



Queensland

*Stock Act 1915*

# Stock Identification Regulation 2005

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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.

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.**

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Queensland

# Stock Identification Regulation 2005

## Contents

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		Page
<b>Part 1</b>	<b>Preliminary</b>	
<b>Division 1</b>	<b>Introduction</b>	
1	Short title . . . . .	9
2	Commencement . . . . .	9
3	Purposes of regulation and their achievement . . . . .	9
<b>Division 2</b>	<b>Interpretation</b>	
<b>Subdivision 1</b>	<b>Dictionary</b>	
4	Definitions . . . . .	10
<b>Subdivision 2</b>	<b>Key definitions</b>	
5	What are designated stock . . . . .	10
6	What is the threshold number of designated stock . . . . .	10
7	What is a registrable place . . . . .	10
7A	What is a stock transit facility . . . . .	11
<b>Part 2</b>	<b>Registration of holdings and other places</b>	
<b>Division 1</b>	<b>The register</b>	
9	Chief inspector's obligation to keep register . . . . .	12
10	Information required to be registered . . . . .	12
11	Deciding chemical residue status, disease status or HGP status . . . . .	12
12	Correction and updating of register . . . . .	13
13	Evidentiary aids for register . . . . .	14
<b>Division 2</b>	<b>Access to the register</b>	
14	Power to disclose registered information to approved NLIS administrator . . . . .	14
15	Public access to register . . . . .	15
<b>Division 3</b>	<b>Registration of registrable places</b>	
<b>Subdivision 1</b>	<b>Who must or may apply for registration</b>	
16	When owner of registrable place must apply for registration . . . . .	16

17	Approval for particular registrable places to remain unregistered	17
18	Owner of registrable place may apply for registration even if not required	17
<b>Subdivision 2</b>	<b>Applying for and obtaining registration</b>	
19	Applying for registration	17
20	Deciding application	18
21	Provisions for the PIC for registrable place	18
<b>Subdivision 3</b>	<b>Discretionary registration</b>	
22	Chief inspector may register registrable place	19
23	Special purpose PIC	20
<b>Subdivision 4</b>	<b>Transfer of registration</b>	
24	New owner's obligation to give notice of transfer	20
25	Deciding PIC for transferred place	21
<b>Subdivision 5</b>	<b>Deregistration</b>	
26	Owner may apply to deregister	21
<b>Part 3</b>	<b>General provisions for the stock identification system</b>	
<b>Division 1</b>	<b>Approval of tags and their purposes</b>	
27	Chief inspector's power to approve tags	22
28	Types of approved tags and their purposes	23
<b>Division 2</b>	<b>Dealings relating to approved tags</b>	
29	Approval required to manufacture tag for use as an approved tag	24
30	Obtaining approval to manufacture approved tags	24
31	Restrictions on supplying and buying approved tag	25
32	Record-keeping obligations of supplier of approved tags	25
<b>Division 3</b>	<b>General prohibitions, restrictions and requirements relating to approved tags</b>	
<b>Subdivision 1</b>	<b>Provisions for all approved tags</b>	
33	Restrictions on altering or defacing or destroying approved tag	26
34	Prohibition on applying tag other than an approved tag	27
<b>Subdivision 2</b>	<b>Permanent tags</b>	
35	Restrictions on applying permanent tag to cattle	27
36	Restrictions on removing permanent tag	27
37	Restrictions on recycling or reusing permanent tag	29
38	Requirement to destroy removed permanent tag	29
<b>Subdivision 3</b>	<b>Temporary tags</b>	
39	Restrictions on removing transaction tag or HGP free tag	29
40	Restrictions on removing saleyard tag	30

<b>Division 4</b>	<b>Miscellaneous provisions</b>	
41	Approval to use different PIC for permanent tags for cattle, goats, pigs or sheep . . . . .	30
42	Prohibition on giving approved NLIS administrator false or misleading information about particular matters. . . . .	30
<b>Part 4</b>	<b>Obligations of owners of travelling cattle</b>	
<b>Division 1</b>	<b>Preliminary</b>	
43	Operation of pt 4. . . . .	31
44	How approved tags must be applied to cattle. . . . .	31
45	When obligation to apply an approved tag must be complied with . . . . .	32
<b>Division 2</b>	<b>Identification requirements</b>	
46	Cattle first travelled from their place of birth. . . . .	33
47	Other travelling of cattle . . . . .	34
48	Transaction tag requirements. . . . .	35
49	Additional requirement for bolus ear tag if applied permanent tag of another type is a rumen bolus . . . . .	35
<b>Division 3</b>	<b>When particular identification requirements do not apply or are modified</b>	
<b>Subdivision 1</b>	<b>Preliminary</b>	
50	Operation of div 3. . . . .	36
<b>Subdivision 2</b>	<b>When identification requirements do not apply at all</b>	
51	Temporary travel to neighbouring holding . . . . .	36
52	Travel to neighbouring holding for tagging for other travel . . . . .	37
<b>Subdivision 4</b>	<b>When cattle need not bear a transaction tag</b>	
54	Cattle further travelled within 40 days . . . . .	37
<b>Subdivision 5</b>	<b>Travel approvals</b>	
55	Travel under travel approval . . . . .	38
<b>Part 5</b>	<b>Obligations of owners of travelling goats</b>	
<b>Division 1</b>	<b>Preliminary</b>	
56	Operation of pt 5. . . . .	38
57	How approved tag must be applied to goats . . . . .	38
58	When obligation to apply an approved tag must be complied with . . . . .	38
<b>Division 2</b>	<b>Identification requirements</b>	
<b>Subdivision 1</b>	<b>Harvested feral goats</b>	
59	Identification requirement for harvested feral goats travelled directly to depot . . . . .	39

---

<b>Subdivision 2</b>	<b>Farmed goats</b>	
60	What are farmed goats . . . . .	40
61	Pure farmed goats travelled from their place of birth . . . . .	41
62	Other travelling of pure farmed goats . . . . .	42
63	Other farmed goats—first travel from place of farming . . . . .	42
64	Other travel of farmed goats . . . . .	43
<b>Division 3</b>	<b>When requirements about identification do not apply</b>	
<b>Subdivision 1</b>	<b>Requirements under division 2</b>	
65	Meat processing facility sales of particular farmed goats . . . . .	44
66	Temporary travel to neighbouring holding . . . . .	45
67	Travel to and from sporting event . . . . .	45
<b>Subdivision 2</b>	<b>Travel approvals</b>	
67A	Travel under travel approval . . . . .	45
<b>Part 5A</b>	<b>Obligations of owners of travelling pigs</b>	
<b>Division 1</b>	<b>Identification requirements</b>	
67B	Pigs first travelled from their place of birth . . . . .	45
67C	Other travelling of pigs . . . . .	46
67D	How approved tag must be applied to pigs . . . . .	46
67E	When requirement must be complied with . . . . .	47
<b>Division 2</b>	<b>When requirements about identification do not apply</b>	
<b>Subdivision 1</b>	<b>Requirements under division 1</b>	
67F	Travel without ownership change . . . . .	47
67G	Temporary travel to neighbouring holding . . . . .	47
67H	Travel to and from sporting event . . . . .	48
<b>Subdivision 2</b>	<b>Travel approvals</b>	
67I	Travel under travel approval . . . . .	48
<b>Part 5B</b>	<b>Obligations of owners of travelling sheep</b>	
<b>Division 1</b>	<b>Preliminary</b>	
67J	Operation of pt 5B . . . . .	48
67K	How approved tag must be applied to sheep . . . . .	48
67L	When obligation to apply an approved tag must be complied with . . . . .	49
<b>Division 2</b>	<b>Identification requirements</b>	
67M	Sheep first travelled from their place of birth . . . . .	49
67N	Other travelling of sheep . . . . .	50

<b>Division 3</b>	<b>When requirements about identification do not apply</b>	
<b>Subdivision 1</b>	<b>Requirements under division 2</b>	
67O	Particular meat processing facility sales . . . . .	51
67P	Temporary travel to neighbouring holding . . . . .	51
67Q	Travel to and from sporting event . . . . .	51
<b>Subdivision 2</b>	<b>Travel approvals</b>	
67R	Travel under travel approval . . . . .	52
<b>Part 5C</b>	<b>Travel approvals for cattle, goats, pigs or sheep</b>	
67S	Power to grant travel approval . . . . .	52
67T	Who may apply . . . . .	52
67U	Requirements for application . . . . .	52
67V	Deciding application . . . . .	53
<b>Part 6</b>	<b>Obligations of persons receiving any travelling cattle or untagged sheep</b>	
<b>Division 1</b>	<b>Cattle with an approved tag</b>	
68	Application and operation of div 1 . . . . .	53
69	General obligations if relevant place of destination is not a stock transit facility . . . . .	54
70	Obligations if relevant place of destination is a stock transit facility . . . . .	55
71	Additional obligation of selling agent if permanent tag is malfunctioning . . . . .	56
72	Additional obligations for out-going cattle at saleyard or particular live export holdings . . . . .	57
74	Additional obligations of meat processing facility owners . . . . .	58
75	Owner's obligation to remove transaction tag of cattle travelled from relevant place of destination . . . . .	58
<b>Division 2</b>	<b>Untagged cattle or sheep</b>	
<b>Subdivision 1</b>	<b>Obligation of particular persons to give inspector notice of particular consignments</b>	
76	Obligation to notify . . . . .	59
<b>Subdivision 2</b>	<b>Further obligations of saleyard selling agents</b>	
77	Application of sdiv 2 . . . . .	60
78	Obligation to ensure cattle, goats, pigs or sheep bear a saleyard post-breeder tag . . . . .	60
79	Record-making and notification obligations . . . . .	60
80	Record-keeping obligations . . . . .	61
<b>Subdivision 3</b>	<b>Further obligations of meat processing facility owners</b>	
81	Obligation not to mix untagged cattle, goats, pigs or sheep with other animals . . . . .	61

*Stock Identification Regulation 2005*


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82	Obligations relating to unlawfully untagged cattle, goats, pigs or sheep . . . . .	62
83	Record-keeping obligations . . . . .	63
<b>Subdivision 4</b>	<b>Further obligations of persons in charge of stock at live export holdings</b>	
84	Application of sdiv 4 . . . . .	63
85	Obligation to find out PIC of last farm, feedlot or station of cattle, goats, pigs or sheep . . . . .	63
86	Obligation to apply tag to unlawfully untagged cattle, goats, pigs or sheep . . . . .	63
87	Record-making and notification obligations . . . . .	64
88	Record-keeping obligations . . . . .	64
<b>Subdivision 5</b>	<b>Further obligation of persons in charge of stock at other registered places</b>	
89	Obligation of person in charge to apply permanent tag to unlawfully untagged cattle, goats, pigs or sheep . . . . .	65
89A	Section 70 obligations also apply for untagged cattle that arrive at a stock transit facility . . . . .	65
<b>Part 7</b>	<b>HGP free tags for cattle</b>	
90	When HGP free tag may be applied as a transaction tag . . . . .	66
91	Who may apply HGP free tag. . . . .	66
92	Prohibition on applying HGP free tag to cattle treated with hormonal growth promotant . . . . .	66
93	When HGP free tag stops being an approved tag . . . . .	66
94	Obligation to remove HGP free tag . . . . .	67
<b>Part 8</b>	<b>Transitional provisions</b>	
101	Register of holdings becomes the register under this regulation . . . . .	67
102	Tags under former regulation . . . . .	67
<b>Part 9</b>	<b>Amendment and repeal provisions</b>	
<b>Division 4</b>	<b>Repeal of Stock Identification Regulation 1985</b>	
117	Repeal . . . . .	68
<b>Schedule</b>	<b>Dictionary . . . . .</b>	<b>69</b>
 <b>Endnotes</b>		
1	Index to endnotes . . . . .	76
2	Date to which amendments incorporated. . . . .	76
3	Key . . . . .	76
4	Table of reprints . . . . .	77

5	List of legislation . . . . .	77
6	List of annotations . . . . .	78



# Stock Identification Regulation 2005

[as amended by all amendments that commenced on or before 17 October 2008]

## Part 1 Preliminary

### Division 1 Introduction

#### 1 Short title

This regulation may be cited as the *Stock Identification Regulation 2005*.

#### 2 Commencement

This regulation commences on 1 July 2005.

#### 3 Purposes of regulation and their achievement

- (1) The main purpose of this regulation is to help the prevention, control and eradication of disease by giving effect to the system known as the ‘national livestock identification system’ (*NLIS*), agreed to by the Commonwealth and the States under a resolution of the Primary Industries Ministerial Council of 2 October 2003.<sup>1</sup>
- (2) The main purpose is achieved principally by requirements that create the capacity to trace livestock movements.
- (3) A secondary purpose of this regulation is to help to identify the chemical residue status, disease status or HGP status of holdings and other particular places, and of stock on or from the places and, potentially, of downstream animal products from the stock.

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<sup>1</sup> A copy of the resolution may be obtained, free of charge, from the department’s office at 80 Ann Street, Brisbane.

- (4) The secondary purpose is achieved mainly by provisions for the registration of the chemical residue status, disease status or HGP status.

## **Division 2            Interpretation**

### **Subdivision 1        Dictionary**

#### **4            Definitions**

The dictionary in the schedule defines particular words used in this regulation.

### **Subdivision 2        Key definitions**

#### **5            What are *designated stock***

*Designated stock* are buffalo, cattle, deer, goats, members of the camel family, members of the family *Equidae*, pigs, poultry and sheep.

*Examples of members of the camel family—*

alpacas, Arabian camels and llamas

*Examples of members of the family Equidae—*

horses, ponies, donkeys, mules and zebras

#### **6            What is the *threshold number* of designated stock**

The *threshold number*, of designated stock, is—

- (a) for designated stock other than poultry—1; or
- (b) for poultry—100.

#### **7            What is a *registrable place***

- (1) A *registrable place* is any of the following—
- (a) a holding;

*Stock Identification Regulation 2005*

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- (b) a local government reserve or commonage;
  - (c) a pound;
  - (d) an animal refuge;
  - (e) a stock route;
  - (f) a saleyard;
  - (g) a stock transit facility;
  - (h) a reserve for travelling stock;
  - (i) a meat processing facility;
  - (j) a live export holding;
  - (k) a showground for designated stock;
  - (l) a sporting ground for designated stock;
  - (m) a local government area;
  - (n) an animal park, theme park or zoo.
- (2) To remove any doubt, it is declared that a place mentioned in subsection (1) is still a registrable place even if it is part of, or included in, another place mentioned in subsection (1).

**7A What is a *stock transit facility***

A *stock transit facility* is—

- (a) a spelling facility for stock; or
- (b) a yard used as a dip for travelling stock; or
- (c) another facility for drafting, weighing, reconsigning or transhipping designated stock.

## **Part 2                      Registration of holdings and    other places**

### **Division 1                The register**

#### **9                      Chief inspector's obligation to keep register**

The chief inspector must keep a register of registered places.

#### **10                    Information required to be registered**

- (1) The register must include all of the following information for each registered place—
  - (a) a unique property identification code (*PIC*);
  - (b) its owner's name;
  - (c) if it has a name—the name;
  - (d) its address and locality;
  - (e) if, under section 11, a chemical residue status, disease status or HGP status has been decided for the place and of stock on or from the place—the status.
- (2) Subject to sections 21 and 25, the PIC may take any form the chief inspector considers appropriate.
- (3) The chief inspector may record other information the chief inspector considers appropriate about a registered place.

#### **11                    Deciding chemical residue status, disease status or HGP status**

- (1) The chief inspector may decide the chemical residue status, disease status or HGP status of a registered place and of stock on or from the place.
- (2) The chief inspector must, as soon as practicable after registering the status under section 10, give the owner of the place a notice stating—
  - (a) what the registered status is; and

- (b) that the owner may, within a stated reasonable period, make written submissions to the chief inspector about the registered status.
- (3) The chief inspector must consider any written submissions made by the owner within the stated period.
- (4) If, because of the submissions, the chief inspector decides the actual chemical residue status, disease status or HGP status is different from its registered status, the chief inspector must amend the registered status to reflect the decision.
- (5) If the amended registered chemical residue status, disease status or HGP status is the same as a status proposed by the owner in the submissions, the chief inspector must give the owner notice of the amended status.
- (6) If, after complying with subsections (3) to (5), the registered chemical residue status, disease status or HGP status is other than any status proposed by the owner in the submissions, the chief inspector must give the owner an information notice about the decision.

## **12 Correction and updating of register**

- (1) This section applies to information registered under section 10 other than its chemical residue status, disease status or HGP status.<sup>2</sup>
- (2) If the owner of the registered place becomes aware of a change that affects or may affect the accuracy of the information as registered, the owner must, as soon as practicable, give the chief inspector notice of the change (a *change notice*).
- (3) The chief inspector may correct registered information if satisfied the information is incorrect or that the correction is necessary to ensure the traceability of designated stock on or from the place.

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<sup>2</sup> For changes to information registered under section 11, see the *Acts Interpretation Act 1954*, section 24AA(b) (Power to make instrument or decision includes power to amend or repeal).

- (4) The correction may be made at the chief inspector's own initiative, at the owner's request, or because of a change notice or transfer notice.
- (5) If the correction is made at the chief inspector's own initiative, and without the owner's request or consent and not because of a change notice or transfer notice, the chief inspector must give the owner an information notice about the decision.
- (6) in this section—  
*correct* includes amend, and for a PIC, cancelling and replacing it.

### **13 Evidentiary aids for register**

- (1) This section applies to a proceeding under or relating to the Act.<sup>3</sup>
- (2) A certificate purporting to be signed by the chief inspector stating that a stated document is a copy of all or part of any of the following on a stated day or during a stated period, is evidence of the matters stated in the document on the day or during the period—
  - (a) the register, or an extract from it;
  - (b) the NLIS database.

## **Division 2 Access to the register**

### **14 Power to disclose registered information to approved NLIS administrator**

- (1) The chief inspector may, by gazette notice, approve, for this regulation, an entity as the administrator of the NLIS database (the *approved NLIS administrator*).
- (2) The chief inspector may, of the chief inspector's own initiative, give the approved NLIS administrator any registered information.

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<sup>3</sup> For offences about breaches of this regulation, see section 37(1)(k) (Offences) of the Act.

- (3) The information may be given subject to conditions the chief inspector considers appropriate, including, for example, a condition that the authorised NLIS administrator gives, and continues to give, the chief inspector access to information in the NLIS database.
- (4) If the authorised administrator is a corporation, the information may be given by giving it to a director or employee of the corporation or another person authorised in writing by its directors.

## **15 Public access to register**

- (1) The chief inspector must—
  - (a) keep the register open for inspection by members of the public, by appointment or the giving of reasonable written or oral notice, at the chief inspector's office and at each other inspector's office; and
  - (b) allow anyone, on payment of any fee requested, to take extracts from the register; and
  - (c) give, on payment of any fee requested, anyone who asks for it, a copy of the register.
- (2) However, for registered information about the chemical residue status, disease status or HGP status of a registered place or of stock on or from the place, access only applies if—
  - (a) the person is—
    - (i) an owner of the place; or
    - (ii) the authorised NLIS administrator; or
    - (iii) carrying out functions under an Act administered by the department or under a law of another State or the Commonwealth that provides for the same or similar matters as an Act administered by the department; or
  - (b) an owner of the place consents in writing; or
  - (c) disclosing the information is expressly permitted or required under the Act or another Act; or

- (d) the chief inspector is satisfied disclosing the information—
  - (i) will contribute to the traceability of stock and disease or compliance with a food safety scheme or market access or reporting or product integrity standard; or
  - (ii) is essential for the administration of a food safety or animal health control or accreditation program.
- (3) A fee requested under subsection (1) must not be more than the actual cost of allowing the taking of the extract or giving the copy.

## **Division 3                    Registration of registrable places**

### **Subdivision 1            Who must or may apply for registration**

#### **16            When owner of registrable place must apply for registration**

- (1) This section applies to each owner of a registrable place, other than a local government area—
  - (a) that is not registered;<sup>4</sup> and
  - (b) on which the threshold number, or a greater number, of designated stock are held; and
  - (c) for which an approval under section 17 has not been given.
- (2) The owner must apply to register the place within 14 days after the threshold number of designated stock is first held on the place.
- (3) If, under this regulation, stock that were not designated stock become designated stock and are already held on a place, for

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<sup>4</sup> For holdings registered under the repealed *Stock Identification Regulation 1985*, see section 101 (Register of holdings becomes the register).

subsection (2), the stock are taken to be first held on the place when they become designated stock.

**17 Approval for particular registrable places to remain unregistered**

- (1) The owner of a registrable place may apply to the chief inspector for approval for the place to remain unregistered.
- (2) The application must be in the approved form.
- (3) The approval may be given only if the chief inspector is satisfied—
  - (a) the only designated stock held at the place are pets or are held for personal consumption; and
  - (b) the number of the designated stock mentioned in paragraph (a) is, other than for poultry, no more than 2; and
  - (c) the holding of the designated stock at the place is lawful.
- (4) If the chief inspector decides to refuse the application, the chief inspector must give the applicant an information notice about the decision.

**18 Owner of registrable place may apply for registration even if not required**

An owner of a registrable place, other than a local government area, may apply to register the place, even if no designated stock, or less than the threshold number of designated stock, are held at the place.

**Subdivision 2 Applying for and obtaining registration**

**19 Applying for registration**

- (1) An application to register a registrable place must be—
  - (a) made to an inspector by an owner of the place; and
  - (b) in the approved form; and

- (c) state—
  - (i) the real property description, address, locality and any name of the place; and
  - (ii) the owner's name, address and telecommunication details; and
  - (iii) the approximate numbers of each type of designated stock held at the place.
- (2) If the application is for 2 or more registrable places, it must—
  - (a) state—
    - (i) who owns each of the places; and
    - (ii) in which local government area each of the places are located; and
    - (iii) whether they are worked as 1 business unit; and
  - (b) if the places are worked as 1 business unit—be accompanied by evidence of that fact.

## **20 Deciding application**

If the application complies with section 19, the inspector must—

- (a) give the registrable place a PIC that complies with section 21; and
- (b) register the place; and
- (c) give the applicant a notice stating that the place has been registered and its PIC.

## **21 Provisions for the PIC for registrable place**

- (1) If the application is for only 1 registrable place, despite how many owners it has, the place must only be given 1 PIC.
- (2) However, if—
  - (a) there is another registered place that—
    - (i) is owned by the applicant; or
    - (ii) has at least 1 common owner with the registrable

place; and

- (b) the registrable place and the registered place are in the same locality; and
- (c) the registered place and the registrable place are worked as 1 business unit;

the registrable place, when registered, must be given the same PIC as the registered place.

- (3) If the application is for more than 1 registrable place, each of them must be given the same PIC if they—
  - (a) are in the same locality; and
  - (b) are owned by the same person, or have at least 1 common co-owner; and
  - (c) are worked as 1 business unit.

- (4) For subsections (2) and (3), places are in the same locality if a boundary of a secondary place is no more than 50km from the nearest boundary of the primary place.

- (5) In this section—

*primary place* means the registered or registrable place mentioned in subsection (2) or (3) from which the business unit mentioned in subsection (2) or (3) primarily operates.

*secondary place* means any registered or registrable place mentioned in subsection (2) or (3) other than the primary place.

### **Subdivision 3      Discretionary registration**

#### **22      Chief inspector may register registrable place**

- (1) The chief inspector may register a registrable place and give it a PIC if satisfied the place holds designated stock or the owner of the place proposes to hold designated stock.
- (2) Subsection (1) applies even if—
  - (a) the owner of the place has not applied to register it; and
  - (b) the stock are only being held, or to be held, temporarily.

- (3) However, before registering the place, the chief inspector must do each of the following—
  - (a) give the owner a notice stating—
    - (i) that the chief inspector proposes to register the place because it holds designated stock; and
    - (ii) a reasonable period within which the owner may make written submissions to the chief inspector about whether the place holds designated stock;
  - (b) consider any written submissions made by the owner within the stated reasonable period.
- (4) On registering the place, the chief inspector must—
  - (a) give it a PIC that complies with section 21; and
  - (b) give an information notice stating that the place has been registered, and stating its PIC, to—
    - (i) if the place is a local government area—the local government; or
    - (ii) otherwise—the owner of the place.

## **23 Special purpose PIC**

The chief inspector may give a person a PIC other than for a particular place, and register the PIC, if satisfied it is necessary for the integrity of NLIS or for training purposes.

## **Subdivision 4 Transfer of registration**

### **24 New owner's obligation to give notice of transfer**

- (1) If a registered place is sold or otherwise disposed of, its new owner must, within 14 days, give an inspector a notice of the transfer (a *transfer notice*).
- (2) The transfer notice must be in the approved form.

**25 Deciding PIC for transferred place**

- (1) If—
  - (a) the new owner of the registrable place the subject of the transfer notice (the *transferred place*) is the owner of another registrable place (the *existing place*); and
  - (b) had the transfer notice been an application to register the transferred place section 21 would have required the transferred place and the existing place to have the same PIC;

the inspector must amend the register so that the transferred place and the existing place have the same PIC.<sup>5</sup>
- (2) Otherwise, the PIC for the transferred place must not be changed only because of the transfer.<sup>6</sup>
- (3) On registering information under section 10 because of the sale or disposition the subject of the notice, the inspector must give the new owner notice of the PIC for the transferred place.

**Subdivision 5 Deregistration****26 Owner may apply to deregister**

- (1) If a registered place no longer holds the threshold number or a greater number of designated stock, the owner of the place may apply to an inspector to deregister the place.
- (2) The application must be in the approved form.
- (3) The inspector must remove the place from the register if satisfied the threshold number of designated stock is no longer held, or proposed to be held, at the registered place.
- (4) Otherwise, the inspector must refuse the application.
- (5) If the inspector decides to refuse the application, the inspector must give the applicant an information notice about the decision.

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<sup>5</sup> If the PIC of the existing place is changed, see section 41 (Approval to use different PIC for permanent tags for cattle, goats, pigs or sheep).

<sup>6</sup> See also section 12(4) (Correction and updating of register).



## 28 Types of approved tags and their purposes

The following are the types of approved tags for designated stock that are, or are proposed to be, travelled and the purpose of each type—

- (a) the following tags (*permanent tags*)—
  - (i) *breeder tags* to show designated stock—
    - (A) were born at a particular place identified by a PIC recorded on or shown by the tag; and
    - (B) have not previously been travelled from the place;
  - (ii) *post-breeder tags* to show designated stock—
    - (A) were not born at the place identified by the PIC recorded on or shown by the tag; or
    - (B) were born at a particular place identified by a PIC recorded on or shown by the tag but have previously been travelled from the place;
  - (iii) *bolus ear tags* for insertion into the ear of designated stock to show a rumen bolus has been inserted into their rumen or reticulum;
  - (iv) *saleyards post-breeder tags* for use at saleyards if designated stock arrive at saleyards untagged;
  - (v) *district breeder tags* and *district post-breeder tags* that inspectors may supply to the owners of designated stock held on registrable places that are not registered;
  - (vi) *goat tattoos* for goats that have never been feral, by way of an imprinted ear tattoo to show the place of departure for their first travel from their place of birth;
  - (vii) *pig brands* for pigs, imprinted, by way of a tattoo, under the *Brands Act 1915* to show the place of departure for their travel or proposed travel;
  - (viii) *pig ear tags* for pigs to show their place of departure, identified by a PIC recorded on or shown by the tag.

- (b) the following tags (*temporary tags*)—
- (i) *transaction tags* that are ear or tail tags for cattle and that, for the transaction relating to their travel, identify them to the last place on which they were held;
  - (ii) *saleyard tags* for use at saleyards to show that a permanent tag that designated stock bear is malfunctioning;
  - (iii) *HGP free tags* that are ear or tail tags for cattle to show, for the transaction relating to their travel from the place, they were free of any HGP.<sup>8</sup>

## **Division 2 Dealings relating to approved tags**

### **29 Approval required to manufacture tag for use as an approved tag**

A person must not manufacture a tag for use as an approved tag, unless—

- (a) it is of a type of approved tag provided for under section 28; and
- (b) the chief inspector has given written approval for the person to manufacture tags of its type; and
- (c) all conditions of the approval have been complied with.

### **30 Obtaining approval to manufacture approved tags**

- (1) A person may apply to the chief inspector for approval to manufacture approved tags of a stated type.
- (2) The application must be written.
- (3) The chief inspector may, by notice, require the applicant to give, within a stated reasonable period, stated information to allow the chief inspector to decide the application.

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<sup>8</sup> See also the *Chemical Usage (Agricultural and Veterinary) Control Regulation 1999*, part 5 (Hormonal growth promotants).

- (4) If the information is not given within the period, the application is taken to have lapsed.
- (5) Subject to subsections (3) and (4), the chief inspector must decide whether to grant or refuse the approval.
- (6) If the approval is granted and it is for electronic tags, the approval is subject to the condition that the approval holder must, before supplying the tags to anyone else, give the NLIS administrator notice of—
  - (a) the serial number shown by the tags; and
  - (b) the PIC of the place for which the tags are to be manufactured; and
  - (c) the number shown by each microchip included in the tags.
- (7) The approval may be granted subject to other stated conditions.
- (8) If the chief inspector decides to refuse the approval, the chief inspector must give the applicant an information notice about the decision.

### **31 Restrictions on supplying and buying approved tag**

- (1) A supplier of an approved tag, other than an inspector supplying a district breeder tag or district post-breeder tag, must not supply it to a buyer and the buyer must not buy the tag, unless—
  - (a) the buyer has given the supplier a written order for the tag; and
  - (b) the PIC recorded on or shown by the tag is the PIC of any registered place for which the tag is to be used.
- (2) A buyer must not buy a rumen bolus, unless it is supplied together with a bolus ear tag.
- (3) A buyer must not buy a bolus ear tag, unless it is supplied together with a rumen bolus.

### **32 Record-keeping obligations of supplier of approved tags**

- (1) A supplier of an approved tag must, for 5 years from the

supply, keep a record of all the following—

- (a) the name and address of its buyer;
  - (b) the day the tag was sold;
  - (c) any PIC recorded on or shown by the tag;
  - (d) how many approved tags were supplied to the buyer in the same transaction;
  - (e) if the relevant order for the tag under section 31 has an expiry date—the expiry date.
- (2) The person must, during the 5 years, produce the record to an inspector if the inspector asks the supplier to produce it for inspection, unless the supplier has a reasonable excuse.

### **Division 3                    General prohibitions, restrictions and requirements relating to approved tags**

#### **Subdivision 1            Provisions for all approved tags**

##### **33            Restrictions on altering or defacing or destroying approved tag**

- (1) A person must not alter or deface an approved tag or allow an approved tag to be altered or defaced, unless the alteration, or defacing happens because of the removal of the tag, under this division or section 75 or 94.
- (2) A person must not destroy an approved tag or allow an approved tag to be destroyed, unless—
  - (a) the destruction happens because of the removal of the tag, under this division or section 75 or 94; or
  - (b) the destruction—
    - (i) happens before the tag is applied to any designated stock; or
    - (ii) is required under section 38; or

- (c) the tag is a temporary tag and the destruction happens after its removal under subdivision 3.
- (3) In this section—
- alter*, for an approved tag that is an electronic tag, includes doing anything that causes it to malfunction.

### **34 Prohibition on applying tag other than an approved tag**

- (1) A person must not apply a tag to cattle, goats, pigs or sheep that purports to be an approved tag, unless the tag is an approved tag.<sup>9</sup>
- (2) In this section—

*apply*, a tag, means attach or otherwise apply the tag in any way, whether or not in a way that an approved tag must be applied.

## **Subdivision 2 Permanent tags**

### **35 Restrictions on applying permanent tag to cattle**

A person must not apply a permanent tag (the *second tag*) to cattle if the cattle already bear a permanent tag (the *first tag*), unless—

- (a) the first tag is removed, and the removal is permitted under section 36; or
- (b) the second tag is a bolus ear tag, applied under section 49.

### **36 Restrictions on removing permanent tag**

- (1) A person, other than an inspector, must not remove, or allow the removal of, a permanent tag that a head of cattle (whether living or dead) bears, unless—

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<sup>9</sup> See also section 93 (When HGP free tag stops being an approved tag) and the *Agricultural Standards Act 1994*, section 14 (Offence about false or misleading representations about the use or non-use of hormonal growth promotants).

*Stock Identification Regulation 2005*

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- (a) the removal is with an inspector's oral or written approval; or
  - (b) the person is a selling agent acting or proposing to act in the sale of the animal at a saleyard and—
    - (i) the tag is malfunctioning; and
    - (ii) the selling agent immediately replaces the tag with a saleyard post-breeder tag that shows the PIC of the saleyard; and
    - (iii) within 48 hours after the replacement, the selling agent gives the approved NLIS administrator notice of the serial numbers of each of the tags;<sup>10</sup> or
  - (c) the person is the owner of the animal and—
    - (i) the tag is malfunctioning; and
    - (ii) the owner immediately replaces the tag with another permanent tag that may, under this regulation, be applied to the animal; and
    - (iii) within 48 hours after the replacement, the owner gives the approved NLIS administrator notice of the serial numbers of each of the tags; or
  - (d) the animal is killed at a meat processing facility and the tag is removed as part of the process to slaughter it; or
  - (e) the animal dies at a registered place (other than a meat processing facility) and the person is responsible for its husbandry.
- (2) A person, other than an inspector, must not remove, or allow the removal of, a permanent tag that a goat, pig or sheep (whether living or dead) bears, unless—
- (a) the removal is with an inspector's oral or written approval; or
  - (b) the goat, pig or sheep is killed at a meat processing facility and the tag is removed as part of the process to slaughter it; or

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<sup>10</sup> See also section 71 (Additional obligation of selling agent if permanent tag is malfunctioning).

- (c) the goat, pig or sheep dies at a registered place (other than a meat processing facility) and the person is responsible for its husbandry.

### **37 Restrictions on recycling or reusing permanent tag**

A person must not recycle or reuse a permanent tag or part of a permanent tag, unless—

- (a) the chief inspector has given written approval for the recycling or reuse; and
- (b) all conditions of the approval have been complied with.

### **38 Requirement to destroy removed permanent tag**

- (1) This section applies if, under section 36, a person removes a permanent tag from a head of cattle or a goat, pig or sheep at a registered place.
- (2) The person must destroy the tag as soon as practicable after the removal.
- (3) However, subsection (2) does not apply to the extent the tag may, under section 37, be recycled or reused.
- (4) If the tag or part of the tag may, under section 37, be recycled or reused, the owner of the registered place must take reasonable steps to ensure the tag or part is kept secure against theft.

## **Subdivision 3 Temporary tags**

### **39 Restrictions on removing transaction tag or HGP free tag**

A person, other than an inspector, must not remove, or allow the removal of, a transaction tag or HGP free tag that a head of cattle bears, unless—

- (a) the animal has arrived at the place of destination for the travel for the transaction for which the tag was applied;<sup>11</sup>  
or
- (b) the tag's removal is required under section 94.

#### **40 Restrictions on removing saleyard tag**

A person, other than an inspector, must not remove, or allow the removal of, a saleyard tag that a head of cattle bears, unless the animal—

- (a) is travelled from the saleyard at which the tag was applied; and
- (b) has arrived at the place of destination for the travel.

### **Division 4 Miscellaneous provisions**

#### **41 Approval to use different PIC for permanent tags for cattle, goats, pigs or sheep**

- (1) The owner of a registered place, other than a saleyard, may apply to the chief inspector for approval to apply, in relation to the place, particular permanent tags for cattle, goats, pigs or sheep that show a PIC that is not the PIC of the place.
- (2) The application must be written and state the serial numbers of the tags.
- (3) If the chief inspector decides to refuse the application, the chief inspector must give the applicant an information notice about the decision.

#### **42 Prohibition on giving approved NLIS administrator false or misleading information about particular matters**

- (1) This section applies to a person who, under this regulation, must give information to the approved NLIS administrator.
- (2) The person must not, in complying or purporting to comply

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<sup>11</sup> See also section 75 (Owner's obligation to remove transaction tag of cattle travelled from relevant place of destination).

with the obligation, give the administrator information the person knows is false or misleading in a material particular.<sup>12</sup>

- (3) In a proceeding for an offence against section 37(1)(k) of the Act relating to subsection (2)—
  - (a) it is enough for the complaint starting the proceeding to state the information was ‘false or misleading’ to the defendant’s knowledge, without specifying which; and
  - (b) evidence that the information was given recklessly is evidence that it was given so as to be false or misleading.

## **Part 4                      Obligations of owners of travelling cattle**

### **Division 1                Preliminary**

#### **43            Operation of pt 4**

- (1) This part imposes obligations on the owners of cattle that are to be travelled.
- (2) Generally, the obligations are those under division 2.
- (3) However, the obligations apply subject to division 3.

#### **44            How approved tags must be applied to cattle**

- (1) If this regulation permits or requires a permanent tag, other than a bolus ear tag, to be applied to cattle, it must be applied by—
  - (a) for a permanent tag applied as a rumen bolus—inserting it into their rumen or reticulum; or

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12 For the giving of false or misleading information to an inspector, see section 37(1)(l) (Offences) of the Act.

- (b) otherwise—attaching it to the middle of the inner third of its right or offside ear.
- (2) If this regulation permits or requires a bolus ear tag or a temporary tag in the form of an ear tag to be applied to cattle, the tag must be securely attached to the middle of the inner third of the right or offside ear of the cattle.
- (3) If this regulation permits or requires a temporary tag in the form of a tail tag to be applied to cattle, the tag must be securely attached around the tail of the cattle, immediately above the brush of the tail.<sup>13</sup>

#### **45 When obligation to apply an approved tag must be complied with**

- (1) Subject to subsections (2) to (6), an obligation under this part to apply an approved tag to cattle must be complied with before the relevant travelling of the cattle starts.
- (2) If—
  - (a) cattle are travelled from a place (the *place of origin*) to a neighbouring holding of the place of origin and, within 48 hours after their arrival at the holding, are further travelled to another place (the *final destination*); and
  - (b) the purpose of the travel to the neighbouring holding is to comply, at the holding, with the obligation to apply an approved tag for their travel from the place of origin to the final destination;

the obligation may be complied with before the cattle leave the neighbouring holding.<sup>14</sup>

- (3) If the cattle are sold by public auction at their place of departure and then travelled, the obligation to apply an approved tag must be complied with before the auction starts.
- (4) If the travel starts from a place outside the State, the obligation to apply an approved tag applies only when the cattle enter the State.

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<sup>13</sup> See also section 48 (Transaction tag requirements).

<sup>14</sup> See also section 52 (Travel to neighbouring holding for tagging for other travel).

- (5) The obligation to apply an approved tag may be complied with at a later time approved by an inspector, orally or in writing.
- (6) However, the approval may be given only if—
  - (a) the cattle are to be travelled to a saleyard for sale; and
  - (b) the number of cattle being travelled is no more than 5; and
  - (c) the later time is no later than the day before the sale starts.

## **Division 2                      Identification requirements**

### **46            Cattle first travelled from their place of birth**

- (1) This section applies to the owner of cattle if—
  - (a) the cattle are to be travelled; and
  - (b) the place of departure for the travel is their place of birth; and
  - (c) the travel is their first travel from their place of birth; and
  - (d) the place of destination for the travel does not have the same PIC as the place of departure.
- (2) The owner must ensure the cattle bear—
  - (a) a permanent tag; and
  - (b) if the place of departure has a ‘T’ status and the travel is to a saleyard—a transaction tag.
- (3) The owner must ensure the permanent tag is—
  - (a) if the place of departure is registered—a breeder tag; or
  - (b) if the place of departure is not registered—a district breeder tag.
- (4) Also, if the tag is a breeder tag, the owner must ensure it shows—
  - (a) the PIC of the place of departure; or

- (b) if an approval under section 41 has been given for the tag to show another PIC—the other PIC.
- (5) If the breeder tag is in the form of a rumen bolus, the information mentioned in subsection (4) is taken to be shown on the rumen bolus if—
- (a) under section 49(1), a bolus ear tag is also applied to the cattle when the rumen bolus is applied; and
  - (b) the information is shown on the bolus ear tag.

#### **47 Other travelling of cattle**

- (1) This section applies to the owner of cattle if—
- (a) the cattle are to be travelled; and
  - (b) the place of departure for the travel is not their place of birth, or the travel is not their first travel from their place of birth; and
  - (c) the place of destination for the travel does not have the same PIC as the place of departure.
- (2) If the place of departure has a ‘T’ status and the travel is to a saleyard, the owner must ensure the cattle bear a transaction tag.
- (3) Subsection (4) applies if—
- (a) the cattle did not bear a breeder tag, post-breeder tag, district breeder tag or district post-breeder tag when they arrived at the place of departure; or
  - (b) the cattle did bear a breeder tag, post-breeder tag, district breeder tag or district post-breeder tag when they arrived at the place of departure but they no longer bear the tag.
- (4) The owner must ensure the cattle bear the following permanent tag—
- (a) if the place of departure is registered—a post-breeder tag;
  - (b) if the place of departure is not registered—a district post-breeder tag.

- (5) The owner must ensure a post-breeder tag applied under subsection (4)(a) shows—
  - (a) the PIC of the place of departure; or
  - (b) if an approval under section 41 has been given for the tag to show another PIC—the other PIC.
- (6) For subsection (5), if the post-breeder tag is in the form of a rumen bolus, the information mentioned in the subsection is taken to be shown on the rumen bolus if—
  - (a) under section 49(1), a bolus ear tag is also applied to the cattle when the rumen bolus is applied; and
  - (b) the information is shown on the bolus ear tag.

#### **48 Transaction tag requirements**

- (1) This section applies if, under this regulation, the owner of cattle must ensure the cattle bear a transaction tag.
- (2) The owner must ensure the transaction tag shows its serial number and the PIC of the place of departure of the cattle.

#### **49 Additional requirement for bolus ear tag if applied permanent tag of another type is a rumen bolus**

- (1) If—
  - (a) under section 46 or 47, a breeder tag, post-breeder tag, district breeder tag or district post-breeder tag is applied to cattle; and
  - (b) the tag applied to the cattle is in the form of a rumen bolus;

the owner of the cattle must ensure the bolus ear tag supplied together with the rumen bolus, under section 31(3),<sup>15</sup> is also applied to the cattle when the rumen bolus is applied.

- (2) If—
  - (a) section 46 or 47 applies to the owner of cattle to be travelled; and

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<sup>15</sup> Section 31(2) and (3) (Restrictions on supplying and buying approved tag)

- (b) the cattle bear a breeder tag, post-breeder tag, district breeder tag or district post-breeder tag in the form of a rumen bolus; and
  - (c) under subsection (1), a bolus ear tag (the *old ear tag*) was applied when the rumen bolus was applied to the cattle; and
  - (d) the cattle no longer bear the old ear tag;
- the owner must ensure another bolus ear tag that shows the same information as the old ear tag is applied to the cattle.

### **Division 3                    When particular identification requirements do not apply or are modified**

#### **Subdivision 1            Preliminary**

##### **50            Operation of div 3**

- (1) This division provides for particular circumstances in which division 2 does not apply or particular obligations under division 2 that do not apply or are modified.
- (2) More than 1 provision of this division may apply for the same cattle to be travelled.
- (3) To remove any doubt, it is declared that if, under this division, a particular obligation under division 2 does not apply to the the owner of cattle to be travelled, or is modified, all other relevant obligations under division 2 must still be complied with.

#### **Subdivision 2            When identification requirements do not apply at all**

##### **51            Temporary travel to neighbouring holding**

Division 2 does not apply to cattle to be travelled, for ordinary stock management purposes, to a neighbouring holding of

their place of departure if they are returned to the place of departure within 48 hours.

*Examples of ordinary stock management purposes for cattle—*

dipping, branding and vaccinating

## **52 Travel to neighbouring holding for tagging for other travel**

Division 2 does not apply to the travelling of cattle from a place (the *place of origin*) to a neighbouring holding of the place of origin if—

- (a) the cattle are, within 48 hours after their arrival at the neighbouring holding, further travelled to another place (the *final destination*); and
- (b) the purpose of the travel to the neighbouring holding is to comply with division 2 for their travel from the place of origin to the final destination.

## **Subdivision 4 When cattle need not bear a transaction tag**

### **54 Cattle further travelled within 40 days**

If—

- (a) cattle bearing a transaction tag (the *old tag*) are travelled to a place; and
  - (b) the cattle are to be travelled from the place within 40 days after their arrival at the place; and
  - (c) the cattle still bear the old tag when they leave the place;
- the cattle need not bear a further transaction tag for the travel from the place.<sup>16</sup>

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<sup>16</sup> If the cattle are travelled from the place more than 40 days after the arrival, see also section 75 (Owner's obligation to remove transaction tag of cattle travelled from relevant place of destination).

## **Subdivision 5      Travel approvals**

### **55      Travel under travel approval**

Cattle the subject of a travel approval travelled to or from the place the subject of the approval need not bear the approved tag the subject of the approval.

## **Part 5                      Obligations of owners of travelling goats**

### **Division 1              Preliminary**

#### **56      Operation of pt 5**

- (1) This part imposes obligations on the owners of goats that are to be travelled.
- (2) Generally, the obligations are those under division 2.
- (3) However, the obligations apply subject to division 3.

#### **57      How approved tag must be applied to goats**

- (1) This section applies if this regulation requires an approved tag to be applied to goats.
- (2) If the approved tag is an ear tag, it must be securely attached to either ear.
- (3) If the approved tag is a goat tattoo, it must be imprinted on the inner hairless surface of either ear.

#### **58      When obligation to apply an approved tag must be complied with**

- (1) Subject to subsections (2) and (3), an obligation under this part to apply an approved tag to goats must be complied with before the travelling of the goats starts.

- (2) If—
- (a) the goats are travelled from a place (the *place of origin*) to a neighbouring holding of the place of origin and, within 48 hours after their arrival at the holding, are further travelled to another place (the *final destination*); and
  - (b) the purpose of the travel to the neighbouring holding is to comply, at the holding, with the obligation to apply an approved tag for their travel from the place of origin to the final destination;
- the obligation may be complied with before the goats leave the neighbouring holding.
- (3) If the travel starts from a place outside the State, the obligation to apply an approved tag applies only when the goats enter the State.

## **Division 2 Identification requirements**

### **Subdivision 1 Harvested feral goats**

#### **59 Identification requirement for harvested feral goats travelled directly to depot**

- (1) This section applies if feral goats are harvested at one place and are to be travelled directly to another place (the *depot*) for collection and sorting.

*Note—*

If the goats are not travelled directly to a depot or feral goats are harvested, collected and sorted at the same place, they become farmed goats and the relevant identification requirements under subdivision 2 apply. See section 60.

- (2) No identification requirement applies under this regulation for the travel to the depot.

*Note—*

See, however, the *Stock Regulation 1988*, part 3, division 1 (Travelling requirements for stock, hides and skins).

- (3) However, the owner of the goats must, within 10 days after the goats arrive at the depot, ensure they bear the following permanent tag and that the tag shows the PIC of the depot—
- (a) if the depot is registered—a post-breeder tag;
  - (b) if the depot is not registered—a district post-breeder tag.

*Notes—*

- 1 When the tag is applied, the goats become farmed goats. See section 60.
  - 2 For identification requirements for any subsequent travel of the goats, other than to a meat processing facility under subsection (4), see sections 64 and 65.
- (4) However, subsection (3) does not apply if—
- (a) the goats are proposed to be travelled directly from the depot to a meat processing facility for slaughter; and
  - (b) the goats are received for slaughter by a meat processing facility within 30 days after their arrival at the depot.
- (5) Goats to which a permanent tag has been applied under subsection (3) are *depot-tagged goats*.

## Subdivision 2 Farmed goats

### 60 What are *farmed goats*

- (1) Goats are *farmed goats* if they—
- (a) have never been harvested feral goats; and
  - (b) are the subject of husbandry.
- (2) A farmed goat under subsection (1) is a *pure farmed goat*.
- (3) Feral goats become *farmed goats* if they—
- (a) become depot-tagged goats; or
  - (b) are harvested, collected and sorted at the same place, whether or not a permanent tag has been applied to them; or

- (c) are harvested at one place and are travelled to another place (the *depot*) for collection and sorting and they are not travelled directly to the depot.
- (4) For feral goats that become farmed goats, the place mentioned in subsection (3)(b) or (c) is the *place of farming* of the goats.

## **61 Pure farmed goats travelled from their place of birth**

- (1) This section applies to the owner of pure farmed goats if—
  - (a) the goats are to be travelled; and
  - (b) the place of departure for the travel is their place of birth; and
  - (c) the travel is their first travel from their place of birth; and
  - (d) the place of destination for the travel does not have the same PIC as the place of birth.
- (2) If the travel is to a meat processing facility for slaughter or a saleyard for sale, the owner must ensure —
  - (a) the goats bear the required breeder tag; and
  - (b) the tag shows the PIC of the place of birth.
- (3) To remove any doubt, it is declared that subsection (2) applies whether or not the goats bear a goat tattoo.
- (4) If the travel is to any other place, the owner must ensure—
  - (a) the goats bear a goat tattoo; or
  - (b) the goats bear the required breeder tag and the tag shows the PIC of the place of birth.
- (5) In this section—

*required breeder tag* means—

  - (a) if the place of departure is registered—a breeder tag; or
  - (b) if the place of departure is not registered—a district breeder tag.

**62 Other travelling of pure farmed goats**

- (1) This section applies to the owner of pure farmed goats if—
  - (a) the goats are to be travelled; and
  - (b) the place of departure for the travel is not their place of birth, or the travel is not their first travel from their place of birth; and
  - (c) the place of destination for the travel does not have the same PIC as the place of departure; and
  - (d) either—
    - (i) the goats did not bear a permanent tag when they arrived at the place of departure; or
    - (ii) the goats did bear a permanent tag when they arrived at the place of departure but they no longer bear the tag.
- (2) If the travel is to a meat processing facility for slaughter or a saleyard for sale, the owner must ensure—
  - (a) the goats bear the required post-breeder tag; and
  - (b) the tag shows the PIC of the place of departure.
- (3) To remove any doubt, it is declared that subsection (2) applies whether or not the goats bear a goat tattoo.
- (4) If the travel is to any other place, the owner must ensure—
  - (a) the goats bear a goat tattoo; or
  - (b) the goats bear the required post-breeder tag and the tag shows the PIC of the place of departure.
- (5) In this section—

***required post-breeder tag*** means—

  - (a) if the place of departure is registered—a post-breeder tag; or
  - (b) if the place of departure is not registered—a district post-breeder tag.

**63 Other farmed goats—first travel from place of farming**

- (1) This section applies to the owner of farmed goats if—

- (a) the goats are to be travelled; and
  - (b) the goats were feral;
  - (c) the goats are not depot-tagged goats; and
  - (d) the place of departure for the travel is their place of farming; and
  - (e) the travel is their first travel from the place of farming; and
  - (f) the place of farming does not have the same PIC as the place of destination.
- (2) The owner must ensure the goats bear the following permanent tag and that the tag shows the PIC of the place of farming—
- (a) if the place of farming is registered—a breeder tag;
  - (b) if the place of farming is not registered—a district breeder tag.

## **64 Other travel of farmed goats**

- (1) This section applies to the owner of farmed goats if—
- (a) the goats are to be travelled; and
  - (b) the goats were feral; and
  - (c) either—
    - (i) the goats are depot-tagged goats; or
    - (ii) the place of departure for the travel is not their place of farming; or
    - (iii) the travel is not their first travel from their place of farming; and
  - (d) the place of destination for the travel does not have the same PIC as the place of departure; and
  - (e) either—
    - (i) the goats did not bear a permanent tag when they arrived at the place of departure; or

- (ii) the goats did bear a permanent tag when they arrived at the place of departure but they no longer bear the tag.
- (2) The owner must ensure the goats bear the following permanent tag and that the tag shows the PIC of the place of departure—
  - (a) if the place of departure is registered—a post-breeder tag;
  - (b) if the place of departure is not registered—a district post-breeder tag.

### **Division 3                      When requirements about identification do not apply**

#### **Subdivision 1                Requirements under division 2**

##### **65            Meat processing facility sales of particular farmed goats**

- (1) This section applies to farmed goats to be travelled if—
  - (a) the goats are pure farmed goats and the place of departure for the travel is their place of birth; or
  - (b) the goats were feral and the place of departure for the travel is their place of farming.
- (2) Division 2 does not apply to the travel if—
  - (a) the travel is for the sale of the goats to a meat processing facility; and
  - (b) the goats are taken directly from the place of departure to the facility; and
  - (c) the goats are not mixed with other goats from when they leave the place of departure until they are slaughtered at the facility; and
  - (d) the travel is by a load that is at least 1 deck load of goats of the same class for slaughter.

**66 Temporary travel to neighbouring holding**

Division 2 does not apply to goats to be travelled, for ordinary stock management purposes, to and from a neighbouring holding of their place of departure if they are returned to the place of departure within 48 hours.

**67 Travel to and from sporting event**

Division 2 does not apply to goats to be travelled from a holding to a sporting event and then returned to the holding if—

- (a) no designated stock of the same species from another holding are present while the goats are at the sporting event; and
- (b) the goats are returned within 48 hours.

**Subdivision 2 Travel approvals****67A Travel under travel approval**

Goats the subject of a travel approval travelled to or from the place the subject of the approval need not bear the approved tag the subject of the approval.

**Part 5A Obligations of owners of travelling pigs****Division 1 Identification requirements****67B Pigs first travelled from their place of birth**

- (1) This section applies to the owner of pigs if—
  - (a) the pigs are to be travelled; and

- (b) the place of departure for the travel is their place of birth; and
  - (c) the travel is their first travel from their place of birth; and
  - (d) the place of destination for the travel does not have the same PIC as the place of birth.
- (2) The owner must ensure the pigs bear a permanent tag.
  - (3) The permanent tag may be a pig brand or a pig ear tag.
  - (4) If the pigs bear a pig ear tag, the tag must show the PIC of the place of birth.

### **67C Other travelling of pigs**

- (1) This section applies to the owner of pigs if—
  - (a) the pigs are to be travelled; and
  - (b) the place of departure for the travel is not their place of birth, or the travel is not their first travel from their place of birth; and
  - (c) the place of destination for the travel does not have the same PIC as the place of departure; and
  - (d) either—
    - (i) the pigs did not bear a pig brand or a pig ear tag when they arrived at the place of departure; or
    - (ii) the pigs did bear a pig brand or a pig ear tag when they arrived at the place of departure but they no longer bear that tag.
- (2) The owner must ensure the pigs bear a permanent tag.
- (3) The permanent tag may be a pig brand or a pig ear tag.
- (4) If the pigs bear a pig ear tag, the tag must show the PIC of the place of departure.

### **67D How approved tag must be applied to pigs**

If this regulation requires an approved tag to be applied to pigs, it must be—

- (a) if the approved tag is a pig brand—imprinted in the way required under the *Brands Act 1915*; or

*Note—*

Under the *Brands Act 1915*, section 11A(5), a pig brand must be imprinted, by way of a tattoo on each side of the pig, with a branding instrument of an approved type or make and an approved fluid or paste.

- (b) if the approved tag is a pig ear tag—securely attached to the middle of either ear of the pigs.

### **67E When requirement must be complied with**

- (1) An obligation under this division to apply an approved tag to pigs must be complied with before the relevant travelling of pigs starts.
- (2) However, if the travel starts from a place outside the State, the requirement applies only when the pigs enter the State.

## **Division 2 When requirements about identification do not apply**

### **Subdivision 1 Requirements under division 1**

#### **67F Travel without ownership change**

Division 1 does not apply to pigs to be travelled if the person who owns them when the travel starts continues to own them when they reach the place of destination for the travel.

#### **67G Temporary travel to neighbouring holding**

Division 1 does not apply to pigs to be travelled, for ordinary stock management purposes, to and from a neighbouring holding of their place of departure if they are returned to the place of departure within 48 hours.

**67H Travel to and from sporting event**

Division 1 does not apply to pigs to be travelled from a holding to a sporting event and then returned to the holding if—

- (a) no pigs from another holding are present while the pigs are at the sporting event; and
- (b) the pigs are returned within 48 hours.

**Subdivision 2 Travel approvals****67I Travel under travel approval**

Pigs the subject of a travel approval travelled to or from the place the subject of the approval need not bear the approved tag the subject of the approval.

**Part 5B Obligations of owners of travelling sheep****Division 1 Preliminary****67J Operation of pt 5B**

- (1) This part imposes obligations on the owners of sheep that are to be travelled.
- (2) Generally, the obligations are those under division 2.
- (3) However, the obligations apply subject to division 3.

**67K How approved tag must be applied to sheep**

If this regulation requires an approved tag to be applied to sheep, it must be securely attached to either ear.

**67L When obligation to apply an approved tag must be complied with**

- (1) Subject to subsections (2) and (3), an obligation under this part to apply an approved tag to sheep must be complied with before the relevant travelling of the sheep starts.
- (2) If—
  - (a) the sheep are travelled from a place (the *place of origin*) to a neighbouring holding of the place of origin and, within 48 hours after their arrival at the holding, are further travelled to another place (the *final destination*); and
  - (b) the purpose of the travel to the neighbouring holding is to comply, at the holding, with the obligation to apply an approved tag for their travel from the place of origin to the final destination;the obligation may be complied with before the sheep leave the neighbouring holding.
- (3) If the travel starts from a place outside the State, the obligation to apply an approved tag applies only when the sheep enter the State.

**Division 2 Identification requirements****67M Sheep first travelled from their place of birth**

- (1) This section applies to the owner of sheep if—
  - (a) the sheep are to be travelled; and
  - (b) the place of departure for the travel is their place of birth; and
  - (c) the travel is their first travel from their place of birth; and
  - (d) the place of destination for the travel does not have the same PIC as the place of birth.
- (2) The owner must ensure the sheep bear the required permanent tag and that the tag shows the PIC of the place of birth.

(3) In this section—

*required permanent tag* means—

- (a) if the place of birth is registered—a breeder tag;
- (b) if the place of birth is not registered—a district breeder tag.

## **67N Other travelling of sheep**

(1) This section applies to the owner of sheep if—

- (a) the sheep are to be travelled; and
- (b) the place of departure for the travel is not their place of birth, or the travel is not their first travel from their place of birth; and
- (c) the place of destination for the travel does not have the same PIC as the place of departure; and
- (d) either—
  - (i) the sheep did not bear a permanent tag when they arrived at the place of departure; or
  - (ii) the sheep did bear a permanent tag when they arrived at the place of departure but they no longer bear the tag.

(2) The owner must ensure the sheep bear the required permanent tag and that the tag shows the PIC of the place of departure.

(3) In this section—

*required permanent tag* means—

- (a) if the place of departure is registered—a post breeder tag;
- (b) if the place of departure is not registered—a district post breeder tag.

## **Division 3                    When requirements about identification do not apply**

### **Subdivision 1            Requirements under division 2**

#### **67O    Particular meat processing facility sales**

Division 2 does not apply to sheep to be travelled for sale to a meat processing facility if—

- (a) the place of departure for the travel is the place of birth of the sheep; and
- (b) the sheep are taken directly from the place of departure to the facility; and
- (c) the sheep are not mixed with other sheep from when they leave the place of departure for the travel until they are slaughtered at the facility; and
- (d) the travel is by a load that is at least 4 deck loads of sheep of the same class for slaughter.

#### **67P    Temporary travel to neighbouring holding**

Division 2 does not apply to sheep to be travelled, for ordinary stock management purposes, to and from a neighbouring holding of their place of departure if they are returned to the place of departure within 48 hours.

*Examples of ordinary stock management purposes for sheep—*

crutching and shearing

#### **67Q    Travel to and from sporting event**

Division 2 does not apply to sheep to be travelled from a holding to a sporting event and then returned to the holding if—

- (a) no designated stock of the same species from another holding are present while the sheep are at the sporting event; and
- (b) the sheep are returned within 48 hours.

## Subdivision 2      Travel approvals

### 67R      Travel under travel approval

Sheep the subject of a travel approval travelled to or from the place the subject of the approval need not bear the approved tag the subject of the approval.

## Part 5C                      Travel approvals for cattle, goats, pigs or sheep

### 67S      Power to grant travel approval

- (1) The chief inspector may grant an approval (a *travel approval*) for particular stock that are cattle, goats, pigs or sheep travelled, or to be travelled, to or from a particular registered place not to bear a particular approved tag or to be untagged for the travel.
- (2) However, a travel approval may be granted only if an application for the approval has been made under this part.

### 67T      Who may apply

An owner of the stock or of the registered place may apply for the travel approval.

### 67U      Requirements for application

The application must—

- (a) be in the approved form; and
- (b) state the proposed period of, and the stock proposed to be subject to, the travel approval; and
- (c) demonstrate how, if the travel approval is granted, the stock will still be able to be traced under NLIS.

*Example of how paragraph (c) may be complied with—*

The application is proposed to be made by the owner of a registered saleyard for all cattle travelled to or from the saleyard. Paragraph (c) may be complied with by showing that the saleyard has electronic readers or other facilities that are adequate to ensure part 6 will be complied with for all of the cattle.

## **67V Deciding application**

- (1) The chief inspector may grant the travel approval sought in the application only if satisfied the stock proposed to be subject to the approval will still be traceable under NLIS.
- (2) Otherwise, the chief inspector must refuse to grant the travel approval.
- (3) The travel approval may be granted for—
  - (a) a particular period or no particular period; or
  - (b) particular stock, or all stock, travelled to or from the place the subject of the travel approval.
- (4) The chief inspector may impose conditions on the travel approval.
- (5) If the chief inspector decides to refuse to grant the travel approval, or to impose conditions on the approval, the chief inspector must give the applicant an information notice about the decision.

# **Part 6 Obligations of persons receiving any travelling cattle or untagged sheep**

## **Division 1 Cattle with an approved tag**

### **68 Application and operation of div 1**

- (1) This division applies if—

- (a) travelling stock are cattle; and
  - (b) the place of destination for the cattle (the *relevant place of destination*)—
    - (i) is not a neighbouring holding mentioned in section 51 or 52; and
    - (ii) does not have the same PIC as the place of departure for the cattle; and
  - (c) the cattle bear an approved tag when they arrive at the relevant place of destination.
- (2) In this division, the *responsible person* means—
- (a) if the relevant place of destination is a saleyard—the owner of the saleyard; or
  - (b) if the relevant place of destination is not a saleyard—the person who receives the cattle at the place.

**69 General obligations if relevant place of destination is not a stock transit facility**

- (1) This section applies only if the relevant place of destination is not a stock transit facility.
- (2) Subject to section 72(3), the responsible person must, within the required period, give the approved NLIS administrator notice<sup>17</sup> of all of the following information about the cattle—
  - (a) any PIC of the place of departure for the cattle;
  - (b) any PIC of the relevant place of destination;
  - (c) for cattle that bear a permanent tag that includes an electronic microchip—
    - (i) if the relevant place of destination is a saleyard or live export holding—the number shown by the microchip; or
    - (ii) otherwise—the number shown by the tag or by the microchip;

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<sup>17</sup> For the giving of the information electronically, see the *Electronic Transactions (Queensland) Act 2001*, sections 9 to 12.

- (d) for cattle that do not bear a permanent tag—
    - (i) any PIC of each place from which they were travelled; and
    - (ii) how many cattle were received from each of the places;
  - (e) if the relevant place of destination is a meat processing facility and the cattle are slaughtered at the facility within 5 working days after their arrival at the facility;
  - (f) if the relevant place of destination is a meat processing facility and the cattle are not slaughtered at the facility within 5 working days after their arrival at the facility;
  - (g) the serial number of any relevant waybill given to the responsible person for the travel of the cattle to the relevant place of destination.
- (3) However, subsection (2)(g) does not apply if the relevant place of destination is a meat processing facility.
- (4) In this section—

*required period* means—

- (a) if the relevant place of destination is a meat processing facility and the cattle were received by the facility for slaughter—
  - (i) the period that ends 48 hours after the cattle are slaughtered; or
  - (ii) if the chief inspector agrees to a longer period—the longer period; or
- (b) otherwise—the period that ends 48 hours after the arrival of the cattle at the relevant place of destination.

*working days*, for a meat processing facility, means days on which the facility operates.

## **70 Obligations if relevant place of destination is a stock transit facility**

- (1) This section applies if—

- (a) the relevant place of destination is a stock transit facility;<sup>18</sup> and
  - (b) the cattle leave the relevant place of destination.
- (2) The responsible person must, within 48 hours after the cattle leave the relevant place of destination, give the approved NLIS administrator notice of all of the following information—
- (a) any PIC of the place of departure for the cattle;
  - (b) any PIC of the relevant place of destination;
  - (c) how many cattle were received;
  - (d) the serial number of any relevant waybill given to the responsible person for the travel of the cattle to the relevant place of destination.
- (3) To remove any doubt, it is declared that this section does not affect an obligation under this division or division 2 of a another person who later receives the cattle at another place.

## **71 Additional obligation of selling agent if permanent tag is malfunctioning**

- (1) This section applies if—
- (a) the relevant place of destination is a saleyard, and, at the saleyard, a selling agent acts in the sale of a head of cattle that bears a breeder tag or post-breeder tag (the *existing tag*); and
  - (b) the existing tag is malfunctioning.
- (2) The selling agent must, before the animal leaves the saleyard—
- (a) ensure the animal bears a saleyard tag that shows the PIC of the saleyard; or
  - (b) under section 36(1)(b), replace the existing tag with a saleyard post-breeder tag.

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<sup>18</sup> See also section 89A (Section 70 obligations also apply for untagged cattle that arrive at a stock transit facility).

- (3) If a saleyard tag is applied to the animal, the selling agent must, as soon as practicable after the animal leaves the saleyard, give the person who is to receive the animal notice that the animal bears the tag.

## **72 Additional obligations for out-going cattle at saleyard or particular live export holdings**

- (1) This section applies if—
- (a) the relevant place of destination is a saleyard or a live export holding; and
  - (b) the cattle leave the relevant place of destination; and
  - (c) if the relevant place of destination is a live export holding, the leaving of the place is for the purposes of being exported.
- (2) The responsible person must, within 48 hours after the cattle leave the place, give the approved NLIS administrator notice of all of the following information—
- (a) the information mentioned in section 69(2)(a) to (d) for their travel (the *further travel*) from the saleyard or live export holding;
  - (b) the day they left the relevant place of destination;
  - (c) if the relevant place of destination is a live export holding—the serial number of the certificate under the *Export Control Act 1982* (Cwlth) for the export of the cattle;
  - (d) the serial number of any relevant waybill for the further travel.
- (3) If—
- (a) the relevant place of destination is a saleyard; and
  - (b) the relevant place of destination for the further travel is a farm, feedlot or station; and
  - (c) the responsible person has complied with subsection (2);

section 69(2) does not apply to the responsible person for the further travel.

- (4) To remove any doubt, it is declared that subsection (3) does not affect an obligation under division 2, subdivision 1, of the responsible person for the further travel.

#### **74 Additional obligations of meat processing facility owners**

- (1) This section applies if—
- (a) the relevant place of destination is a meat processing facility; and
  - (b) the cattle are slaughtered at the facility.
- (2) The person who owns the facility must ensure each part of the carcass of each of the cattle initially slaughtered and dismembered is correlated to—
- (a) if the cattle only bear a transaction tag—the number recorded on or shown by the tag; or
  - (b) if the cattle bear a permanent tag—
    - (i) the number recorded on or shown by the tag; or
    - (ii) the number shown by any microchip included in the tag.
- (3) The correlation may be done in any way the owner considers appropriate.

#### **75 Owner's obligation to remove transaction tag of cattle travelled from relevant place of destination**

- (1) This section applies only to those of the cattle that bear a transaction tag (the *old tag*).
- (2) The owner of the cattle must remove the old tag if—
- (a) after their arrival at the relevant place of destination, the cattle are further travelled (the *second travel*); and
  - (b) the second travel starts more than 40 days after the arrival; and
  - (c) under section 47, the owner must, for the second travel, ensure the cattle bear a transaction tag.

- (3) Subsection (2) does not prevent the owner from, within the 40 days, applying another transaction tag (a *new tag*) for the second travel.
- (4) However, if the owner applies a new tag, the owner must ensure—
  - (a) the old tag is removed; and
  - (b) the new tag complies with section 48.<sup>19</sup>

## **Division 2            Untagged cattle or sheep**

### **Subdivision 1        Obligation of particular persons to give inspector notice of particular consignments**

#### **76        Obligation to notify**

- (1) If—
  - (a) a consignment of cattle, goats, pigs or sheep arrives at a registered place; and
  - (b) any of them are unlawfully untagged;the relevant person must, within the required period, give an inspector notice of the arrival.
- (2) In this section—

*relevant person* means—

  - (a) if the registered place is a saleyard—a selling agent who has been engaged to act in the sale of the consignment at the saleyard; or
  - (b) if the registered place is a meat processing facility—its owner; or
  - (c) if the registered place is a live export holding—the person in charge of stock at the holding; or

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<sup>19</sup> See also section 44 (How approved tags must be applied to cattle).

- (d) if the registered place is other than a meat processing facility, live export holding or a saleyard—the person responsible for stock at the place.

*required period* means—

- (a) the period that ends 24 hours after the consignment arrives at the registered place; or
- (b) if the chief inspector agrees to a longer period—the longer period.

## **Subdivision 2 Further obligations of saleyard selling agents**

### **77 Application of sdiv 2**

This subdivision applies if—

- (a) a selling agent has been engaged to act in the proposed sale of cattle, goats, pigs or sheep at a saleyard; and
- (b) the cattle, goats, pigs or sheep do not bear a permanent tag when they arrive at the saleyard.

### **78 Obligation to ensure cattle, goats, pigs or sheep bear a saleyard post-breeder tag**

The selling agent must ensure the cattle, goats, pigs or sheep bear a saleyard post-breeder tag that shows the PIC of the saleyard before they leave the saleyard.

### **79 Record-making and notification obligations**

- (1) For cattle, the selling agent must within 48 hours after they leave the saleyard, make a record of all of the following information and give the approved NLIS administrator the information—
  - (a) any PIC of the place of departure for the cattle for their travel to the saleyard;
  - (b) the PIC of the saleyard;

- (c) the number shown by the microchip included in the saleyard post-breeder tag applied under section 78;
  - (d) the day the cattle left the saleyard.
- (2) For goats, pigs or sheep, the selling agent must within 48 hours after they leave the saleyard, make a record of all of the following information—
- (a) any PIC of the place of departure for the goats, pigs or sheep for their travel to the saleyard;
  - (b) the PIC of the saleyard;
  - (c) the number shown by the saleyard post-breeder tag applied under section 78;
  - (d) the day the goats, pigs or sheep left the saleyard.
- (3) To remove any doubt, it is declared that subsections (1) and (2) apply whether or not the proposed sale is made or completed.

## **80 Record-keeping obligations**

The selling agent must—

- (a) keep each record required to be made under section 79 for 5 years from when the notice is given under the section; and
- (b) during the 5 years, produce the record to an inspector if the inspector asks the agent to produce it for inspection, unless the selling agent has a reasonable excuse.

## **Subdivision 3 Further obligations of meat processing facility owners**

### **81 Obligation not to mix untagged cattle, goats, pigs or sheep with other animals**

- (1) This section applies if untagged cattle, goats, pigs or sheep arrive at a meat processing facility.
- (2) The owner of the facility must ensure the cattle, goats, pigs or sheep are, until they are slaughtered, not mixed with other

animals at the facility other than animals that were in the same consignment as the untagged cattle, goats, pigs or sheep.

**82 Obligations relating to unlawfully untagged cattle, goats, pigs or sheep**

- (1) This section applies if unlawfully untagged cattle, goats, pigs or sheep arrive at a meat processing facility.
- (2) Whether or not the cattle, goats, pigs or sheep are slaughtered at the facility, the owner of the facility must, within the required period—
  - (a) make a record of any PIC of the last farm, feedlot or station on which the cattle, goats, pigs or sheep were last held; and
  - (b) for cattle, give the approved NLIS administrator notice of the PIC.
- (3) If the unlawfully untagged animals are cattle and they are slaughtered at the facility, the owner must, within the required period—
  - (a) give each of their carcasses a number and make a record of the numbers; and
  - (b) if the place of departure for the cattle for their travel to the meat processing facility has a PIC—correlate the PIC with the carcase numbers and make a record the correlation.
- (4) The correlation may be done in any way the owner considers appropriate.
- (5) In this section—

***required period*** means—

  - (a) if the cattle, goats, pigs or sheep were received by the facility for slaughter—
    - (i) the period that ends 48 hours after the cattle, goats, pigs or sheep are slaughtered; or
    - (ii) if the chief inspector agrees to a longer period—the longer period; or

- (b) otherwise—the period that ends 48 hours after the owner receives the cattle, goats, pigs or sheep.

### **83 Record-keeping obligations**

- (1) This section applies to the person who from time to time is the owner of the meat processing facility during the period that ends 5 years after the last notice is given under section 82 for the arrival of the cattle, goats, pigs or sheep.
- (2) The person must, unless the person has a reasonable excuse, ensure each record about the cattle, goats, pigs or sheep made under the section is kept and produced to an inspector if the inspector asks the person to produce it for inspection.

## **Subdivision 4 Further obligations of persons in charge of stock at live export holdings**

### **84 Application of sdiv 4**

This subdivision applies if untagged cattle, goats, pigs or sheep arrive at a live export holding.

### **85 Obligation to find out PIC of last farm, feedlot or station of cattle, goats, pigs or sheep**

The person in charge of stock at the live export holding must, unless the person has a reasonable excuse, find out the PIC of the last farm, feedlot or station on which the cattle, goats, pigs or sheep were last held.

### **86 Obligation to apply tag to unlawfully untagged cattle, goats, pigs or sheep**

- (1) If the cattle, goats, pigs or sheep were unlawfully untagged for their travel to the live export holding, the person in charge of stock at the live export holding must apply the following tag—
  - (a) for cattle, goats or sheep—a post-breeder tag; or

- (b) for pigs—a permanent tag.
- (2) The person in charge must ensure the tag shows its serial number and the PIC of the live export holding.

## **87 Record-making and notification obligations**

- (1) The person in charge of stock at the live export holding must, within 48 hours after the arrival of the cattle, goats, pigs or sheep at the holding, make a record of all of the following information—
  - (a) any PIC of the last farm, feedlot or station on which the cattle, goats, pigs or sheep were last held, found out under section 85;
  - (b) the PIC of the live export holding;
  - (c) the number of the cattle, goats, pigs or sheep to which an approved tag was applied under section 86;
  - (d) the day the cattle, goats, pigs or sheep arrived at the live export holding.
- (2) Also, for cattle, the person in charge must, within the period mentioned in subsection (1), give the approved NLIS administrator the information mentioned the subsection.

## **88 Record-keeping obligations**

- (1) This section applies to the person who from time to time is the person in charge of stock at the live export holding during the period that ends 5 years after the arrival of the cattle, goats, pigs or sheep.
- (2) The person must, unless the person has a reasonable excuse, ensure each record about the cattle, goats, pigs or sheep made under section 87 is kept and produced to an inspector if the inspector asks the person to produce it for inspection.

## **Subdivision 5 Further obligation of persons in charge of stock at other registered places**

### **89 Obligation of person in charge to apply permanent tag to unlawfully untagged cattle, goats, pigs or sheep**

- (1) This section applies to the person in charge of stock at a registered place if unlawfully untagged cattle, goats, pigs or sheep arrive at the place.
- (2) However, subsection (1) does not apply to the following places—
  - (a) a stock route;
  - (b) a saleyard;
  - (c) a stock transit facility;
  - (d) a reserve for travelling stock;
  - (e) a meat processing facility;
  - (f) a live export holding;
  - (g) a showground for designated stock;
  - (h) a sporting ground for designated stock.
- (3) The person in charge of the cattle, goats, pigs or sheep must, before they are moved from the registered place, apply—
  - (a) for cattle, goats or sheep—a post-breeder tag; or
  - (b) for pigs—a permanent tag.
- (4) The tag must show its serial number and the PIC of the registered place.

### **89A Section 70 obligations also apply for untagged cattle that arrive at a stock transit facility**

If untagged cattle arrive at a stock transit facility, section 70 applies to the person who receives the cattle at the facility as if they did bear an approved tag on their arrival.



**94 Obligation to remove HGP free tag**

The actual owner and the person responsible for the husbandry of a head of cattle that bears an HGP free tag must ensure the tag is removed if the animal is treated with an HGP.

**Part 8 Transitional provisions****101 Register of holdings becomes the register under this regulation**

- (1) On the commencement of this section—
  - (a) the register of holdings under the repealed *Stock Identification Regulation 1985* (the *old register*) becomes the register under this regulation; and
  - (b) for section 10(1)—
    - (i) a place registered in the old register becomes a registered place; and
    - (ii) the person who was, in the old register, recorded as the owner of the place becomes the owner of the place.
- (2) However, the registration of the place, or the person as the owner of the place, is subject to any subsequent change permitted or required under part 2.

**102 Tags under former regulation**

On the commencement of this section a tag approved under the repealed *Stock Identification Regulation 1985* becomes an approved tag of its corresponding type under this regulation.

**Part 9**                      **Amendment and repeal provisions**

**Division 4**                **Repeal of Stock Identification Regulation 1985**

**117**    **Repeal**

The *Stock Identification Regulation 1985* is repealed.

## Schedule Dictionary

### section 4

**apply**, for an approved tag—

- (a) for cattle—means to attach the tag to, or insert the tag into, the cattle in the way provided for under section 44; or
- (b) for goats—means to attach the tag to them or imprint it on them in the way provided for under section 57; or
- (c) for pigs—means to attach the tag to them or imprint it on them in the way provided for under section 67D; or
- (d) for sheep—means to attach the tag to them in the way provided for under section 67K.

**approved NLIS administrator** means the entity who, under section 14(1), is approved as the administrator of the NLIS database.

**approved tag** see section 27(2).

**bear**—

- 1 Cattle *bear* an approved tag if an approved tag has been attached to, or inserted into, them in the way provided for under section 44.
- 2 Goats *bear* an approved tag if an approved tag has been attached to them in the way provided for under section 57.
- 3 Pigs *bear* an approved tag if an approved tag has been attached to or imprinted on them in the way provided for under section 67D.
- 4 Sheep *bear* an approved tag if an approved tag has been attached to them in the way provided for under section 67K.

**bolus ear tag** see section 28(a)(iii).

**breeder tag** see section 28(a)(i).

## Schedule (continued)

**buy**, an approved tag, means to buy or otherwise obtain the tag.

**buyer**, of an approved tag, means the person to whom the approved tag is supplied.

**chemical residue status**, of a registered place or stock on or from a registered place, means the absence or presence on or in the place or on or in the stock of any of the following, and, if any of the following is present, its level or risk of contamination to stock—

- (a) an agricultural chemical product or veterinary chemical product under the *Agricultural and Veterinary Chemicals Code Act 1994* (Cwlth);
- (b) a metal or polychlorinated biphenyl mentioned in part 1.4, standard 1.4.1 of the Australia New Zealand Food Standards Code under the *Australia New Zealand Food Authority Act 1991* (Cwlth);<sup>22</sup>
- (c) a substance mentioned in the document called ‘MRL Standard Maximum Residue Limits in Food and Animal Feedstuffs of Agricultural and Veterinary Chemicals and Associated Substances’, made by the Australian Pesticides and Veterinary Medicines Authority, published by Australian Government Publishing Service, Canberra;<sup>23</sup>
- (d) chlorfluazuron;
- (e) tetrahydrocannabinol.

**deck load**, of cattle, goats or sheep, means a load of conveyed cattle, goats or sheep that is at least 12m in length.

**depot-tagged goats** see section 59(5).

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22 Australia New Zealand Food Standards Code, part 1.4 (Contaminants and residues), standard 1.4.1 (Contaminants and natural toxicants)

A copy of the code may be inspected, free of charge, at the department’s office at 80 Ann Street, Brisbane. The code is available online at <[www.foodstandards.gov.au/the/code/foodstandardscode.cfm](http://www.foodstandards.gov.au/the/code/foodstandardscode.cfm)>.

23 A copy of the standard may be inspected, free of charge, at the department’s office at 80 Ann Street, Brisbane. At the commencement of this regulation, the standard was available online at <[www.apvma.gov.au/residues/mrl.shtml](http://www.apvma.gov.au/residues/mrl.shtml)>.

## Schedule (continued)

**designated stock** see section 5.

**directly**, for the travel of stock, means that the stock are not unloaded before they reach the place of destination for the travel.

**disease status**, of a registered place or stock on or from a registered place, means the following for any disease, other than conditions prescribed, under the *Stock Regulation 1988*, section 5B, as diseases for section 4C of the Act—

- (a) its presence or absence on or in the place or on or in the stock;
- (b) if any disease is present—its level or risk of infection or infestation.

**district breeder tag** see section 28(a)(v).

**district post-breeder tag** see section 28(a)(v).

**farmed goats** means farmed goats within the meaning of section 60.

**first travel**, from the place of birth of cattle, goats or sheep to be travelled, does not include their first travel mentioned in section 45(2), 58(2) or 67L(2) from their place of birth to a neighbouring holding.

**goat tattoo** see section 28(a)(vi).

**HGP** means hormonal growth promotant.

**HGP free tag** see section 28(b)(iii).

**HGP status**, of a registered place or stock on or from a registered place, means whether or not —

- (a) stock at or from the place have, at any time or place, been treated with an HGP; or
- (b) an HGP has been bought to treat stock on the place.

**hormonal growth promotant** means a product that—

- (a) contains an anabolic substance or a hormone; and

*Examples—*

- 17 beta oestradiol

## Schedule (continued)

- oestradiol benzoate
- progesterone
- testosterone propionate
- trenbolone acetate
- zeranol

(b) is used to promote the growth of bovines or bubalines.

**information notice**, about a decision, means a notice stating—

- (a) the decision, and the reasons for it; and
- (b) that its recipient may, within 30 days after receiving the notice, appeal to a Magistrates Court against the decision; and
- (c) how to appeal.<sup>24</sup>

**lawfully untagged**, for stock, means that—

- (a) the stock do not bear 1 or more approved tags required under this regulation (other than the following provisions) to be applied to them, because of a circumstance mentioned in any of the following provisions—
  - (i) part 4, division 3;
  - (ii) part 5, division 3;
  - (iii) part 5A, division 2;
  - (iv) part 5B, division 3.
- (b) the stock did bear 1 or more approved tags required under this regulation to be applied to them but the stock no longer bear the tag because they lost it while they were travelling or for another reason other than removal in contravention of section 36, 39 or 40.

**live export holding** means a holding that is—

- (a) a depot for the live export of stock; or

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<sup>24</sup> See section 36 (Appeals to Magistrates Courts) of the Act.

## Schedule (continued)

(b) an embarkation point for the export of live stock.

**malfunctioning**, for a tag, means the tag is not working properly or at all.

**meat processing facility** means an abattoir or other facility at which stock are killed for meat for trade or commerce.

**neighbouring holding**, of a place, means a holding any part of which is within 20km of the place.

**NLIS** see section 3(1).

**NLIS database** means the database that the approved NLIS administrator keeps for NLIS.

**notice** means a notice in writing.

**over the hooks sale** means a sale of stock to a meat processing facility for slaughter if the sale price is decided on weight and grade after slaughter of the stock.

**owner**, of stock travelled or to be travelled—

- 1 Generally, the *owner* of stock travelled or to be travelled is the person who, immediately before the travel starts, is their owner.
- 2 However, if the stock are sold before leaving their place of departure the *owner* is the person who was their owner immediately before the sale.

**permanent tag** see section 28(a).

**PIC** see section 10(1)(a).

**pig brand** see section 28(a)(vii).

**pig ear tag** see section 28(a)(viii).

**place of departure**, for stock travelled or to be travelled, means the place from which the travel started or is to start.

**place of destination**, for stock travelled or to be travelled, means the place at which the travel ended or is to end.

**place of farming**, for feral goats that become farmed goats, see section 60(4).

**post-breeder tag** see section 28(a)(ii).

## Schedule (continued)

***pure farmed goat*** see section 60(2).

***record***, when used as a noun, means a written record.

***register***, when used as a noun, means the register the chief inspector keeps under section 9.

***registered*** means recorded in the register.

***registered place*** means a place that, under part 2, division 3, is registered.

***registrable place*** see section 7.

***relevant place of destination***, for part 6, division 1, see section 68(1)(b).

***relevant waybill***, for travelling stock, means—

- (a) a waybill for the stock given under section 22C of the Act; or
- (b) an alternative waybill for the stock given under section 30A of the *Stock Regulation 1988*.

***responsible person***, for part 6, division 1, see section 68(2).

***rumen bolus*** means an electronic or other type of breeder tag or post-breeder tag inserted or to be inserted into the rumen or reticulum of stock.

***saleyard post-breeder tag*** see section 28(a)(iv).

***saleyard tag*** see section 28(b)(ii).

***selling agent*** means a licensee under the *Property Agents and Motor Dealers Act 2000* who, under that Act, is licensed to sell or deal with stock.

***serial number***, of an approved tag, means the number placed on the tag by the tag's manufacturer to identify the tag.

***shown***, for a microchip number, means shown electronically by an electronic reader.

***stock***, from a registered place, includes stock that, at any time, have come from the place.

***stock transit facility*** see section 7A.

## Schedule (continued)

**supplier**, of an approved tag, means the person who supplies the tag, whether by way of sale, gift or otherwise.

**supply** means to sell, give away or otherwise dispose of.

**tag**—

- 1 Generally, a *tag* is a tag that is, or includes an electronic microchip or an inert, or any other type of device, to identify designated stock, from which microchip or device information is capable of being reproduced.

*Example*—

an electronic rumen bolus

- 2 For goats, a *tag* also includes an imprinted ear tattoo.

- 3 For pigs, a *tag* also includes a pig brand under the *Brands Act 1915* imprinted by way of a tattoo, under that Act.

**temporary tag** see section 28(b).

**threshold number**, of designated stock, see section 6.

**transaction tag** see section 28(b)(i).

**transfer notice** see section 24(1).

**travel approval** see section 67S(1).

**'T' status**, in relation to a place, means that, under section 10, the registered chemical residue status of the place, or of stock on or from the place, for organochlorine chemical residues is, or includes, a status that starts with the letter 'T'.

**unlawfully untagged**, for stock, means that the stock do not bear 1 or more approved tags required under this regulation to be applied to them and no circumstance under any of the following provisions applies to the requirement—

- (a) part 4, division 3;
- (b) part 5, division 3;
- (c) part 5A, division 2;
- (d) part 5B, division 3.

**untagged** means lawfully untagged or unlawfully untagged.

## Endnotes

### 1 Index to endnotes

	Page
2 Date to which amendments incorporated . . . . .	76
3 Key . . . . .	76
4 Table of reprints . . . . .	77
5 List of legislation . . . . .	77
6 List of annotations . . . . .	78

### 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 17 October 2008. Future amendments of the Stock Identification Regulation 2005 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
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

## 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	Notes
1	none	1 July 2005	
1A	2005 SL No. 235	23 September 2005	
1B	2006 SL No. 61	7 April 2006	
1C	2007 SL No. 244	28 September 2007	
1D	2007 SL No. 239	1 October 2007	
1E	2008 SL No. 38	15 March 2008	R1E withdrawn, see R2
2	—	15 March 2008	
2A	2008 SL No. 342	17 October 2008	

## 5 List of legislation

### **Stock Identification Regulation 2005 SL No. 101**

made by the Governor in Council 26 May 2005

notfd gaz 27 May 2005 pp 308–11

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2005 (see s 2)

exp 1 September 2015 (see SIA s 54)

Notes—(1) The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

(2) A regulatory impact statement and explanatory note were prepared

amending legislation—

### **Stock Identification Amendment Regulation (No. 2) 2005 SL No. 235**

notfd gaz 23 September 2005 pp 309–10

commenced on date of notification

### **Stock Identification Amendment Regulation (No. 1) 2006 SL No. 61**

notfd gaz 7 April 2006 pp 1376–8

commenced on date of notification

### **Stock Identification Amendment Regulation (No. 1) 2007 SL No. 239**

notfd gaz 28 September 2007 pp 595–6

ss 1–2 commenced on date of notification

remaining provisions commenced 1 October 2007 (see s 2)

### **Exotic Diseases in Animals and Other Legislation Amendment Regulation (No. 1)**

**2007 SL No. 244 pts 1, 3**

notfd gaz 28 September 2007 pp 595–6

commenced on date of notification

**Primary Industries and Other Legislation Amendment Regulation (No. 1) 2008 SL No. 38 pts 1, 10**

notfd gaz 29 February 2008 pp 1012–14

ss 1–2 commenced on date of notification

remaining provisions commenced 15 March 2008 (see s 2)

**Stock Legislation Amendment Regulation (No. 1) 2008 SL No. 342 pts 1, 3**

notfd gaz 17 October 2008 pp 966–7

commenced on date of notification

Note—An explanatory note was prepared

## **6 List of annotations**

**PART 1—PRELIMINARY****What are “designated stock”**

s 5 amd 2007 SL No. 244 s 5

**What is a “registrable place”**

s 7 amd 2005 SL No. 235 s 3

**What is a “stock transit facility”**

s 7A ins 2005 SL No. 235 s 4

**Division 3—Maximum penalties**

div 3 (s 8) om 2006 SL No. 61 s 3

**When owner of registrable place must apply for registration**

s 16 amd 2007 SL No. 244 s 6

**Applying for registration**

s 19 amd 2005 SL No. 235 s 5

**Provisions for the PIC for registrable place**

s 21 amd 2005 SL No. 235 s 6; 2008 SL No. 38 s 36; 2008 SL No. 342 s 7

**Types of approved tags and their purposes**

s 28 amd 2005 SL No. 235 s 7; 2008 SL No. 342 s 8

**Obtaining approval to manufacture approved tags**

s 30 amd 2008 SL No. 342 s 9

**Prohibition on applying tag other than an approved tag**

s 34 amd 2008 SL No. 342 s 10

**Restrictions on applying permanent tag to cattle**

prov hdg amd 2008 SL No. 342 s 11(1)

s 35 amd 2008 SL No. 342 s 11(2)

**Restrictions on removing permanent tag**

s 36 amd 2008 SL No. 342 s 12

**Requirement to destroy removed permanent tag**

s 38 amd 2008 SL No. 342 s 13

**Approval to use different PIC for permanent tags for cattle, goats, pigs or sheep****prov hdg** amd 2008 SL No. 342 s 14**s 41** amd 2008 SL No. 342 s 14**Operation of pt 4****s 43** amd 2008 SL No. 342 s 15**How approved tags must be applied to cattle****s 44** amd 2005 SL No. 235 s 8**Cattle first travelled from their place of birth****s 46** amd 2006 SL No. 61 s 4**Other travelling of cattle****s 47** amd 2006 SL No. 61 s 5**Transaction tag requirements****s 48** amd 2007 SL No. 239 s 4**Subdivision 3—When cattle need only bear a permanent tag or a transaction tag****sdiv hdg** om 2007 SL No. 239 s 5**Particular bobby calves****s 53** sub 2005 SL No. 235 s 9

om 2007 SL No. 239 s 5

**Subdivision 5—Travel approvals****sdiv hdg** sub 2008 SL No. 342 s 16**Travel under travel approval****s 55** sub 2008 SL No. 342 s 16**PART 5—OBLIGATIONS OF OWNERS OF TRAVELLING GOATS****pt hdg** sub 2008 SL No. 342 s 17**Division 1—Preliminary****div hdg** sub 2008 SL No. 342 s 17**Operation of pt 5****s 56** sub 2005 SL No. 235 s 10; 2006 SL No. 61 s 6; 2008 SL No. 342 s 17**How approved tag must be applied to goats****s 57** amd 2005 SL No. 235 s 11

sub 2008 SL No. 342 s 17

**When obligation to apply an approved tag must be complied with****s 58** amd 2005 SL No. 235 s 12

sub 2008 SL No. 342 s 17

**Division 2—Identification requirements****div hdg** sub 2008 SL No. 342 s 17**Subdivision 1—Harvested feral goats****sdiv hdg** ins 2008 SL No. 342 s 17**Identification requirement for harvested feral goats travelled directly to depot****s 59** sub 2008 SL No. 342 s 17

**Subdivision 2—Farmed goats****sdiv hdg** ins 2008 SL No. 342 s 17**What are “farmed goats”****s 60** sub 2008 SL No. 342 s 17**Pure farmed goats travelled from their place of birth****s 61** sub 2008 SL No. 342 s 17**Other travelling of pure farmed goats****s 62** sub 2008 SL No. 342 s 17**Other farmed goats—first travel from place of farming****s 63** amd 2005 SL No. 235 s 13  
sub 2008 SL No. 342 s 17**Other travel of farmed goats****s 64** amd 2005 SL No. 235 s 15  
sub 2008 SL No. 342 s 17**Division 3—When requirements about identification do not apply****div hdg** sub 2008 SL No. 342 s 17**Subdivision 1—Requirements under division 2****sdiv hdg** ins 2005 SL No. 235 s 14  
sub 2008 SL No. 342 s 17**Meat processing facility sales of particular farmed goats****s 65** sub 2008 SL No. 342 s 17**Temporary travel to neighbouring holding****s 66** sub 2008 SL No. 342 s 17**Travel to and from sporting event****s 67** sub 2008 SL No. 342 s 17**Subdivision 2—Travel approvals****sdiv hdg** ins 2005 SL No. 235 s 16  
sub 2008 SL No. 342 s 17**Travel under travel approval****s 67A** ins 2005 SL No. 235 s 16  
sub 2008 SL No. 342 s 17**PART 5A—OBLIGATIONS OF OWNERS OF TRAVELLING PIGS****pt hdg** ins 2008 SL No. 342 s 17**Division 1—Identification requirements****div hdg** ins 2008 SL No. 342 s 17**Pigs first travelled from their place of birth****s 67B** ins 2005 SL No. 235 s 16  
sub 2006 SL No. 61 s 7; 2008 SL No. 342 s 17**Other travelling of pigs****s 67C** ins 2005 SL No. 235 s 16  
sub 2008 SL No. 342 s 17

**How approved tag must be applied to pigs**

s 67D ins 2005 SL No. 235 s 16  
sub 2008 SL No. 342 s 17

**When requirement must be complied with**

s 67E ins 2008 SL No. 342 s 17

**Division 2—When requirements about identification do not apply**

div hdg ins 2008 SL No. 342 s 17

**Subdivision 1—Requirements under division 1**

sdiv 1 (ss 67F–67H) ins 2008 SL No. 342 s 17

**Subdivision 2—Travel approvals**

sdiv 2 (s 67I) ins 2008 SL No. 342 s 17

**PART 5B—OBLIGATIONS OF OWNERS OF TRAVELLING SHEEP**

pt hdg ins 2008 SL No. 342 s 17

**Division 1—Preliminary**

div 1 (ss 67J–67L) ins 2008 SL No. 342 s 17

**Division 2—Identification requirements**

div 2 (ss 67M–67N) ins 2008 SL No. 342 s 17

**Division 3—When requirements about identification do not apply**

div hdg ins 2008 SL No. 342 s 17

**Subdivision 1—Requirements under division 2**

sdiv 1 (ss 67O–67Q) ins 2008 SL No. 342 s 17

**Subdivision 2—Travel approvals**

sdiv 2 (s 67R) ins 2008 SL No. 342 s 17

**PART 5C—TRAVEL APPROVALS FOR CATTLE, GOATS, PIGS OR SHEEP**

pt 5C (ss 67S–67V) ins 2008 SL No. 342 s 17

**General obligations if relevant place of destination is not a stock transit facility**

prov hdg sub 2005 SL No. 235 s 17(1)  
s 69 amd 2005 SL No. 235 s 17(2)–(4)

**Obligations if relevant place of destination is a stock transit facility**

prov hdg sub 2005 SL No. 235 s 18(1)  
s 70 amd 2005 SL No. 235 s 18(2)

**Selling agent's obligation to ensure particular bobby calves bear a saleyard post-breeder tag**

s 73 om 2007 SL No. 239 s 6

**Obligation to notify**

s 76 amd 2005 SL No. 235 s 19; 2008 SL No. 342 s 18

**Application of sdiv 2**

s 77 amd 2008 SL No. 342 s 19

**Obligation to ensure cattle, goats, pigs or sheep bear a saleyard post-breeder tag**

s 78 sub 2008 SL No. 342 s 20

**Record-making and notification obligations**

s 79            amd 2008 SL No. 342 s 21

**Obligation not to mix untagged cattle, goats, pigs or sheep with other animals**

prov hdg    amd 2008 SL No. 342 s 22

s 81            amd 2008 SL No. 342 s 22

**Obligations relating to unlawfully untagged cattle, goats, pigs or sheep**

prov hdg    amd 2008 SL No. 342 s 23

s 82            amd 2008 SL No. 342 s 23

**Record-keeping obligations**

s 83            amd 2008 SL No. 342 s 24

**Application of sdiv 4**

s 84            amd 2008 SL No. 342 s 25

**Obligation to find out PIC of last farm, feedlot or station of cattle, goats, pigs or sheep**

prov hdg    amd 2008 SL No. 342 s 26

s 85            amd 2008 SL No. 342 s 26

**Obligation to apply tag to unlawfully untagged cattle, goats, pigs or sheep**

prov hdg    amd 2008 SL No. 342 s 27(1)

s 86            amd 2005 SL No. 235 s 20; 2008 SL No. 342 s 27

**Record-making and notification obligations**

s 87            amd 2008 SL No. 342 s 28

**Record-keeping obligations**

s 88            amd 2008 SL No. 342 s 29

**Obligation of person in charge to apply permanent tag to unlawfully untagged cattle, goats, pigs or sheep**

prov hdg    amd 2008 SL No. 342 s 30(1)

s 89            amd 2005 SL No. 235 s 21; 2008 SL No. 342 s 30

**Section 70 obligations also apply for untagged cattle that arrive at a stock transit facility**

s 89A        ins 2005 SL No. 235 s 22

**PART 8—TRANSITIONAL PROVISIONS****Division 1—Transitional provisions for identification requirements for cattle**

div hdg      om 2008 SL No. 342 s 31

**Bulls born before 1 July 2003 not from place with a ‘T’ status**

s 95            sub 2006 SL No. 61 s 8

om 2007 SL No. 239 s 7

**Particular cattle travelling to meat processing facility**

s 96            om 2008 SL No. 342 s 31

**Obligations of person receiving cattle to which s 96 applies**

s 96A        ins 2005 SL No. 235 s 23

om 2008 SL No. 342 s 31

**Division 2—Transitional provisions for identification requirements for sheep****div hdg** om 2008 SL No. 342 s 31**Particular cattle travelling to live export holding****s 97** om 2007 SL No. 239 s 8**Election to apply permanent tag****s 98** om 2007 SL No. 239 s 8**Sheep born before 1 January 2006****s 99** sub 2005 SL No. 235 s 24

om 2008 SL No. 342 s 31

**Election to apply permanent tag****s 100** om 2008 SL No. 342 s 31**Division 3—Miscellaneous provisions****div hdg** om 2008 SL No. 342 s 32**PART 9—AMENDMENT AND REPEAL PROVISIONS****Division 1—Amendment of Chemical Usage (Agricultural and Veterinary) Control Regulation 1999****div 1 (ss 103–104)** om R1 (see RA ss 7(1)(k) and 40)**Division 2—Amendment of State Penalties Enforcement Regulation 2000****div 2 (ss 105–106)** om R1 (see RA ss 7(1)(k) and 40)**Division 3—Amendment of Stock Regulation 1988****div 3 (ss 107–116)** om R1 (see RA ss 7(1)(k) and 40)**SCHEDULE—DICTIONARY**def “**apply**” amd 2008 SL No. 342 s 33(3)def “**bear**” amd 2008 SL No. 342 s 33(4)def “**bolus ear tag**” amd 2005 SL No. 235 s 25(3)def “**breeder tag**” amd 2005 SL No. 235 s 25(3)def “**deck load**” amd 2008 SL No. 342 s 33(5)def “**depot-tagged goats**” ins 2008 SL No. 342 s 33(2)def “**directly**” ins 2008 SL No. 342 s 33(2)def “**district breeder tag**” amd 2005 SL No. 235 s 25(3)def “**district post-breeder tag**” amd 2005 SL No. 235 s 25(3)def “**farmed goats**” ins 2008 SL No. 342 s 33(2)def “**first travel**” ins 2008 SL No. 342 s 33(2)def “**first travel from place of birth**” om 2008 SL No. 342 s 33(1)def “**goat tattoo**” ins 2008 SL No. 342 s 33(2)def “**HGP free tag**” amd 2005 SL No. 235 s 25(3)def “**lawfully untagged**” amd 2008 SL No. 342 s 33(6)def “**permanent tag**” amd 2005 SL No. 235 s 25(3)def “**pig brand**” ins 2008 SL No. 342 s 33(2)def “**pig ear tag**” ins 2008 SL No. 342 s 33(2)def “**place of farming**” ins 2008 SL No. 342 s 33(2)def “**post-breeder tag**” amd 2005 SL No. 235 s 25(3)def “**pure farmed goat**” ins 2008 SL No. 342 s 33(2)def “**saleyard post-breeder tag**” amd 2005 SL No. 235 s 25(3)def “**saleyard tag**” amd 2005 SL No. 235 s 25(3)

def **“sheep property tag”** om 2005 SL No. 235 s 25(1)  
def **“stock transit facility”** ins 2005 SL No. 235 s 25(2)  
def **“tag”** sub 2008 SL No. 342 s 33(1)–(2)  
def **“temporary tag”** amd 2005 SL No. 235 s 25(3)  
def **“transaction tag”** amd 2005 SL No. 235 s 25(3)  
def **“travel approval”** ins 2008 SL No. 342 s 33(2)  
def **“‘T’ status”** ins 2006 SL No. 61 s 9  
def **“unlawfully untagged”** amd 2008 SL No. 342 s 33(7)