 Registration of a letter or numeral fire brand . . . . .	66.35
9 Registration of a letter or numeral paint brand . . . . .	66.35
10 Registration of a symbol fire brand . . . . .	72.05
11 Registration of a symbol paint brand. . . . .	72.05
12 Registration of a sheep earmark . . . . .	66.35
13 Transfer of a letter or numeral fire brand. . . . .	31.95
14 Transfer of a letter or numeral paint brand . . . . .	31.95
15 Transfer of a symbol fire brand . . . . .	31.95
16 Transfer of a symbol paint brand. . . . .	31.95
17 Transfer of a sheep earmark. . . . .	31.95

## Endnotes

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### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 29 November 2004. 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

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No.[X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
o in c	= order in council	s	= section
om	= omitted	sch	= schedule
orig	= original	sdiv	= subdivision
p	= page	SIA	= Statutory Instruments Act 1992
para	= paragraph	SIR	= Statutory Instruments Regulation 2002
prec	= preceding	SL	= subordinate legislation
pres	= present	sub	= substituted
prev	= previous	unnum	= unnumbered

## 4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Reprint date
1	none	15 May 1998	3 July 1998
1A	to 2000 SL No. 169	1 July 2000	4 July 2000
2	to 2001 SL No. 177	28 September 2001	2 November 2001 (Column discontinued) Notes
2A	to 2002 SL No. 351	13 December 2002	
2B	to 2003 SL No. 239	4 November 2003	
2C	to 2004 SL No. 231	29 November 2004	

## 5 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 1 September 2008 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

### **Primary Industries Legislation Amendment Regulation (No. 1) 2000 SL No. 169**

**pts 1, 3**

notfd gaz 30 June 2000 pp 736–48

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2000 (see s 2)

### **Primary Industries Legislation Amendment Regulation (No. 1) 2001 SL No. 177**

**pts 1, 4**

notfd gaz 28 September 2001 pp 328–30

commenced on date of notification

### **Primary Industries Legislation Amendment Regulation (No. 2) 2002 SL No. 351**

**pts 1, 4**

notfd gaz 13 December 2002 pp 1266–69

commenced on date of notification

### **Primary Industries Legislation Amendment Regulation (No. 1) 2003 SL No. 239**

**pts 1, 3**

notfd gaz 3 October 2003 pp 382–5

ss 1–2 commenced on date of notification

remaining provisions commenced 4 November 2003 (see s 2)

**Primary Industries Legislation Amendment Regulation (No. 1) 2004 SL No. 231  
pts 1, 5**

notfd gaz 29 October 2004 pp 734–7

ss 1–2 commenced on date of notification

remaining provisions commenced 29 November 2004 (see s 2)

**6 List of annotations****Repeal**

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

**SCHEDULE 7—FEES**

sub 2000 SL No. 169 s 6; 2001 SL No. 177 s 7; 2002 SL No. 351 s 8; 2003 SL  
No. 239 s 6; 2004 SL No. 231 s 10