



Queensland

*Brands Act 1915*

# Brands Regulation 1998

Reprinted as in force on 1 July 2012

Reprint No. 3F revised edition

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

**NOTE—This is the last reprint before repeal.  
Repealed by 2012 SL No. 127 s 10**



# Information about this reprint

This regulation is reprinted as at 1 July 2012. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

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

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

**Also see endnotes for information about—**

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

## Spelling

The spelling of certain words or phrases may be inconsistent in this reprint or with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, ‘lodgement’ has replaced ‘lodgment’). Variations of spelling will be updated in the next authorised reprint.

## Dates shown on reprints

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

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

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

Revised edition indicates further material has affected existing material. For example—

- a correction
- a retrospective provision
- other relevant information.



## Queensland

# Brands Regulation 1998

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# Brands Regulation 1998

[as amended by all amendments that commenced on or before 1 July 2012]

## Part 1 Preliminary

### 1 Short title

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

## Part 2 Districts

### 2 Districts under Act, s 34(3)

The districts appointed under section 34(3) of the Act are the districts shown on copies of miscellaneous plans M.391 and M.392 held by the registrar.

*Editor's note—*

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

## Part 3 Brands and earmarks

### Division 1 Shapes, patterns and positions

#### 3 Cattle earmarks

- (1) The shapes and patterns for cattle earmarks that may be allotted and registered under section 6(1) of the Act are in schedule 1.
- (2) For section 6C(3) of the Act, the prescribed positions of cattle earmarks are in schedule 2.

#### 4 Horse and cattle brands

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

*Editor's note—*

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

#### 5 Sheep earmarks

- (1) The shapes and patterns for sheep earmarks that may be allotted and registered under section 10(1) of the Act are in schedule 4.

*Editor's note—*

Schedule (Dictionary) of the Act—

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

- (2) A sheep earmark must be made in the off side ear of male sheep and goats or in the near side ear of female sheep and goats.
- (3) The earmark must be made on the ear in a position described in schedule 5.

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## 6 Sheep brands

- (1) A sheep brand that may be allotted and registered under section 10(1) of the Act must consist of—
- (a) 1 or 2 letters of the alphabet; or
  - (b) 1 or 2 numerals; or
  - (c) 1 letter and 1 numeral; or
  - (d) a sign or symbol.

*Editor's note—*

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

- (2) In subsection (1)—

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

## 7 Pig brands

The shapes and patterns for pig brands that may be allotted and registered under section 11A(1) of the Act are in schedule 6.

*Editor's note—*

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

## Division 2 Cancellation

### 8 Cancellation

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

- (2) In subsection (1)—

**disqualifying offence** means an offence—

- (a) against the following provisions of the Criminal Code—
  - (i) section 444B(1);
  - (ii) section 445(1);

[s 9]

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- (iii) section 447(1);
- (iv) section 448(1); or
- (b) committed outside the State if the act or omission that formed the offence would have been an offence mentioned in paragraph (a) had the act or omission happened in the State.

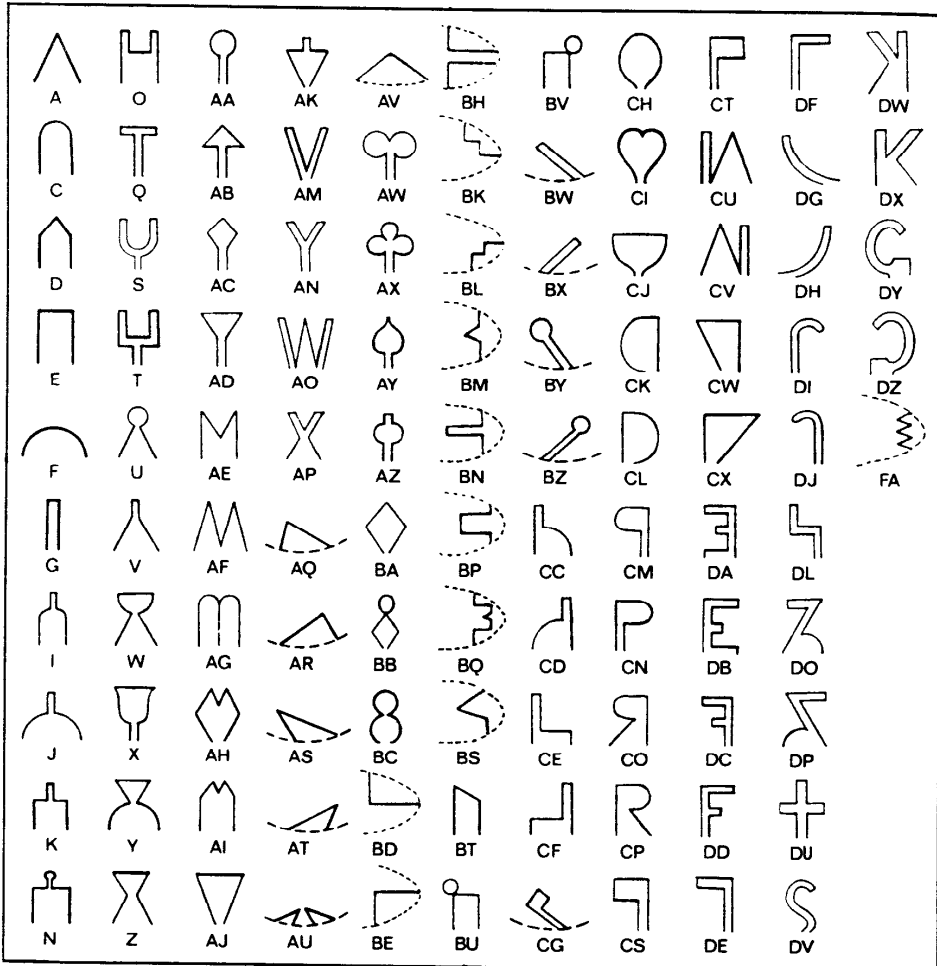
## **Part 4                      Miscellaneous**

### **9              Fees**

The fees payable under the Act are in schedule 7.

# Schedule 1 Shapes and patterns of cattle earmarks

## section 3(1)



## Schedule 2      Position of cattle earmarks

section 3(2)

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

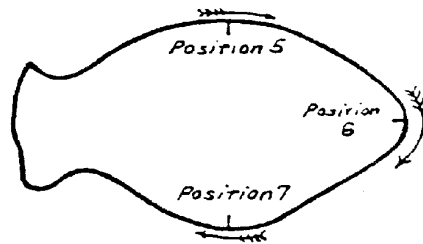
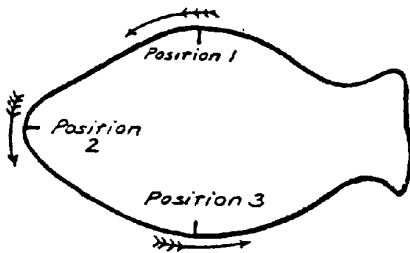
Position 2—the point of the off side ear

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

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

Position 6—the point of the near side ear

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



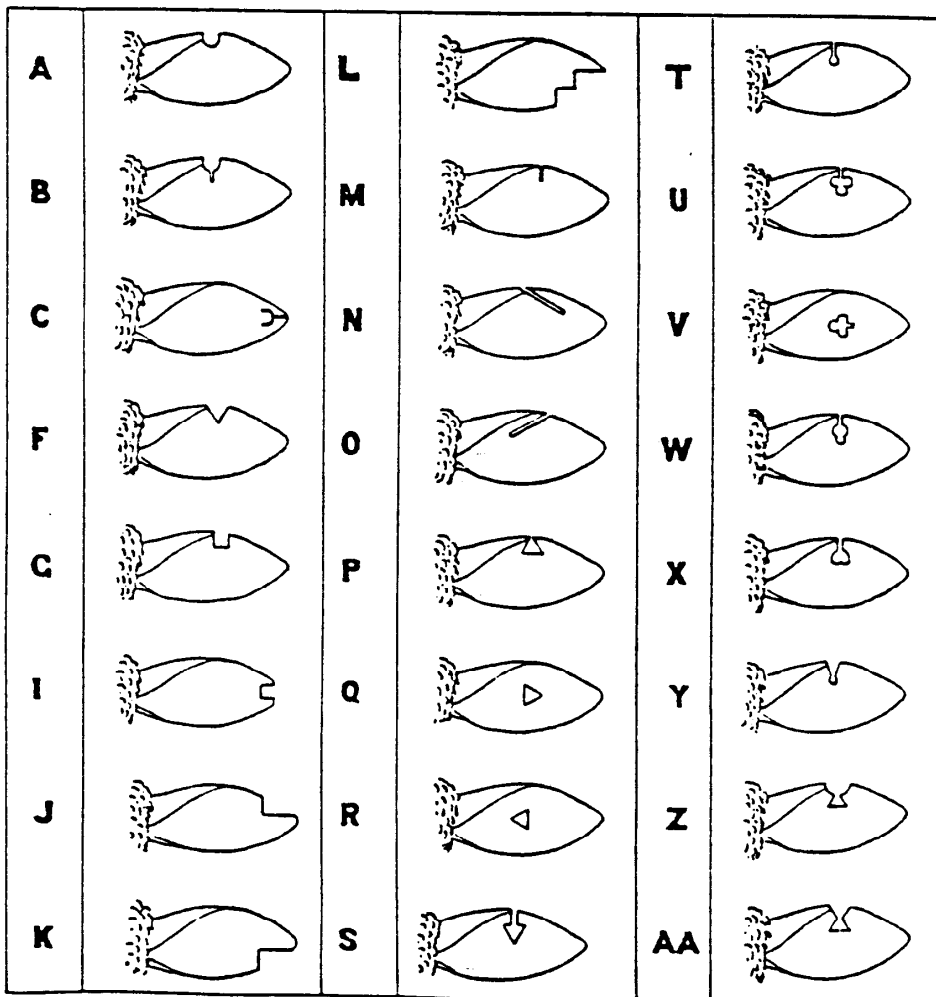
## Schedule 3 Shapes and patterns of horse and cattle brands


























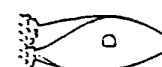











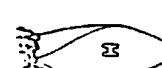
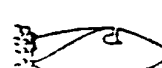


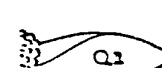
### section 4

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





















































# Schedule 4 Shapes and patterns of sheep earmarks

section 5(1)



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

Schedule 4

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

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## Schedule 5      Position of sheep earmarks

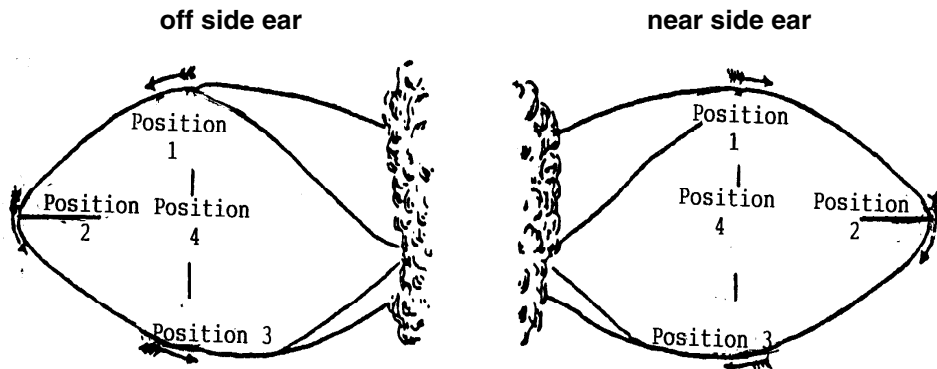
section 5(3)

Position 1—front or top of the ear

Position 2—point of the ear

Position 3—back or bottom of the ear

Position 4—centre of the ear



## Schedule 6      Shapes and patterns of pig brands

section 7

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

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## Schedule 7      Fees

### section 9

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1 Registration of a 3-piece horse and cattle brand . . . . .	85.35
2 Registration of a cattle earmark . . . . .	85.35
3 Registration of a symbol brand . . . . .	247.65
4 Transfer of a 3-piece horse and cattle brand . . . . .	40.95
5 Transfer of a symbol brand . . . . .	40.95
6 Registration of a pig brand . . . . .	40.95
7 Transfer of a pig brand . . . . .	40.95
8 Registration of a sheep letter or numeral fire brand . . . . .	85.35
9 Registration of a sheep letter or numeral paint brand . . . . .	85.35
10 Registration of a sheep symbol fire brand . . . . .	92.70
11 Registration of a sheep symbol paint brand . . . . .	92.70
12 Registration of a sheep earmark . . . . .	85.35
13 Transfer of a sheep letter or numeral fire brand . . . . .	40.95
14 Transfer of a sheep letter or numeral paint brand . . . . .	40.95
15 Transfer of a sheep symbol fire brand . . . . .	40.95
16 Transfer of a sheep symbol paint brand . . . . .	40.95
17 Transfer of a sheep earmark . . . . .	40.95

## Endnotes

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### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 July 2012. Future amendments of the Brands Regulation 1998 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

### 3 Key

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

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

## 4 Table of reprints

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

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

Reprint No.	Amendments to	Effective	Reprint date
1	none	15 May 1998	3 July 1998
1A	2000 SL No. 169	1 July 2000	4 July 2000
2	2001 SL No. 177	28 September 2001	2 November 2001

Reprint No.	Amendments included	Effective	Notes
2A	2002 SL No. 351	13 December 2002	
2B	2003 SL No. 239	4 November 2003	
2C	2004 SL No. 231	29 November 2004	
2D	2005 SL No. 268	11 December 2005	
2E	2006 SL No. 267	4 December 2006	R2E withdrawn, see R3
3	—	4 December 2006	
3A	2007 SL No. 232	29 October 2007	
3B	2008 SL No. 314	19 September 2008	
3C	2009 SL No. 176	28 August 2009	
3D	2010 SL No. 146	1 July 2010	
3E	2011 SL No. 110	1 July 2011	
3F rv	2012 SL No. 92	1 July 2012	

## 5 List of legislation

### *Regulatory impact statements*

For subordinate legislation that has a regulatory impact statement, specific reference to the statement is included in this list.

### *Explanatory notes*

All subordinate legislation made on or after 1 January 2011 has an explanatory note. For subordinate legislation made before 1 January 2011 that has an explanatory note, specific reference to the note is included in this list.

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

made by the Governor in Council on 14 May 1998

notfd gaz 15 May 1998 p 311–16

commenced on date of notification

exp 31 August 2012 (see SIA s 56A(2) and SIR s 5 sch 3)

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

amending legislation—

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

**1, 3**

notfd gaz 30 June 2000 pp 736–48

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2000 (see s 2)

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

**1, 4**

notfd gaz 28 September 2001 pp 328–30

commenced on date of notification

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

**1, 4**

notfd gaz 13 December 2002 pp 1266–69

commenced on date of notification

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

**1, 3**

notfd gaz 3 October 2003 pp 382–5

ss 1–2 commenced on date of notification

remaining provisions commenced 4 November 2003 (see s 2)

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

**1, 5**

notfd gaz 29 October 2004 pp 734–7

ss 1–2 commenced on date of notification

remaining provisions commenced 29 November 2004 (see s 2)

**Primary Industries Legislation Amendment Regulation (No. 1) 2005 SL No. 268 pts**

**1, 5**

notfd gaz 11 November 2005 pp 955–7

ss 1–2 commenced on date of notification

remaining provisions commenced 11 December 2005 (see s 2)

**Primary Industries Legislation Amendment Regulation (No. 1) 2006 SL No. 267 pts**

**1, 5**

notfd gaz 3 November 2006 pp 1103–4

ss 1–2 commenced on date of notification

remaining provisions commenced 4 December 2006 (see s 2)

**Primary Industries Legislation Amendment Regulation (No. 2) 2007 SL No. 232 ss 1–**

**2(1), pt 5**

notfd gaz 21 September 2007 pp 447–9

ss 1–2 commenced on date of notification

remaining provisions commenced 29 October 2007 (see s 2(1))

**Primary Industries and Fisheries Legislation Amendment Regulation (No. 1) 2008  
SL No. 314 s 1, pt 5**

notfd gaz 19 September 2008 pp 407–9

commenced on date of notification

**Primary Industries and Fisheries Legislation Amendment Regulation (No. 2) 2009  
SL No. 176 pts 1, 5**

notfd gaz 28 August 2009 pp 1491–6  
commenced on date of notification

**Primary Industries Legislation Amendment Regulation (No. 1) 2010 SL No. 146 pts  
1, 4**

notfd gaz 25 June 2010 pp 823–30  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2010 (see s 2)

**Employment, Economic Development and Innovation Legislation Amendment  
Regulation (No. 1) 2011 SL No. 110 pts 1, 5**

notfd gaz 24 June 2011 pp 534–8  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2011 (see s 2)

**Agriculture and Fisheries Legislation Amendment Regulation (No. 1) 2012 SL No. 92  
pts 1, 6**

notfd gaz 29 June 2012 pp 704–10  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2012 (see s 2)

## 6 List of annotations

**Districts under Act, s 34(3)**

**prov hdg** amd 2009 SL No. 176 s 12(1)

**s 2** amd 2009 SL No. 176 s 12(2)

**Repeal**

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

**SCHEDULE 7—FEES**

sub 2000 SL No. 169 s 6; 2001 SL No. 177 s 7; 2002 SL No. 351 s 8; 2003 SL  
No. 239 s 6; 2004 SL No. 231 s 10; 2005 SL No. 268 s 10; 2006 SL No.  
267 s 10; 2007 SL No. 232 s 10; 2008 SL No. 314 s 10; 2009 SL No. 176 s  
13; 2010 SL No. 146 s 8; 2011 SL No. 110 s 10; 2012 SL No. 92 s 14