



Animal Care and Protection Act 2001

Animal Care and Protection Regulation 2023

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Queensland

Animal Care and Protection Regulation 2023

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Animal Care and Protection Regulation 2023

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Animal Care and Protection Regulation 2023*.

2 Commencement

This regulation commences on 1 September 2023.

Part 2 Codes of practice

3 Codes made as codes of practice

- (1) For section 13(1) of the Act, the following codes are made as codes of practice—
 - (a) the code called ‘Code of practice about domestic fowl’ stated in schedule 1;
 - (b) the code called ‘Code of practice about pigs’ stated in schedule 2;
 - (c) the code called ‘Code of practice about sheep’ stated in schedule 3;
 - (d) the code called ‘Code of practice about cattle’ stated in schedule 4;
 - (e) the code called ‘Code of practice for transport of livestock’ stated in schedule 5;
 - (f) the code called ‘Code of practice for livestock at depots and saleyards’ stated in schedule 6;

[s 4]

- (g) the code called ‘Code of practice for breeding of dogs’ stated in schedule 7;
 - (h) the code called ‘Code of practice about rodeos’ stated in schedule 8;
 - (i) the code called ‘Code of practice for horses at livestock slaughter facilities’ stated in schedule 8A.
- (2) A person must comply with a code of practice mentioned in subsection (1).

Note—

See section 15(3) of the Act.

4 Documents made as codes of practice

- (1) For section 13(1) of the Act, a document stated in schedule 9 is a code of practice.
- (2) A person may comply with a code of practice mentioned in subsection (1).

Note—

Under section 16 of the Act, a code of practice may be admissible in evidence in a proceeding for an offence against the Act.

5 Relationship between particular codes of practice

- (1) Subsection (2) applies if there is an inconsistency between—
- (a) a provision in a code of practice mentioned in section 3(1); and
 - (b) a provision in a code of practice mentioned in section 4(1) that is similar to the relevant compulsory code.
- (2) The provision in the code of practice mentioned in section 3(1) prevails to the extent of the inconsistency.

Part 3 **Closed-circuit television equipment for livestock slaughter facilities**

6 Minimum requirements for closed-circuit television equipment—Act, s 93U

- (1) For section 93U(a)(i) of the Act, the minimum requirements for closed-circuit television equipment are—
 - (a) each recording made by the equipment must, when viewed, display the time and date of the recording; and
 - (b) the equipment must produce images of a quality that allow for the identification of individuals or animals at the facility; and
 - (c) the equipment must record the whole of the area of a monitoring point; and
 - (d) the equipment, or a device used for storing recordings made by the equipment (a *related device*), must be able to store each recording made by the equipment for at least 1 year and 30 days; and
 - (e) the equipment or any related device must be able to produce a digital copy of each recording stored on the equipment or device.
- (2) In this section—

monitoring point, for a livestock slaughter facility, see section 93T(2) of the Act.

7 Requirements for maintaining closed-circuit television equipment—Act, s 93U

- (1) For section 93U(a)(ii) of the Act, closed-circuit television equipment at a livestock slaughter facility must be inspected each day livestock is at the facility to ensure it is operating effectively.

[s 8]

- (2) If the closed-circuit television equipment at a livestock slaughter facility is not operating effectively or is otherwise malfunctioning, the owner of the facility must—
 - (a) give a notice to the chief executive in the approved form about the malfunction; and
 - (b) make arrangements to repair the equipment no later than 48 hours after the malfunction is identified.
- (3) The closed-circuit television equipment at a livestock slaughter facility must be inspected and certified by an appropriately qualified person at least once each year.

8 Inspecting closed-circuit television equipment

- (1) This section applies if closed-circuit television equipment at a livestock slaughter facility is inspected under section 7(3).
- (2) The following details about the inspection must be recorded—
 - (a) the date and time the equipment was inspected;
 - (b) the name of the person who inspected the equipment;
 - (c) whether the equipment was operating effectively.
- (3) The records must—
 - (a) be stored in a secure place at the livestock slaughter facility; and
 - (b) be accessible only by the owner of the livestock slaughter facility or a person authorised by the owner.

9 Certifying closed-circuit television equipment

- (1) This section applies if closed-circuit television equipment at a livestock slaughter facility is certified under section 7(3).
- (2) The certificate must state whether the closed-circuit television equipment and any related device are in good working order and specifically whether—
 - (a) the equipment is able to record images clearly; and

- (b) the equipment or related device is able to store each recording made by the equipment for at least 1 year and 30 days; and
 - (c) the equipment and related device are able to produce a digital copy of each recording stored on the equipment or device.
- (3) The certificate must—
- (a) be stored in a secure place at the livestock slaughter facility; and
 - (b) be accessible only by the owner of the livestock slaughter facility or a person authorised by the owner.
- (4) In this section—
- related device* see section 6(1)(d).

Part 4 Miscellaneous provisions

10 Use of electrical device on horses—Act, s 18

For section 18(2)(e) of the Act, an electrical prod is prescribed for horses.

11 Information for annual report—Act, s 87

- (1) For section 87(2)(a) of the Act, the following information is prescribed for animals the person has used, or allowed to be used, for scientific purposes—
- (a) a description of the animals, including the species and class of the animals;
 - (b) the number of animals used or allowed to be used;
 - (c) details of where the animals were obtained;

Examples of where animals can be obtained—

saleyards, specialised animal suppliers, breeding programs,
pounds, shelters

- (d) the place of use, and duration of use, of the animals;
 - (e) the method of disposal of the animals;
 - (f) the scientific purpose for which the animals were used;
 - (g) the justification for the use of the animals;
 - (h) the impact of the use on the animals.
- (2) For section 87(2)(a) of the Act, the following information is prescribed for complaints, enquiries and grievances about the use of animals for scientific purposes—
- (a) details of each complaint, enquiry and grievance received by the registered person about the use of animals for scientific purposes by the registered person, including—
 - (i) the name of the person who made the complaint, enquiry or grievance, if known; and
 - (ii) the day on which the complaint, enquiry or grievance was made;
 - (b) the steps taken to investigate the complaint, enquiry or grievance;
 - (c) the outcome of an investigation into the complaint, enquiry or grievance, including details of any steps taken to remedy a matter arising out of the investigation.
- (3) For section 87(2)(b) of the Act, the following information is prescribed about the scientific use of animals—
- (a) the name of the animal ethics committee that approved the use of the animals for scientific purposes;
 - (b) details of the use approved by the animal ethics committee, including any requirements the committee made under the scientific use code in relation to the use;

- (c) how the animal ethics committee identifies the approved use in the committee's records.

12 Declared class of persons for authorised officers—Act, s 99

For section 99(2)(a)(ii) of the Act, officers of the Royal Society for the Prevention of Cruelty to Animals (Queensland) Limited are declared to be an approved class of persons.

13 Declared class of persons for inspectors—Act, s 114

For section 114(2)(a)(iii) of the Act, each of the following persons are declared to be an approved class of persons—

- (a) employees of an incorporated association under the *Associations Incorporation Act 1981* whose objects include animal welfare or the provision of facilities to care for animals;
- (b) employees of Safe Food Production QLD who are authorised officers appointed under the *Food Production (Safety) Act 2000*, section 83(1).

14 Approved training for inspectors—Act, s 121A

- (1) For section 121A of the Act, the prescribed training is modules 1 to 10 of the training course called 'Animal welfare inspector learning and development program' provided by Biosecurity Queensland.
- (2) An inspector must complete the training within 3 months after the day the inspector is given access to the training.

15 Prescribed entities—Act, schedule, definition *prescribed entity*

For the schedule of the Act, definition *prescribed entity*, paragraph (b), each of the following entities is prescribed—

[s 16]

- (a) a local government;
- (b) the Animal Welfare League of Queensland Inc. ABN 75 521 498 584;
- (c) the department in which the *Nature Conservation Act 1992* is administered;
- (d) North Queensland Wildlife Care Inc. ABN 42 029 658 066;
- (e) Wildcare Australia Inc. ABN 80 853 694 538;
- (f) Wildlife Warriors Ltd ACN 102 721 513;
- (g) Tolga Bat Rescue and Research Inc ABN 15 634 845 633.

16 Fees

- (1) The fees payable under the Act are stated in schedule 10.
- (2) In schedule 10—

corporation see the Corporations Act, section 57A.

non-State school see the *Education (Accreditation of Non-State Schools) Act 2017*, section 6.

public authority means—

- (a) a government entity under the *Public Sector Act 2022*, section 276; or
- (b) an entity established under a law of the Commonwealth or another State for a public purpose, whether or not the public purpose is stated in the law.

State school see the *Education (General Provisions) Act 2006*, schedule 4.

Schedule 1 Code of practice about domestic fowl

section 3(1)(a)

Part 1 Preliminary

1 Definitions for schedule

In this schedule—

broiler breeder means a domestic fowl used to breed meat chickens.

cup drinker means a cup that—

- (a) is attached to a water line; and
- (b) has a lever or other device in it; and
- (c) is filled with water if pressure is applied to the lever or device.

domestic fowl means a member of the species *Gallus gallus domesticus*.

drinker means a cup drinker or a nipple drinker.

feeder means anything used to provide food to a domestic fowl, including a food trough.

floor—

- (a) of a cage or shed, means the surface of the bottom of the cage or shed within its external walls; and
- (b) for a shed, includes the floor surface—
 - (i) on a different level than the bottom of the shed; or
 - (ii) made of, or covered by, mesh or slats.

floor area—

- (a) of a cage—see section 2(1) and (2); and

- (b) of a shed—see section 2(3) and (4).

free range system means a system consisting of—

- (a) a shed in which domestic fowl are kept other than in a cage; and
- (b) an outdoor area the fowl can access.

front, of a cage, means the side of the cage to which the door is attached.

layer pullet means a female domestic fowl that is less than 16 weeks of age.

laying fowl—

- (a) means a female domestic fowl reasonably expected to be capable of laying eggs; but
- (b) does not include a layer pullet.

measurable part, of the floor of a cage, means that part of the floor above which the height of the cage is at least 35cm.

meat chicken means a domestic fowl produced only for human consumption, but does not include a broiler breeder.

nipple drinker means a nipple that is attached to a water line.

relevant finding, for an inspection under section 17, means—

- (a) for an inspection of a domestic fowl or a cage in which a domestic fowl is kept—a finding that the fowl—
- (i) is sick or injured; or
- (ii) has escaped from a cage; or
- (iii) is trapped in a cage; or
- (iv) is dead; or
- (b) for an inspection of a water trough—a finding that there is no water, or very little water, in the water trough; or
- (c) for an inspection of a drinker—a finding that—
- (i) there is no water, or very little water, in the drinker; or

- (ii) if the drinker is electronically or mechanically operated—the drinker is not operating properly; or
- (d) for an inspection of a feeder—a finding that—
 - (i) there is no food, or very little food in, or on, the feeder; or
 - (ii) the food in, or on the feeder, is contaminated; or
 - (iii) if the feeder is electronically or mechanically operated—the feeder is not operating properly; or
- (e) for an inspection of an electronic or mechanical system used to control light, humidity, temperature and ventilation in a shed—a finding that the system is not operating properly.

shed means a structure of any kind that has a roof and walls and is used to keep domestic fowl.

trapped, for a domestic fowl in a cage, means the fowl is unable to move freely within the cage.

2 Meaning of *floor area*

- (1) The *floor area* of a cage—
 - (a) for part 2, division 1—means the area of the measurable part of the floor of the cage; or
 - (b) for part 2, division 2—means the area of the floor of the cage.
- (2) For subsection (1), the floor area includes an area of the floor covered by an egg and waste baffle, nipple drinker or water trough.
- (3) The *floor area*, of a shed, means the area of the floor of the shed.
- (4) For subsection (3), the floor area includes an area of the floor covered by a drinker, feeder or nesting area.

Part 2 Keeping domestic fowl in cages

Division 1 Laying fowl

3 General requirements for cages used to keep laying fowl

- (1) A person must not keep a laying fowl in a cage unless the person ensures—
 - (a) the floor of the cage provides support for each forward pointing toe of each fowl kept in the cage; and
 - (b) the fowl has reasonable access to a feeder; and
 - (c) the size of the feeders in the cage allows 10cm or more of space for each fowl kept in the cage; and
 - (d) the fowl has reasonable access to—
 - (i) a water trough; or
 - (ii) 2 or more drinkers; and
 - (e) the size of the water troughs in the cage allows 10cm or more of space for each fowl kept in the cage.
- (2) Also, if 2 or more cages are arranged in vertical tiers (the **arrangement**), a person must not keep a laying fowl in a cage in the arrangement unless—
 - (a) the fowl is visible to an extent that allows a person inspecting the fowl to make a general assessment about the fowl's health and wellbeing; and
 - (b) the fowl can easily be removed from the cage; and
 - (c) if another fowl is kept in a cage on a higher tier of the arrangement—the fowl is protected from excreta from the fowl in the cage on the higher tier.

4 Additional general requirements for cages installed on or after 1 January 1995

- (1) This section applies to a cage installed on or after 1 January 1995.
- (2) A person must not keep a laying fowl in the cage unless—
 - (a) the height of the cage above the measurable part of the floor of the cage is—
 - (i) more than the height of the fowl; and
 - (ii) at least 40cm for at least 65% of the measurable part of the floor of the cage; and
 - (b) the opening of the door of the cage, when the door is opened fully, is—
 - (i) at least 19cm high measured vertically from the bottom to the top of the door; and
 - (ii) free of obstruction by anything attached to the front of the cage; and

Examples for subparagraph (ii)—

a feeder, egg and waste baffle or cage bar
 - (c) the width of the door of the cage is—
 - (i) if the width of the cage is more than 50cm—at least 50cm; or
 - (ii) otherwise—the same as the width of the front of the cage.
- (3) Subsection (2)(b) does not apply to a cage installed on or after 1 July 2013.
- (4) The requirements for cages under this section are in addition to the general requirements applying to cages under section 3.

5 Door opening requirement for cages installed on or after 1 July 2013

- (1) This section applies to a cage installed on or after 1 July 2013.

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- (2) A person must not keep a laying fowl in the cage unless the opening of the door of the cage, when the door is opened fully, is—
- (a) at least 22cm high measured vertically from the bottom to the top of the door; and
 - (b) free of obstruction by anything attached to the front of the cage.
- Examples for paragraph (b)—*
a feeder, egg and waste baffle or cage bar
- (3) The requirements for cages under this section are in addition to the general requirements applying to cages under section 3.

6 Floor area requirements for cages used to keep laying fowl—1 laying fowl

- (1) This section applies if—
- (a) only 1 domestic fowl is kept in a cage; and
 - (b) the fowl is a laying fowl.
- (2) A person in charge of the fowl must ensure the floor area of the cage is not less than—
- (a) if the fowl weighs 4.5kg or less—1,000cm²; or
 - (b) if the fowl weighs more than 4.5kg—an area worked out that allows for 1m² for each 26kg of weight of fowl.

Example—

If the fowl weighs 5kg, the floor area of a cage must be at least 0.19m².

7 Floor area requirements for cages used to keep laying fowl—2 laying fowl

- (1) This section applies if—
- (a) only 2 domestic fowl are kept in a cage; and
 - (b) both fowl are laying fowls.
- (2) A person in charge of the fowl must ensure the floor area of the cage is not less than an area worked out by allowing—

- (a) 675cm² for each fowl weighing 4.5kg or less; and
- (b) for each fowl weighing more than 4.5kg—an area worked out that allows for 1m² for each 40kg of weight of fowl.

Example—

If 2 fowl each weighing 5kg are kept in the same cage, the floor area of the cage must be at least 0.25m².

- (3) For subsection (2)(b), if both fowl weigh more than 4.5kg, the area may be worked out using the combined weight of the fowl.

8 Floor area requirements for cages used to keep laying fowl—3 or more laying fowl

- (1) This section applies if—
 - (a) 3 or more domestic fowl are kept in a cage; and
 - (b) all the fowl are laying fowls.
- (2) A person in charge of the fowl must ensure the floor area of the cage is not less than an area worked out by allowing—
 - (a) 550cm² for each fowl weighing less than 2.4kg; and
 - (b) 600cm² for each fowl weighing 2.4kg or more but not more than 4.5kg; and
 - (c) for each fowl weighing more than 4.5kg—an area worked out that allows 1m² for each 46kg of weight of fowl.

Example—

If 3 fowl each weighing 5kg are kept in the same cage, the floor area of the cage must be at least 0.33m².

- (3) For subsection (2)(c), if 2 or more fowl weigh more than 4.5kg, the area may be worked out using the combined weight of all fowl weighing more than 4.5kg.

Division 2 Layer pullet

9 Floor area requirements for cages used to keep layer pullets

- (1) This section applies if—
 - (a) only 1 domestic fowl is kept in a cage and the fowl is a layer pullet; or
 - (b) 2 or more domestic fowl are kept in a cage and all the fowl kept in the cage are layer pullets.
- (2) A person in charge of the layer pullet must ensure the floor area of the cage is not less than an area worked out that allows 1m² for each 40kg of weight of layer pullet kept in the cage.

Example—

If 2 layer pullets each weighing 5kg are kept in the same cage, the floor area of the cage must be at least 0.25m².

- (3) For subsection (2), if 2 or more layer pullets are kept in the cage, the area may be worked out using the combined weight of all the layer pullets kept in the cage.

Part 3 Keeping domestic fowl in sheds

10 Application of part

This part applies if a domestic fowl is—

- (a) kept in a shed, including a shed that is part of a free range system; and
- (b) not kept in a cage.

11 General requirements for sheds used to keep domestic fowl

- (1) A person must not keep a domestic fowl in a shed unless—
 - (a) if the fowl is the only fowl kept in the shed—

-
- (i) the shed contains—
 - (A) at least 1 feeder; and
 - (B) at least 1 drinker; and
 - (ii) the fowl has equal access to the feeder and drinker; or
 - (b) if the fowl is kept in the shed with 1 or more other fowl—
 - (i) the shed contains—
 - (A) 1 or more feeders; and
 - (B) 2 or more drinkers; and
 - (ii) each fowl has reasonable access to the feeders and drinkers.
- (2) A person in charge of a domestic fowl must not keep the fowl in a shed that has more than 1 level inside the shed unless—
- (a) each level inside the shed—
 - (i) can be accessed by the fowl; and
 - (ii) has a height not less than 45cm; and
 - (b) the fowl is fully visible on each level of the shed and can easily be removed from the shed at all times; and
 - (c) a fowl on a lower level inside the shed is protected from excreta from a fowl on a higher level inside the shed.

12 Floor area requirements for sheds used to keep particular domestic fowl

- (1) This section applies if—
 - (a) only 1 domestic fowl, other than a layer pullet or a meat chicken, is kept in a shed; or
 - (b) 2 or more domestic fowl, other than a layer pullet or a meat chicken, are kept in a shed.
- (2) A person in charge of the fowl must ensure the floor area of the shed is not less than an area worked out that allows 1m² for each 30kg of weight of fowl.

Example—

If 2,000 domestic fowl each weighing 5kg are kept in a shed, the floor area of the shed must be at least 333.33m².

- (3) However, if the shed does not have a temperature control system, a person in charge of the fowl must ensure the floor area of the shed allows more than 1m² for each 30kg of weight of fowl.

Example—

If 2,000 domestic fowl each weighing 5kg are kept in a shed, the floor area of the shed must be more than 333.33m².

- (4) For subsections (2) and (3), if 2 or more fowl are kept in the shed, the area may be worked out using the combined weight of all the fowl kept in the shed.

- (5) In this section—

temperature control system, for a shed, means a system that—

- (a) consists of a cooling system and ventilation fans; and
- (b) when in use, controls temperature to avoid extreme temperature variations in the shed.

13 Floor area requirements for sheds used to keep meat chickens

- (1) This section applies if—
- (a) only 1 domestic fowl is kept in a shed and the fowl is a meat chicken; or
 - (b) 2 or more domestic fowl are kept in a shed and all the fowl are meat chickens.
- (2) A person in charge of the meat chicken must ensure the floor area of the shed is not less than an area worked out by allowing—
- (a) for a tunnel ventilated shed that has an extractive system or evaporative cooling system that results in an air change rate of at least 1 change per minute—1m² for each 40kg of weight of meat chicken; and

Example—

If 2,000 meat chickens each weighing 5kg are kept in a shed, the floor area of the shed must be at least 250m².

- (b) for a tunnel ventilated shed, other than a shed mentioned in paragraph (a)—
- (i) for the period between 1 April and 30 September—1m² for each 40kg of weight of meat chicken; and

Example—

If 2,000 meat chickens each weighing 5kg are kept in a shed, the floor area of the shed must be at least 250m².

- (ii) for the period between 1 October and 31 March—1m² for each 36kg of weight of meat chicken; and

Example—

If 2,000 meat chickens each weighing 5kg are kept in a shed, the floor area of the shed must be at least 277.78m².

- (c) for a shed that has a water-based cooling system or stirring fans—
- (i) for the period between 1 April and 30 September—1m² for each 40kg of weight of meat chicken; and

Example—

If 2,000 meat chickens each weighing 5kg are kept in a shed, the floor area of the shed must be at least 250m².

- (ii) for the period between 1 October and 31 March—1m² for each 36kg of weight of meat chicken; and

Example—

If 2,000 meat chickens each weighing 5kg are kept in a shed, the floor area of the shed must be at least 277.78m².

- (d) for any other shed—1m² for each 28kg of weight of meat chicken.

Example—

If 2,000 meat chickens each weighing 5kg are kept in a shed, the floor area of the shed must be at least 357.14m².

- (3) For subsection (2), if 2 or more meat chickens are kept in a shed, the area may be worked out using the combined weight of all the chickens kept in the shed.

Part 4

Keeping domestic fowl in outdoor area of free range systems

14 Area requirements for outdoor areas of free range systems used to keep laying fowl

- (1) A person must not keep more than 10,000 laying fowl in a hectare in an outdoor area of a free range system.
- (2) However, a person must not keep more than 1,500 laying fowl in a hectare in an outdoor area of a free range system unless the person ensures—
- (a) the fowl are grazed by moving them from paddock to paddock in the outdoor area; and
 - (b) at least 60% of the unshaded part of the outdoor area has ground cover vegetation, unless adverse weather conditions prevent vegetation growth; and
 - (c) the outdoor area is managed to avoid unsuitable conditions for fowl; and

Examples of unsuitable conditions for fowl—

muddy ground or ground covered with excessive amounts of excreta

- (d) the outdoor area is free of—
 - (i) poisonous plants and organisms that cause or carry disease that could harm a fowl's health; and
 - (ii) chemicals that could harm a fowl's health; and

- (e) each fowl, when fully feathered, has ready access for at least 8 hours a day to the outdoor area, unless adverse weather conditions prevent the access; and
- (f) the openings in a free range system's shed through which fowl may access the outdoor area are—
 - (i) at least 35cm high; and
 - (ii) at least 40cm wide; and
- (g) the total combined width of the openings of a free range system's shed through which fowl may access the outdoor area is at least 2m for every 1,000 fowl kept in the shed; and
- (h) there is sufficient shelter in the outdoor area to provide the fowl with shade and protection from adverse weather conditions; and

Examples of shelter—

a sunshade, a substantial tree or bush, or a windbreak

- (i) there is sufficient protection for the fowl in the outdoor area from predators.

Example of protection for fowl from predators—

a fence

- (3) In this section—

ground cover vegetation, for an outdoor area of a free range system, means any low spreading plant covering the soil in the outdoor area which can retard the movement of soil.

unshaded part, of an outdoor area of a free range system, means the part of the outdoor area that is not shaded by any type of shelter.

Part 5 Food and water requirements

15 Access to food

- (1) A person in charge of a domestic fowl must ensure the fowl has access to food—

- (a) within 60 hours after the fowl is hatched; and
 - (b) at least once in each 24-hour period after the expiry of the 60-hour period mentioned in paragraph (a).
- (2) Also, the person must ensure—
- (a) the food contains enough nutrients to ensure the fowl's good health and welfare; and
 - (b) the quantity of the food meets the fowl's physiological needs; and
 - (c) the food is not harmful to the fowl's health.
- (3) However, subsection (1)(b) does not apply if the fowl is—
- (a) a broiler breeder or layer pullet; and
 - (b) given access to food under a controlled feeding regime.
- (4) For subsection (2)(a) and (b), in deciding the amount of nutrients and quantity of food that must be provided to the fowl in the shed of a free range system, regard must be had to the amount of nutrients and quantity of food available to the fowl in the outdoor area of the system.
- (5) In this section—
- controlled feeding regime*** means a regime that manages the amount of food consumed by a fowl to control the weight of the fowl while still ensuring the amount of food consumed is sufficient to meet the fowl's physiological needs.

16 Access to water

- (1) A person in charge of a domestic fowl must ensure the fowl has access to water—
- (a) within 60 hours after the fowl is hatched; and
 - (b) at least once in each 24-hour period after the expiry of the 60-hour period mentioned in paragraph (a).
- (2) Also, the person must ensure—
- (a) the water is of a temperature and quality the fowl will drink; and

- (b) the quality and quantity of the water meets the fowl's physiological needs; and
- (c) the water is not harmful to the fowl's health.

Part 6 Inspections

17 Inspections of fowl, cages and equipment

A person in charge of a domestic fowl must ensure each of the following are inspected at least once in each 24-hour period—

- (a) the fowl;
- (b) if the fowl is kept in a cage—the cage;
- (c) the water troughs, drinkers and feeders provided for the fowl;
- (d) if the fowl is kept in a shed—the electronic or mechanical system used to control light, humidity, temperature and ventilation in the shed.

18 Inspections to include particular matters

An inspection under section 17 must include—

- (a) for an inspection of a fowl—
 - (i) assessing the fowl's health; and
 - (ii) checking the fowl for injuries; and
 - (iii) checking whether the fowl's behaviour indicates there may be a risk to the fowl's welfare; or
- (b) for an inspection of a cage, checking for—
 - (i) trapped fowl; and
 - (ii) fowl that has escaped, including, fowl in the manure area under the cage; or
- (c) for an inspection of a water trough—checking the water level in the trough; or

- (d) for an inspection of a drinker—inspecting the operation of the drinker; or
- (e) for an inspection of a feeder—
 - (i) checking the amount of food in, or on, the feeder; and
 - (ii) if there is food in, or on, the feeder—inspecting the food for contaminants; and
 - (iii) if the feeder is electronically or mechanically operated—inspecting the operation of the feeder; or
- (f) for an inspection of an electronic or mechanical system used to control light, humidity, temperature and ventilation in a shed—inspecting the operation of the system.

19 Action after inspections—person not in charge of domestic fowl

- (1) This section applies if—
 - (a) a person carried out an inspection under section 17 in relation to a domestic fowl; and
 - (b) the person is not the person in charge of the fowl; and
 - (c) the person made a relevant finding for the inspection.
- (2) The person must immediately notify the person in charge of the fowl of the relevant finding.

20 Action after inspections of fowl or cages—person in charge of domestic fowl

- (1) This section applies if a person in charge of a domestic fowl—
 - (a) makes a relevant finding in relation to the fowl; or
 - (b) is notified of a relevant finding in relation to the fowl.
- (2) The person must ensure—

-
- (a) if the fowl is sick or injured—the fowl is immediately treated or killed; and
 - (b) if the fowl is trapped in a cage—the fowl is immediately released and, if the fowl is injured, treated or killed; and
 - (c) if the fowl has escaped from a cage—the fowl is, as soon as practicable—
 - (i) put in a cage; or
 - (ii) if the fowl is to be treated for an injury or condition—moved to an area where the injury or condition can be treated; or
 - (iii) killed; and
 - (d) if the fowl is dead—the fowl is immediately disposed of.

21 Action after inspections of electronic or mechanical systems—person in charge of domestic fowl

- (1) This section applies if a person in charge of a domestic fowl—
 - (a) makes a relevant finding in relation to an electronic or mechanical system used to control light, humidity, temperature and ventilation in a shed where the fowl is kept; or
 - (b) is notified of a relevant finding in relation to an electronic or mechanical system used to control light, humidity, temperature and ventilation in a shed where the fowl is kept.
- (2) The person must ensure reasonable steps are taken to ensure the system operates properly.

22 Action after inspections of water troughs—person in charge of domestic fowl

- (1) This section applies if a person in charge of a domestic fowl—
 - (a) makes a relevant finding in relation to a water trough used by the fowl; or

- (b) is notified of a relevant finding in relation to a water trough used by the fowl.
- (2) The person must ensure the fowl has or has had access to water as required under section 16.

23 Action after inspections of drinkers—person in charge of domestic fowl

- (1) This section applies if a person in charge of a domestic fowl—
 - (a) makes a relevant finding in relation to a drinker used by the fowl; or
 - (b) is notified of a relevant finding in relation to a drinker used by the fowl.
- (2) The person must ensure —
 - (a) reasonable steps are taken to ensure the drinker operates properly; and
 - (b) if the drinker does not operate properly—the fowl has or has had access to water as required under section 16.

24 Action after inspections of feeders—person in charge of domestic fowl

- (1) This section applies if a person in charge of a domestic fowl—
 - (a) makes a relevant finding in relation to a feeder used by the fowl; or
 - (b) is notified of a relevant finding in relation to a feeder used by the fowl.
- (2) The person must ensure—
 - (a) if there is no or very little food in, or on, the feeder—the fowl has or has had access to food as required under section 15; or
 - (b) if food in, or on, the feeder is contaminated—
 - (i) the contaminated food is replaced with food that is not contaminated; and

- (ii) reasonable steps are taken to prevent future contamination of food provided by the feeder; or
- (c) if the feeder is an electronically or mechanically operated feeder and the feeder is not operating properly—reasonable steps are taken to ensure the feeder is operating properly.

Schedule 2 Code of practice about pigs

section 3(1)(b)

Part 1 Preliminary

1 Definitions for schedule

In this schedule—

boar means an uncastrated male pig over 9 months of age.

breeding boar means a boar used to breed pigs.

breeding gilt means a gilt used to breed pigs.

breeding sow means a sow used to breed pigs.

creep area means an area used to keep piglets which is designed to protect the piglets from overlaying or being crushed by a sow.

direct supervision, for carrying out a husbandry procedure on a pig, means direct supervision complying with section 4.

essential equipment means mechanical equipment that is required for providing food and drinking water to pigs and ensuring their other environmental needs are met.

Examples of other environmental needs—

- a stable and comfortable temperature
- adequate lighting and ventilation

farrowing means giving birth to piglets.

farrowing crate means an enclosure—

- (a) designed and constructed to house only 1 sow during and after farrowing; and
- (b) that does not allow a sow to turn around freely; and
- (c) that has a creep area adjacent to it.

farrowing pen means a pen—

-
- (a) designed and constructed to house only 1 sow and her piglets during and after farrowing; and
 - (b) that allows the sow and her piglets to turn around freely; and
 - (c) that has a creep area in it.

feeder means a trough, hopper or similar equipment from which food may be accessed by a pig.

floor area see section 2.

foster, in relation to a sow, means the sow feeds piglets that are not the sow's progeny.

gilt means a female pig that is to be used for breeding but has not had a first litter.

herd health program, for a pig, means a program that—

- (a) identifies potential risks to the pig of sickness or disease; and
- (b) provides specific actions to prevent or minimise the risks.

husbandry procedure means—

- (a) a non-invasive husbandry procedure carried out in compliance with section 5; and
- (b) an invasive husbandry procedure carried out in compliance with section 6; and
- (c) inspecting pigs kept for commercial purposes in compliance with section 7; and
- (d) sterilising pigs in compliance with section 8; and
- (e) administering medicines to pigs in compliance with section 9; and
- (f) humanely killing pigs in compliance with section 10.

indoor pen does not include—

- (a) an indoor stall; or
- (b) an indoor farrowing crate.

invasive husbandry procedure—

- (a) includes—
 - (i) clipping a pig's needle teeth; and
 - (ii) marking a pig for identification; and
 - (iii) docking a pig's tail; and
 - (iv) ringing a pig's nose; and
 - (v) trimming a pig's tusks; and
 - (vi) if a pig is a male pig less than 3 weeks of age—castrating the pig; but
- (b) does not include a non-invasive husbandry procedure.

medication instruction, in relation to a medicine, means—

- (a) a prescription given by a veterinary surgeon; or
- (b) a written instruction for administering the medicine that is—
 - (i) prepared by the manufacturer or supplier of the medicine; and
 - (ii) supplied with the medicine.

non-invasive husbandry procedure means—

- (a) diagnosing whether or not a pig is pregnant by external ultrasonic examination; or
- (b) measuring a pig's back fat in a way that does not penetrate the pig's skin; or
- (c) administering medicine to a pig in compliance with a medication instruction by—
 - (i) oral dosing; or
 - (ii) topical application to the skin; or
 - (iii) mixing the medicine with food.

pen means an enclosure designed and constructed to house pigs.

pig means a pig, other than a feral pig (*Sus scrofa*).

piglet means a pig up to the time the pig is weaned from a sow.

sow means—

- (a) a female pig that is—
 - (i) at least 9 months of age; and
 - (ii) has had at least 1 litter; or
- (b) a gilt that is pregnant.

stall means an enclosure designed and constructed to house only 1 pig.

suitably qualified, to carry out a husbandry procedure on a pig, see section 3.

waterer, for a pig, means a trough or similar equipment from which drinking water may be accessed by a pig.

weaner means a pig, other than a breeding boar, breeding gilt or breeding sow—

- (a) that has been weaned from a sow; and
- (b) weighs no more than 30kg.

2 Meaning of **floor area**

- (1) The **floor area**, of a pen, stall or farrowing crate, means the area of the floor of the pen, stall or crate.
- (2) For subsection (1), the floor area of a pen, stall or farrowing crate includes an area of the floor covered by a feeder or waterer only if the feeder or waterer—
 - (a) does not impede the movement of a pig being kept in the pen, stall or crate; and
 - (b) is not reasonably likely to cause injury to a pig being kept in the pen, stall or crate.

Part 2 Husbandry procedures

Division 1 Competency to carry out husbandry procedures

3 Who is *suitably qualified* to carry out husbandry procedures

- (1) A person is *suitably qualified* to carry out a husbandry procedure on a pig only if—
- (a) the person is a veterinary surgeon; or
 - (b) the person has satisfactorily completed any of the following training—
 - (i) a Certificate III in pork production (AHC30422) or an equivalent qualification;
 - (ii) the skill set called ‘Pork industry stockperson skill set’ (AHCSS00151) or an equivalent qualification;or
 - (c) the person has undertaken, for a period of at least 12 months, practical training and experience in husbandry procedures at a pig establishment that, during the period, complied with an industry recognised quality assurance program.

Examples of industry recognised quality assurance programs—

- 1 the Australian Pork Industry Quality Assurance Program
- 2 the Safe Quality Food program called SQF 1000 Code
- 3 the Australian Certified Organic certification program

- (2) In this section—

equivalent qualification, in relation to a qualification mentioned in subsection (1)(b), means—

- (a) an equivalent VET qualification; or
- (b) a superseded qualification; or

- (c) a VET statement of attainment for achieving the units of competency required for the training.

pig establishment means a place used to keep, raise and breed pigs for the purpose of producing pork.

registered training organisation see the *National Vocational Education and Training Regulator Act 2011* (Cwlth), section 3.

superseded qualification, in relation to a husbandry procedure, means a qualification that—

- (a) was provided by a registered training organisation or former registered training organisation; and
- (b) is no longer offered; and
- (c) when it was offered, was a qualification for carrying out the husbandry procedure.

VET qualification see the *National Vocational Education and Training Regulator Act 2011* (Cwlth), section 3.

VET statement of attainment see the *National Vocational Education and Training Regulator Act 2011* (Cwlth), section 3.

4 **When person is under direct supervision for carrying out husbandry procedures**

A person (the ***supervised person***) carries out a husbandry procedure on a pig under the ***direct supervision*** of another person (the ***supervisor***) only if the supervisor—

- (a) instructs the supervised person about the procedure; and
- (b) is on the premises where the procedure is being carried out while the procedure is being carried out; and
- (c) is available to give additional instruction to the supervised person about carrying out the procedure, if required, while the procedure is being carried out; and
- (d) evaluates, including personally checking on a regular basis, the carrying out of the procedure by the supervised person.

Division 2 Carrying out husbandry procedures

5 Non-invasive husbandry procedures

A person may carry out a non-invasive husbandry procedure on a pig only if the person—

- (a) has the knowledge, skills and experience to carry out the procedure; or
- (b) carries out the procedure under the direct supervision of a person who has the knowledge, skills and experience to carry out the procedure.

6 Invasive husbandry procedures

A person may carry out an invasive husbandry procedure on a pig only if the person—

- (a) is suitably qualified to carry out the procedure; or
- (b) carries out the procedure under the direct supervision of a person who is suitably qualified to carry out the procedure.

7 Inspecting pigs kept for commercial purposes

A person may carry out an inspection of a pig kept for a commercial purpose under part 10 only if the person—

- (a) is suitably qualified to carry out the inspection; or
- (b) carries out the inspection under the direct supervision of a person who is suitably qualified to carry out the inspection.

8 Sterilising male pigs over 3 weeks of age

(1) A person may sterilise a male pig that is 3 weeks of age or older only if—

- (a) the person is a veterinary surgeon; or
- (b) the person—

-
- (i) is undertaking a course of study, or a qualifying examination, in veterinary science approved by the Veterinary Surgeons Board of Queensland established under the *Veterinary Surgeons Act 1936*; and
 - (ii) carries out the surgery under the direct supervision of a veterinary surgeon.
- (2) A person may only sterilise a pig by—
- (a) surgically sterilising the pig; or
 - (b) sterilising the pig by way of a vaccine.
- (3) If a pig is surgically sterilised, the person carrying out the procedure must ensure suitable anaesthetic is administered to the pig for the procedure.

9 Administering vaccines and other medicines by injection

A person may administer a vaccine or other medicine to a pig by injection only if the person—

- (a) is suitably qualified to administer the vaccine or other medicine by injection; or
- (b) administers the vaccine or other medicine—
 - (i) under the direct supervision of a person who is suitably qualified to administer the vaccine or other medicine; or
 - (ii) in accordance with a medication instruction for the medicine.

Note—

The *Medicines and Poisons Act 2019* regulates the administration of particular medicines.

10 Humanely killing pigs

- (1) A person may kill a pig in a humane way only if the person is—
- (a) suitably qualified to kill the pig; or

- (b) acting under the direct supervision of a person who is suitably qualified to kill the pig.
- (2) However, a person, other than a person acting under subsection (1), may kill a pig in a humane way if—
 - (a) it is necessary to kill the pig to prevent the pig from suffering; and
 - (b) it would be inhumane to delay killing the pig until a person could kill the pig under subsection (1).
- (3) For subsection (1) and (2), a pig is killed in a humane way if the pig is killed in a way that—
 - (a) causes rapid unconsciousness and death immediately after unconsciousness happens; and
 - (b) is otherwise humane.

Part 3 Housing pigs generally

11 Housing pigs

- (1) This section applies whether or not a pig is kept in single or group housing in a shed, shelter or other building or is allowed to range outside.
- (2) A person in charge of a pig must provide housing for the pig that is designed and constructed to protect the pig from adverse weather conditions, injury, predators or other threats to the pig's welfare.

Part 4 Housing pigs in sheds, shelters or other buildings

12 Automatically controlled ventilated housing

- (1) This section applies if a pig is housed in a shed, shelter or other building that is fitted with an automatically controlled forced-ventilation system.

Examples of an automatically controlled forced-ventilation system—

fans or shutters controlled by temperature sensors

- (2) A person in charge of the pig must ensure an effective backup system that allows the housing to be ventilated is in place in the shed, shelter or other building in the event of a failure or the non-operation of the automatically controlled ventilation system.

13 Naturally ventilated housing

- (1) This section applies if a pig is housed in a shed, shelter or other building that is naturally ventilated using automatically operated equipment.
- (2) A person in charge of the pig must ensure—
 - (a) the automatically operated equipment is inspected at least twice in each 24-hour period; or
 - (b) an effective backup system is in place in the shed, shelter or other building in the event of a failure or the non-operation of the automatically operated equipment.

Part 5 Housing pigs in stalls

Division 1 Definition for part

14 Definition for part

In this part—

special care, in relation to a pig kept in a stall, means 1 or more of the following that requires a pig to be confined in the stall for more than 6 weeks—

- (a) administering an individual nutrition program to promote the pig's good health and welfare;
- (b) administering a veterinary treatment or husbandry procedure;

- (c) providing health management under a herd health program to promote the pig's good health and welfare.

Division 2 Restrictions on housing pigs in stalls

15 Housing sick, weak or injured pigs in stalls

- (1) This section applies if a pig is sick, weak or injured.
- (2) A person in charge of the pig may keep the pig in a stall for a total period of not more than 6 weeks starting on the day the pig is confined in the stall.
- (3) However, the person may keep the pig in the stall for a total period of more than 6 weeks if—
 - (a) the pig is under the special care of a person who is suitably qualified to provide the special care; and
 - (b) the pig is removed from the stall as soon as the pig's good health and welfare has been restored.

16 Housing particular sows in stalls

- (1) This section applies if a sow has been mated or is confirmed to be pregnant.
- (2) A person in charge of the sow may keep the sow in a stall for a total period of not more than—
 - (a) if the sow is confirmed to be pregnant—6 weeks during the sow's pregnancy; or
 - (b) if the sow has been mated—6 weeks starting on the day the sow is confined in the stall.
- (3) However, the person may keep the sow in the stall for a total period of more than 6 weeks if—
 - (a) the sow is under the special care of a person who is suitably qualified to provide the special care; and

-
- (b) the sow is removed from the stall as soon as the sow's good health and welfare has been restored.

17 Housing particular gilts in stalls

- (1) This section applies if a gilt has been mated.
- (2) A person in charge of the gilt may keep the gilt in a stall for a total period of not more than 6 weeks starting on the day the gilt is confined in the stall.

Note—

See section 42 for requirements about keeping particular records for gilts.

- (3) However, the person may keep the gilt in the stall for a total period of more than 6 weeks if—
 - (a) the gilt is under the special care of a person who is suitably qualified to provide the special care; and
 - (b) the gilt is removed from the stall as soon as the gilt's good health and welfare has been restored.

18 Housing boars in stalls

A person in charge of a boar must not keep the boar in a stall unless it is released from the stall at least twice in each 7-day period for mating or exercise.

Division 3 Requirements for stalls used to keep pigs

19 General requirements for stalls used to keep pigs

- (1) This section applies if a pig is kept in a stall.
- (2) The person in charge of the pig must ensure—
 - (a) the pig can stand, stretch and lie with its limbs extended in the stall without being obstructed by the stall, including, for example, by bars, railings and fittings; and

- (b) the pig can stand in the stall without touching, at the same time, the opposite sides of the stall; and
- (c) when the pig lies in the stall, its snout and hindquarters do not touch, at the same time, the opposite ends of the stall; and
- (d) if the stall has bars fitted on the top—the pig’s back does not touch the bars when the pig stands at rest or lowers its head; and
- (e) the pig can easily access a feeder and waterer; and
- (f) the placement of feeders or waterers does not—
 - (i) interfere with the pig’s ability to stand, stretch, move or lie in the stall; or
 - (ii) injure the pig; and
- (g) the stall is designed and constructed to minimise the risk of harm to the pig from a pig in an adjoining stall; and
Example—
 - ensuring the stall is fitted with a barrier
- (h) reasonable steps are taken to avoid injury to the pig because of contact with another pig in an adjoining stall; and
Example—
 - ensuring 2 aggressive boars or a sow and an aggressive boar are not kept in adjoining stalls
- (i) faeces and urine do not accumulate in the stall so that the pig does not have an area clear of faeces and urine in which to lie.

(3) In this section—

ends, of a stall, means the shorter sides of the stall that, if a pig were standing in the stall, would ordinarily be parallel to the front and back of the pig.

sides, of a stall, means the longer sides of the stall that, if a pig were standing in the stall, would ordinarily be parallel to the sides of the pig.

20 Measurement requirements for indoor stalls used to keep sows

- (1) This section applies if—
 - (a) only 1 pig is kept in an indoor stall; and
 - (b) the pig is a sow.
- (2) A person in charge of the sow must ensure—
 - (a) the length of the stall is not less than 2.2m; and
 - (b) the width of the stall is not less than 0.6m.

21 Measurement requirements for indoor stalls used to keep breeding boars

- (1) This section applies if—
 - (a) only 1 pig is kept in an indoor stall; and
 - (b) the pig is a breeding boar.
- (2) A person in charge of the boar must ensure—
 - (a) the length of the stall is not less than 2.4m; and
 - (b) the width of the stall is not less than 0.7m.

Part 6 Housing pigs in farrowing crates**Division 1 Restrictions on housing pigs in farrowing crates****22 Housing particular pigs in farrowing crates**

- (1) This section applies if a pig is—
 - (a) a sow that is farrowing; or
 - (b) a sow suckling piglets.

- (2) A person in charge of the pig may keep the pig in a farrowing crate only if—
- (a) the pig is placed in the farrowing crate no earlier than 7 days before the day the person expects the pig to farrow; and
 - (b) the pig is not kept in the farrowing crate for more than a total of—
 - (i) if the pig is required to foster a piglet—12 weeks in the pig’s reproductive cycle; or
 - (ii) otherwise—6 weeks in the pig’s reproductive cycle.

Note—

See section 42 for requirements about keeping particular records for sows.

Division 2 Requirements for farrowing crates used to keep pigs

23 General requirements for farrowing crates used to keep sows

- (1) This section applies if—
- (a) only 1 pig is kept in a farrowing crate; and
 - (b) the pig is a sow.
- (2) The person in charge of the sow must ensure—
- (a) the crate is designed and constructed to minimise the risk of the sow lying on her piglets; and
 - (b) the sow can give birth—
 - (i) without being obstructed by the crate; and
 - (ii) in a way that minimises the risk of the piglets being crushed, trapped or otherwise injured; and
 - (c) the sow can suckle her piglets so that the piglets have reasonable access to both sides of her udder; and

-
- (d) the sow can access the feeder and waterer without being obstructed by the crate.

24 Measurement requirements for indoor farrowing crates used to keep sows

- (1) This section applies if—
 - (a) only 1 pig is kept in an indoor farrowing crate; and
 - (b) the pig is a sow.
- (2) A person in charge of the sow must ensure—
 - (a) the length of the crate is not less than 2m; and
 - (b) the width of the crate is not less than 0.5m; and
 - (c) the total of the floor area of the crate and the area of the creep area adjacent to it is not less than 3.2m².
- (3) For subsection (2)(a), the length of the crate must be measured on the inside of the crate.
- (4) For subsection (2)(b), the width of the crate must be measured on the inside of the crate, at a level not higher than 450mm above the floor of the crate.

Part 7 Housing pigs in farrowing pens

25 Floor area requirements for farrowing pens used to keep breeding sows

- (1) This section applies if—
 - (a) only 1 pig is kept in an indoor farrowing pen; and
 - (b) the pig is a breeding sow.
- (2) A person in charge of the breeding sow must ensure the floor area of the farrowing pen is not less than 5.6m².

30 Floor area requirements for indoor pens used to keep weaners, growers or finishers

- (1) This section applies if—
 - (a) only 1 pig is kept in an indoor pen and the pig is a weaner, grower or finisher; or
 - (b) 2 or more pigs are kept in an indoor pen and all the pigs are either weaners, growers or finishers.
- (2) A person in charge of the pig or pigs must ensure the floor area of the indoor pen is not less than—
 - (a) if only 1 pig is kept in the pen—the minimum floor area stated in the minimum floor area table for the live weight of the pig, rounded to the nearest kilogram; or
 - (b) if 2 or more pigs are kept in the pen—an area worked out using the following formula—

$$F \times N$$

where—

F means the minimum floor area stated in the minimum floor area table for the live weight that is the average live weight of the pigs, rounded to the nearest kilogram.

N means the number of pigs.

- (3) In this section—

average live weight, of 2 or more pigs, means the average of the live weights of the pigs.

finisher means a pig, other than a breeding boar, breeding gilt or breeding sow, whose live weight, rounded to the nearest kilogram, is more than 60kg.

grower means a pig, other than a breeding boar, breeding gilt or breeding sow, whose live weight, rounded to the nearest kilogram, is more than 30kg but not more than 60kg.

minimum floor area table means the following table—

Schedule 2

Live weight (kg)	Minimum floor area (m²)
1	0.03
2	0.05
3	0.06
4	0.08
5	0.09
6	0.10
7	0.11
8	0.12
9	0.13
10	0.14
11	0.15
12	0.16
13	0.17
14	0.18
15	0.18
16	0.19
17	0.20
18	0.21
19	0.22
20	0.22
21	0.23
22	0.24
23	0.25
24	0.25

Live weight (kg)	Minimum floor area (m²)
25	0.26
26	0.27
27	0.27
28	0.28
29	0.29
30	0.29
31	0.30
32	0.31
33	0.31
34	0.31
35	0.32
36	0.33
37	0.34
38	0.34
39	0.35
40	0.36
41	0.36
42	0.37
43	0.37
44	0.38
45	0.38
46	0.39
47	0.40
48	0.40

Schedule 2

Live weight (kg)	Minimum floor area (m²)
49	0.41
50	0.41
51	0.42
52	0.42
53	0.43
54	0.43
55	0.44
56	0.45
57	0.45
58	0.46
59	0.46
60	0.47
61	0.47
62	0.48
63	0.48
64	0.49
65	0.49
66	0.50
67	0.50
68	0.51
69	0.51
70	0.52
71	0.52
72	0.53

Live weight (kg)	Minimum floor area (m²)
73	0.53
74	0.54
75	0.54
76	0.55
77	0.55
78	0.56
79	0.56
80	0.57
81	0.57
82	0.57
83	0.58
84	0.58
85	0.59
86	0.59
87	0.60
88	0.60
89	0.61
90	0.61
91	0.62
92	0.62
93	0.63
94	0.63
95	0.63
96	0.64

Schedule 2

Live weight (kg)	Minimum floor area (m²)
97	0.64
98	0.65
99	0.65
100	0.66
101	0.66
102	0.67
103	0.67
104	0.67
105	0.68
106	0.68
107	0.69
108	0.69
109	0.70
110	0.70
111	0.70
112	0.71
113	0.71
114	0.72
115	0.72
116	0.72
117	0.73
118	0.74
119	0.74
120 or greater	0.74

Part 9 Food and water requirements

31 Access to food

- (1) A person in charge of a pig must ensure the pig has access to food—
 - (a) if the pig is a weaner—at least twice in each 24-hour period; or
 - (b) otherwise—at least once in each 24-hour period.
- (2) Also, the person must ensure the food—
 - (a) is adequate for keeping the pig in good health; and
 - (b) meets the pig’s physiological needs.

32 Access to water

A person in charge of a pig must ensure—

- (a) the pig has access to drinking water at all times; and
- (b) the quality and quantity of the water meets the pig’s physiological needs.

Part 10 Inspections

33 Inspections of essential equipment

A person in charge of a pig must ensure essential equipment used to keep the pig is inspected at least once in each 24-hour period.

34 Inspections of pigs

A person in charge of a pig must ensure the pig is inspected at least once in each 24-hour period to assess the pig’s health and welfare.

35 Inspections of piglets

- (1) A person in charge of a piglet must ensure the piglet is inspected at least once within the first 24 hours of the piglet's birth to ensure the piglet is feeding and receiving colostrum or a colostrum substitute.
- (2) In this section—
colostrum means milk, rich in protein and antibodies, that is produced by a sow within the first few days after farrowing.

Part 11 Equipment used to keep pigs

36 Maintaining essential equipment

A person in charge of a pig must ensure essential equipment used to keep the pig is kept in good working order.

Part 12 Care and handling of pigs

37 Treating sick, weak, injured or deformed pigs

- (1) If a pig is sick, weak or injured, a person in charge of the pig must ensure the pig—
 - (a) is isolated from other pigs; and
 - (b) given appropriate veterinary treatment.
- (2) If a pig is suffering from an incurable disease or injury or a painful deformity, a person in charge of the pig must ensure the pig—
 - (a) is isolated from other pigs; and
 - (b) either—
 - (i) given appropriate veterinary treatment; or
 - (ii) is humanely killed.

38 Caring for orphaned piglets

- (1) If a sow dies and a piglet of the sow has not been weaned or is not receiving adequate nutrition, a person in charge of the piglet must ensure the piglet is—
 - (a) fostered by another sow; or
 - (b) weaned; or
 - (c) hand-reared; or
 - (d) humanely killed.
- (2) If a sow is required to foster a piglet, a person in charge of the sow must ensure the sow is given appropriate additional care to ensure the sow's good health and welfare.

Examples of additional care—

regular exercise, additional nutrition, close supervision

39 Restraining pigs

- (1) A person in charge of a pig must ensure the pig is not restrained by tethering.
- (2) In this section—

tethering, of a pig, means securing the pig to an anchor point to confine it to a particular area.

40 Using prodders

A person in charge of a pig must ensure an electrical prod is not applied to the pig, other than in the circumstances mentioned in—

- (a) schedule 5, section 23; or
- (b) schedule 6, section 17.

41 Using dogs

A person in charge of a pig may use a dog to assist in the control or movement of the pig only if—

- (i) the dog is under effective control at all times; and
- (ii) if the dog has attacked, or acted in a way that has caused fear to, a person or another animal—the dog is wearing a muzzle.

Part 13

Record keeping, risk management systems and herd health programs

42 Keeping records

- (1) This section applies if a sow is kept in a stall or farrowing crate during the sow's reproductive cycle.
- (2) A person in charge of the sow must ensure the following information is recorded in relation to the sow—
 - (a) the day and time of each occasion the sow is placed in a stall or farrowing crate;
 - (b) the day and time of each occasion the sow is removed from a stall or farrowing crate.

43 Establishing, implementing and maintaining risk management system

- (1) A person in charge of a pig must establish, implement and maintain a risk management system that ensures the pig is adequately fed and watered, and the pig's other environmental needs are met, in the event of—
 - (a) a malfunction of essential equipment; or
 - (b) a delay in supplying food or water.

Examples of other environmental needs—

- a stable and comfortable temperature
- adequate lighting and ventilation

- (2) In this section—

risk management system means a written procedure that—

- (a) identifies, monitors, mitigates and effectively manages risks to a pig's food supply, water supply and other environmental needs; and
- (b) includes a system for inspecting essential equipment at least once in each 24-hour period.

44 Establishing, implementing and maintaining herd health program

A person in charge of a pig must establish, implement and maintain a herd health program for the pig.

Schedule 3 Code of practice about sheep

section 3(1)(c)

Part 1 Preliminary

1 Definitions for schedule

In this schedule—

intensive production system, for sheep—

- (a) means a system in which sheep are kept in a yard or other enclosure and are completely dependent on a supply of food and water provided by hand or a mechanical method; but
- (b) does not include sheep kept on a short term basis—
 - (i) for the purpose of weaning, dipping or another husbandry procedure; or
 - (ii) for the purposes of feeding during a drought or other emergency; or
 - (iii) at a saleyard or abattoir.

sheep means the animal *ovis aries* that is a member of the genus *Ovis*.

2 Application of schedule

This schedule does not apply in relation to transporting sheep.

Note—

See schedule 5 for the code of practice applying to transporting sheep.

Part 2 Husbandry procedures

Division 1 Prohibited husbandry procedures

3 Grinding or trimming of teeth

A person must not trim or grind the teeth of sheep.

4 Pizzle dropping

(1) A person must not perform pizzle dropping on sheep.

(2) In this section—

pizzle dropping means a surgical procedure performed on sheep in which the skin between the prepuce and the abdomen of the sheep is severed to allow the prepuce to hang below the wool on the sheep's abdomen.

Division 2 Carrying out husbandry procedures

5 Shearing sheep

A person in charge of sheep must ensure the sheep are sheared at least once in each 2-year period unless the sheep's wool is self-shedding.

6 Tail docking sheep

A person may dock the tail of a sheep only if—

(a) if the sheep is less than 6 months of age—

(i) the docking procedure is done in a way that avoids unnecessary pain and suffering for the sheep; and

(ii) a tail stump with at least 1 palpable free joint is left on the sheep; and

(b) if the sheep is 6 months of age or older—

- (a) the docking procedure is done in a way that avoids unnecessary pain and suffering for the sheep; and
- (b) the sheep is provided with appropriate treatment to control haemorrhaging following the docking procedure; and
- (c) suitable pain relief is administered to the sheep; and
- (d) a tail stump with at least 1 palpable free joint is left on the sheep.

7 Castrating sheep

- (1) A person may castrate a sheep only if—
 - (a) if the sheep is less than 6 months of age—the castration procedure is done in a way that avoids unnecessary pain and suffering for the sheep; and
 - (b) if the sheep is 6 months of age or older—
 - (i) the castration procedure is done in a way that avoids unnecessary pain and suffering for the sheep; and
 - (ii) the sheep is provided with appropriate treatment to control haemorrhaging following the castration procedure; and
 - (iii) suitable pain relief is administered to the sheep.
- (2) A person may use a cryptorchid procedure to castrate a ram that is 6 months of age or older only if—
 - (a) the ram is provided with appropriate treatment to control haemorrhaging following the cryptorchid procedure; and
 - (b) suitable pain relief is administered to the ram.
- (3) In this section—

cryptorchid procedure means shortening a ram’s scrotum by applying a rubber ring to the scrotum.

8 Mulesing sheep

- (1) Subject to subsections (2) and (3), a person may perform mulesing on sheep if the sheep are more than 24 hours old but not more than 12 months of age.
- (2) A person performing mulesing on a sheep must ensure—
 - (a) the mulesing is done in a way that—
 - (i) avoids unnecessary pain and suffering for the sheep; and
 - (ii) does not remove wool-bearing skin from the sheep; and
 - (b) if the sheep are more than 6 months of age—suitable pain relief is administered to the sheep.
- (3) A person must not perform mulesing on a sheep if the sheep is showing signs of disease, weakness, illness or injury.

9 Humanely killing sheep

- (1) A person in charge of a sheep (a *suffering sheep*) that is suffering from severe distress, disease or injury that can not reasonably be treated must ensure the sheep is humanely killed at the first reasonable opportunity.
- (2) A person who kills the suffering sheep must ensure the sheep is killed in a way that—
 - (a) causes rapid unconsciousness and death immediately after unconsciousness happens; and
 - (b) does not include a blow to the head; and
 - (c) is otherwise humane.
- (3) Despite subsection (2)(a), a person may kill the suffering sheep by bleeding out the sheep if the person can not reasonably obtain a firearm, captive bolt or lethal injection.
- (4) Despite subsection (2)(b), a person may kill the suffering sheep by blunt trauma if—
 - (a) the person can not reasonably obtain a firearm, captive bolt or lethal injection; and

- (b) the sheep is less than 10kg.
- (5) A person may kill a sheep only if the person has the relevant knowledge, skills and experience to humanely kill the sheep, or be under the direct supervision of a person who has the relevant knowledge, skills and experience to humanely kill the sheep, unless—
 - (a) the sheep needs to be killed to prevent undue suffering to the sheep; and
 - (b) for a person requiring supervision—it would be inhumane to delay killing the sheep until the supervision could be provided.
- (6) A person is under *direct supervision* of another person (the *supervisor*) if the supervisor—
 - (a) instructs the person about the killing; and
 - (b) is on the premises where the killing is carried out while the killing is carried out; and
 - (c) is available to give additional instruction to the person about the killing while the killing is carried out; and
 - (d) evaluates the carrying out of the killing by the person, including by regularly personally checking on the person.
- (7) If a person does kill a sheep, the person must take reasonable steps to confirm the death of the sheep immediately after believing the sheep has been killed.
- (8) In this section—
 - bleeding out*, of a sheep, means cutting the major blood vessel of the sheep, usually in the neck or at the base of the heart via the thoracic inlet.
 - blunt trauma* means a single blow to the head that causes immediate loss of consciousness and death.

10 Performing artificial breeding procedures on sheep

- (1) Subject to sections 11 and 12, a person may artificially inseminate a sheep only if the person—

- (a) is a veterinary surgeon; or
 - (b) has the relevant knowledge, skills and experience to perform the procedure; or
 - (c) is under the direct supervision of another person who has the relevant knowledge, skills and experience to perform the procedure.
- (2) If a person artificially inseminates a sheep under subsection (1), the person must ensure—
- (a) the procedure is carried out in a way that minimises the risk of harm to the sheep; and
 - (b) reasonable steps are taken to minimise pain, distress and injury to the sheep.
- (3) A person is under *direct supervision* of another person (the *supervisor*) for a procedure if the supervisor—
- (a) instructs the person about the procedure; and
 - (b) is on the premises where the procedure is carried out while the procedure is carried out; and
 - (c) is available to give additional instruction to the person about carrying out the procedure while the procedure is carried out; and
 - (d) evaluates the carrying out of the procedure by the person, including by regularly personally checking on the person.

11 Performing embryo transfer surgery on sheep

A person must not perform an embryo transfer surgery on a sheep unless—

- (a) the person is a veterinary surgeon; or
- (b) the person is under the direct supervision of a veterinary surgeon in the circumstances mentioned in the *Veterinary Surgeons Act 1936*, section 25N(2).

12 Performing laparoscopic insemination on sheep

- (1) A person must not perform a laparoscopic insemination procedure on a sheep unless—
 - (a) the person is a veterinary surgeon; or
 - (b) the person is under the direct supervision of a veterinary surgeon in the circumstances mentioned in the *Veterinary Surgeons Act 1936*, section 25N(2).
- (2) In this section—

laparoscopic insemination procedure, in relation to a sheep, means a surgical procedure using a laparoscope to directly deposit semen into the uterus of the sheep through an incision in the sheep's abdomen.

Part 3 Keeping sheep in intensive production systems

13 General requirements for intensive production systems used to keep sheep

A person in charge of sheep kept in an intensive production system must ensure—

- (a) reasonable steps are taken to provide for the needs of sheep that are not adapting to the intensive production system; and
Example of a reasonable step—
changing a sheep's diet
- (b) faeces and urine is not allowed to accumulate within the intensive production system to the extent the accumulation poses a risk to the welfare of the sheep; and
- (c) there is adequate ventilation in the indoor areas used to keep the sheep so as to prevent risks to the welfare of the sheep; and

- (d) each sheep has sufficient space to lie down on the sheep's sternum; and
- (e) individual sheep are not kept isolated in a single pen on a permanent basis.

14 Access to food and water for sheep kept in intensive production system

A person in charge of sheep kept in an intensive production system must ensure the sheep have access to food and water at least once in each 24-hour period.

Part 4 Inspections

15 Inspections of sheep

- (1) A person in charge of sheep must take reasonable steps to ensure the sheep are inspected to assess the welfare of the sheep.
- (2) An inspection under subsection (1) must be carried out at regular intervals having regard to the following matters—
 - (a) the stocking density of the sheep;
 - (b) the availability of suitable food;
 - (c) the reliability of water supply;
 - (d) the age of the sheep;
 - (e) whether any of the sheep are pregnant;
 - (f) the climatic conditions to which the sheep are exposed;
 - (g) any known health risks to the sheep.

Example for paragraph (g)—

flystrike

16 Inspections of sheep kept in intensive production systems

Without limiting section 15, a person in charge of sheep kept in an intensive production system must ensure the sheep are inspected at least once in each 24-hour period to assess the welfare of the sheep.

Part 5 Facilities and equipment used to keep sheep

17 Using livestock facilities and equipment

(1) A person in charge of sheep must not use livestock facilities or equipment to keep the sheep if the facilities or equipment are likely to cause harm to the sheep.

(2) In this section—

livestock facilities or equipment includes—

- (a) fences; and
- (b) yards; and
- (c) sheds; and
- (d) food or water troughs; and
- (e) ramps; and
- (f) dips; and
- (g) lamb-marking cradles; and
- (h) facilities or equipment used to assemble, hold, load or unload sheep for transportation.

Part 6 Care and handling of sheep

18 Minimising risk of harm of extreme weather conditions

- (1) A person in charge of sheep must take reasonable steps to minimise the risk of harm to the sheep from extreme weather conditions.
- (2) In this section—
extreme weather conditions means temperature or climatic conditions that individually, or in combination, are likely to predispose sheep to heat or cold stress.

19 Minimising risk of harm from fire or flood

A person in charge of sheep must take reasonable steps to minimise the risk of harm to the sheep from fire or flood.

20 Handling sheep

- (1) A person handling sheep must handle the sheep in a way that minimises the risk of harm to the sheep.
- (2) Without limiting subsection (1), the person must not—
 - (a) strike, punch or kick sheep; or
 - (b) drag sheep by 1 leg, unless it is necessary in the circumstances to ensure—
 - (i) the safe handling, lifting and treatment of the sheep; or
 - (ii) the humane killing of the sheep; or
 - (c) drag sheep by its ears or tail; or
 - (d) throw or drop sheep, unless the sheep is dropped—
 - (i) from a height of less than 1.5m; and
 - (ii) in a way that will ensure the sheep will land safely on its feet; or

- (e) lift or carry sheep by its head, ears, horns, neck, tail or wool, unless it is necessary because of an emergency; or
- (f) drag sheep by mechanical means unless—
 - (i) dragging the sheep is necessary because of an emergency; and
 - (ii) the sheep is dragged the minimum distance necessary to allow safe handling, lifting, treatment or the humane killing of the sheep.

21 Treating sick, weak, injured or diseased sheep

A person in charge of sheep that are sick, weak, injured or diseased must, at the first reasonable opportunity—

- (a) provide appropriate treatment for the sheep; or
- (b) humanely kill the sheep.

22 Using prodders

A person may apply an electrical prod to a sheep only if—

- (a) the sheep is at least 3 months of age; and
- (b) the prod is not applied to the face, udders, anus or genitals of the sheep; and
- (c) the sheep is able to move away from the prod; and
- (d) the prod is applied as sparingly as possible and with restraint.

23 Using dogs

A person may use a dog to assist in the control or movement of sheep only if—

- (a) the dog is under effective control at all times; and
- (b) if the dog habitually bites livestock—the dog is wearing a muzzle.

24 Tethering sheep

- (1) A person in charge of sheep may tether the sheep only if—
 - (a) the sheep are given a reasonable opportunity to exercise untethered or on a leash at least once in each 24-hour period; and
 - (b) the sheep have sufficient space to stand up and lie down while tethered; and
 - (c) the sheep have access to food and water at all times while tethered.
- (2) A person in charge of sheep must not tether the sheep at night unless the sheep are being exhibited at an agricultural show, field day or similar event.
- (3) In this section—

tether, a sheep, means secure the sheep to an anchor point to confine the sheep to a particular area.

Schedule 4 Code of practice about cattle

section 3(1)(d)

Part 1 Preliminary

1 Definitions for schedule

In this schedule—

beef feedlot—

- (a) means a confined yard with feeding and watering facilities where cattle are completely hand fed or mechanically fed; but
- (b) does not include a saleyard or slaughter facilities.

calf means cattle that is less than 6 months of age.

cattle means a member of the genus *Bos*.

heat stress, for cattle, means exposure to temperatures, in the immediate environment, above which the cattle can not maintain normal body temperature without needing to use energy beyond normal basal metabolic rate.

2 Application of schedule

This schedule does not apply to transporting cattle.

Note—

See schedule 5 for the code of practice applying to transporting cattle.

Part 2 Husbandry procedures

3 Castrating cattle

- (1) A person may castrate cattle only if—

- (a) the castration is done in a way that avoids unnecessary pain and suffering to the cattle; and
 - (b) appropriate tools and methods are used to castrate the cattle; and
 - (c) suitable pain relief is administered to the cattle.
- (2) However, subsection (1)(c) does not apply if—
- (a) the cattle is less than 6 months of age; or
 - (b) the cattle is less than 12 months of age and the castration happens the first time the cattle is placed into a cattle yard.

4 Dehorning cattle

- (1) A person may dehorn cattle only if—
- (a) the dehorning is done in a way that avoids unnecessary pain and suffering to the cattle; and
 - (b) appropriate tools and methods are used to dehorn the cattle; and
 - (c) suitable pain relief is administered to the cattle.
- (2) However, subsection (1)(c) does not apply if—
- (a) the cattle is less than 6 months of age; or
 - (b) the cattle is less than 12 months of age and the dehorning happens the first time the cattle is placed into a cattle yard.

5 Disbudding cattle

- (1) A person may disbud cattle only if—
- (a) the disbudding is done in a way that minimises the risk of harm to the cattle; and
 - (b) appropriate tools and methods are used to disbud the cattle.
- (2) A person may use caustic chemicals to disbud a calf only if—

- (a) the calf is less than 14 days of age; and
 - (b) the calf is not wet; and
 - (c) the calf is segregated from its mother for 4 hours after the treatment; and
 - (d) the calf can be kept dry for 12 hours after the treatment.
- (3) In this section—

disbudding, cattle, means the removing of an area of skin from the head of cattle, including the horn bud from a calf prior to solid attachment of the horn bud to the calf's skull.

6 Artificially inseminating cattle

- (1) A person may artificially inseminate cattle only if—
- (a) the person is a veterinary surgeon; or
 - (b) the person has the relevant knowledge, skills and experience to perform the procedure; or
 - (c) the person is under the direct supervision of another person who has the relevant knowledge, skills and experience to perform the procedure.
- (2) If a person artificially inseminates cattle under subsection (1) the person must ensure—
- (a) the procedure is carried out in a way that minimises the risk of harm to the cattle; and
 - (b) reasonable steps are taken to minimise pain, distress and injury to the cattle.
- (3) A person is under *direct supervision* of another person (the *supervisor*) for a procedure if the supervisor—
- (a) instructs the person about the procedure; and
 - (b) is on the premises where the procedure is carried out while the procedure is carried out; and
 - (c) is available to give additional instruction to the person about carrying out the procedure while the procedure is carried out; and

-
- (d) evaluates the carrying out of the procedure by the person, including regularly by personally checking on the person.

7 Inducing parturition in cattle

- (1) A person may administer a treatment to induce parturition in cattle only if the person is a veterinary surgeon.
- (2) A person may administer a treatment to induce parturition in cattle only if—
 - (a) the treatment is prescribed by a veterinary surgeon; and
 - (b) the person administers the treatment in accordance with the directions given by the veterinary surgeon who prescribed the treatment.

8 Humanely killing cattle

- (1) A person in charge of cattle that is suffering from severe distress, disease or injury that can not reasonably be treated must ensure the cattle is humanely killed at the first reasonable opportunity.
- (2) For subsection (1), cattle is killed humanely if the cattle is killed in a way that—
 - (a) causes rapid unconsciousness and death immediately after unconsciousness happens; and
 - (b) if the cattle is older than 24 hours—does not include a blow to the head; and
 - (c) is otherwise humane.
- (3) If a person does kill cattle, the person must take reasonable steps to confirm the death of the cattle immediately after believing the cattle has been killed.

Part 3 Housing requirements

9 Floor area requirements for beef feedlots used to keep cattle

- (1) A person in charge of cattle kept in a beef feedlot must ensure a minimum floor area of 9m² for each standard cattle unit in the feedlot.
- (2) In this section—
standard cattle unit means the equivalent of a cow or bull with a live body weight of 600kg.

10 General requirements for pens used to keep calves

A person in charge of a calf housed in a pen must ensure—

- (a) the calf can stand, turn around, lie down and fully stretch its limbs without obstruction caused by the pen; and
- (b) faeces and urine do not accumulate in the pen to the extent the accumulation presents a risk to the welfare of the calf.

Part 4 Food and water requirements

11 Access to food—calves

- (1) A person in charge of a calf must ensure—
 - (a) the calf is given reasonable access to food; and
 - (b) the calf is provided with food that contains sufficient nutrients, including sufficient iron—
 - (i) to prevent anaemia; and
 - (ii) to ensure the good health and welfare of the calf.
- (2) For subsection (1)(a), a calf is given reasonable access to food if the calf has a reasonable opportunity to consume food of a

suitable quality and quantity sufficient to maintain health and welfare of the calf.

12 Access to water

- (1) A person in charge of cattle must ensure the cattle is given reasonable access to water.
- (2) For subsection (1), cattle is given reasonable access to water if the cattle has a reasonable opportunity to drink water of a suitable quality and quantity sufficient to maintain the cattle's hydration.

Part 5 Inspections

13 Inspections of cattle

- (1) To the extent it is reasonable in the circumstances, a person in charge of cattle must ensure the cattle are inspected to assess the cattle's welfare.
- (2) An inspection under subsection (1) must be carried out at regular intervals having regard to the following matters—
 - (a) the stocking density of the cattle;
 - (b) the availability of suitable food;
 - (c) the reliability of water supply;
 - (d) the age of the cattle;
 - (e) whether any of the cattle are pregnant;
 - (f) the climatic conditions to which the cattle are exposed;
 - (g) any known health risks to the cattle.

Example for paragraph (g)—

ticks

14 Inspections of lactating cows

Without limiting section 13, a person in charge of a lactating dairy cow must ensure the cow is inspected at least once in each 24-hour period to assess the cow's health and welfare.

15 Inspections of cattle kept in beef feedlots

Without limiting section 13, the owner or operator of a beef feedlot must ensure cattle kept at the feedlot are inspected at least once in each 24-hour period to assess the cattle's health and welfare.

16 Inspections of calves

Without limiting section 13, a person in charge of a calf must ensure the calf is inspected at least once in each 24-hour period to assess the calf's health and welfare.

17 Inspections of yards

An owner or operator of a beef feedlot must ensure the yards of the feedlot are inspected to assess—

- (a) the extent to which the areas within the yards are remaining wet for prolonged periods of time; and
- (b) whether an excessive build-up of waste is in the yards.

Part 6 Facilities and equipment used to keep cattle

18 Using livestock facilities and equipment

- (1) A person in charge of cattle must ensure livestock facilities or equipment used to keep cattle do not pose a risk of injury to the cattle.
- (2) In this section—
livestock facilities or equipment includes—

- (a) fences; and
- (b) yards; and
- (c) sheds; and
- (d) food or water troughs; and
- (e) ramps; and
- (f) dips; and
- (g) branding cradles; and
- (h) crushes and head bales; and
- (i) facilities or equipment used to assemble, hold, load or unload cattle for transportation.

19 Maintaining yards

An owner or operator of a beef feedlot must ensure the yards of the feedlot are maintained in a way that prevents—

- (a) areas within the yards from being wet for prolonged periods of time; and
- (b) an excessive build-up of waste in the yards.

20 Providing feed pads for dairy cows

A person in charge of a dairy cow kept on a feed pad must ensure the cow has access to a well-drained area for resting.

Part 7 Care and handling of cattle

21 Minimising risk of harm from extreme weather conditions

- (1) A person in charge of cattle must take reasonable steps to minimise the risk of harm to the cattle from extreme weather conditions.
- (2) In this section—

extreme weather conditions means temperature or climatic conditions that individually, or in combination, are likely to predispose cattle to heat or cold stress.

22 Minimising risk of harm from heat stress

A person in charge of cattle must take reasonable steps to minimise the risk of harm to the cattle from heat stress.

23 Minimising risk of harm from fire or flood

A person in charge of cattle must take reasonable steps to minimise the risk of harm to the cattle from fire or flood.

24 Handling cattle

- (1) A person handling cattle must handle the cattle in a way that minimises the risk of harm to the cattle.
- (2) Without limiting subsection (1), a person must not—
 - (a) strike, punch or kick the cattle; or
 - (b) drag any cattle that are not standing, unless it is necessary in the circumstances to allow safe handling, lifting, treatment or humane killing of the cattle; or
 - (c) drag the cattle by the ears or tail; or
 - (d) drop the cattle, other than in a way that will ensure the cattle will land safely on its feet; or
 - (e) lift or carry the cattle by the head, ears, horns, neck or tail, unless necessary to do so because of an emergency; or
 - (f) deliberately dislocate or break the tail of the cattle; or
 - (g) use metal pellets to wound the cattle as an aid for mustering.

25 Treating sick, weak, injured or diseased cattle

A person in charge of cattle that are sick, weak, injured or diseased must, at the first reasonable opportunity—

- (a) provide appropriate treatment for the cattle; or
- (b) humanely kill the cattle.

26 Treating induced calves

(1) A person in charge of a calf that has been induced must, before the calf reaches 12 hours of age, ensure the calf is—

- (a) given adequate colostrum or a colostrum substitute; or
- (b) humanely killed.

(2) In this section—

colostrum means milk, rich in protein and antibodies, that is produced by a cow within the first few days after calving.

27 Using electro-immobilisation

(1) A person may use electro-immobilisation to restrain cattle when performing a procedure on the cattle only if—

- (a) the cattle are more than 6 months of age; and
- (b) the use is done in a way that minimises the risk of harm to the cattle; and
- (c) there is no alternative method to adequately restrain the cattle for the procedure being performed.

(2) A person must not use electro-immobilisation on cattle for pain relief.

(3) In this section—

electro-immobilisation means the use of pulsed, low-frequency electrical current that produces tetanic contractions to the skeletal muscles of cattle.

28 Using prodders

A person may apply an electrical prod to cattle only if—

- (a) the cattle is at least 3 months of age; and
- (b) the prod is not applied to the face, udders, anus or genitals of the cattle; and
- (c) the cattle is able to move away from the prod; and
- (d) the prod is applied as sparingly as possible and with restraint.

29 Using dogs

(1) A person may use a dog to assist in the control or movement of cattle only if—

- (a) the dog is under effective control at all times; and
- (b) for controlling or moving a bobby calf—the dog is wearing a muzzle.

(2) In this section—

bobby calf means a calf that is less than 30 days of age and not accompanied by its mother.

30 Tethering cattle

(1) A person in charge of cattle may tether the cattle only if—

- (a) the cattle are given a reasonable opportunity to exercise untethered or on a leash at least once in each 24-hour period; and
- (b) the cattle have sufficient space to stand up and lie down; and
- (c) the cattle have access to food and water at all times while tethered.

(2) A person in charge of cattle must not tether the cattle at night unless the cattle are being exhibited at an agricultural show, field day or similar event.

(3) In this section—

tether, cattle, means secure the cattle to an anchor point to confine the cattle to a particular area.

Part 8 **Record keeping, risk management systems and contingency plans**

31 **Keeping records**

(1) An owner or operator of a beef feedlot used to keep cattle must ensure the following information is recorded in the feeding period for the cattle—

- (a) the composition of the diet given to the cattle;
- (b) the quantity of food given to the cattle.

(2) In this section—

feeding period, for cattle, means the period—

- (a) starting on the day the cattle are placed into a beef feedlot; and
- (b) ending on the day the cattle are removed from the feedlot.

32 **Establishing, implementing and maintaining risk management systems for managing risks of heat stress**

An owner or operator of a beef feedlot must—

- (a) complete an annual risk assessment about the risk of heat stress at the feedlot; and
- (b) establish, implement and maintain a risk management system to manage any ongoing risk of heat stress.

33 Establishing, implementing and maintaining contingency plans

An owner or operator of a beef feedlot must establish, implement and maintain a written contingency plan that—

- (a) appropriately responds to—
 - (i) any potential failure of a food or water supply at the feedlot; and
 - (ii) temperature, or other climatic conditions, that are likely to pose a significant risk of harm to the cattle at the feedlot; and
 - (iii) an outbreak of disease in the feedlot that is likely to pose a significant risk of harm to the cattle at the feedlot; and
- (b) in the event of a failure of a food and water supply—includes the actions to be taken to ensure the welfare of cattle at the feedlot.

Schedule 5 Code of practice for transport of livestock

section 3(1)(e)

Part 1 Preliminary

Division 1 Interpretation

1 Definitions for schedule

In this schedule—

bobby calf means a calf that is less than 30 days of age and not accompanied by its mother.

class of livestock means a class of livestock of the same species that share a common characteristic, including, for example, age, size or sex, or some other physiological characteristic, including, for example, pregnancy.

container includes a box, cage and crate.

depot means a facility used to assemble, hold, load or unload livestock before transportation or for resting the livestock during transportation.

harm includes stress and injury.

journey means any of the activities mentioned in section 2(c) to (g).

journey time see section 3.

livestock means alpacas, buffalo, camel, cattle, deer, emus, goats, horses, ostriches, pigs, poultry or sheep.

livestock handling facility means a facility used to assemble, hold, load or unload livestock.

Examples—

a yard, enclosure, paddock or ramp

loading density, for livestock being transported, means the amount of space for each animal in a container, pen or other enclosure, or vehicle in which the animal is being transported.

maximum journey time, for livestock being transported, means the total number of continuous hours for which the livestock may be transported, as stated in part 7 for the class of livestock.

maximum time off water, for livestock being transported, means the total number of continuous hours for which the livestock may be transported without reasonable access to water, as stated in part 7 for the class of livestock.

minimum spell duration, for livestock being transported, means the minimum period of time for which a spell is required to be given to the livestock, as stated in part 7 for the class of livestock.

poultry means domestic fowl, ducks, geese, guinea fowl, partridges, pheasants, pigeons, quails or turkeys.

reasonable access to food, for livestock, means the livestock has a reasonable opportunity to consume food of a suitable quality and quantity sufficient to maintain health and welfare.

reasonable access to water, for livestock, means the livestock has a reasonable opportunity to drink water of a suitable quality and quantity sufficient to maintain hydration.

saleyard means a facility with delivery, holding and selling facilities used for the purpose of transferring livestock because of a change in ownership.

spell, for livestock being transported, means the period of time in which the livestock is—

- (a) removed from the vehicle or container in which it is being transported; and
- (b) provided with reasonable access to food and water; and
- (c) provided with space to lie down; and
- (d) subjected to minimal or no handling.

transporting, livestock, see section 2.

2 Meaning of *transporting*

Transporting livestock includes—

- (a) assembling or holding livestock before loading; and
- (b) selecting livestock for loading; and
- (c) loading livestock into containers before loading onto a vehicle; and
- (d) loading livestock onto a vehicle; and
- (e) holding livestock on a vehicle while stationary; and
- (f) carrying livestock on a vehicle; and
- (g) unloading livestock from a vehicle or container; and
- (h) assembling or holding livestock in a livestock handling facility during, or on completion of, a journey.

3 Meaning of *journey time*

(1) *Journey time*, for livestock being transported, means—

- (a) for emus, ostriches or poultry being transported in containers loaded onto vehicles—the period of time starting when the loading of the birds into the containers starts and ending when all of the birds are unloaded from the containers—
 - (i) for a spell of at least the minimum spell duration for the birds; or
 - (ii) at the final destination for the birds; and
- (b) for a bobby calf—the period of time starting when the bobby calf is loaded onto a vehicle for transport and ending when the bobby calf is unloaded from the vehicle at the final destination for the bobby calf; and
- (c) otherwise—the period of time starting when the loading of the livestock onto a vehicle for transport starts and ending when all of the livestock is unloaded from the vehicle—
 - (i) for a spell of at least the minimum spell duration for the livestock; or

- (ii) at the final destination for the livestock.
- (2) The journey time for livestock being transported is not interrupted or paused because the livestock are temporarily unloaded at a depot or saleyard unless—
- (a) the livestock is given a spell of at least the minimum spell duration for the livestock at the depot or saleyard; or
 - (b) the depot or saleyard is the final destination for the livestock.

4 How to calculate length of spell

For calculating the length of a spell for livestock being transported, the spell—

- (a) starts when all of the livestock has been unloaded from a vehicle or container in which the livestock is being transported; and
- (b) ends when the livestock starts being reloaded onto the vehicle or into the container.

5 How to calculate time off water

For calculating the maximum time off water for livestock being transported, the period of time off water—

- (a) starts from the time the livestock last had reasonable access to water before starting a journey; and
- (b) ends when the livestock—
 - (i) is given a spell for at least the minimum spell duration for the livestock; or
 - (ii) is given reasonable access to water at the final destination; or
 - (iii) is slaughtered.

Division 2 Application of schedule

6 Schedule applies to livestock being transported

This schedule applies to livestock being transported—

- (a) on a road-going vehicle within Queensland or through Queensland from another State; or
- (b) on a sea-going vessel within Queensland or through Queensland from another State if the livestock is—
 - (i) in a road-going vehicle loaded onto the vessel; or
 - (ii) in a container that is unloaded from a road-going vehicle onto the vessel and reloaded onto a road-going vehicle on completion of the voyage; or
- (c) on a train within Queensland.

Note—

See, however, schedule 6 in relation to the care and handling of livestock at depots and saleyards generally.

Part 2 General requirements for transporting livestock

7 Livestock must be fit for transport

- (1) A person must not supply for transport livestock that is unfit to undertake an intended journey unless the livestock is to be transported in accordance with the advice of a veterinary surgeon.
- (2) A person must not load in a container or on a vehicle for transport livestock that is unfit to undertake an intended journey unless the livestock is to be transported in accordance with the advice of a veterinary surgeon.
- (3) Without limiting subsections (1) and (2), livestock is unfit to undertake an intended journey if—

- (a) the livestock is unable to walk independently by bearing weight on all legs; or
- (b) for cattle—the cattle is known to be, or visually assessed to be, within 4 weeks of parturition and the estimated journey time or time off water is likely to be more than 4 hours; or
- (c) for livestock other than cattle—the livestock is known to be, or visually assessed to be, within 2 weeks of parturition and the estimated journey time or time off water is likely to be more than 4 hours; or
- (d) the livestock has given birth within 72 hours before starting the journey; or
- (e) the livestock is severely emaciated; or
- (f) the livestock is visibly dehydrated; or
- (g) the livestock shows visible signs of severe injury or distress; or
- (h) the livestock is suffering from a condition that is likely to result in an increase in pain or distress by undertaking the journey; or
- (i) the livestock is blind in both eyes.

8 Advice of estimated time of arrival

- (1) This section applies to each of the following persons—
 - (a) a driver of a road-going vehicle transporting livestock;
 - (b) a stock attendant who has custody of livestock being transported by train.
- (2) Before transporting the livestock, the person must notify the person to whom custody of the livestock is to be transferred at a destination of the following information—
 - (a) the estimated time of arrival at the destination;
 - (b) the journey time of the livestock;
 - (c) the time when the livestock last had access to food and water;

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- (d) the last time the livestock had a spell while being transported.
- (3) The driver or stock attendant must also take reasonable steps to notify the person to whom custody of the livestock is to be transferred at a destination of any change in the estimated time of arrival of the livestock.

9 Suitability of livestock handling facility

An owner or operator of a livestock handling facility used to handle livestock must ensure the facility—

- (a) is suitable for the class of livestock being handled; and
- (b) has effective airflow appropriate for the class of livestock being handled; and
- (c) has a surface or flooring that minimises the risk of injury to the livestock from slipping or falling; and
- (d) is free from internal protrusions and objects that may cause injury to the livestock; and
- (e) has sufficient vertical clearance to minimise the risk of injury to the livestock.

10 Suitability of road-going vehicle

A driver of a road-going vehicle transporting livestock must ensure the vehicle—

- (a) is suitable for the class of livestock being transported; and
- (b) has effective airflow appropriate for the class of livestock being transported; and
- (c) has a surface or flooring that minimises the risk of injury to the livestock from slipping or falling; and
- (d) is free from internal protrusions and objects that may cause injury to the livestock; and
- (e) has sufficient vertical clearance to minimise the risk of injury to the livestock.

11 Alignment of ramps

- (1) This section applies to each of the following persons—
 - (a) a driver of a road-going vehicle transporting livestock;
 - (b) a stock attendant who has custody of livestock being transported by train.
- (2) The person must ensure any ramps used to load or unload the livestock to or from the vehicle or train are—
 - (a) properly aligned with the vehicle or train; and
 - (b) sufficiently close together to minimise the risk of injury to the livestock.

Part 3 Separation and loading density requirements

12 Separating livestock to minimise risk of harm other than emus, ostriches or poultry

- (1) This section applies to each of the following persons—
 - (a) a driver of a road-going vehicle transporting livestock other than emus, ostriches or poultry;
 - (b) a stock attendant who has custody of livestock, other than emus, ostriches or poultry, being transported by train.
- (2) The person must ensure the livestock is separated by sufficient internal partitions or other barriers during transport to minimise the risk of harm to the livestock.
- (3) For subsection (2), the following matters must be considered in deciding whether the livestock is separated by sufficient internal partitions or other barriers—
 - (a) the species, class and size of the livestock;
 - (b) the general health of the livestock;
 - (c) the level of aggression of the livestock;
 - (d) the nature of the intended journey.

13 Loading density of livestock other than emus, ostriches or poultry

- (1) This section applies to each of the following persons—
 - (a) a driver of a road-going vehicle transporting livestock other than emus, ostriches or poultry;
 - (b) a stock attendant who has custody of livestock, other than emus, ostriches or poultry, being transported by train.
- (2) The person must ensure the loading density of the livestock in the vehicle minimises the risk of harm to the livestock.
- (3) For subsection (2), the following matters must be considered in deciding whether the loading density of the livestock minimises the risk of harm to the livestock—
 - (a) the species, class and size of the livestock;
 - (b) the body condition of the livestock;
 - (c) the length and density of the wool or hair of the livestock;
 - (d) the horn status of the livestock;
 - (e) the weather conditions predicted for the intended journey;
 - (f) the nature of the intended journey;
 - (g) the design and capacity of the vehicle.

14 Loading density of emus, ostriches and poultry

- (1) This section applies to a person loading emus, ostriches or poultry into containers for loading onto a vehicle.
- (2) The person must ensure—
 - (a) the containers—
 - (i) are loaded onto, or unloaded from, the vehicle carefully and without being dropped or thrown; and

- (ii) are placed on the vehicle in an upright position without excessive tilting; and
 - (iii) are attached securely to the vehicle; and
 - (iv) are suitable for the species or class of bird being transported; and
 - (b) the loading density of the birds in the containers minimises the risk of harm to the birds.
- (3) For subsection (2)(b), the following matters must be considered in deciding whether the loading density of the birds in the containers minimises the risk of harm to the birds—
- (a) the species, class and size of the birds;
 - (b) the body condition and density of feathers of the birds;
 - (c) the weather conditions predicted for the intended journey;
 - (d) the nature of the intended journey;
 - (e) the design and capacity of the vehicle on which the containers are to be transported.

Part 4 Inspections

15 Inspections of vehicles other than vehicles transporting emus, ostriches or poultry

- (1) This section applies to each of the following persons—
- (a) a driver of a road-going vehicle transporting livestock other than emus, ostriches or poultry;
 - (b) a stock attendant who has custody of livestock, other than emus, ostriches or poultry, being transported by train.
- (2) The person must ensure that immediately before starting a journey, or part of a journey, the doors of the vehicle that enclose the livestock are secured.

16 Inspections of livestock handling facilities

- (1) This section applies to each of the following persons—
 - (a) a driver of a road-going vehicle transporting livestock other than emus, ostriches or poultry;
 - (b) a stock attendant who has custody of livestock, other than emus, ostriches or poultry, being transported by train.
- (2) The person must, before unloading the livestock from the vehicle, inspect the livestock handling facility into which the livestock is to be unloaded to ensure there is free access and sufficient space for the livestock to be unloaded.

17 Inspections of livestock other than emus, ostriches or poultry

- (1) This section applies to each of the following persons—
 - (a) a driver of a road-going vehicle transporting livestock other than emus, ostriches or poultry;
 - (b) a stock attendant who has custody of livestock, other than emus, ostriches or poultry, being transported by train.
- (2) The person must carry out an inspection to assess the health and wellbeing of the livestock—
 - (a) immediately before starting the journey; and
 - (b) for livestock being transported on a road-going vehicle, other than a road-going vehicle on a sea-going vessel—
 - (i) at least once within the first hour of the journey; and
 - (ii) at least once in each 3-hour period of the journey after the first hour; and
 - (iii) before there is a change of driver; and
 - (c) for livestock being transported by train—each time the train stops during the journey if it is safe to carry out an inspection; and

- (d) at any time the livestock is unloaded from the vehicle, whether during or on completion of the journey.
- (3) If, during a journey, the person identifies a sick, weak, injured or otherwise distressed animal, the person must—
 - (a) as soon as reasonably practicable, provide or seek assistance for the animal that is reasonable in the circumstances; and
 - (b) on transferring custody of the animal to another person—notify the person of the identity and condition of the animal.

Part 5 Care and handling of livestock

18 Minimising risk of harm from extreme weather conditions

- (1) A person who has custody of livestock being transported must take reasonable steps to minimise the risk of harm to the livestock from extreme weather conditions while being transported.

- (2) In this section—

extreme weather conditions means temperature or climatic conditions that individually, or in combination, are likely to predispose livestock to heat or cold stress.

19 Handling livestock other than poultry

- (1) This section applies to livestock other than poultry.
- (2) A person handling livestock that is being transported must handle the livestock in a way that minimises the risk of harm to the livestock.
- (3) Without limiting subsection (2), the person must not—
 - (a) kick the livestock; or
 - (b) punch the livestock; or
 - (c) strike the livestock in an unreasonable way; or

- (d) lift or carry the livestock by only the head, ears, horns, neck, tail, wool, hair or feathers; or
- (e) lift or carry the livestock by 1 leg, unless the livestock is a sheep, goat or pig weighing less than 15kg; or
- (f) drag livestock that is unable to stand, unless it is necessary in the circumstances to allow safe handling, lifting, treatment or humane killing of the livestock; or
- (g) lift the livestock by mechanical means, unless the livestock is well supported and secured.

20 Handling poultry

- (1) This section applies to livestock that is poultry.
- (2) A person handling poultry that is being transported must handle the poultry in a way that minimises the risk of harm to the poultry.
- (3) Without limiting subsection (2), the person must not—
 - (a) kick the poultry; or
 - (b) punch the poultry; or
 - (c) strike the poultry in an unreasonable way; or
 - (d) lift or carry the poultry by the head, neck, wing feathers or tail feathers unless the person also supports the poultry under its breast; or
 - (e) tie the legs of the poultry together.
- (4) Despite subsection (3)(d), the person may—
 - (a) for a turkey—lift and carry the turkey by the tail feathers and neck together, or by 1 leg and 1 wing together; or
 - (b) for an adult goose, or a domestic fowl primarily kept for breeding purposes—lift and carry the goose or fowl by the base of both wings alone; or
 - (c) for a duck—lift and carry the duck by its neck alone or by the base of both wings alone; or
 - (d) for other poultry—lift and carry the poultry by 1 leg.

21 Treating unfit livestock

If livestock is unfit to undertake an intended journey, the person who has custody of the livestock must, as soon as reasonably practicable, make arrangements for the care, treatment or humane killing of the livestock.

22 Treating distressed livestock

If a person, on completion of a journey, has custody of livestock that is sick, weak, injured or otherwise distressed, the person must, as soon as reasonably practicable, make arrangements—

- (a) to separate the animal for rest and recovery; or
- (b) for the appropriate treatment of the animal; or
- (c) for the humane killing and disposal of the animal.

23 Using prodders

(1) A person must not apply an electrical prod to any of the following livestock being transported—

- (a) an alpaca;
- (b) a bobby calf;
- (c) an emu or ostrich;
- (d) a goat known or visually assessed to be pregnant;
- (e) a pig weighing less than 60kg;
- (f) poultry.

(2) A person may apply an electrical prod to other livestock being transported only if—

- (a) the livestock is at least 3 months of age; and
- (b) the prod is not applied to the face, udders, anus or genitals of the livestock; and
- (c) the livestock is able to move away from the prod; and

- (d) the prod is applied as sparingly as possible and with restraint; and
- (e) for a pig weighing at least 60kg—the prod is applied as a last resort to protect the safety of a person handling the pig.

24 Using dogs

- (1) A person may use a dog to assist in the control or movement of livestock being transported only if—
 - (a) the dog is under effective control at all times; and
 - (b) if the dog habitually bites livestock—the dog is wearing a muzzle.
- (2) Despite subsection (1)(b), a dog that habitually bites livestock may be used to assist in the control or movement of cattle, other than bobby calves, being transported, without the dog wearing a muzzle.
- (3) A driver of a vehicle transporting livestock may permit a dog to be transported in the same enclosure as the livestock only if the dog has bonded with and has been used as a guardian of that livestock.

25 Humanely killing livestock

- (1) A person may humanely kill livestock.
- (2) For subsection (1), livestock is humanely killed if the livestock is killed in a way that—
 - (a) causes rapid unconsciousness and death immediately after unconsciousness happens; and
 - (b) does not include a blow to the head; and
 - (c) is otherwise humane.
- (3) Despite subsection (2)(a), a person may kill deer, goats or sheep by bleeding out the deer, goat or sheep if the person can not reasonably obtain a firearm or captive bolt.

- (4) Despite subsection (2)(b), a person may kill the following livestock by blunt trauma—
- (a) a piglet weighing less than 15kg;
 - (b) an alpaca, camel, cattle, deer, goat or sheep that is less than 24 hours of age.
- (5) If a person humanely kills livestock the person must take reasonable steps to confirm the death of the livestock immediately after believing the livestock has been killed.
- (6) In this section—
- bleeding out*, of deer, goats or sheep, means the loss of blood caused by cutting the major blood vessels, usually in the neck or at the base of the heart via the thoracic inlet.
- blunt trauma* means a single blow to the head that causes immediate loss of consciousness and death.

Part 6 Record keeping

26 Keeping records

- (1) This section applies to each of the following persons—
- (a) a driver of a road-going vehicle transporting livestock;
 - (b) a stock attendant who has custody of livestock being transported by train.
- (2) The person must, before starting the journey, estimate the journey time for transporting the livestock.
- (3) If the person estimates the journey time to be more than 24 hours, the person must keep a record of—
- (a) the estimated journey time; and
 - (b) the date and time the livestock were loaded on the vehicle, or into the container, for the journey; and
 - (c) the date and time the livestock last had reasonable access to water before starting the journey; and

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- (d) the date, and the time of the start and end, of any spell given to the livestock; and
 - (e) the date and time of any inspections carried out by the person under part 4; and
 - (f) the details of any concern for the welfare of the livestock identified by the person, including the date and time each concern was identified, and the details of any action taken in response to the concern; and
 - (g) the details of another person who should be contacted in an emergency.
- (4) The person must give a copy of the record to any other person to whom custody of the livestock is being transferred whether during, or on completion of, the journey.

Part 7

Journey times, spell durations and time off water requirements for transporting livestock

27 Maximum journey time

- (1) This section applies to each of the following persons—
 - (a) a driver of a road-going vehicle transporting livestock;
 - (b) a stock attendant who has custody of livestock being transported by train;
 - (c) an operator of a depot or saleyard who has temporary custody of livestock being transported.
- (2) The person must ensure the journey time for the livestock is not more than the maximum journey time for the livestock.

28 Minimum spell duration

- (1) This section applies to each of the following persons—
 - (a) a driver of a road-going vehicle transporting livestock;

- (b) a stock attendant who has custody of livestock being transported by train;
 - (c) an operator of a depot or saleyard who has temporary custody of livestock being transported.
- (2) The person must, before the maximum time off water for the livestock is reached, ensure the livestock is given a spell for at least the minimum spell duration for the livestock.
- (3) However, if the minimum spell duration for the livestock is more than 24 hours, the minimum spell duration may be reduced to 24 hours if—
 - (a) the maximum time off water for the livestock has not yet been reached; and
 - (b) the actual time for which the livestock has been off water is less than 24 hours.
- (4) If the custody of livestock being transported is transferred to a person at a destination and the person is unable to ascertain when the livestock last had reasonable access to water—
 - (a) the maximum time off water for the livestock is taken to have been reached; and
 - (b) the person must, as soon as reasonably practicable, spell the livestock for the minimum spell duration for the livestock.
- (5) In this section—

destination includes a depot or saleyard.

29 Alpacas

- (1) When transporting alpacas—
 - (a) the maximum journey time for the class of alpaca mentioned in column 1 of the following table is the period of time mentioned in column 2 of the table shown opposite that class; and
 - (b) the maximum time off water for the class of alpaca mentioned in column 1 of the following table is the

period of time mentioned in column 3 of the table shown opposite that class; and

- (c) the minimum spell duration for the class of alpaca mentioned in column 1 of the following table is the period of time mentioned in column 4 of the table shown opposite that class.

Column 1	Column 2	Column 3	Column 4
Class of alpaca	Maximum journey time (hours)	Maximum time off water (hours)	Minimum spell duration (hours)
Alpacas known or visually assessed to be less than 33 weeks pregnant	8	8	8
Alpacas known or visually assessed to be between 33 and 43 weeks pregnant (inclusive)	4	4	4
Alpacas known or visually assessed to be more than 43 weeks pregnant	4	4	24
Lactating alpacas travelling with dependent young less than 6 months of age	4	4	4
Alpacas less than 6 months of age	4	4	4
Alpacas between 6 and 12 months of age (inclusive)	8	8	8
Any other alpaca	24	24	24

- (2) Despite subsection (1), the maximum journey time for an alpaca, other than an alpaca known or visually assessed to be more than 43 weeks pregnant, is 72 hours if—
 - (a) the alpaca is given reasonable access to food and water at all times the alpaca is loaded on the vehicle in which it is being transported; and
 - (b) the alpaca is to be given a spell of at least 24 hours before starting another journey.
- (3) A driver of a road-going vehicle transporting an alpaca must ensure—
 - (a) the alpaca has sufficient space in the vehicle to sit down or lie on its sternum; and
 - (b) if the alpaca is less than 12 months of age or was sheared within 10 days of the journey starting—the vehicle has an enclosed front or has sufficient cover to protect the alpaca from heat or cold stress or sunburn.

30 Buffalo

- (1) When transporting buffalo—
 - (a) the maximum journey time for the class of buffalo mentioned in column 1 of the following table is the period of time mentioned in column 2 of the table shown opposite that class; and
 - (b) the maximum time off water for the class of buffalo mentioned in column 1 of the following table is the period of time stated in column 3 of the table shown opposite that class; and
 - (c) the minimum spell duration for the class of buffalo mentioned in column 1 of the following table is the period of time stated in column 4 of the table shown opposite that class.

Column 1	Column 2	Column 3	Column 4
Class of buffalo	Maximum journey time (hours)	Maximum time off water (hours)	Minimum spell duration (hours)
Buffalo known or visually assessed to be between 28 and 43 weeks pregnant (inclusive)	24	24	12
Buffalo known or visually assessed to be more than 43 weeks pregnant	4	4	24
Lactating buffalo travelling with dependent young	24	24	12
Buffalo less than 6 months of age	24	24	12
Any other buffalo	36	36	24

(2) If a buffalo suffers heat stress during a journey, the person who has custody of the buffalo must, as soon as reasonably practicable, apply a water spray to cool the buffalo.

(3) In this section—

heat stress, for buffalo, means exposure to temperatures, in the immediate environment, above which buffalo can not maintain normal body temperature without needing to use energy beyond normal basal metabolic rate.

31 Camels

(1) When transporting camels—

(a) the maximum journey time for the class of camel mentioned in column 1 of the following table is the period of time mentioned in column 2 of the table shown opposite that class; and

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- (b) the maximum time off water for the class of camel mentioned in column 1 of the following table is the period of time stated in column 3 of the table shown opposite that class; and
- (c) the minimum spell duration for the class of camel mentioned in column 1 of the following table is the period of time stated in column 4 of the table shown opposite that class.

Column 1	Column 2	Column 3	Column 4
Class of camel	Maximum journey time (hours)	Maximum time off water (hours)	Minimum spell duration (hours)
Camels known or visually assessed to be between 36 and 53 weeks pregnant (inclusive)	24	24	12
Camels known or visually assessed to be more than 53 weeks pregnant	4	4	36
Lactating camels travelling with dependent young	24	24	12
Camels less than 6 months of age	24	24	12
Any other camel	48	48	36

- (2) Despite subsection (1), the maximum journey time for a camel, other than a camel known or visually assessed to be more than 53 weeks pregnant, is 72 hours if—
- (a) the camel is given reasonable access to food and water at least once in each 24-hour period of the journey; and
- (b) the camel is to be given a spell of at least 24 hours before starting another journey.

- (3) A driver of a road-going vehicle transporting a camel must ensure—
- (a) when standing at rest in the vehicle, the camel has at least 100mm clearance between the top of its hump and the surface immediately above the camel; and
 - (b) the camel has sufficient space in the vehicle to lie down on its sternum.
- (4) The person who has custody of a camel being transported that is in rut must ensure the camel is segregated from all other animals while being transported.

32 Cattle other than bobby calves

When transporting cattle, other than bobby calves—

- (a) the maximum journey time for the class of cattle mentioned in column 1 of the following table is the period of time mentioned in column 2 of the table shown opposite that class; and
- (b) the maximum time off water for the class of cattle mentioned in column 1 of the following table is the period of time stated in column 3 of the table shown opposite that class; and
- (c) the minimum spell duration for the class of cattle mentioned in column 1 of the following table is the period of time stated in column 4 of the table shown opposite that class.

Column 1	Column 2	Column 3	Column 4
Class of cattle	Maximum journey time (hours)	Maximum time off water (hours)	Minimum spell duration (hours)
Cattle known or visually assessed to be between 24 and 37 weeks pregnant (inclusive)	24	24	12

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Column 1	Column 2	Column 3	Column 4
Class of cattle	Maximum journey time (hours)	Maximum time off water (hours)	Minimum spell duration (hours)
Cattle known or visually assessed to be more than 37 weeks pregnant	4	4	24
Lactating cattle travelling with dependent young	24	24	12
Cattle more than 30 days of age but less than 6 months of age	24	24	12
Any other cattle	48	48	36

33 Bobby calves

- (1) A person must not transport a bobby calf that is less than 5 days of age unless the journey time is no more than 6 hours and the calf—
 - (a) has been fed a liquid feed within 6 hours before it is loaded on the vehicle for transporting; and
 - (b) is being taken directly to a calf rearing facility; and
 - (c) is provided with thick bedding on the vehicle during the journey; and
 - (d) has sufficient space in the vehicle to lie down on its sternum.
- (2) For transporting a bobby calf that is more than 5 days but less than 30 days of age—
 - (a) a person must not supply the calf for transport unless—
 - (i) the calf has been fed a liquid feed within 6 hours before it is loaded on the vehicle for transport; and
 - (ii) the calf is alert and able to rise from a lying position; and

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- (iii) the journey time is reasonably expected to be 12 hours or less; and
 - (b) the driver of a road-going vehicle must not transport the calf unless—
 - (i) the calf has sufficient space in the vehicle to lie down on its sternum; and
 - (ii) the calf is alert and able to rise from a lying position; and
 - (iii) the journey time is reasonably expected to be 12 hours or less; and
 - (c) for a calf being transported to an abattoir—the driver of a road-going vehicle must ensure the calf is delivered to the abattoir in 12 hours or less from the time the calf was loaded on the vehicle.
 - (3) A driver of a road-going vehicle transporting a bobby calf must take reasonable measures to ensure the calf is protected from heat or cold stress during the journey.
 - (4) A person must not transport a premature bobby calf or a bobby calf that is born as a result of an induced labour, unless the calf is as fit for the journey as a full term calf of an equivalent age.
 - (5) In this section—

liquid feed means milk or milk replacer.

34 Deer

- (1) When transporting deer—
 - (a) the maximum journey time for the class of deer mentioned in column 1 of the following table is the period of time mentioned in column 2 of the table shown opposite that class; and
 - (b) the maximum time off water for the class of deer mentioned in column 1 of the following table is the period of time stated in column 3 of the table shown opposite that class; and

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- (c) the minimum spell duration for the class of deer mentioned in column 1 of the following table is the period of time stated in column 4 of the table shown opposite that class.

Column 1	Column 2	Column 3	Column 4
Class of deer	Maximum journey time (hours)	Maximum time off water (hours)	Minimum spell duration (hours)
Deer known or visually assessed to be between 20 and 30 weeks pregnant (inclusive)	24	24	12
Deer known or visually assessed to be more than 30 weeks pregnant	4	4	24
Lactating deer travelling with dependent young	4	24	24
Weaned deer less than 6 months of age	28	28	12
Any other deer	48	48	36

- (2) A driver of a road-going vehicle transporting deer must not transport a deer—
- (a) within 7 days after the deer has undergone velvet antler removal; or
 - (b) that has antlers in velvet that are 4cm or more in length; or
 - (c) that has hard antlers that are 4cm or more in length unless—
 - (i) the deer is segregated from other deer; and
 - (ii) there is sufficient clearance between the antlers and the surfaces of the vehicle to minimise the risk of injury to the deer and its antlers.

35 Emus and ostriches

- (1) When transporting emus or ostriches—
- (a) the maximum journey time for the class of emu or ostrich mentioned in column 1 of the following table is the period of time mentioned in column 2 of the table shown opposite that class; and
 - (b) the maximum time off water for the class of emu or ostrich mentioned in column 1 of the following table is the period of time stated in column 3 of the table shown opposite that class; and
 - (c) the minimum spell duration for the class of emu or ostrich mentioned in column 1 of the following table is the period of time stated in column 4 of the table shown opposite that class.

Column 1	Column 2	Column 3	Column 4
Class of emu or ostrich	Maximum journey time (hours)	Maximum time off water (hours)	Minimum spell duration (hours)
Emus or ostriches between 5 and 90 days of age (inclusive)	24	24	12
Emus or ostriches more than 90 days of age	36	36	24

- (2) If a person has custody of an emu or ostrich being transported, the person must ensure, within 24 hours before starting a journey, the bird is provided with adequate food containing sufficient nutrients to ensure the bird's welfare.
- (3) A driver of a road-going vehicle transporting an emu or ostrich must ensure any bird between 5 and 90 days of age is given reasonable access to food and water at least once in each 12-hour period during the journey.
- (4) A driver of a road-going vehicle transporting an emu or ostrich in a container must ensure any bird between 5 and 90 days of age is given reasonable access to food and water at

least once in each 12-hour period, and provided with shelter, during the journey.

- (5) A driver of a road-going vehicle transporting an emu or ostrich less than 5 days of age must take reasonable steps to minimise the risk of harm to the bird during the journey from chilling or overheating.
- (6) If a person has custody of an emu or ostrich less than 5 days of age, the person must ensure once the bird is removed from an incubator to be transported, the bird is returned for a period of at least 24 hours to a suitable brooding environment that provides the bird with adequate food, water and warmth—
 - (a) for a bird transported in a container in which the bird does not have reasonable access to water—within 60 hours; or
 - (b) otherwise—within 72 hours.

36 Goats

When transporting goats—

- (a) the maximum journey time for the class of goat mentioned in column 1 of the following table is the period of time mentioned in column 2 of the table shown opposite that class; and
- (b) the maximum time off water for the class of goat mentioned in column 1 of the following table is the period of time stated in column 3 of the table shown opposite that class; and
- (c) the minimum spell duration for the class of goat mentioned in column 1 of the following table is the period of time stated in column 4 of the table shown opposite that class.

Column 1	Column 2	Column 3	Column 4
Class of goat	Maximum journey time (hours)	Maximum time off water (hours)	Minimum spell duration (hours)
Goats known or visually assessed to be between 14 and 19 weeks pregnant (inclusive)	24	24	12
Goats known or visually assessed to be more than 19 weeks pregnant	4	4	12
Lactating goats travelling with dependent young	28	28	12
Goats less than 6 months of age	28	28	12
Any other goat	48	48	36

37 Horses

- (1) When transporting horses—
- (a) the maximum journey time for the class of horse mentioned in column 1 of the following table is the period of time mentioned in column 2 of the table shown opposite that class; and
 - (b) the maximum time off water for the class of horse mentioned in column 1 of the following table is the period of time stated in column 3 of the table shown opposite that class; and
 - (c) the minimum spell duration for the class of horse mentioned in column 1 of the following table is the period of time stated in column 4 of the table shown opposite that class.

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Column 1	Column 2	Column 3	Column 4
Class of horse	Maximum journey time (hours)	Maximum time off water (hours)	Minimum spell duration (hours)
Horses known or visually assessed to be between 30 and 43 weeks pregnant (inclusive)	12	12	12
Horses known or visually assessed to be more than 43 weeks pregnant	4	4	24
Lactating horses travelling with dependent young	12	12	12
Horses less than 6 months of age	12	12	12
Any other horse	24	24	12

- (2) Despite subsection (1), the maximum journey time for a horse, other than a horse known or visually assessed to be more than 43 weeks pregnant, is 36 hours if—
- (a) the horse is given reasonable access to food and water at least once in each 5-hour period of the journey; and
 - (b) the horse is transported in a vehicle that—
 - (i) protects the horse from the natural elements; and
 - (ii) has sufficient space for the horse to stand at rest with its head raised; and
 - (iii) has sufficient drainage to remove urine; and
 - (c) the horse is to be given a spell of at least 24 hours before starting another journey.
- (3) A driver of a road-going vehicle transporting a lactating horse with a dependent foal that is less than 6 months of age must, if

the journey time is reasonably expected to be more than 5 hours, provide sufficient space in the vehicle for the foal to suckle from its mother and to lie down.

- (4) A driver of a road-going vehicle transporting a horse must ensure—
- (a) for a vehicle with separate stalls or other partitions—each stall or partition is accessible so as to allow feeding, watering and visual inspection of the horse; and
 - (b) for a vehicle that is fully enclosed with a controlled environment—there is sufficient airflow, with at least 12 air changes every hour; and
 - (c) for a vehicle other than a horse float—the vehicle has a vertical clearance of at least 2.2m; and
 - (d) if the horse is a stallion—the stallion is segregated from other horses on the vehicle.

38 Pigs

- (1) When transporting pigs—
- (a) the maximum journey time for the class of pig mentioned in column 1 of the following table is the period of time mentioned in column 2 of the table shown opposite that class; and
 - (b) the maximum time off water for the class of pig mentioned in column 1 of the following table is the period of time stated in column 3 of the table shown opposite that class; and
 - (c) the minimum spell duration for the class of pig mentioned in column 1 of the following table is the period of time stated in column 4 of the table shown opposite that class.

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Column 1	Column 2	Column 3	Column 4
Class of pig	Maximum journey time (hours)	Maximum time off water (hours)	Minimum spell duration (hours)
Pigs known or visually assessed to be more than 14 weeks pregnant	4	4	24
Lactating pigs travelling with dependent young	12	12	12
Weaned pigs weighing less than 30kg	12	12	12
Any other pig	24	24	12

- (2) Despite subsection (1), the maximum journey time for a pig, other than a pig known or visually assessed to be more than 14 weeks pregnant, is 72 hours if—
- (a) the pig is given reasonable access to food and water at least once in each 24-hour period of the journey; and
 - (b) there is sufficient space in the vehicle for the pig to lie down; and
 - (c) the pig is to be given a spell of at least 24 hours before starting another journey.

39 Poultry

- (1) When transporting poultry—
- (a) the maximum journey time for the class of poultry mentioned in column 1 of the following table is the period of time mentioned in column 2 of the table shown opposite that class; and
 - (b) the maximum time off water for the class of poultry mentioned in column 1 of the following table is the period of time stated in column 3 of the table shown opposite that class; and
 - (c) the minimum spell duration for the class of poultry mentioned in column 1 of the following table is the

period of time stated in column 4 of the table shown opposite that class.

Column 1	Column 2	Column 3	Column 4
Class of poultry	Maximum journey time (hours)	Maximum time off water (hours)	Minimum spell duration (hours)
Chicks	72	72	72
Poultry other than chicks	24	24	24

- (2) Despite subsection (1), for a chick, the maximum time off water and the minimum spell duration is 84 hours if the chick is given reasonable access to water at all times the chick is loaded on the vehicle in which the chick is being transported.
- (3) If a person has custody of poultry more than 5 days of age, the person must ensure, within 12 hours before starting a journey, the poultry is provided with adequate food containing sufficient nutrients to ensure the bird's welfare.
- (4) A driver of a road-going vehicle transporting poultry less than 5 days of age must take reasonable measures to minimise the risk of harm to the bird during the journey from chilling or overheating.
- (5) If a person has custody of poultry less than 5 days of age, the person must ensure once the bird is removed from an incubator to be transported, the bird is returned for at least 24 hours to a suitable brooding environment that provides the bird with adequate feed, water and warmth—
 - (a) for a bird transported in a container in which the bird does not have reasonable access to water—within 60 hours; or
 - (b) otherwise—within 72 hours.
- (6) In this section—

chick means poultry less than 72 hours of age.

40 Sheep

When transporting sheep—

Schedule 5

- (a) the maximum journey time for the class of sheep mentioned in column 1 of the following table is the period of time mentioned in column 2 of the table shown opposite that class; and
- (b) the maximum time off water for the class of sheep mentioned in column 1 of the following table is the period of time stated in column 3 of the table shown opposite that class; and
- (c) the minimum spell duration for the class of sheep mentioned in column 1 of the following table is the period of time stated in column 4 of the table shown opposite that class.

Column 1	Column 2	Column 3	Column 4
Class of sheep	Maximum journey time (hours)	Maximum time off water (hours)	Minimum spell duration (hours)
Sheep known or visually assessed to be between 14 and 19 weeks pregnant (inclusive)	24	24	12
Sheep known or visually assessed to be more than 19 weeks pregnant	4	4	24
Lactating sheep travelling with dependent young	28	28	12
Sheep less than 4 months of age	28	28	12
Any other sheep	48	48	36

Schedule 6 Code of practice for livestock at depots and saleyards

section 3(1)(f)

Part 1 Preliminary

1 Definitions for schedule

In this schedule—

bobby calf means a calf that is less than 30 days of age and not accompanied by its mother.

cattle means a member of the genus *Bos*.

class of livestock means a class of livestock of the same species that share a common characteristic, including, for example, age, size or sex, or some other physiological characteristic, including, for example, pregnancy.

depot means a facility used to assemble, hold, load or unload livestock for resting the livestock during transportation.

livestock means cattle, goats, horses, pigs or sheep.

pen means an enclosed section of an area used to confine livestock individually or in small groups.

reasonable access to food, for livestock, means the livestock has a reasonable opportunity to consume food of a suitable quality and quantity sufficient to maintain health and welfare of the livestock.

reasonable access to water, for livestock, means the livestock has a reasonable opportunity to drink water of a suitable quality and quantity sufficient to maintain hydration of the livestock.

saleyard means a facility used to assemble, hold, load or unload livestock for the purpose of selling the livestock.

-
- (a) the penning density of livestock held in a pen minimises the risk of harm to the livestock; and
 - (b) livestock held in a pen, other than a selling pen, have sufficient space to move freely and lie down to rest; and
 - (c) livestock held in a selling pen have sufficient space to allow the livestock—
 - (i) to stand; and
 - (ii) to rise unassisted if the livestock has fallen down; and
 - (iii) to be inspected; and
 - (d) pigs held in a pen are prevented from fighting with another pig in an adjoining pen.
- (2) In deciding whether the penning density of livestock held in a pen minimises the risk of harm to the livestock, the operator must have regard to the following matters—
- (a) the species of the livestock;
 - (b) the physiological characteristics of the livestock;
 - (c) the body condition of the livestock;
 - (d) the length and density of the wool or hair of the livestock;
 - (e) the horn status of the livestock;
 - (f) the weather conditions affecting the pen;
 - (g) the design and capacity of the pen;
 - (h) the time spent in the pen.

- (3) In this section—

penning density, of livestock in a pen, means the amount of space provided for each animal in the pen.

selling pen means a pen used to confine livestock for sale.

4 Separating livestock to minimise risk of harm

- (1) An operator of a depot or saleyard must ensure that livestock held at the depot or saleyard are sufficiently separated to minimise the risk of harm to the livestock.
- (2) For subsection (1), the following matters must be considered in deciding whether the livestock are sufficiently separated—
 - (a) the species of the livestock;
 - (b) the physiological characteristics of the livestock;
 - (c) the general health of the livestock;
 - (d) the level of aggression of the livestock.

5 Separating sick, weak, injured or distressed livestock

An operator of a depot or saleyard must, if reasonably practicable, separate any sick, weak, injured or otherwise distressed livestock held at the depot or saleyard to—

- (a) assess the livestock; or
- (b) rest the livestock; or
- (c) allow the livestock to recover; or
- (d) provided the livestock with appropriate treatment; or
- (e) humanely killed the livestock.

Part 3 Food and water requirements

6 Access to food

- (1) An operator of a depot or saleyard must ensure that pigs held at the depot or saleyard for a period of 24 hours or more are given reasonable access to food.
- (2) An operator of a depot or saleyard must ensure that a horse held at the depot or saleyard for a period of 12 hours or more is given reasonable access to food.

-
- (3) An operator of a depot or saleyard must ensure that all cattle, goats and sheep held at the depot or saleyard are given reasonable access to food within the first 48 hours after arriving at the depot or saleyard.

7 Access to water

- (1) An operator of a depot or saleyard must ensure that livestock held at the depot or saleyard, other than horses and pigs, are given reasonable access to water within whichever of the following periods ends first—
 - (a) the first 12 hours after arriving at the depot or saleyard;
 - (b) before the end of the maximum time off water for the livestock.
- (2) An operator of a depot or saleyard must ensure that horses held at the depot or saleyard are given reasonable access to water within the first 12 hours after arriving at the depot or saleyard.
- (3) An operator of a depot or saleyard must ensure that pigs held in a pen at the depot or saleyard have reasonable access to water at all times.
- (4) For subsection (1)(b), the maximum time off water for livestock is the maximum time off water for the class of livestock worked out under schedule 5, part 7.

8 Managing time off water

- (1) An operator of a depot or saleyard must manage time off water for livestock to minimise the risk to the welfare of the livestock.
- (2) In managing time off water for livestock, the operator must consider—
 - (a) the increased risk, to the welfare of the livestock, from longer journeys that are scheduled to start close to the maximum time off water for the livestock; and
 - (b) whether the livestock are fit for an intended journey from the depot or saleyard; and

- (c) the predicted and actual climatic conditions at the depot or saleyard, particularly heat or cold; and
 - (d) the health of the livestock, particularly if the livestock—
 - (i) is weak; or
 - (ii) is pregnant; or
 - (iii) is lactating; or
 - (iv) is immature; or
 - (v) has recently given birth; or
 - (e) the nature of the intended journey from the depot or saleyard.
- (3) An operator of a depot or saleyard must give livestock a spell if—
- (a) the livestock are to start or continue a journey; and
 - (b) the maximum time off water is reached for the livestock.
- (4) For subsections (2)(a) and (3)(b), the maximum time off water for livestock is the maximum time off water for the class of livestock worked out under schedule 5, part 7.
- (5) In this section—
- spell*, for livestock, means a period in which the livestock is—
- (a) removed from the vehicle or container in which it is being transported; and
 - (b) given reasonable access to food and water; and
 - (c) provided with space to lie down; and
 - (d) subjected to minimal or no handling.

Part 4 Inspections

9 Inspections of depots and saleyards

- (1) An owner or operator of a depot or saleyard must ensure the depot or saleyard is inspected to ensure—

-
- (a) the surfaces and flooring are being maintained to minimise the risk of injury to livestock from slipping or falling; and
 - (b) the pens are draining freely; and
 - (c) if necessary, any boggy areas are filled with gravel or woodchips.
- (2) An inspection under subsection (1) must be carried out—
- (a) 24 hours before livestock arrive at the depot or saleyard; and
 - (b) at least once in each 24-hour period after livestock arrive at the depot or saleyard.

10 Inspections of livestock

An operator of a depot or saleyard must ensure that livestock held at the depot or saleyard are inspected to assess the health and welfare of the livestock at least once in each 24-hour period.

Part 5 Care and handling of livestock

11 Minimising risk of harm from extreme weather conditions

- (1) An operator of a depot or saleyard must take reasonable steps to minimise the risk of harm to livestock at the depot or saleyard from extreme weather conditions.
- (2) In this section—

extreme weather conditions means temperature or climatic conditions that individually, or in combination, are likely to predispose livestock to heat or cold stress.

12 Minimising risk of harm from fire or flood

An operator of a depot or saleyard must take reasonable steps to minimise the risk of harm to livestock at the depot or saleyard from fire or flood.

13 Handling livestock

- (1) A person handling livestock at a depot or saleyard must handle the livestock in a way that minimises the risk of harm to the livestock, including minimising unnecessary fear and distress.
- (2) Without limiting subsection (1), a person handling livestock at a depot or saleyard must not—
 - (a) kick, punch or throw the livestock; or
 - (b) strike the livestock in an unreasonable way; or
 - (c) lift, carry or drag the livestock by the head, ears, horns, neck, tail, wool or hair; or
 - (d) lift or carry the livestock by 1 leg, unless the livestock is a sheep, goat or pig weighing less than 15kg; or
 - (e) drag livestock that is unable to stand, unless it is necessary in the circumstances to allow safe handling, lifting, treatment or humane killing of the livestock; or
 - (f) lift the livestock by mechanical means, unless the livestock is well supported and secured; or
 - (g) drop the livestock, unless doing so from a height which ensures the animal will safely land standing on its feet.

14 Managing births

- (1) This section applies to an operator of a depot or saleyard if any livestock is born—
 - (a) at the depot or saleyard; or
 - (b) during a journey to the depot or saleyard.
- (2) The operator must ensure—
 - (a) appropriate shelter is provided for the animal and its mother; and
 - (b) appropriate treatment is provided to the animal and its mother; and
 - (c) the animal and its mother have reasonable access to food and water; and

- (d) if necessary—
 - (i) the animal and mother are separated for rest and recovery; or
 - (ii) the animal or mother is humanely killed and disposal of.

15 Supplying livestock

- (1) A person must not, at a saleyard, supply for sale livestock that is not fit for sale.
- (2) Without limiting subsection (1), livestock is not fit for sale if—
 - (a) the livestock is unable to walk independently by bearing weight on all legs; or
 - (b) the livestock is severely emaciated; or
 - (c) the livestock is visibly dehydrated; or
 - (d) the livestock shows visible signs of severe injury or distress; or
 - (e) the livestock is suffering from a condition that is likely to result in an increase in pain or distress during transport; or
 - (f) the livestock is blind in both eyes.

16 Supplying bobby calves

- (1) A person in charge of a bobby calf at a depot or saleyard must ensure the calf is delivered to a meat processor within 18 hours after the calf last had reasonable access to food.
- (2) A person must not supply a bobby calf to a saleyard for sale unless the calf is—
 - (a) at least 5 days of age; and
 - (b) in good health; and
 - (c) alert; and
 - (d) able to rise from a lying position.

- (3) An operator of a saleyard must not sell a bobby calf unless the calf is—
- (a) at least 5 days of age; and
 - (b) in good health; and
 - (c) alert; and
 - (d) able to rise from a lying position.

17 Using prodders

- (1) A person may apply an electrical prod to livestock at a depot or saleyard only if—
- (a) the livestock is at least 3 months of age; and
 - (b) the prod is not applied to the face, udders, anus or genitals of the livestock; and
 - (c) the livestock is able to move away from the prod; and
 - (d) the prod is applied as sparingly as possible and with restraint; and
 - (e) if the livestock is a pig—
 - (i) the pig is at least 60kg; and
 - (ii) the prod is applied as a last resort to protect the safety of a person.
- (2) Despite subsection (1), a person must not apply an electrical prod to either of the following livestock at a depot or saleyard—
- (a) a bobby calf;
 - (b) a goat known, or visually assessed, to be pregnant.

Note—

The use of an electrical prod on a horse is taken to be an act of cruelty prohibited under section 18 of the Act.

18 Using dogs

- (1) A person may use a dog to assist in the control or movement of livestock at a depot or saleyard only if—
 - (a) the dog is under effective control at all times; and
 - (b) the dog is wearing a muzzle.
- (2) Despite subsection (1), a person must not use a dog to assist in the control or movement of any of the following livestock at a depot or saleyard—
 - (a) a bobby calf;
 - (b) a pig;
 - (c) an animal that is unable to stand.

19 Humanely killing livestock

- (1) An operator of a depot or saleyard must ensure any livestock at the depot or saleyard suffering from severe distress, disease or injury that can not reasonably be treated is humanely killed at the first reasonable opportunity.
- (2) For subsection (1), livestock is humanely killed if the livestock is killed in a way that—
 - (a) causes rapid unconsciousness and death immediately after unconsciousness happens; and
 - (b) does not include a blow to the head; and
 - (c) is otherwise humane.
- (3) The operator must keep a written plan and procedure in place at the depot or saleyard to ensure livestock killed at the depot or saleyard is humanely killed.
- (4) The operator must also ensure a person is available to humanely kill the livestock during the operating hours of the depot or saleyard.
- (5) If a person does kill livestock at the depot or saleyard, the person must have the relevant knowledge, skills and experience to kill the livestock humanely, or be under the

direct supervision of person who has that knowledge, skills and experience to kill the livestock humanely, unless—

- (a) the livestock needs to be killed to prevent undue suffering to the livestock; and
 - (b) for a person requiring supervision—there would be an unreasonable delay until the supervision could be provided.
- (6) A person is under *direct supervision* of another person (the *supervisor*) if the supervisor—
- (a) instructs the person about the killing; and
 - (b) is on the premises where the killing is carried out while the killing is carried out; and
 - (c) is available to give additional instruction to the person about the killing while the killing is carried out; and
 - (d) evaluates the carrying out of the killing by the person, including by regularly personally checking on the person.
- (7) If a person does kill livestock at the depot or saleyard, the person must take reasonable steps to confirm the death of the livestock immediately after believing the livestock has been killed.

Schedule 7 Code of practice for breeding of dogs

section 3(1)(g)

Part 1 Preliminary

1 Definitions for schedule

In this schedule—

breeding dog means—

- (a) a dog that is not desexed; and
- (b) is kept for the purposes of breeding.

desex, for a dog, means to surgically remove the dog's gonads for the purpose of making it permanently incapable of reproducing.

dog means an animal of the species *Canis lupus familiaris*, or domestic dog.

puppy see section 2.

whelp means to give birth.

2 Meaning of *puppy*

A dog is a *puppy* until the earlier of the following—

- (a) the dog is 6 months of age;
- (b) the dog is—
 - (i) supplied to a person; and
 - (ii) the person takes custody of the dog.

- (a) the dog or puppy has access to drinking water at all times; and
- (b) the quality and quantity of the water meets the dog or puppy's physiological needs.

Part 4 Inspections

7 Inspections of dogs

A person in charge of a breeding dog or puppy must ensure the dog or puppy is inspected at least once in each 24-hour period to assess the dog or puppy's health and welfare.

Part 5 Care, handling and use of dogs

8 Restrictions on breeding dogs

- (1) A person in charge of a female dog must ensure the dog is not used for breeding unless—
 - (a) the dog is—
 - (i) physically mature; and
 - (ii) fit and healthy; or
 - (b) a veterinary surgeon has given the person a written approval stating—
 - (i) the dog has been examined by the veterinary surgeon; and
 - (ii) the veterinary surgeon reasonably considers the dog is fit for breeding.
- (2) A person in charge of a dog that is not desexed must ensure the dog is not used for breeding with—
 - (a) the dog's progeny; or
 - (b) a parent or sibling of the dog.

(3) A person in charge of a dog that is not desexed must ensure the dog is not used for breeding if the dog is displaying, or diagnosed with, a deleterious heritable condition unless a veterinary surgeon or a canine geneticist has given the person written approval to breed the dog.

(4) In this section—

breeding, in relation to a dog that is not desexed, means—

- (a) mating the dog with another dog that is not desexed; and
- (b) for a female dog—includes whelping.

canine geneticist means a person who—

- (a) holds a degree from a university in the science of animal genetics; and
- (b) specialises in canine genetics.

deleterious heritable condition, for a dog, means a health condition suffered by the dog that—

- (a) is heritable; and
- (b) if inherited by the progeny of the dog, may adversely affect the progeny's welfare.

Examples of a deleterious heritable condition—

brachycephalic syndrome, epilepsy, degenerative myelopathy, hip dysplasia, urinary bladder stones

physically mature, for a female dog, means the dog has attained an adult body size and weight that is consistent with the dog's breed or, if the dog is a mixed breed, the dog's dominant breed.

9 Restrictions on supplying puppies

(1) A person in charge of a puppy must not supply, or give custody of, the puppy to another person unless the puppy is able to consume food adequate for the puppy's physiological needs.

(2) In this section—

food does not include milk produced by a female dog.

10 Treating female dog

A person in charge of a female dog must seek veterinary treatment for the dog as soon as practicable after the person becomes aware of any of the following—

- (a) a reproductive organ, or part of a reproductive organ, of the dog has a discharge that is abnormal;

Example of a reproductive organ—

mammary gland, vulva

- (b) the dog has an inflamed or ulcerated mammary gland;
- (c) if the dog is whelping—the whelping appears to be proceeding in a way that is detrimental to the welfare of the dog or a puppy of the dog;
- (d) if the dog is lactating, the dog is—
- (i) losing weight excessively or rapidly; or
- (ii) behaving abnormally for a dog that is lactating.

Examples of abnormal behaviour for a lactating dog—

- avoiding physical contact with the dog's puppies
- shivering or displaying muscle tremors

11 Treating puppies

A person in charge of a puppy must seek veterinary treatment for the puppy as soon as practicable after the person becomes aware of any of the following—

- (a) the puppy is not gaining weight that is adequate for the age and breed of the puppy;
- (b) the puppy has an abnormality, defect or deformity that is likely to have a significant impact on the puppy's welfare;

Example of an abnormality, defect or deformity—

a cleft palate

- (c) the puppy appears to be otherwise sick, weak or injured.

12 Isolating whelping dogs

A person in charge of a female breeding dog that is whelping must ensure the dog is provided with an area isolated from other animals.

13 Isolating infectious dogs

- (1) This section applies if a breeding dog (an *infectious dog*) or a puppy (also an *infectious dog*) has, or appears to have, a disease that is communicable to another dog.

Examples of a disease that is communicable to another dog—

canine distemper, infectious canine hepatitis, canine parvovirus

- (2) A person in charge of the infectious dog must ensure the dog is isolated from other dogs unless a veterinary surgeon has given the person a written approval to not isolate the dog.

14 Grooming dogs

A person in charge of a breeding dog or puppy must ensure—

- (a) the coat of the dog is clean and not matted or otherwise tangled; and
- (b) the dog is otherwise groomed at intervals that are appropriate to maintain the dog's health and welfare.

15 Providing enrichment to dogs

A person in charge of a breeding dog or puppy must ensure the dog is given—

- (a) social interaction with a person at least once in each 24-hour period; and

Examples of social interaction—

- being groomed, petted or played with by a person
- being walked on a leash or trained by a person

- (b) other enrichment to meets the behavioural, physical and psychological needs of the dog.

Examples of other enrichment—

- being exercised
- playing with other dogs or puppies
- engaging in recreational feeding activities
- using recreational feeding devices or toys

Part 6 Record keeping

16 Keeping records

- (1) This section applies if—
 - (a) breeding dogs are usually kept at a premises; and
 - (b) 5 or more of the breeding dogs are female.
- (2) A person in charge of each breeding dog usually kept at the premises must ensure the following information is recorded for each dog—
 - (a) the dog's date of birth, if known, or the estimated date of the dog's birth;
 - (b) the dog's name;
 - (c) the name and date of birth of the dog's parents, if known;
 - (d) the PPID number for the dog or the certificate mentioned in the *Animal Management (Cats and Dogs) Act 2008*, section 14(2)(a) for the dog;
 - (e) information about any ill-health of the dog;
 - (f) any written approval mentioned in section 8(1)(b) or (3) or 13(2) for the dog;
 - (g) for any veterinary treatment given to the dog—
 - (i) the name of the veterinary surgeon that gave the treatment; and
 - (ii) the advice the veterinary surgeon gave the person in relation to the dog during the consultation; and

- (iii) the type of veterinary treatment given; and
 - (iv) the outcome of the treatment;
 - (h) for each mating of the dog—
 - (i) the name of the other dog with which it was mated and the PPID number for the other dog; and
 - (ii) the date of each mating;
 - (i) the date of each whelping of the dog;
 - (j) for each litter of the dog—
 - (i) the number of living puppies; and
 - (ii) the number of stillborn puppies;
 - (k) the date of the dog's death and, if known, the cause of the dog's death.
- (3) For subsection (2), the record must—
 - (a) be in writing; and
 - (b) be made no later than 7 days after the day the information comes into existence for the dog; and
 - (c) be kept for a period of 3 years starting after the later of the following days—
 - (i) the day the dog was last used for breeding;
 - (ii) the day the dog was no longer kept for breeding.
- (4) However, this section does not apply if the premises at which the breeding dogs are usually kept is—
 - (a) a pound or shelter within the meaning of the *Animal Management (Cats and Dogs) Act 2008*, schedule 2; or
 - (b) a veterinary surgery to the extent that the surgery provides shelter for a dog that is homeless, lost or stray.
- (5) In this section—

PPID number see the *Animal Management (Cats and Dogs) Act 2008*, schedule 2.

Schedule 8 Code of practice about rodeos

section 3(1)(h)

Part 1 Preliminary

1 Definitions for schedule

In this schedule—

arena means a fenced area in which rodeo activities are carried on.

bareback bronc riding see section 28(1).

bovine means an animal of the genus *Bos*.

breakaway roping see section 34.

bull riding see section 39(1).

chute means an enclosure from which a rodeo animal is released into an arena.

chute dogging see section 55(2).

judge, for a rodeo activity, means a person, however called, who scores the performances of competitors in the rodeo activity.

organiser, for a rodeo—

- (a) generally, means the person conducting the rodeo; and
- (b) includes a person purporting to conduct the rodeo.

personal use supplier means a person who supplies a rodeo animal owned by the person for the exclusive use of the person or another person for a rodeo activity.

poddy riding see section 44.

protection clown means a person, however called, who, during a rodeo activity, distracts a rodeo animal that has thrown a competitor to try to prevent the rodeo animal from injuring the competitor or another person.

responsible person, for a rodeo animal at a rodeo, means—

- (a) the organiser for the rodeo; or
- (b) a rodeo animal welfare officer for the rodeo; or
- (c) another person who is in charge of the rodeo animal.

rodeo see section 2.

rodeo activity see section 3.

rodeo animal means a bovine or horse.

rodeo animal welfare officer, for a rodeo, see section 4(1)(a).

rodeo official means a judge, protection clown, rodeo animal welfare officer or stock contractor.

rodeo organisation means an organisation whose objects include—

- (a) governing and administering the sport; and
- (b) coordinating and assisting in the running of rodeos; and
- (c) training and administering rodeo officials and stock contractors.

rodeo school means an event conducted to train rodeo officials, other persons and rodeo animals for carrying on a rodeo activity.

rope and tie see section 48.

saddle bronc riding see section 28(2).

steer riding see section 39(2).

steer wrestling see section 55(1).

stock contractor—

- (a) means a person, however called, who supplies a rodeo animal for use for a rodeo activity; but
- (b) does not include a personal use supplier.

team roping see section 60.

2 Meaning of *rodeo*

- (1) A *rodeo* is an event that includes a rodeo activity.
- (2) A reference to a rodeo includes a reference to a rodeo school.

3 Meaning of *rodeo activity*

- (1) Each of the following activities is a *rodeo activity*—
 - (a) bareback bronc riding;
 - (b) breakaway roping;
 - (c) bull riding;
 - (d) chute dogging;
 - (e) poddy riding;
 - (f) rope and tie;
 - (g) saddle bronc riding;
 - (h) steer riding;
 - (i) steer wrestling;
 - (j) team roping.
- (2) A *rodeo activity* includes an activity that is carried on—
 - (a) to allow a person to practise an activity mentioned in subsection (1) at a rodeo; or
 - (b) to train a person or a rodeo animal in carrying on an activity mentioned in subsection (1) at a rodeo school.

Part 2 General responsibilities of persons involved in rodeos

4 Organiser's responsibilities

- (1) The organiser for a rodeo must—

- (a) appoint a person (a *rodeo animal welfare officer*) to be responsible for the welfare of rodeo animals at the rodeo; and
 - (b) appoint other rodeo officials required for conducting the rodeo; and
 - (c) ensure each rodeo official at the rodeo is approved by a rodeo organisation; and
 - (d) engage a veterinary surgeon to treat rodeo animals on the site of the rodeo, or to be available for consultation, while the rodeo is being conducted; and
 - (e) ensure each person involved in carrying on a rodeo activity has the knowledge, skills and experience required to carry out the person's responsibilities under this code of practice.
- (2) If a person, other than the organiser for a rodeo, is required under this code of practice to do a thing or omit to do a thing at or for the rodeo, the organiser for the rodeo must take reasonable steps to ensure the person complies with the requirement.

Examples of steps that may be reasonable for subsection (2)—

- giving an oral direction to a person about compliance with a requirement
- conspicuously displaying a sign about compliance with a requirement
- giving instruction or training to rodeo officials about compliance with requirements applying to them

5 Supplier's responsibilities

If a person supplies a rodeo animal for use at a rodeo, the person must—

- (a) ensure—
 - (i) if the rodeo animal is a bovine less than 3 months of age—the animal is not prevented from accessing food or water for more than 2 hours; or

- (ii) otherwise—the animal is not prevented from accessing water for more than 6 hours; and
- (b) ensure, if the animal becomes lame, sick, distressed or otherwise unsuitable to be used for a rodeo activity, the animal—
 - (i) is not used for, or is withdrawn from, the rodeo activity; and
 - (ii) receives appropriate care, including, if appropriate, veterinary treatment; and
 - (iii) is killed as required under section 19, if necessary for the animal’s welfare.

6 Rodeo animal welfare officer’s responsibilities

A rodeo animal welfare officer for a rodeo must—

- (a) have the knowledge, skills and experience relating to the welfare of rodeo animals to enable the person to carry out the person’s responsibilities under this code of practice; and
- (b) ensure each rodeo animal to be used in the rodeo has been supplied by—
 - (i) a stock contractor approved by a rodeo organisation; or
 - (ii) a personal use supplier; and
- (c) inspect each arena, chute and yard to be used for conducting the rodeo to check it is safe for rodeo animals and persons to use; and
- (d) ensure any aggressive or injured rodeo animal is managed to minimise the risk of injury to persons or other animals at the rodeo; and
- (e) ensure—
 - (i) if a rodeo animal is a bovine less than 3 months of age—the rodeo animal is not prevented from accessing feed or water at the rodeo for more than 2 hours; and

- (ii) for any other rodeo animal—the rodeo animal is not prevented from accessing water at the rodeo for more than 6 hours; and
- (f) ensure a rodeo animal that becomes lame, sick, distressed or otherwise unsuitable to be used for a rodeo activity—
 - (i) is not used for, or is withdrawn from, the rodeo activity; and
 - (ii) receives appropriate care, including, if appropriate, veterinary treatment; and
 - (iii) is killed as required under section 20, if necessary for the animal’s welfare.

7 Judge’s responsibilities

A judge for a rodeo activity must ensure a rodeo animal in a chute is safely released from the chute and withdrawn from the rodeo activity if—

- (a) the rodeo animal lies on the ground; or
- (b) the rodeo animal tries to climb out of the chute twice; or
- (c) the judge reasonably believes it is in the interests of the rodeo animal’s welfare to withdraw it from the activity.

8 Protection clown’s responsibilities

- (1) A protection clown may distract a rodeo animal used for a rodeo activity to try to prevent the rodeo animal from injuring a person competing in the rodeo activity or another person.
- (2) However, a protection clown must not provoke a rodeo animal to a greater extent than is necessary for carrying out the protection clown’s responsibility under subsection (1).

9 Competitor’s responsibilities

If a person competes in a rodeo activity at a rodeo, the person must comply with all reasonable directions given to the

person by a rodeo official or a veterinary surgeon about carrying on the rodeo activity.

10 Veterinary surgeon's responsibilities

A veterinary surgeon who is engaged for a rodeo for a purpose mentioned in section 4(1)(d) must—

- (a) if present on the site of the rodeo while the rodeo is being conducted—treat all sick, injured or distressed rodeo animals—
 - (i) at the request of the organiser for the rodeo; or
 - (ii) as the veterinary surgeon otherwise considers appropriate; or
- (b) otherwise—be available for consultation while rodeo animals are on the site of the rodeo.

Part 3 Facilities for use with rodeo animals

11 Design, construction and maintenance of facilities

The organiser for a rodeo must ensure—

- (a) each chute, fence, gate and race used at the rodeo—
 - (i) is structurally sound; and
 - (ii) is designed to allow rodeo animals to be handled quietly and efficiently; and
 - (iii) is constructed and maintained to minimise the risk of injury to rodeo animals; and
- (b) each chute used at the rodeo is large enough to allow a rodeo animal in the chute to stand freely; and
- (c) each arena, lane and yard used at the rodeo is large enough to minimise the risk of injury being caused to a rodeo animal by contacting the fence bounding the arena, lane or yard; and

-
- (c) suffering from a condition that is likely to cause the animal pain.

Note—

Additional requirements for suitability of rodeo animals for particular rodeo activities are provided for under part 6, divisions 1 to 7.

14 Ensuring adequate space for rodeo animals in yards

A responsible person for a rodeo animal in a yard must ensure the rodeo animal has adequate space to—

- (a) move reasonably freely; and
- (b) lie down and rise without help.

15 Handling rodeo animals in chutes

A person must not provoke a rodeo animal in a chute to a greater extent than is necessary to use the rodeo animal to carry on the rodeo activity in which the animal is involved.

Note—

See also sections 23 and 24(3)(b) about using particular equipment on a rodeo animal in a chute.

16 Pulling or twisting rodeo animal's tails

A person must not pull or twist a rodeo animal's tail unless the pulling or twisting is necessary to prevent the rodeo animal from falling or is otherwise in the interests of the animal's welfare.

17 Prohibiting use of dogs

A person must not use a dog to assist in the control or movement of a rodeo animal.

18 Restrictions of exposing rodeo animals to fireworks and other noise

- (1) The organiser for a rodeo must take reasonable steps to prevent a rodeo animal from being unduly disturbed by noise at the rodeo.
- (2) Without limiting subsection (1), the organiser must ensure—
 - (a) no rodeo animal is in an arena while fireworks are being used in the arena; and
 - (b) a rodeo animal is kept far enough away from fireworks to prevent the animal from being unduly disturbed by noise from the fireworks.

19 killing rodeo animals

- (1) A person may kill a rodeo animal at a rodeo if—
 - (a) the person is a veterinary surgeon; or
 - (b) the person is acting under the direct supervision of a veterinary surgeon.
- (2) A person, other than a person mentioned in subsection (1), may kill a rodeo animal at a rodeo if—
 - (a) it is necessary to kill the animal to prevent it from suffering; and
 - (b) it would be inhumane to delay killing the animal until a person could kill it under subsection (1).
- (3) If a person kills a rodeo animal at a rodeo, the person must—
 - (a) ensure the rodeo animal is killed humanely; and
 - (b) confirm the animal is dead by reference to at least 2 of the following indicia—
 - (i) the absence of a heart beat;
 - (ii) the absence of rhythmic breathing;
 - (iii) the absence of a blinking reflex.
- (4) A person is under *direct supervision* of another person (the *supervisor*) if the supervisor—

- (a) instructs the person about the killing; and
- (b) is on the premises where the killing is carried out while the killing is carried out; and
- (c) is available to give additional instruction to the person about the killing while the killing is carried out; and
- (d) evaluates the carrying out of the killing by the person, including by regularly personally checking on the person.

20 Preparing and keeping rodeo animal incident records

- (1) This section applies if a rodeo animal becomes sick or is injured or killed at a rodeo (each of which is an *incident*).
- (2) The organiser for the rodeo must ensure—
 - (a) a written record, complying with subsection (3), is prepared about the incident; and
 - (b) a record prepared under paragraph (a) is kept for at least 2 years after the rodeo ends.
- (3) The record must state—
 - (a) the date and location of the rodeo; and
 - (b) the name of the organiser; and
 - (c) a description of the incident, including, if relevant, the number and types of injuries to the rodeo animal; and
 - (d) details of the action taken in response to the incident, including any veterinary treatment given to the rodeo animal; and
 - (e) if a veterinary surgeon treated, or was consulted about, the rodeo animal—the name of the veterinary surgeon; and
 - (f) if the incident happened during, or was otherwise related to, a rodeo activity—the name of—
 - (i) each person involved in carrying on the rodeo activity; and
 - (ii) anyone else who was involved in the incident.

Part 5 **Use of equipment on rodeo animals**

21 **Application of part**

This part applies generally to using equipment on a rodeo animal at a rodeo.

Note—

Additional requirements for using equipment on rodeo animals for particular rodeo activities are provided for in part 6, divisions 1 to 7.

22 **Competency to use equipment on rodeo animal**

The organiser for a rodeo must ensure each person who uses equipment on a rodeo animal at the rodeo—

- (a) has the knowledge, skills and experience required to use the equipment under this code of practice; or
- (b) uses the equipment under the supervision of a person who has the knowledge, skills and experience mentioned in paragraph (a).

23 **Using spurs**

A person must not use a spur as a goad on a rodeo animal while the rodeo animal is in a chute.

24 **Using electrical prod on bovine**

- (1) A person may use an electrical prod on a rodeo animal that is a bovine only if—
 - (a) the person is in charge of the bovine; and
 - (b) either—
 - (i) the bovine is at least 3 months of age; or
 - (ii) it is necessary to use the prod in the interests of the bovine's welfare; and

-
- (c) the person has made reasonable efforts to move the bovine without using an electrical prod and the bovine has not moved; and
 - (d) the bovine is able to move away from the prod; and
 - (e) the person uses the prod as sparingly as possible.

Note—

See section 10 of this regulation under which an electrical prod is prescribed for horses for section 18(2)(e) of the Act.

- (2) However, a person must not use an electrical prod on the face, udders, anus or genitals of the bovine.
- (3) Also, a person must not use an electrical prod on the bovine if it is—
 - (a) in an arena; or
 - (b) in a chute, unless—
 - (i) the use of the prod is necessary for the safety of the bovine or a person riding the bovine; and
 - (ii) the prod is used only on the shoulder or hindquarters of the bovine.

25 Using handling aids

- (1) A person must not use a handling aid on a rodeo animal in a way that causes pain to the rodeo animal to a greater extent than is necessary to encourage the animal to move.
- (2) In this section—

handling aid means a device, other than an electrical prod, used to encourage a rodeo animal to move, whether by hitting the rodeo animal with the device or causing the device to emit sound.

Examples of types of handling aid—

- cane, length of plastic piping
- flapper, metallic rattle

26 Availability and use of conveyance device

- (1) The organiser for a rodeo must ensure a conveyance device is available to move a rodeo animal at the rodeo as may reasonably be required.
- (2) Subsection (3) applies if a rodeo animal in an arena at a rodeo is injured to the extent that it can not safely move out of the arena.
- (3) A responsible person for the rodeo animal must ensure that the animal is placed on a conveyance device and moved to an appropriate place where the animal may be examined and given veterinary treatment.
- (4) In this section—

conveyance device means a device on which an injured rodeo animal may be placed and moved in a way that minimises further pain and the risk of further injury to the rodeo animal.

Examples of types of conveyance device—

- a rubber mat
- a sled

Part 6 Particular rodeo activities

Division 1 Bareback bronc riding and saddle bronc riding

27 Application of division

This division applies in relation to using a horse for, and otherwise carrying on, the rodeo activity of bareback bronc riding or saddle bronc riding at a rodeo.

28 Meaning of *bareback bronc riding* and *saddle bronc riding*

- (1) *Bareback bronc riding* is an activity in which a competitor rides a bucking horse using a rigging with a handle.

- (2) **Saddle bronc riding** is an activity in which a competitor rides a bucking horse using a saddle.

29 Suitability of horse

A responsible person for a horse may allow the horse to be used for a rodeo activity only if—

- (a) the horse is at least 3 years of age; and
- (b) the horse is used for the rodeo activity no more than twice in a 24-hour period.

30 Suitability of rigging and saddle

A person must ensure—

- (a) no sharp thing is attached to, or used with, a cinch, girth or saddle; and
- (b) a rigging or saddle is not fitted to the horse in a way that may cause injury or pain to the horse; and
- (c) a front girth for a rigging or saddle is at least 125mm wide; and
- (d) a pad used under a rigging is soft and non-abrasive and extends at least 50mm past the back of the rigging.

31 Suitability of spur

A person must ensure—

- (a) the rowel on a spur used for a rodeo activity—
 - (i) rotates freely; and
 - (ii) is at least 20mm in diameter; and
- (b) each point on a rowel of a spur used for a rodeo activity—
 - (i) is at least 3mm wide at its narrowest part; and
 - (ii) is blunt enough so that it can not penetrate the horse's skin.

Note—

See also sections 34 and 35 of the Act for other restrictions on the possession and use of spurs.

32 Suitability of flank strap

A person must ensure a flank strap used for a rodeo activity—

- (a) is at least 25mm wide; and
- (b) is of a type that releases quickly; and
- (c) is lined with soft and flexible material; and

Examples of types of material for paragraph (c)—

felt, sheep skin

- (d) is not brittle, damaged or worn; and
- (e) is positioned so that it covers the horse's flank and belly; and
- (f) is not attached to, or used with, any sharp thing; and
- (g) is not applied to the horse's genitals; and
- (h) does not cause injury to the horse.

Division 2 Breakaway roping

33 Application of division

This division applies in relation to using a calf for, and otherwise carrying on, the rodeo activity of breakaway roping at a rodeo.

34 Meaning of *breakaway roping*

Breakaway roping is an activity in which—

- (a) a calf is released from a chute into an arena; and
- (b) a competitor, mounted on a horse—
 - (i) chases and ropes the calf; and

- (ii) stops the horse, causing the rope to tighten and break a string tied between the rope and the competitor's saddle horn.

35 Suitability of calf

A responsible person for a calf may allow the calf to be used for a rodeo activity only if—

- (a) the calf is at least 100kg; and
- (b) the calf is used for the rodeo activity no more than 3 times in a 24-hour period; and
- (c) for a calf that has been used for the activity once or twice in a 24-hour period—the calf is not used for the activity again on the same day unless it has been rested for at least 1 hour since it was last used for the activity.

36 Withdrawal of competitor for failing to complete rodeo activity

- (1) This section applies in relation to a competitor in a rodeo activity if—
 - (a) the judge considers a calf has reached a relevant area near the opposite side of the arena and the competitor has failed to rope the calf as required; or
 - (b) 30 seconds have elapsed after the calf has been released from the chute and the judge considers the string tied between the rope and the competitor's saddle horn has not been broken as required.
- (2) The judge must direct the competitor to withdraw from the rodeo activity.
- (3) The competitor must comply with the direction under subsection (2).
- (4) In this section—

opposite side, of the arena, means that part of the side of the arena, regardless of its shape, that the judge considers is approximately opposite the chute.

relevant area, near the opposite side of the arena, means an area the judge considers is near enough to the opposite side of the arena for giving the direction under subsection (2).

37 Use of head rope

A person must ensure a head rope used for a rodeo activity is removed from a calf—

- (a) as soon as possible after the calf is roped by the competitor; or
- (b) if the competitor is required to withdraw from the activity under section 36 or otherwise fails to properly complete the activity.

Division 3 Bull riding and steer riding

38 Application of division

This division applies in relation to using a bull or steer for, and otherwise carrying on, the rodeo activity of bull riding or steer riding at a rodeo.

39 Meaning of *bull riding* and *steer riding*

- (1) *Bull riding* is an activity in which a competitor rides a bucking bull.
- (2) *Steer riding* is an activity in which a competitor rides a bucking steer.

40 Suitability of bull or steer

A responsible person for a bull or steer may allow the animal to be used for a rodeo activity only if—

- (a) the animal is ridden by a person whose weight is no more than 20% of the live weight of the animal; and

-
- (b) the animal is used for the rodeo activity no more than 3 times in a 24-hour period.

41 Suitability of ropes

- (1) A person must ensure a bull rope or steer rope used for a rodeo activity—
 - (a) is not attached to, or used with, any sharp thing; and
 - (b) does not have knots or hitches to prevent the rope falling freely after a competitor has dismounted or been thrown from the bull or steer; and
 - (c) does not cause injury to the bull or steer.
- (2) A person must ensure a flank rope used for the rodeo activity—
 - (a) is made of soft cotton and has a diameter of at least 16mm; or
 - (b) is covered or lined.

42 Suitability of spur

A person must ensure—

- (a) the rowel on a spur used for a rodeo activity—
 - (i) can move at least a quarter of a turn; and
 - (ii) is at least 20mm in diameter; and
- (b) each point on a rowel of a spur used for the rodeo activity—
 - (i) is at least 3mm wide at its narrowest part; and
 - (ii) is blunt enough so that it can not penetrate the bull's or steer's skin.

Note—

See also sections 34 and 35 of the Act for other restrictions on the possession and use of spurs.

Division 4 Poddy riding

43 Application of division

This division applies in relation to using a calf for, and otherwise carrying on, the rodeo activity of poddy riding at a rodeo.

44 Meaning of *poddy riding*

Poddy riding is an activity in which a competitor who is a child rides a bucking calf.

45 Suitability of calf

A responsible person for a calf may allow the calf to be used for a rodeo activity only if—

- (a) the calf is ridden by a child whose weight is no more than 20% of the live weight of the calf; and
- (b) the calf is used for the rodeo activity no more than twice in a 24-hour period.

46 Handling of calf

- (1) An adult must not ride a calf for a rodeo activity.
- (2) A person must ensure—
 - (a) spurs are not used on the calf; and
 - (b) the calf is not pulled by its ears or tail.

Division 5 Rope and tie

47 Application of division

This division applies in relation to using a calf for, and otherwise carrying on, the rodeo activity of rope and tie at a rodeo.

48 Meaning of *rope and tie*

Rope and tie is an activity in which—

- (a) a calf is released from a chute into an arena; and
- (b) a competitor—
 - (i) while mounted on a horse, chases and ropes the calf; and
 - (ii) dismounts and grounds the calf on its side; and
 - (iii) restrains the calf by tying 3 of its legs together.

49 Suitability of calf

A responsible person for a calf may allow the calf to be used for a rodeo activity only if—

- (a) the calf is at least 100kg; and
- (b) the calf is used for the rodeo activity no more than 3 times in a 24-hour period; and
- (c) for a calf that has been used for the activity once or twice in a 24-hour period—the calf is not used for the activity again on the same day unless it has been rested for at least 1 hour since it was last used for the activity.

50 Withdrawal of competitor for failing to complete rodeo activity

- (1) This section applies in relation to a competitor in a rodeo activity if—
 - (a) the judge considers a calf has reached a relevant area near the opposite side of the arena and the competitor has failed to rope the calf as required; or
 - (b) 30 seconds have elapsed after the calf has been released from the chute and the judge considers the competitor has failed to restrain the calf as required.
- (2) The judge must direct the competitor to withdraw from the activity.

(3) The competitor must comply with the direction.

(4) In this section—

opposite side, of the arena, means that part of the side of the arena, regardless of its shape, that the judge considers is approximately opposite the chute.

relevant area, near the opposite side of the arena, means an area the judge considers is near enough to the opposite side of the arena for giving the direction under subsection (2).

51 Handling of calf

A person must not—

- (a) pull the calf off its feet backwards; or
- (b) cause the calf to stop suddenly; or
- (c) use excessive force to ground the calf; or
- (d) suddenly throw the calf sideways; or
- (e) throw the calf onto its spine; or
- (f) drag the calf more than 1 metre; or
- (g) hit, jump on, or kick the calf.

52 Use of approved roping safety device

(1) A person must use an approved roping safety device for a rodeo activity.

(2) In this section—

approved roping safety device, for a rodeo activity, means a device—

- (a) designed and constructed to reduce the risk of injury to the horse and calf used for the rodeo activity by reducing the force applied to the horse and calf when the calf is roped; and
- (b) approved by a rodeo organisation.

53 Use of head and tie ropes

A person must ensure a head rope and tie ropes used for a rodeo activity are removed from the calf—

- (a) as soon as possible after the calf has been restrained under section 48(b)(iii); or
- (b) if the competitor is required to withdraw from the activity under section 50 or otherwise fails to properly complete the activity.

Division 6 Steer wrestling and chute dogging**54 Application of division**

This division applies in relation to using a steer for, and otherwise carrying on, the rodeo activity of steer wrestling or chute dogging at a rodeo.

55 Meaning of *steer wrestling* and *chute dogging*

- (1) *Steer wrestling* is an activity in which—
 - (a) a steer is released from a chute into an arena; and
 - (b) a competitor, mounted on a horse, rides parallel with the steer to ensure the steer runs in a straight line; and
 - (c) a second competitor grabs the steer's horns and wrestles it to the ground.
- (2) *Chute dogging* is an activity in which—
 - (a) a steer is released from a chute into an arena; and
 - (b) a competitor grabs the steer's horns and wrestles it to the ground.

56 Suitability of steer

A responsible person for a steer may allow the steer to be used for a rodeo activity only if—

- (a) the steer is at least 200kg; and
- (b) the steer is used for the rodeo activity no more than 3 times in a 24-hour period; and
- (c) on the day of the activity, the steer has not been used for any of the following rodeo activities—
 - (i) breakaway roping;
 - (ii) rope and tie;
 - (iii) team roping;
 - (iv) for using the steer for steer wrestling—chute dogging;
 - (v) for using the steer for chute dogging—steer wrestling.

57 Withdrawal of competitor for failing to complete rodeo activity

- (1) This section applies in relation to each competitor in a rodeo activity if—
 - (a) 30 seconds have elapsed after a steer has been released from the chute; and
 - (b) either—
 - (i) for steer wrestling—the judge considers the second competitor has failed to ground the steer as required; or
 - (ii) for chute dogging—the judge considers the competitor has failed to ground the steer as required.
- (2) The judge must direct the competitor to withdraw from the rodeo activity.
- (3) The competitor must comply with the direction.

58 Handling of steer

A person must not place the person's fingers in the steer's eye sockets or nostrils or on the inner surface of the steer's lips.

Division 7 Team roping**59 Application of division**

This division applies in relation to using a steer in, and otherwise carrying on, the rodeo activity of team roping at a rodeo.

60 Meaning of *team roping*

Team roping is an activity in which—

- (a) a steer is released from a chute into an arena; and
- (b) a competitor, mounted on a horse, chases the steer and ropes its head or horns; and
- (c) a second competitor, also mounted on a horse, chases the steer and ropes its hind feet.

61 Suitability of steer

A responsible person for a steer may allow the steer to be used for a rodeo activity only if—

- (a) the steer is at least 200kg; and
- (b) the steer is used for the rodeo activity no more than 3 times in a 24-hour period; and
- (c) on the day of the activity, the steer has not been used for any of the following rodeo activities—
 - (i) breakaway roping;
 - (ii) rope and tie;
 - (iii) steer wrestling;
 - (iv) chute dogging.

62 Withdrawal of competitor for failing to complete rodeo activity

- (1) This section applies in relation to each competitor in a rodeo activity if—
 - (a) 30 seconds have elapsed after a steer has been released from the chute; and
 - (b) the judge considers the second competitor has failed to rope the steer's hind feet as required.
- (2) The judge must direct the competitor to withdraw from the rodeo activity.
- (3) The competitor must comply with the direction.

63 Handling of steer

A person must not—

- (a) rope the steer's hind feet unless the steer's head or horns have been roped and the steer has changed direction; or
- (b) use a rope to pull the steer to the extent that 1 or both of the steer's front feet lift off the ground.

64 Suitability of horn wraps

- (1) A person must ensure a steer has been fitted with horn wraps that—
 - (a) are made of a suitable material; and
 - (b) are fitted securely around the steer's head at the base of its horns; and
 - (c) do not obscure the steer's vision.
- (2) In this section—

horn wraps mean pieces of material, fitted to a steer, designed and constructed to protect the ears and the base of the horns of the steer from injury.

Part 7 Condition scores for rodeo animals

65 Condition score for bovine

- (1) A bovine that satisfies the descriptions mentioned in column 2 in the following table has the condition score mentioned opposite the descriptions in column 1.
- (2) The entries for condition scores 1 and 5 in the table are included for information purposes only.

Column 1	Column 2
Condition score	Descriptions of bovine
1	<p>the back bone is prominent</p> <p>the hips and shoulder bones are prominent</p> <p>the ribs are clearly visible</p> <p>the tail-head area is recessed</p> <p>the body outline is skeletal</p>
2	<p>the back bone is visible</p> <p>the hips and shoulder bones are visible</p> <p>the ribs are faintly visible</p> <p>the tail-head area is slightly recessed</p> <p>the body outline is skeletal</p>
3	<p>the hip bones are faintly visible</p> <p>the ribs are not visible</p> <p>the tail-head area is not recessed</p> <p>the body outline is almost smooth</p>

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Column 1	Column 2
Condition score	Descriptions of bovine
4	the hip bones are not visible the ribs are well covered the tail-head area is slightly lumpy the body outline is well rounded
5	the hip bones show the deposition of fat the ribs are very well covered the tail-head area is very lumpy the body outline is bulging with fat

66 Condition score for horse

- (1) A horse that satisfies the descriptions mentioned in column 2 in the following table has the condition score mentioned opposite the descriptions in column 1.
- (2) The entries for condition scores 1, 2 and 5 in the table are included for information purposes only.

Column 1	Column 2
Condition score	Descriptions of horse
1	the rump is sunken the poverty line in the hindquarters is prominent there is a cavity under the tail the ribs are prominent the backbone and croup are prominent the neck is narrow and slack

Column 1	Column 2
Condition score	Descriptions of horse
2	<p>the rump is flat on either side of the backbone</p> <p>the poverty line is visible</p> <p>the ribs are just visible</p> <p>the neck is narrow but firm</p> <p>the backbone is covered</p>
3	<p>the rump is rounded</p> <p>the ribs are just covered but easily felt</p> <p>there is no crest on the neck</p> <p>the neck is firm</p>
4	<p>the rump is well-rounded</p> <p>there is a gutter along the back</p> <p>the ribs and pelvis are hard to feel</p> <p>there is a slight crest on the neck</p>
5	<p>the rump is bulging</p> <p>there is a deep gutter along the back</p> <p>the ribs are buried</p> <p>there is a marked crest on the neck</p> <p>there are folds and lumps of fat around the neck</p>

Schedule 8A Code of practice for horses at livestock slaughter facilities

section 3(1)(i)

Part 1 Preliminary

1 Definitions for schedule

In this schedule—

animal welfare officer see section 2(1)(e).

emergency killing see section 11(3)(c).

holding area—

- (a) means a paddock, pen or yard in a livestock slaughter facility for holding a horse; but
- (b) does not include a lairage.

horse includes a donkey, a hybrid of a horse and a hybrid of a donkey.

lairage means a pen or yard in a livestock slaughter facility that is designated for holding a horse before the horse is slaughtered.

livestock slaughter facility see section 93S of the Act.

suitably qualified, to be appointed as an animal welfare officer, see section 3.

Examples of non-compliance that adversely affects the welfare of a horse—

- striking, punching, kicking or dragging the horse
- using a dog to move or injure the horse
- slaughtering the horse in an inhumane way

3 Who is *suitably qualified* to be appointed as animal welfare officer

- (1) A person is *suitably qualified* to be appointed as an animal welfare officer only if—
 - (a) the person has satisfactorily completed the VET course called Animal Welfare Officer Skill Set (AMPSS00001) or an equivalent VET course; or
 - (b) the person has the relevant knowledge, skills and experience to ensure the welfare of a horse at a livestock slaughter facility.
- (2) In this section—

VET course see the *National Vocational Education and Training Regulator Act 2011* (Cwlth), section 3.

4 Animal welfare officer's responsibilities

The animal welfare officer at a livestock slaughter facility must—

- (a) monitor the welfare of horses at the facility; and
- (b) report to the owner of the facility—
 - (i) any potential risks to the welfare of a horse; and
 - (ii) any non-compliance with this code of practice.

Part 3 Livestock slaughter facilities

5 Design, construction and maintenance of facilities and equipment

The owner of a livestock slaughter facility must, to the extent reasonably practicable, ensure—

- (a) the facility is designed, constructed and maintained to—
 - (i) minimise the exposure of a horse to the sight, smell or sound of another horse being killed or slaughtered; and
 - (ii) provide sufficient access to drinking water to each horse at the facility; and
- (b) each area for slaughtering horses, fence, gate, holding area, lairage, lane, race and stunning box at the facility—
 - (i) is designed so that a horse can be handled quietly and efficiently; and
 - (ii) is constructed and maintained in a way that minimises the risk of injury to a horse; and
- (c) each fence, gate, lane and race is structurally sound; and
- (d) a ramp used for unloading a horse from a vehicle at the facility—
 - (i) has sufficient grip to prevent the horse from slipping or falling; and
 - (ii) has an angle from the horizontal of no more than 20 degrees.

6 Holding area and lairage

- (1) The owner of a livestock slaughter facility must ensure the facility has a holding area and lairage for horses, including a separate holding area for treating or performing an emergency killing of a horse that is severely distressed, sick, weak or injured.

- (2) The owner must also ensure each holding area and lairage—
 - (a) has sufficient space for a horse to move freely, lie down, rest and rise without assistance from a person; and
 - (b) has sufficient protection against adverse weather conditions for a horse.

7 Stunning box

If a stunning box is to be used at a livestock slaughter facility to restrain a horse for stunning, the owner must ensure the box—

- (a) has non-slip flooring; and
- (b) is well lit; and
- (c) has sufficient space for 1 horse but not for a horse to turn around; and
- (d) has solid sides to prevent a horse from looking out of the stunning box; and
- (e) is equipped to prevent a horse from lowering its head.

8 Area for slaughtering horses

The owner of a livestock slaughter facility must ensure an area for slaughtering a horse at the facility—

- (a) has non-slip flooring; and
- (b) is well lit; and
- (c) is designed, constructed and maintained to—
 - (i) prevent a horse from escaping the area; and
 - (ii) minimise any distractions for a horse in the area.

Part 4 Handling and management of horses generally

9 Handling of horses

- (1) A person working at a livestock slaughter facility must handle a horse in a way that minimises the risk of harm to the horse, including minimising the horse's distress and fear.
- (2) Without limiting subsection (1), a person must not—
 - (a) strike, punch, kick or drag a horse; or
 - (b) use a handling aid or head collar on a horse in a way that causes harm, distress or fear to the horse to a greater extent than is necessary to encourage the horse to move; or
 - (c) use a dog to assist in the control or movement of a horse.
- (3) In this section—

handling aid means a device, other than an electrical prod, used to encourage a horse to move.

Examples of types of handling aid—

- flapper, plastic or metallic rattle

Note—

See section 10 of this regulation under which an electrical prod is prescribed for horses for section 18(2)(e) of the Act.

10 Management of horses

- (1) As soon as practicable after a horse arrives at a livestock slaughter facility, a person working at the facility must assess the horse's health and wellbeing.
- (2) A person handling a horse at the facility must—
 - (a) if the horse is to be slaughtered within 24 hours after arriving at the facility—
 - (i) move the horse to a lairage at the facility; and
 - (ii) ensure the horse has access to drinking water; or

- (b) if the horse is not to be slaughtered within 24 hours after arriving at the facility—
 - (i) move the horse to a holding area at the facility; and
 - (ii) ensure the horse has access to drinking water and feed.

11 Severely distressed, sick, weak or injured horses

- (1) This section applies if a person working at a livestock slaughter facility assesses a horse to be severely distressed, sick, weak or injured at any time the horse is at the facility.
- (2) If the person considers it appropriate to separate the horse from the other horses, the person must, as soon as practicable, arrange for the horse to be held in a separate holding area to the other horses.
- (3) The person must also, as soon as practicable after deciding whether it is appropriate to separate the horse from the other horses, arrange for the horse to be managed by—
 - (a) providing appropriate treatment for the horse; or
 - (b) slaughtering the horse; or
 - (c) if there is an emergency such that the horse cannot be moved from an area without causing further suffering—killing the horse in that area (an *emergency killing*).

Part 5 Emergency killing or slaughtering of horses at livestock slaughter facilities

Division 1 Emergency killing or slaughtering of horses

12 Emergency killing of horses

- (1) A person working at a livestock slaughter facility may perform an emergency killing of a horse at the facility only if the person has the knowledge, skills and experience to kill the horse humanely.
- (2) The person killing the horse must ensure the horse is killed humanely.
- (3) For subsection (2), a horse is killed humanely if the horse is killed in a way that—
 - (a) causes rapid unconsciousness and death of the horse immediately after unconsciousness happens; and
 - (b) does not include a blow to the head of the horse; and
 - (c) is otherwise humane.
- (4) If the person uses a firearm to kill the horse humanely, the person must use the firearm in the way mentioned in section 14.

Note—

See also section 17 for when a firearm is suitable for shooting a horse.

- (5) The person who performed the emergency killing must confirm the horse is dead by checking for—
 - (a) an absence of corneal reflex; and
 - (b) an absence of heartbeat; and
 - (c) an absence of breathing.

13 Humane slaughtering of horses

- (1) A person working at a livestock slaughter facility may slaughter a horse at the facility only if the person has the knowledge, skills and experience to slaughter the horse humanely.
- (2) The person slaughtering the horse must ensure the horse is slaughtered humanely.
- (3) For subsection (2), a horse is slaughtered humanely if—
 - (a) before the horse is exsanguinated—
 - (i) the person uses a firearm to shoot the horse in the way mentioned in section 14; or
Note—
See also section 17 for when a firearm is suitable for shooting a horse.
 - (ii) the person uses a penetrating captive bolt device to stun the horse in the way mentioned in section 15; and
Note—
See also section 18 for when a penetrating captive bolt device is suitable for stunning a horse.
 - (b) the exsanguination starts within 2 minutes after the horse is shot or stunned; and
 - (c) the horse is exsanguinated in the way mentioned in section 16.
- (4) The person must, immediately after the horse is shot or stunned, confirm the horse is unconscious by checking for—
 - (a) an absence of corneal reflex; and
 - (b) an absence of eyelash reflex; and
 - (c) an absence of breathing.
- (5) The person or another person working at the facility must, immediately after the horse is exsanguinated, confirm the horse is dead by checking for—
 - (a) an absence of corneal reflex; and

- (b) an absence of heartbeat; and
 - (c) an absence of breathing.
- (6) The person or another person working at the facility must not—
- (a) hoist or exsanguinate the horse until the horse is confirmed to be unconscious; or
 - (b) dress the horse until the horse is confirmed to be dead.
- (7) In this section—
- dress*, a horse, means removing the horse’s head, hooves, hide and internal organs.

14 Using firearms to shoot horses

- (1) A person may shoot a horse with a firearm only if the person has the knowledge, skills and experience to carry out the shooting with the firearm.
- (2) A person who shoots a horse must shoot the horse—
- (a) by firing the firearm—
 - (i) at the middle of the horse’s forehead; and
 - (ii) at an angle that directs the ammunition towards the brain stem of the horse; and
 - (b) in accordance with the facility’s procedures for shooting a horse.

15 Using penetrating captive bolt devices to stun horses

- (1) A person may stun a horse only if the person has the knowledge, skills and experience to carry out the stunning.
- (2) Before stunning a horse, a person must ensure—
- (a) the horse is positioned and restrained to prevent the horse from lowering its head; and
 - (b) at least 1 spare penetrating captive bolt device is readily available for the stunning.

- (3) A person who stuns a horse must stun the horse—
 - (a) by firing a penetrating captive bolt device—
 - (i) at the middle of the horse’s forehead; and
 - (ii) at an angle that directs the penetrating captive bolt towards the brain stem of the horse; and
 - (b) in accordance with the facility’s procedures for stunning a horse.
- (4) If the horse is not unconscious after the first attempt at stunning the horse, the person must immediately make another attempt at stunning the horse.

16 Exsanguination of horses

- (1) A person may exsanguinate a horse only if the person has the knowledge, skills and experience to carry out the exsanguination.
- (2) A person who exsanguinates a horse must exsanguinate the horse by—
 - (a) cutting the major blood vessels at the base of the horse’s heart via the thoracic inlet; or
 - (b) cutting the carotid arteries in the horse’s neck.

Division 2 Suitability of firearms or penetrating captive bolt devices

17 Suitability of firearm for shooting horses

- (1) A person working at a livestock slaughter facility may use a firearm to shoot a horse only if the firearm is suitable for shooting the horse.
- (2) A firearm is suitable for shooting a horse if—
 - (a) the firearm, and ammunition for the firearm, are appropriate for the size of the horse; and

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- (b) the firearm is cleaned, maintained and stored in accordance with the manufacturer's instructions.

18 Suitability of penetrating captive bolt device for stunning horses

- (1) A person may use a penetrating captive bolt device to stun a horse only if the device—
 - (a) is suitable for stunning a horse; and
 - (b) is tested and is in good working order.
- (2) A penetrating captive bolt device is suitable for stunning a horse if—
 - (a) the device is appropriate for the size of the horse; and
 - (b) the device is cleaned, maintained and stored in accordance with the manufacturer's instructions.
- (3) The person must test the penetrating captive bolt device to ensure the device is in good working order on the day the horse is to be slaughtered but before the horse is moved to the area for slaughtering the horse.

Part 6 Risk management system, compliance assessment and record keeping

19 Establishing, implementing and maintaining risk management system

- (1) The owner of a livestock slaughter facility must establish, implement and maintain a risk management system to minimise any risk to the welfare of the horses at the facility.
- (2) The management system must include policies and procedures for the following matters—
 - (a) the operation and maintenance of the facility and equipment;

- (b) the management of a horse during—
 - (i) a delay to the scheduled slaughter; or
 - (ii) a failure of equipment or power; or
 - (iii) a lack of availability of staff; or
 - (iv) adverse weather conditions; or
 - (v) the periods outside the normal operating hours of the facility;
- (c) the handling, emergency killing or slaughtering of a horse, including—
 - (i) unloading a horse from transportation and moving a horse between areas of the facility; and
 - (ii) holding a horse in a holding area or lairage; and
 - (iii) arranging for a severely distressed, sick, weak or injured horse to be treated, killed or slaughtered; and
 - (iv) if a firearm is intended to be used to shoot a horse for an emergency killing or slaughter—the use of the firearm to minimise the risk of injury to another horse; and
 - (v) stunning and exsanguinating a horse;
- (d) the management of, and response to, reports or observations that a horse’s welfare has been adversely affected, including in the following situations—
 - (i) the horse shows visible signs of severe injury;
 - (ii) the horse arrives at the facility in a condition that indicates the horse was not fit for the journey to the facility;
 - (iii) the horse was abused or inappropriately handled or cared for, or otherwise subjected to cruelty;
 - (iv) this code has not been complied with in relation to the horse’s welfare.

20 Compliance assessment and record keeping

The owner of a livestock slaughter facility must establish, implement and maintain policies and procedures for the following matters—

- (a) assessing compliance with this code of practice at the facility, including the effectiveness of any corrective action taken and the recording of that assessment;
- (b) recording and reporting of non-compliance with this code of practice that adversely affects the welfare of a horse at the facility, including any corrective action taken against a person;
- (c) recording of training and performance assessment of persons working at the facility.

Schedule 9 Documents made as codes of practice

section 4(1)

- 1 'Model code of practice for the welfare of animals—Domestic poultry', 4th edition, prepared for the Primary Industries Standing Committee, published by CSIRO, 2002, SCARM Report No. 83.
- 2 'Model code of practice for the welfare of animals—Farmed buffalo', prepared for the Standing Committee on Agriculture and Resource Management, Animal Health Committee, published by CSIRO, 1995, SCARM Report Series No. 52.
- 3 'Model code of practice for the welfare of animals—Feral livestock animals: Destruction or capture handling and marketing', prepared for the Standing Committee on Agriculture, Animal Health Committee, published by CSIRO, 1991, SCA Technical Report Series No. 34.
- 4 'Model code of practice for the welfare of animals—Husbandry of captive-bred emus', 2nd edition, prepared for the Primary Industries Standing Committee, published by CSIRO, 2006, PISC Report No. 90.
- 5 'Model code of practice for the welfare of animals—Intensive husbandry of rabbits', prepared for the Standing Committee on Agriculture and Resource Management, Animal Health Committee, published by CSIRO, 1991, SCARM Report No. 33.
- 6 'Model code of practice for the welfare of animals—Livestock at slaughtering establishments', prepared for the Standing Committee on Agriculture and Resource Management, published by CSIRO, 2001, SCARM Report No. 79.
- 7 'Model code of practice for the welfare of animals—Pigs', 3rd edition, prepared for the Primary Industries Standing Committee, published by CSIRO, 2008, PISC Report No. 92.

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- 8 'Model code of practice for the welfare of animals—The camel (*Camelus dromedarius*)', 2nd edition, prepared for the Primary Industries Standing Committee, published by CSIRO, 2006, PISC Report No. 86.
 - 9 'Model code of practice for the welfare of animals—The farming of deer', prepared for the Standing Committee on Agriculture, Animal Health Committee, published by CSIRO, 1991, SCA Technical Report Series No. 30.
 - 10 'Model code of practice for the welfare of animals—Farming of ostriches', prepared for the Primary Industries Standing Committee, published by CSIRO, 2003, PISC Report No. 84.
 - 11 'Model code of practice for the welfare of animals—The goat', prepared for the Standing Committee on Agriculture, Animal Health Committee, published by CSIRO, 1991, SCA Technical Report Series No. 32.

Schedule 10 Fees

section 16(1)

	Fee units
1 Application for, or to renew, registration (Act, s 52(2)(d))—	
(a) of an individual	859.15
(b) of a State school, if the application is made by the State on behalf of the school	419.05
(c) of a corporation that is the governing body of a non-State school	419.05
(d) of a corporation, other than a corporation mentioned in paragraph (c), if the corporation has—	
(i) less than 10 employees	859.15
(ii) 10 to 50 employees	1,289.70
(iii) more than 50 employees	1,718.80
(e) of a public authority, if the authority has—	
(i) less than 10 employees	859.15
(ii) 10 to 50 employees	1,289.70
(iii) more than 50 employees	1,718.80
2 Copy of the register or a part of the register (Act, s 62(c))	51.50
3 Application for replacement registration certificate (Act, s 88(2))	85.75
4 Application for approval to conduct a test or use an animal in a way mentioned in s 92 of the Act (Act, s 93(2))	859.15