



New South Wales

Stock Diseases Amendment (Stock Identification) Regulation 2006

under the

Stock Diseases Act 1923

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Stock Diseases Act 1923*.

IAN MACDONALD, M.L.C.,
Minister for Primary Industries

Explanatory note

The objects of this Regulation are:

- (a) to provide that the scheme for the identification of stock in Division 2 of Part 3 of the *Stock Diseases Regulation 2004* continues to apply in respect of cattle, and to provide the Director-General with the power to exempt stock from the application of that Division, and
- (b) to make provision with respect to the giving of information in relation to:
 - (i) certain cattle at a saleyard, and
 - (ii) cattle at an abattoir, and
 - (iii) sheep and goats at a saleyard, and
- (c) to prevent the owner or person in charge of an abattoir from selling, disposing of or processing the carcass of any stock until certain information about the stock has been obtained or slaughtering stock that is not properly identified, and
- (d) to create offences if a person orders an approved identifier when the person is not entitled to do so or if a person attaches an identifier to stock, or alters such an identifier, so that a person is reasonably likely to be misled as to the relevant identification particulars of the stock, and
- (e) to update references to the holders of certain positions with the Department of Primary Industries who may authorise the vaccination of animals with tick fever vaccine, and
- (f) to make other minor amendments.

This Regulation is made under the *Stock Diseases Act 1923*, including sections 20A, 200 and 23 (the general regulation-making power).

2006 No 649

Clause 1 Stock Diseases Amendment (Stock Identification) Regulation 2006

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under the

Stock Diseases Act 1923

1 Name of Regulation

This Regulation is the *Stock Diseases Amendment (Stock Identification) Regulation 2006*.

2 Amendment of Stock Diseases Regulation 2004

The *Stock Diseases Regulation 2004* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 2)

[1] Clause 14 Stock to which Division applies

Omit clause 14 (2). Insert instead:

- (2) Despite subclause (1), this Division does not apply in relation to stock or any class of stock in such circumstances as may be specified by the Director-General, by order published in the Gazette.

[2] Clause 16 Requirement for stock to be identified for transaction purposes

Omit clause 16 (4) (h).

[3] Clause 23 Sale, purchase, slaughter or sending of stock that is required to be identified

Insert “, slaughter” after “buy”.

[4] Clause 23

Insert “, slaughtered” after “bought”.

[5] Clause 23 (2)

Insert at the end of the clause:

- (2) Despite subclause (1), a person may slaughter unidentified stock without committing an offence, but only if the person is required to slaughter the stock for humane reasons on the direction of an inspector or a veterinary surgeon.

Note. A person may still be guilty of an offence in relation to stock that was slaughtered for humane reasons if the person buys, sells or moves the stock or its carcass in breach of subclause (1).

[6] Clause 24 Information in relation to cattle at saleyards

Insert “(or, if the cattle are sold for the purpose of slaughter at an abattoir, by the close of business on the day of the sale)” after “cattle at the saleyard” in clause 24 (5).

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Schedule 1 Amendments

[7] Clause 25A Information in relation to cattle at abattoir

Omit clause 25A (1). Insert instead:

- (1) On arrival of any cattle at an abattoir, the owner or person in charge of the cattle must provide the owner or person in charge of the abattoir with the property identification code of the property (other than a saleyard or an abattoir) at which the cattle were last held.
- (1A) The owner or person in charge of an abattoir must not sell, dispose of or process the carcass of any cattle, or cause or permit the sale, disposal or processing of any such carcass, unless he or she has obtained the information referred to in subclause (1) in relation to the cattle.
Note. This would not prevent the owner of an abattoir from slaughtering cattle.

[8] Clause 25A (2) (d)

Omit clause 25A (2) (d) and (e). Insert instead:

- (d) the property identification code of the property (other than a saleyard or an abattoir) at which the cattle were last held,

[9] Clause 25F Information in relation to sheep and goats at saleyard

Omit “has kept a record under subclause (2) (a)” from clause 25F (3).

Insert instead “has obtained the information referred to in subclause (1)”.

[10] Clause 25F (5)

Insert after clause 25F (4):

- (5) A purchaser of sheep or goats must keep a copy of any record provided to the purchaser under subclause (4) for a period of at least 7 years from the date of the purchase.

[11] Clause 25G Information in relation to sheep or goats at abattoir

Insert after clause 25G (1):

- (1A) The owner or person in charge of an abattoir must not sell, dispose of or process the carcass of any sheep or goat, or cause or permit the sale, disposal or processing of any such carcass, unless he or she has obtained the information referred to in subclause (1) in relation to the sheep or goat.

[12] Clause 25G (2) (b)

Omit the paragraph.

[13] Clause 38 Sale and supply of approved identifiers

Insert after clause 38 (1):

- (1A) A person, other than a person referred to in subclause (2), must not order an approved identifier.

Maximum penalty: 100 penalty units.

[14] Clause 38 (2)

Omit “subclause (1)”. Insert instead “subclauses (1) and (1A)”.

[15] Clause 39 Records of unidentified pigs sent to abattoirs

Omit “stock” wherever occurring. Insert instead “pig”.

[16] Clause 39 (2) (a)

Omit “7 years”. Insert instead “2 years”.

[17] Clause 45A

Insert after clause 45:

45A Additional identifiers

- (1) A person must not attach, or cause or permit the attachment of, an identifier to any stock to which an approved identifier is required to be attached, if the identifier contains information that is reasonably likely to mislead a person as to the relevant identification particulars of the stock.

Maximum penalty: 100 penalty units.

- (2) A person must not alter, or cause or permit the alteration of, any identifier that is attached to stock to which an approved identifier is required to be attached, if the identifier as altered is reasonably likely to mislead a person as to the relevant identification particulars of the stock.

Maximum penalty: 100 penalty units.

- (3) In this clause:

identifier means an identifier other than an approved identifier.

relevant identification particulars has the same meaning as in Division 4.

[18] Clause 58 Communicating disease to stock

Omit “an authorised officer” from clause 58 (4) (b).

Insert instead “the Chief Veterinary Officer or the Director-General”.

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Schedule 1 Amendments

[19] Clause 58 (4) (e)

Omit “the authorised officer”.

Insert instead “the Chief Veterinary Officer or the Director-General”.

[20] Clause 58 (7), definition of “authorised officer”

Omit the definition.

[21] Schedule 1 Penalty notice offences

Insert in order of clause number in Columns 1 and 2 under the heading
Offences under this Regulation:

Clause 45A

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BY AUTHORITY
