

Prevention of Cruelty to Animals (Land Transport of Livestock) Standards 2013 No 1

under the

Prevention of Cruelty to Animals Regulation 2012

The following Standards are approved by the Minister for Primary Industries as relevant Standards for the purposes of Part 4 of the *Prevention of Cruelty to Animals Regulation 2012*.

Explanatory note

The object of these Standards is to prescribe legally enforceable requirements which apply to the conduct of a business involved in the process of transporting livestock.

These Standards deal with the following:

- (a) general standards for the land transport of livestock (**Part 2**),
- (b) specific requirements for the land transport of alpacas (**Part 3**),
- (c) specific requirements for the land transport of buffalo (**Part 4**),
- (d) specific requirements for the land transport of camels (**Part 5**),
- (e) specific requirements for the land transport of cattle (**Part 6**),
- (f) specific requirements for the land transport of deer (**Part 7**),
- (g) specific requirements for the land transport of emus and ostriches (**Part 8**),
- (h) specific requirements for the land transport of goats (**Part 9**),
- (i) specific requirements for the land transport of horses (**Part 10**),
- (j) specific requirements for the land transport of pigs (**Part 11**),
- (k) specific requirements for the land transport of poultry (**Part 12**),
- (l) specific requirements for the land transport of sheep (**Part 13**),
- (m) other miscellaneous matters (**Part 1**).

Clause 26 of the *Prevention of Cruelty to Animals Regulation 2012* (“the Regulation”) includes a requirement that the following persons must comply with the provisions of these Standards:

- the proprietor of a business involved in the process of transporting livestock,
- each person concerned in the management of a business involved in the process of transporting livestock,
- any person employed by or working in a business involved in the process of transporting livestock.

Failure to comply with a provision of these Standards is an offence under clause 26 of the Regulation. In more serious cases, failure to comply with a provision of these Standards may result in a prosecution for an offence against the *Prevention of Cruelty to Animals Act 1979*.

Compliance with these Standards does not remove the need to comply with other requirements of the *Prevention of Cruelty to Animals Act 1979* and the Regulation, or the requirements under any other legislation such as the *Rural Lands Protection Act 1998*, the *Local Government Act 1993* and the *Impounding Act 1993*.

These Standards are made for the purposes of the *Prevention of Cruelty to Animals Act 1979*, including the definition of *animal trade* in section 4(1) and Part 4 of, and Schedule 1 to, the Regulation.

CONTENTS

Part 1 Preliminary

- 1 Name of Standards
- 2 Commencement
- 3 Application of these Standards
- 4 Interpretation
- 5 Meaning of 'person in charge'
- 6 Meaning of 'competent person'
- 7 Meaning of 'fit for the intended journey' or 'fit for the remainder of the intended journey'
- 8 Meaning and calculation of 'time off water'

Part 2 General standards for the land transport of livestock

Division 1 Responsibilities and planning

- 9 Responsibility for welfare of livestock
- 10 Records requirements for journeys exceeding 24 hours

Division 2 Competency

- 11 Competency to deal with livestock

Division 3 Transport vehicles and facilities

- 12 Transport vehicles and facilities for livestock

Division 4 Fitness of livestock for transport

- 13 Selection of livestock for transport
- 14 Fitness of loaded livestock
- 15 Livestock not fit for transport

Division 5 Loading, transporting and unloading livestock

- 16 Loading density of livestock
- 17 Segregation of livestock during transport
- 18 Handling of livestock during loading, transporting and unloading
- 19 Use of equipment during loading, transporting and unloading
- 20 Inspection of livestock during transport
- 21 Protection of livestock against extreme weather
- 22 Treatment of livestock at destination

Division 6 Maximum time off water general requirements

- 23 Interpretation
- 24 General management of time off water
- 25 Access to water at livestock-handling facility

Division 7 Humane destruction of livestock

- 26 Meaning of 'direct supervision'
- 27 When livestock must be humanely destroyed
- 28 Carrying out humane destruction
- 29 Specific requirements for certain methods of humane destruction

Part 3 Specific requirements for the land transport of alpacas

- 30 Interpretation
- 31 Spelling requirements for alpacas
- 32 Extension of maximum journey time for alpacas
- 33 Transportation of young or recently shorn alpacas
- 34 Use of dogs to move alpacas prohibited

Part 4 Specific requirements for the land transport of buffalo

- 35 Interpretation
- 36 Spelling requirements for buffalo
- 37 Use of dogs to move buffalo prohibited
- 38 Treatment of heat stressed buffalo

Part 5 Specific requirements for the land transport of camels

- 39 Interpretation
- 40 Spelling requirements for camels
- 41 Extension of maximum journey time for camels
- 42 Crates used for transporting camels
- 43 Use of dogs to move camels prohibited
- 44 Segregation of male camels during transport

Part 6 Specific requirements for the land transport of cattle

- 45 Interpretation
- 46 Spelling requirements for cattle
- 47 Transportation of bobby calves less than 5 days old to calf-rearing facilities
- 48 Transportation of bobby calves between 5 and 30 days old
- 49 Fitness of pre full-term bobby calves for transport
- 50 Use of dogs to move bobby calves prohibited

Part 7 Specific requirements for the land transport of deer

- 51 Interpretation
- 52 Spelling requirements for deer
- 53 Transportation of deer with antlers

Part 8 Specific requirements for the land transport of emus and ostriches

- 54 Interpretation
- 55 Spelling requirements for emus and ostriches
- 56 Transportation of emus or ostriches less than 5 days old
- 57 Feeding requirements for emus or ostriches more than 5 days old before assembly
- 58 Feeding requirements for emus or ostriches between 5 and 90 days old during journey
- 59 Requirements for emus or ostriches between 5 and 90 days old in containers
- 60 Transportation of emus or ostriches in containers
- 61 Tying together legs of emus or ostriches prohibited
- 62 Treatment of emus or ostriches less than 5 days old after journey

Part 9 Specific requirements for the land transport of goats

- 63 Interpretation
- 64 Spelling requirements for goats

Part 10 Specific requirements for the land transport of horses

- 65 Interpretation
- 66 Spelling requirements for horses
- 67 Extension of maximum journey time for horses
- 68 Transportation of foals with their mothers
- 69 Transportation of lame horses
- 70 Specific requirements for vehicles used to transport horses
- 71 Transportation of unbroken stallions
- 72 Use of dogs to move horses prohibited

Part 11 Specific requirements for the land transport of pigs

- 73 Interpretation
- 74 Spelling requirements for pigs
- 75 Extension of maximum journey time for pigs

Part 12 Specific requirements for the land transport of poultry

- 76 Interpretation
- 77 Spelling requirements for poultry
- 78 Feed requirements for poultry prior to assembly
- 79 Feed requirements for poultry held in containers

- 80 Transportation of poultry in containers
- 81 Lifting of poultry during transport
- 82 Tying legs of poultry together prohibited
- 83 Transportation of poultry less than 5 days old
- 84 Treatment of poultry less than 5 days old after journey

Part 13 Specific requirements for the land transport of sheep

- 85 Interpretation
- 86 Spelling requirements for sheep

Prevention of Cruelty to Animals (Land Transport of Livestock) Standards 2013 No 1

under the

Prevention of Cruelty to Animals Regulation 2012

Part 1 Preliminary

1 Name of Standards

These Standards are the *Prevention of Cruelty to Animals (Land Transport of Livestock) Standards 2013 No 1*.

Note: These Standards are referred to in Column 2 of Schedule 1 to the *Prevention of Cruelty to Animals Regulation 2012*. Clause 26(5) of that Regulation provides that these Standards are the relevant Standards, for the purposes of clause 26 of that Regulation, for a business specified in Column 1 of Schedule 1, being a business involved in the process of transporting livestock.

2 Commencement

These Standards commence on the same day as the *Prevention of Cruelty to Animals Amendment (Animal Trades) Regulation 2013*.

3 Application of these Standards

These Standards apply to a business involved in the livestock transport process.

4 Interpretation

(1) Definitions

In these Standards:

access to feed means a reasonable opportunity for livestock to eat feed of a suitable quality and quantity to maintain condition.

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

airflow means natural or mechanically induced air movement sufficient to provide oxygen and remove excessive heat load and noxious gases.

alpaca means an animal of the species *Vicugna pacos*.

animal - see clause 4(2) of these Standards.

assemble in relation to livestock, means the process of bringing livestock together in a place such as a yard, shed, or container before loading and includes mustering, capture, handling, restraining and any procedure used to prepare livestock for loading and transport.

bird means an emu, ostrich or poultry.

buffalo means an animal of the species *Bubalus bubalis* and includes buffalo cattle crosses.

camel means an animal of the species *Camelus dromedarius*.

cattle means an animal of the genus *Bos*.

class, in relation to livestock, means a group of a livestock species defined by characteristics such as age, size or other physiological criteria.

competent person – see clause 6 of these Standards.

container means a box or cage used for transporting birds.

crate means any structure on or attached to a vehicle used for transporting livestock and includes a trailer.

deer means an animal of any of the following species and any crosses of those species:

- (a) *Cervus timorensis* (having the common name rusa or sambar),
- (b) *Dama dama* (having the common name fallow),
- (c) *Cervus elaphus* (having the common name red), and
- (d) *Cervus canadensis* (having the common name elk).

depot means a facility or yard where livestock are rested between journeys or a holding facility where livestock are delivered from farms for assembly before a journey.

driver rest stop means a period when a vehicle stops for the purpose of the driver having a rest and the livestock remain on the vehicle without access to water or access to feed.

emu means an animal of the species *Dromaius novaehollandiae*.

fit for the intended journey or **fit for the remainder of the intended journey** – see clause 7 of these Standards.

goat means an animal of the genus *Capra*.

horse means an animal of the species *Equus caballus* and *Equus asinus* and any crosses of those species.

humane destruction means killing an animal in a manner which causes rapid unconsciousness and then death of the animal while it is unconscious.

inspect in relation to livestock, means a visual appraisal of the health of an animal.

journey means the loading, transporting and unloading of livestock.

journey time means the period of time commencing when the loading of livestock for a journey starts and finishing when livestock have been unloaded.

lairage means a holding yard or holding facility at an abattoir.

lift, in relation to livestock, means to raise the entire body weight of an animal off the ground.

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

livestock-handling facility means a yard, raceway, ramp, crush, building or enclosure used for the purpose of holding livestock to be loaded or after livestock have been unloaded and includes a saleyard, depot, lairage and portable facilities, but does not include a paddock or laneway with conventional wire fencing.

livestock-processing plant means an abattoir or premises used for the slaughter of livestock and the production of meat or meat products.

load means to move livestock onto a vehicle for the purpose of transport and includes picking up birds in containers and vehicle-to-vehicle transfer of livestock.

nature of the intended journey includes the duration, distance, route, road conditions, terrain, traffic, prevailing weather and any other factors that could affect a journey for livestock.

ostrich means an animal of the species *Struthio camelus*.

owner means a person who owns livestock.

Note: In section 21(1) of the *Interpretation Act 1987*, **person** is defined so as to include an individual, a corporation and a body corporate or politic.

person in charge – see clause 5 of these Standards.

pig means an animal of the genus *Sus*.

poultry means an animal of any of the following species:

- (a) *Gallus gallus domesticus* (commonly known as domestic chickens),
- (b) *Meleagris gallopavo* (commonly known as turkeys),
- (c) *Anser anser* (commonly known as geese),

- (d) *Anas* spp. and *Cairina moschata* (commonly known as ducks),
- (e) *Numida meleagris* (commonly known as guinea fowl),
- (f) *Coturnix japonica* (commonly known as quails),
- (g) *Columba livia* (commonly known as pigeons), and
- (h) *Syrmaticus* spp., *Lophura* spp., *Phasianus* spp., *Chrysolophus* spp. and *Lophophorus* spp. (commonly known as pheasants and partridges).

record, in relation to the transport of livestock, means a document (including an electronic record) that is accessible and capable of accompanying livestock and includes:

- (a) a consignment sheet, health certificate, national vendor declaration or equivalent document, an invoice, a waybill, a diary entry, or
- (b) any other record that shows the person in charge of livestock during the transport process, including at any livestock-handling facility.

Note: In section 21(1) of the *Interpretation Act 1987*, **document** is defined to include not only paper but also computer or other electronic records.

risk to the welfare, in relation to livestock, means the potential for a factor to affect the welfare of livestock in a way that causes pain, injury or distress to the livestock.

saleyard means any premises used or established for use wholly or partly for the sale of livestock.

sheep means an animal of the genus *Ovis*.

spell means a period of time when livestock are unloaded and each animal is provided with access to water, access to feed and space to lie down. The period of the spell commences when all livestock are unloaded and ends when the livestock are assembled for reloading.

the Act means the *Prevention of Cruelty to Animals Act 1979*.

the Regulation means the *Prevention of Cruelty to Animals Regulation 2012*.

time off water— see clause 8 of these Standards.

transport, in relation to livestock, means to carry or convey on a vehicle by road, rail or by vehicle aboard a ship.

transport process means all stages involved in moving livestock from one place to another and includes assembling, selecting livestock to be transported, holding livestock prior to loading, loading, transporting, unloading and handling livestock at a destination.

unload means to move livestock that have been transported off a vehicle at the end of a journey.

vehicle means any conveyance used for transporting livestock and includes a prime mover, a trailer, a rigid body truck, wagon and train.

veterinary practitioner has the same meaning as in the *Veterinary Practice Act 2003*.

- (2) In these Standards, *animal* is used to refer to an individual animal of a species referred to in the definition of livestock.
- (3) Notes in these Standards do not form part of these Standards.

5 Meaning of ‘person in charge’

In these Standards, *person in charge*, in relation to livestock, includes:

- (a) the owner of the livestock,
- (b) a person who has the livestock in the person’s possession or custody, or under the person’s care, control or supervision,
- (c) where a person referred to in paragraph (b) is bound to comply with the directions, in respect of the livestock, of any servant or agent of the owner of the livestock, that servant or agent, as the case may be,
- (d) where the livestock are confined on or in a vehicle or are being loaded on a vehicle:
 - (i) the proprietor of the business, and each person concerned in the management of the business, that owns or uses the vehicle or manages or controls the use of the vehicle, and
 - (ii) the driver of the vehicle,
- (e) where the livestock are confined in a livestock-handling facility:
 - (i) the proprietor of the business, and each person concerned in the management of the business, that owns, uses or manages or controls the livestock-handling facility, and
 - (ii) a person who is handling the livestock and is employed by or working for the business that owns, uses or manages or controls the livestock-handling facility.
- (f) where livestock are confined on a roll-on/roll-off livestock transport vehicle on a marine vessel on a sea journey:
 - (i) the proprietor of the business, and each person concerned in the management of the business, that owns or uses the marine vessel manages or controls the use of the marine vessel, and

- (ii) a person who is handling the livestock and is employed by or working for the business that owns, uses or manages or controls the use of the marine vessel, and
- (g) where the livestock have been unloaded at a destination or the completion of a journey including at a property, feedlot, saleyard, depot or livestock-processing plant:
 - (i) the proprietor of the business, and each person concerned in the management of the business, that owns, uses or manages or controls the premises where the livestock have been received, and
 - (ii) a person who is handling the livestock and is employed by or working for the business that owns, uses or manages or controls the premises where the livestock have been received.

6 Meaning of ‘competent person’

For the purposes of these Standards, a person is a *competent person* if the person, when performing any of the following tasks in connection with the transport of livestock, has the knowledge, skills and experience to perform that task in a manner that does not compromise the welfare of the livestock:

- (a) moving and handling livestock,
- (b) inspecting and assessing the health and well-being of livestock,
- (c) maintaining records of inspections and assessments of livestock,
- (d) planning and contingency procedures, and
- (e) humane destruction of livestock.

7 Meaning of ‘fit for the intended journey’ or ‘fit for the remainder of the intended journey’

For the purposes of these Standards, an animal is considered to be not *fit for the intended journey* or not *fit for the remainder of the intended journey* if the animal has or exhibits any one or more of the following conditions:

- (a) the animal is not able to walk on its own by bearing weight on all legs,
- (b) the animal is severely emaciated,
- (c) the animal is visibly dehydrated,
- (d) the animal is showing visible signs of severe injury or distress,

- (e) the animal has any condition that is likely to cause increased pain or distress during a journey,
- (f) the animal is blind in both eyes,
- (g) the animal is known or visually assessed to be more than the number of weeks pregnant specified in Column 2 of the Table for the species specified opposite in Column 1 of the Table, unless the time off water and the journey time is less than 4 hours and the animal is being transported directly to the animal's final destination:

Table

Column 1 Species	Column 2 Number of weeks
Alpacas	43
Buffalo	43
Camels	53
Cattle	37
Deer	30
Goats	19
Horses	43
Pigs	14
Sheep	19

8 Meaning and calculation of time off water

- (1) In these Standards, *time off water* means the total time period livestock are not provided with access to water during the transport process and is calculated in accordance with this clause.
- (2) The total time period referred to in subclause (1) is the sum of the following time periods (the *transport process time*):
 - (a) the period of time the livestock are being assembled,
 - (b) the period of time the livestock are held in a livestock-holding facility prior to loading,
 - (c) the period of time the livestock are being loaded,
 - (d) the period of time the livestock are on a vehicle, whether moving or stationary,
 - (e) the period of time the livestock are unloaded, and
 - (f) the period of time the livestock are held in a livestock-handling facility at the end of a journey until access to water is provided,

less any period of time during the transport process time when the livestock are provided with access to water for a period of 4 hours or more, but less than 24 hours.

Part 2 General standards for the land transport of livestock

Division 1 Responsibilities and planning

9 Responsibility for welfare of livestock

A person in charge of livestock at any time during the transport process must ensure the welfare of livestock.

10 Records requirements for journeys exceeding 24 hours

- (1) If a person in charge of livestock during a journey reasonably expects the journey time to exceed 24 hours, the person in charge must possess records in relation to the livestock being transported that specify:
 - (a) the date and time the livestock last had access to water, and
 - (b) the date and time of each livestock inspection, any livestock welfare concerns arising from an inspection and all actions taken in relation to those concerns, and
 - (c) emergency contacts in respect of the livestock.
- (2) If a journey time exceeds 24 hours and the person in charge of livestock during that journey is transferring responsibility for the livestock to another person, the person in charge must update the information specified in subclause (1) and provide the updated records to the person who is receiving the livestock.

Division 2 Competency

11 Competency to deal with livestock

A person carrying out any of the following tasks in connection with livestock at any time during the transport process must be a competent person in the task being carried out or must be supervised by a competent person in that task:

- (a) moving and handling livestock,
- (b) selecting livestock for transport,
- (c) loading,
- (d) transporting livestock,
- (e) unloading,
- (f) handling livestock immediately after they have been unloaded.

Division 3 Transport vehicles and facilities

12 Transport vehicles and facilities for livestock

(1) A person who provides or uses:

- (a) a vehicle for transporting livestock, or
- (b) a livestock-handling facility in connection with the transport of livestock,

must ensure the vehicle or livestock-handling facility is constructed, maintained and operated in a way that minimises risk to the welfare of the livestock.

(2) A person who provides or uses a vehicle or livestock-handling facility referred to in subclause (1) must ensure the vehicle or livestock-handling facility satisfies each of the following requirements:

- (a) is appropriate to contain the species of livestock being transported, held, loaded or unloaded,
- (b) has effective airflow,
- (c) has flooring that minimises the likelihood of livestock slipping or falling or otherwise being injured,
- (d) is free from internal protrusions and other objects that could cause injury to livestock, and
- (e) has sufficient vertical clearance for livestock to minimise the likelihood of injury.

Note: Clause 38 of the *Prevention of Cruelty to Animals Regulation 2012* provides, in respect of cattle, horses, sheep, goats, pigs and deer, that it is an offence to carry or convey such animals in a cage or vehicle unless the cage or vehicle is of a height that allows the animal to stand upright without any part of the animal coming into contact with the roof, ceiling or cover of the cage or vehicle. That offence has a maximum penalty of 25 penalty units.

Division 4 Fitness of livestock for transport

13 Selection of livestock for transport

A person in charge of livestock that have been assembled for transport:

- (a) must assess whether each animal is fit for the intended journey, and
- (b) must not supply an animal for transport that is assessed to be not fit for the intended journey except in accordance with advice from a veterinary practitioner.

14 Fitness of loaded livestock

A person in charge of livestock that are to be loaded or are being loaded:

- (a) must assess whether each animal is fit for the intended journey, and
- (b) must not load an animal that is assessed to be not fit for the intended journey except in accordance with advice from a veterinary practitioner.

15 Livestock not fit for transport

If an animal has been assessed to be not fit for the intended journey and has not been loaded, a person in charge of the animal must make appropriate arrangements for the care, treatment or humane destruction of the animal at the first reasonable opportunity.

Division 5 Loading, transporting and unloading livestock

16 Loading density of livestock

- (1) A person in charge of livestock (other than birds being loaded in a container) being loaded on a vehicle (other than the driver of a train) must:
 - (a) assess the loading density of the livestock in each pen or division in a crate, based on the average live weight of the livestock being loaded, and
 - (b) manage the loading density of livestock so as to minimise the risk to the welfare of the livestock.
- (2) A person in charge of birds being loaded in a container must:
 - (a) assess the loading density of the birds in each container, based on the average live weight of the birds being loaded, and
 - (b) manage the loading density of the birds so as to minimise the risk to the welfare of the birds.
- (3) In assessing and managing loading density for the purposes of subclauses (1) and (2), the person in charge must have regard to each of the following factors:
 - (a) the species and class of the livestock,
 - (b) the size and body condition of the livestock,
 - (c) the wool or hair length of the livestock,
 - (d) the horn status of the livestock,

- (e) the predicted climatic conditions for the intended journey,
 - (f) the nature of the intended journey, and
 - (g) the design and capacity of the vehicle.
- (4) In this clause:
- loading density* means the amount of space provided for each animal in a crate or container or the number of animals per area in a crate or container.

17 Segregation of livestock during transport

- (1) A person in charge of livestock on a vehicle must ensure the livestock are segregated by sufficient internal partitions to minimise the risk to the welfare of the livestock on the vehicle.
- (2) In determining how livestock are to be segregated for the purposes of subclause (1), the person in charge must have regard to each of the following factors:
- (a) the species, class and size of the livestock,
 - (b) the general health of each animal,
 - (c) the level of aggression of each animal, and
 - (d) the nature of the intended journey.

18 Handling of livestock during loading, transporting and unloading

- (1) A person in charge of livestock during loading, transporting or unloading must handle livestock as follows:
- (a) in a manner that is appropriate to the species and class of the livestock being handled, and
 - (b) in such a way that minimises pain or injury to the livestock being handled.
- (2) Without limiting subclause (1), a person in charge of livestock during loading, transporting or unloading must not handle an animal in any of the following ways:
- (a) lift an animal (excluding poultry) by only the head, ears, horns, neck, tail, wool, hair or feathers,
 - (b) lift an animal by a single leg, except in any of the following the cases:
 - (i) a poultry animal,

- (ii) a sheep that is less than 15 kilograms live weight,
 - (iii) a goat that is less than 15 kilograms live weight, or
 - (iv) a pig that is less than 15 kilograms live weight,
- (c) lift an animal (excluding birds in a container) by mechanical means unless the animal is supported or secured as necessary,
 - (d) throw or drop an animal,
 - (e) punch or kick an animal or strike an animal in an unreasonable manner,
 - (f) drag an animal that is unable to stand except in an emergency to allow safe handling, lifting, treatment or humane destruction of the animal,
 - (g) use an electric prod in any of the following ways:
 - (i) on the genital, anal or facial areas of an animal,
 - (ii) on an animal less than 3 months old,
 - (iii) on an animal that is unable to move away,
 - (iv) excessively on an animal.

Note: Section 16(2) of the *Prevention of Cruelty to Animals Act 1979* and clause 35 of, and Schedule 3 to, the *Prevention of Cruelty to Animals Regulation 2012* provides that it is an offence to use an electric stock prod upon an animal unless it is used for the limited purposes or in the limited circumstances, and on the species, specified in Column 2 of Schedule 3. That offence has a maximum penalty of 250 penalty units in the case of a corporation and 50 penalty units or imprisonment for 6 months, or both, in the case of an individual.

- (3) If a dog is used to handle or move livestock during loading, transporting or unloading, a person in charge of the livestock must:
 - (a) keep the dog, or ensure the dog is kept, under control at all times,
 - (b) not transport the dog in the same pen as the livestock, with the exception of a dog that lives with and is accepted within a flock or herd of another species on a permanent basis (known as a bonded guardian dog), and
 - (c) when the dog is working with deer, goats, pigs, sheep or birds - muzzle a dog that habitually bites animals.
- (4) In subclause (3), ***under control***, in relation to a dog, means that the dog is fully responsive to the commands of a person at all times while handling or moving livestock.

Note: More specific requirements in relation to the use of a dog to move livestock may be specified in Parts 3 to 13.

19 Use of equipment during loading, transporting and unloading

- (1) When livestock are being loaded or unloaded, a person in charge of the livestock must ensure that:
 - (a) the ramp and the vehicle the livestock are being loaded onto or unloaded off are properly aligned, and
 - (b) any gap between a ramp and the vehicle the livestock are being loaded onto or unloaded off is sufficiently narrow to minimise the likelihood of injury to the livestock during loading and unloading.
- (2) A person in charge of livestock on a vehicle (other than the driver of a train) must:
 - (a) inspect the crate immediately before departure, to ensure the doors of the crate are closed and secured, and
 - (b) inspect the receival yard immediately before unloading, to ensure there is free access and sufficient space for the livestock intended to be unloaded,
 - (c) take reasonable steps to notify the person receiving the livestock that the livestock have arrived at the destination, and
 - (d) if the journey time was greater than 24 hours, provide the person receiving the livestock with the records required by these Standards.

20 Inspection of livestock during transport

- (1) A person in charge of livestock on a vehicle (other than the driver of a train) must inspect the livestock at each of the following times:
 - (a) before departure,
 - (b) within the first hour of the journey and then at least every 3 hours or at every driver rest stop, whichever comes first,
 - (c) each time the vehicle stops for a change of driver or vehicle, and
 - (d) at unloading.
- (2) The inspection requirements in subclauses (1)(b) and (c) do not apply:
 - (a) if the livestock are birds in containers, or

- (b) if the livestock are on a roll-on/roll-off vehicle during a sea journey.
- (3) If a distressed or injured animal is identified by a person in charge during an inspection carried out in accordance with subclause (1), the person in charge must:
 - (a) provide assistance, or cause assistance to be provided, to the animal at the first reasonable opportunity, and
 - (b) identify any weak, ill or injured animal to a person receiving the livestock.

21 Protection of livestock against extreme weather

A person in charge of livestock at any time during the transport process must take reasonable steps to minimise the impact of extreme weather conditions on the livestock.

22 Treatment of livestock at destination

A person in charge of livestock after the livestock have been unloaded at a destination must make appropriate arrangements at the first reasonable opportunity for the separation of weak, ill or injured livestock for rest and recovery, treatment, or humane destruction and for the disposal of dead livestock.

Division 6 Maximum time off water general requirements

23 Interpretation

In this Division:

maximum time off water means, for the class of livestock specified in Column 1 of a Table in Parts 3 to 13, the period of time specified opposite in Column 3 of a Table in Parts 3 to 13.

24 General management of time off water

A person in charge of livestock at any time during the transport process must manage time off water so as to minimise risk to the welfare of the livestock having regard to each of the following factors:

- (a) the increased risk to the welfare of the livestock of a journey for which the journey time is close to the maximum time off water,
- (b) the assessment of the person in charge as to whether an animal is fit for the remainder of the intended journey,
- (c) the predicted climatic conditions, especially heat or cold,

- (d) the class of livestock, in particular if an animal is weak, pregnant, has recently given birth, is lactating or is immature, and
- (e) the nature of the intended journey.

25 Access to water at livestock-handling facility

If a person in charge of livestock in a livestock-handling facility being used for livestock after a journey, has not been provided with records that indicate the last time the livestock had access to water or if it is not reasonably possible for that person to estimate the journey time for the livestock, the person in charge must:

- (a) provide the livestock with access to water within the lesser of:
 - (i) the maximum time off water from when the livestock arrived at the livestock-handling facility, or
 - (ii) within 24 hours of the livestock arriving at the livestock-handling facility, and
- (b) provide the livestock with a spell before the livestock commence another transport process.

Note: Specific requirements for action to be taken when maximum time off water is reached during the transport of certain classes of alpacas, buffalo, camels, cattle, deer, emus and ostriches, goats, horses, pigs, poultry and sheep are set out in Parts 3 to 13.

Division 7 Humane destruction of livestock

26 Meaning of ‘direct supervision’

For the purposes of this Division, a person (“the supervised person”) is acting under the *direct supervision* of a competent person if the competent person:

- (a) provides instructions and guidance to the supervised person in relation to the subject activity,
- (b) oversees the performance of the subject activity by the supervised person,
- (c) is on the same premises as the supervised person while the subject activity is being undertaken, and
- (d) is able to immediately render assistance to the supervised person, if required, at any time during which the subject activity is being undertaken.

27 When livestock must be humanely destroyed

- (1) If at any time during the transport process an animal becomes moribund, a person in charge of the animal must ensure the animal is humanely destroyed at the first reasonable opportunity.
- (2) For the purposes of this clause, an animal is *moribund* when it is unable to stand, exhibits signs of distress or insensibility and appears to have little chance of regaining the capacity to stand and walk unassisted after reasonable attempts have been made to assist it.

Note: See clause 29 of these Standards for specific requirements for certain methods of humane destruction.

28 Carrying out humane destruction

- (1) If an animal is required to be humanely destroyed in accordance with these Standards a person in charge of the animal must ensure the animal is humanely destroyed by:
 - (a) a competent person, or
 - (b) a person who is acting under the direct supervision of a competent person,
- (2) If a competent person is not immediately available to humanely destroy an animal or to directly supervise the humane destruction of an animal, a person in charge of the animal must contact a competent person and arrange for the competent person to carry out the humane destruction of the animal at the first reasonable opportunity.
- (3) Subclauses (1) and (2) do not apply if, in urgent circumstances:
 - (a) the services of a competent person are not reasonably available, and
 - (b) the destruction of the animal is necessary to prevent the animal being in undue pain, suffering or distress, and
 - (c) the person in charge of the animal reasonably believes they have the capability to humanely destroy the animal.
- (4) If action has been taken to humanely destroy an animal in accordance with these Standards, a person in charge of the animal must take reasonable steps to ensure the animal is dead.

29 Specific requirements for certain methods of humane destruction

- (1) If an animal is required to be humanely destroyed in accordance with these Standards, the following requirements must be met:

- (a) the method of blunt trauma alone must only be used on the following species and in the following circumstances:
 - (i) pigs up to 15 kg live weight, or
 - (ii) alpacas, camels, cattle, deer, goats and sheep - if less than 24 hours old,
 - (b) the method of bleeding – out alone must only be used on the following species and in the following circumstances:
 - (i) deer, goats and sheep, and
 - (ii) only in situations where there is no firearm or captive bolt available.
- (2) In this clause:

blunt trauma means a single blow to the head of the animal, causing rapid loss of consciousness.

bleeding – out means cutting the major blood vessels in the neck of the animal, causing loss of blood.

Part 3 Specific requirements for the land transport of alpacas

Note: The general standards for the land transport of livestock set out in Part 2 of these Standards also apply to the land transport of alpacas.

30 Interpretation

(1) In this Part:

maximum journey time for the class of alpacas described in Column 1 of the Table, is the period of time specified opposite in Column 2 of the Table.

minimum spell period for the class of alpacas described in Column 1 of the Table, is the period of time specified opposite in Column 4 of the Table.

Table means the Table to clause 31.

(2) In this Part and for the purposes of Division 6 of Part 2, the *maximum time off water* for the class of alpacas described in Column 1 of the Table, is the period of time specified opposite in Column 3 of the Table.

31 Spelling requirements for alpacas

A person in charge of alpacas of the class described in Column 1 of the Table must provide the alpacas with a spell for at least the minimum spell period, at the earlier of:

- (a) the end of any transport process; or
- (b) when the maximum journey time or the maximum time off water is reached,

before another transport process can commence.

Table

Column 1 Class	Column 2 Maximum journey time (hours)	Column 3 Maximum time off water (hours)	Column 4 Minimum spell period (hours)
Alpacas known or visually assessed to be more than 43 weeks pregnant	4	4	12
Alpacas known or visually assessed to be between 33 and 43 weeks pregnant	8	8	12
Alpacas known or visually assessed to be less than 33 weeks pregnant	8	8	8
Lactating alpacas with alpacas less than 6 months old	4	4	12
Alpacas less than 6 months old	4	4	12
Alpacas between 6 and 12 months old	8	8	12
Alpacas not in any of the above classes	24	24	12

32 Extension of maximum journey time for alpacas

A person in charge of alpacas during a journey may allow the maximum journey time to extend up to 72 hours if each of the following conditions is satisfied:

- (a) the alpacas must not be known or visually assessed to be more than 43 weeks pregnant,
- (b) access to water and access to feed must be available to the alpacas on the vehicle at all times,
- (c) each alpaca must have sufficient space to sit down or lie on its sternum, and
- (d) the alpacas must have a spell for at least 24 hours before another transport process can commence.

33 Transportation of young or recently shorn alpacas

- (1) A person in charge of alpacas to be transported must not transport alpacas less than 12 months old or recently shorn alpacas except:
 - (a) in a vehicle with an enclosed front, or
 - (b) where the alpacas are provided with protection during weather that could cause heat or cold stress or sunburn.

- (2) In this clause:

recently shorn alpaca means an alpaca that has been shorn in the previous 10 days.

34 Use of dogs to move alpacas prohibited

A person in charge of alpacas at any time during the transport process must not use a dog to move an alpaca.

Note: Section 16(2) of the *Prevention of Cruelty to Animals Act 1979* has the effect that it is an offence to use an electric prodder upon an alpaca. That offence has a maximum penalty of 250 penalty units in the case of a corporation and 50 penalty units or imprisonment for 6 months, or both, in the case of an individual.

Part 4 Specific requirements for the land transport of buffalo

Note: The general standards for the land transport of livestock set out in Part 2 of these Standards also apply to the land transport of buffalo.

35 Interpretation

(1) In this Part:

maximum journey time for the class of buffalo described in Column 1 of the Table, is the period of time specified opposite in Column 2 of the Table.

minimum spell period for the class of buffalo described in Column 1 of the Table, is the period of time specified opposite in Column 4 of the Table.

Table means the Table to clause 36.

(2) In this Part and for the purposes of Division 6 of Part 2, the *maximum time off water*, for the class of buffalo described in Column 1 of the Table, is the period of time specified opposite in Column 3 of the Table.

36 Spelling requirements for buffalo

A person in charge of buffalo of the class described in Column 1 of the Table must provide the buffalo with a spell for at least the minimum spell period, at the earlier of:

- (a) the end of any transport process; or
- (b) when the maximum journey time or the maximum time off water is reached,

before another transport process can commence.

Table

Column 1 Class	Column 2 Maximum journey time (hours)	Column 3 Maximum time off water (hours)	Column 4 Minimum spell period (hours)
Buffalo known or visually assessed to be more than 43 weeks pregnant	4	4	24
Buffalo known or visually assessed to be between 28 and 43 weeks pregnant	24	24	12
Lactating buffalo with unweaned buffalo less than 6 months old	24	24	12
Buffalo less than 6 months old	24	24	12
Buffalo not in any of the above classes	36	36	24

37 Use of dogs to move buffalo prohibited

A person in charge of buffalo at any time during the transport process must not use a dog to move a buffalo.

38 Treatment of heat stressed buffalo

A person in charge of buffalo must ensure that buffalo suffering heat stress at any time during the transport process are cooled by water spray at the first reasonable opportunity.

Note: Section 16(2) of the *Prevention of Cruelty to Animals Act 1979* has the effect that it is an offence to use an electric prodder upon a buffalo. That offence has a maximum penalty of 250 penalty units in the case of a corporation and 50 penalty units or imprisonment for 6 months, or both, in the case of an individual.

Part 5 Specific requirements for the land transport of camels

Note: The general standards for the land transport of livestock set out in Part 2 of these Standards also apply to the land transport of camels.

39 Interpretation

(1) In this Part:

maximum journey time for the class of camels described in Column 1 of the Table, is the period of time specified opposite in Column 2 of the Table.

minimum spell period for the class of camels described in Column 1 of the Table, is the period of time specified opposite in Column 4 of the Table.

Table means the Table to clause 40.

(2) In this Part and for the purposes of Division 6 of Part 2, the *maximum time off water*, for the class of camels described in Column 1 of the Table, is the period of time specified opposite in Column 3 of the Table.

40 Spelling requirements for camels

A person in charge of camels of the class described in Column 1 of the Table must provide the camels with a spell for at least the minimum spell period, at the earlier of:

- (a) the end of any transport process; or
- (b) when the maximum journey time or the maximum time off water is reached,

before another transport process can commence.

Table

Column 1 Class	Column 2 Maximum journey time (hours)	Column 3 Maximum time off water (hours)	Column 4 Minimum spell period (hours)
Camels known or visually assessed to be more than 53 weeks pregnant	4	4	36
Camels known or visually assessed to be between 36 and 53 weeks pregnant	24	24	12
Lactating camels with unweaned camels less than 6 months old	24	24	12
Camels less than 6 months old	24	24	12
Camels not in any of the above classes	48	48	36

41 Extension of maximum journey time for camels

A person in charge of camels during a journey may allow the maximum journey time to extend up to 72 hours if each of the following conditions is satisfied:

- (a) the camels must be more than 6 months old,
- (b) the camels must not be known or visually assessed to be more than 53 weeks pregnant,
- (c) the camels must be provided with access to water and access to feed on the vehicle at least every 24 hours,
- (d) each camel must have sufficient space to lie down on its sternum, and
- (e) the camels must have a spell for at least 24 hours before another transport process can commence.

42 Crates used for transporting camels

A person in charge of camels being transported in a crate must ensure that when camels are standing at rest there is a minimum of 100 millimetres clearance between the top of the hump of the camel and the crate.

43 Use of dogs to move camels prohibited

A person in charge of camels at any time during the transport process must not use a dog to move a camel.

44 Segregation of male camels during transport

A person in charge of camels to be transported must ensure that male camels in rut are segregated during transport.

Note: Section 16(2) of the *Prevention of Cruelty to Animals Act 1979* has the effect that it is an offence to use an electric prodder upon a camel. That offence has a maximum penalty of 250 penalty units in the case of a corporation and 50 penalty units or imprisonment for 6 months, or both, in the case of an individual.

Part 6 Specific requirements for the land transport of cattle

Note: The general standards for the land transport of livestock set out in Part 2 of these Standards also apply to the land transport of cattle.

45 Interpretation

(1) In this Part:

bobby calf means a calf not accompanied by its mother that is:

- (a) less than 30 days old, and
- (b) weighs less than 80 kg live weight.

calf means cattle less than 6 months old other than a bobby calf.

maximum journey time for the class of cattle described in Column 1 of the Table, is the period of time specified opposite in Column 2 of the Table.

minimum spell period for the class of cattle described in Column 1 of the Table, is the period of time specified opposite in Column 4 of the Table.

Table means the Table to clause 46.

(2) In this Part and for the purposes of Division 6 of Part 2, the *maximum time off water*, for the class of cattle described in Column 1 of the Table, is the period of time specified opposite in Column 3 of the Table.

46 Spelling requirements for cattle

A person in charge of cattle of the class described in Column 1 of the Table must provide the cattle with a spell for at least the minimum spell period, at the earlier of:

- (a) the end of any transport process; or
- (b) when the maximum journey time or the maximum time off water is reached,

before another transport process can commence.

Table

Column 1 Class	Column 2 Maximum journey time (hours)	Column 3 Maximum time off water (hours)	Column 4 Minimum spell period (hours)
Cattle known or visually assessed to be more than 37 weeks pregnant	4	4	24
Cattle known or visually assessed to be between 24 and 37 weeks pregnant	24	24	12
Lactating cattle with unweaned calves	24	24	12
Bobby calves less than 5 days old	6	6	24
Bobby calves between 5 and 30 days old	12	18	24
Calves between 30 days and 6 months old	24	24	12
Cattle not in any of the above classes	48	48	36

47 Transportation of bobby calves less than 5 days old to calf-rearing facilities

A person in charge of bobby calves to be transported must not transport bobby calves that are less than 5 days old unless each of the following conditions is satisfied:

- (a) the bobby calves must be transported directly to a calf-rearing facility,
- (b) the bobby calves must be fed a liquid feed within 6 hours of loading,
- (c) the bobby calves must be provided with thick bedding,
- (d) each bobby calf must be have sufficient space in the crate to lie on its sternum,
- (e) the bobby calves must be protected from cold and heat, and
- (f) the journey time must be less than 6 hours.

48 Transportation of bobby calves between 5 and 30 days old

A person in charge of bobby calves to be transported must not transport bobby calves that are between 5 and 30 days old unless each of the following conditions is satisfied:

- (a) the bobby calves must be fed a liquid feed within 6 hours of loading,
- (b) each bobby calf must have sufficient space in the crate to lie on its sternum,
- (c) the bobby calves must be protected from cold and heat,
- (d) each bobby calf must be in good health,
- (e) each bobby calf must be alert and able to rise from a lying position,

- (f) the bobby calves must be assembled and transported so that delivery occurs within 18 hours of the last time the bobby calves were fed,
- (g) the journey time must be less than 12 hours,
- (h) the person in charge must have records that show the bobby calves were last fed within 6 hours of loading unless:
 - (i) the journey is between calf-rearing facilities, and
 - (ii) the journey time is less than 6 hours, and

49 Fitness of pre full-term bobby calves for transport

A person in charge of bobby calves to be transported must not transport bobby calves born earlier than a normal pregnancy term (including induced calves) unless the bobby calves are as fit for the journey as a normal full-term calf.

50 Use of dogs to move bobby calves prohibited

A person in charge of bobby calves at any time during the transport process must not use a dog to move a bobby calf.

Note: Section 16(2) of the *Prevention of Cruelty to Animals Act 1979* and clause 35 of, and Schedule 3 to, the *Prevention of Cruelty to Animals Regulation 2012* has the effect that it is an offence to use an electric stock prod upon cattle other than weaned cattle for the purposes of driving, herding, mustering or controlling the weaned cattle. That offence has a maximum penalty of 250 penalty units in the case of a corporation and 50 penalty units or imprisonment for 6 months, or both, in the case of an individual.

Part 7 Specific requirements for the land transport of deer

Note: The general standards for the land transport of livestock set out in Part 2 of these Standards also apply to the land transport of deer.

51 Interpretation

(1) In this Part:

maximum journey time for the class of deer described in Column 1 of the Table, is the period of time specified opposite in Column 2 of the Table.

minimum spell period for the class of deer described in Column 1 of the Table, is the period of time specified opposite in Column 4 of the Table.

Table means the Table to clause 52.

(2) In this Part and for the purposes of Division 6 of Part 2, the *maximum time off water*, for the class of deer described in Column 1 of the Table, is the period of time specified opposite in Column 3 of the Table.

52 Spelling requirements for deer

A person in charge of deer of the class described in Column 1 of the Table must provide the deer with a spell for at least the minimum spell period, at the earlier of:

- (a) the end of any transport process; or
- (b) when the maximum journey time or the maximum time off water is reached,

before another transport process can commence.

Table

Column 1 Class	Column 2 Maximum journey time (hours)	Column 3 Maximum time off water (hours)	Column 4 Minimum spell period (hours)
Deer known or visually assessed to be more than 30 weeks pregnant	4	4	24
Deer known or visually assessed to be between 20 and 30 weeks pregnant	24	24	12
Lactating deer with unweaned deer less than 6 months	4	24	24
Weaned deer less than 6 months old	28	28	12
Deer not in any of the above classes	48	48	36

53 Transportation of deer with antlers

- (1) A person in charge of deer to be transported must not transport deer for 7 days after velvet antler have been removed.
- (2) A person in charge of deer to be transported must not transport deer with hard antlers 4 cm or more in length unless:
 - (a) the deer are separated from all other deer being transported, and
 - (b) the deer have adequate clearance above the antlers so that the antlers do not get caught in the vehicle or the crate.
- (3) In this clause:

velvet means the skin covering the highly vascular spongy tissue that later matures into calcified hard antler.

Note: Section 16(2) of the *Prevention of Cruelty to Animals Act 1979* has the effect that it is an offence to use an electric prod on a deer. That offence has a maximum penalty of 250 penalty units in the case of a corporation and 50 penalty units or imprisonment for 6 months, or both, in the case of an individual.

Part 8 Specific requirements for the land transport of emus and ostriches

Note: The general standards for the land transport of livestock set out in Part 2 of these Standards also apply to the land transport of emus and ostriches.

54 Interpretation

(1) In this Part:

maximum journey time for the class of emus and ostriches described in Column 1 of the Table, is the period of time specified opposite in Column 2 of the Table.

minimum spell period for the class of emus and ostriches described in Column 1 of the Table, is the period of time specified opposite in Column 4 of the Table.

Table means the Table to clause 55.

(2) In this Part and for the purposes of Division 6 of Part 2, the *maximum time off water*, for the class of emus and ostriches described in Column 1 of the Table, is the period of time specified opposite in Column 3 of the Table.

55 Spelling requirements for emus and ostriches

A person in charge of emus or ostriches of the class described in Column 1 of the Table must provide the emus or ostriches with a spell for at least the minimum spell period, at the earlier of:

- (a) the end of any transport process; or
- (b) when the maximum journey time or the maximum time off water is reached,

before another transport process can commence.

Table

Column 1 Class	Column 2 Maximum journey time (hours)	Column 3 Maximum time off water (hours)	Column 4 Minimum spell period (hours)
Emus and ostriches less than 5 days old without hydrating material in the container	60	60 after removal from the incubator	24
Emus and ostriches less than 5 days old with hydrating material in the container	72	72 after removal from the incubator	24
Emus and ostriches between 5 and 90 days old	24	24	12
Emus and ostriches not in any of the above classes	36	36	24

56 Transportation of emus or ostriches less than 5 days old

A person in charge of emus or ostriches during a journey must take reasonable action to minimise the risk to the welfare of the emus and ostriches that are less than 5 days old from chilling or overheating during the journey.

57 Feeding requirements for emus or ostriches more than 5 days old before assembly

A person in charge of emus or ostriches to be transported must not transport emus or ostriches that are more than 5 days old unless the emus or ostriches are provided with access to feed within 24 hours of assembly for transportation.

58 Feeding requirements for emus or ostriches between 5 and 90 days old during journey

A person in charge of emus or ostriches during a journey must ensure that the emus and ostriches that are between 5 and 90 days old are provided with access to feed every 12 hours during the journey.

59 Requirements for emus or ostriches between 5 and 90 days old in containers

A person in charge of emus or ostriches at any time during the transport process must not hold emus or ostriches that are between 5 and 90 days old in a container for more than 12 hours, unless the emus or ostriches are provided with access to water, access to feed and shelter.

60 Transportation of emus or ostriches in containers

A person in charge of emus or ostriches held in a container must ensure the container:

- (a) is lifted and placed with care, and
- (b) is positioned on the vehicle in an upright position without excessive tilting, and
- (c) is not dropped or thrown, and
- (d) is securely attached to the vehicle, and
- (e) is suitable for the purpose of transporting emus or ostriches.

61 Tying together legs of emus or ostriches prohibited

A person in charge of emus or ostriches at any time during the transport process must not tie together the legs of an emu or the legs of an ostrich.

62 Treatment of emus or ostriches less than 5 days old after journey

A person in charge of emus or ostriches which have arrived at a destination after a journey must ensure that emus and ostriches that are less than 5 days old are placed in a suitable brooding environment after arrival and within 72 hours of removal from the incubator.

Note: Section 16(2) of the *Prevention of Cruelty to Animals Act 1979* has the effect that it is an offence to use an electric prodder upon an emu or an ostrich. That offence has a maximum penalty of 250 penalty units in the case of a corporation and 50 penalty units or imprisonment for 6 months, or both, in the case of an individual.

Part 9 Specific requirements for the land transport of goats

Note: The general standards for the land transport of livestock set out in Part 2 of these Standards also apply to the land transport of goats.

63 Interpretation

(1) In this Part:

maximum journey time for the class of goats described in Column 1 of the Table, is the period of time specified opposite in Column 2 of the Table.

minimum spell period for the class of goats described in Column 1 of the Table, is the period of time specified opposite in Column 4 of the Table.

Table means the Table to clause 64.

(2) In this Part and for the purposes of Division 6 of Part 2, the *maximum time off water*, for the class of goats described in Column 1 of the Table, is the period of time specified opposite in Column 3 of the Table.

64 Spelling requirements for goats

A person in charge of goats of the class described in Column 1 of the Table must provide the goats with a spell for at least the minimum spell period, at the earlier of:

- (a) the end of any transport process; or
- (b) when the maximum journey time or the maximum time off water is reached,

before another transport process can commence.

Table

Column 1 Class	Column 2 Maximum journey time (hours)	Column 3 Maximum time off water (hours)	Column 4 Minimum spell period (hours)
Goats known or visually assessed to be more than 19 weeks pregnant	4	4	24
Goats known or visually assessed to be between 14 and 19 weeks pregnant	24	24	12
Lactating goats	28	28	12
Goats less than 6 months old	28	28	12
Goats not in any of the above classes	48	48	36

Note: Section 16(2) of the *Prevention of Cruelty to Animals Act 1979* has the effect that it is an offence to use an electric prodder upon a goat. That offence has a maximum penalty of 250 penalty units in the case of a corporation and 50 penalty units or imprisonment for 6 months, or both, in the case of an individual.

Part 10 Specific requirements for the land transport of horses

Note: The general standards for the land transport of livestock set out in Part 2 of these Standards also apply to the land transport of horses.

65 Interpretation

(1) In this Part:

maximum journey time for the class of horses described in Column 1 of the Table, is the period of time specified opposite in Column 2 of the Table.

minimum spell period for the class of horses described in Column 1 of the Table, is the period of time specified opposite in Column 4 of the Table.

Table means the Table to clause 66.

(2) In this Part and for the purposes of Division 6 of Part 2, the *maximum time off water* for the class of horses described in Column 1 of the Table, is the period of time specified opposite in Column 3 of the Table.

66 Spelling requirements for horses

A person in charge of horses of the class described in Column 1 of the Table must provide the horses with a spell for at least the minimum spell period, at the earlier of:

- (a) the end of any transport process; or
- (b) when the maximum journey time or the maximum time off water is reached,

before another transport process can commence.

Table

Column 1 Class	Column 2 Maximum journey time (hours)	Column 3 Maximum time off water (hours)	Column 4 Minimum spell period (hours)
Horses known or visually assessed to be more than 43 weeks pregnant	4	4	24
Horses known or visually assessed to be between 30 and 43 weeks pregnant	12	12	12
Lactating horses	12	12	12
Horses less than 6 months old	12	12	12
Horses not in any of the above classes	24	24	12

67 Extension of maximum journey time for horses

A person in charge of horses during a journey may allow the maximum journey time to extend up to 36 hours if each of the following conditions is satisfied:

- (a) the horses must not be known or visually assessed to be more than 43 weeks pregnant,
- (b) the horses must be provided with access to water and access to feed at least every 5 hours,
- (c) the horses must not be exposed to the natural elements,
- (d) there must be sufficient space for each horse to have a comfortable standing position,
- (e) the floor of the vehicle must be suitable including that it must have drainage to remove urine, and
- (f) the horses must have a spell for at least 24 hours before another transport process can commence.

68 Transportation of foals with their mothers

A person in charge of a horse that:

- (a) is less than 6 months old,
- (b) is being transported with its mother, and
- (c) will have a journey time of more than 5 hours,

must ensure the horse that is less than 6 months old has sufficient space on the vehicle to suckle and lie down.

69 Transportation of lame horses

- (1) A person in charge of horses to be transported must not transport a horse that has an equine lameness score of 4 or 5, except in accordance with advice from a veterinary practitioner.
- (2) In this clause:
 - (a) an *equine lameness score* of 4 means that lameness is obvious, there is marked nodding, hitching and /or a shortened stride,
 - (b) an *equine lameness score* of 5 means that lameness is obvious, there is minimal weight bearing when the horse is in motion or at rest and an inability to move.

70 Specific requirements for vehicles used to transport horses

- (1) A person who provides or uses a vehicle for transporting horses must ensure the vehicle complies with each of the following requirements:
- (a) the vehicle must be constructed in such a way that ensures each horse stall or horse pen:
 - (i) can be accessed easily for providing feed and water, and
 - (ii) can be visually inspected,
 - (b) the vehicle must have nonslip flooring and walls of sufficient strength to withstand horse activity, and
 - (c) there must be a vertical clearance of at least 100 millimetres between the top of the withers of the horse, when the horse is standing at rest, and the crate.
- (2) A person who provides or uses a fully enclosed and environmentally controlled vehicle for transporting horses must ensure the vehicle has effective airflow, with fans or other equipment providing at least 12 air changes per hour.

Note: Section 7(2) of the *Prevention of Cruelty to Animals Act 1979* provides that it is an offence to carry or convey a horse on a multi-deck vehicle. That offence has a maximum penalty of 250 penalty units in the case of a corporation and 50 penalty units or imprisonment for 6 months, or both, in the case of an individual.

71 Transportation of unbroken stallions

- (1) A person in charge of a stallion being transported must ensure that a stallion that is not used to being handled is segregated from all other classes of horses being transported.
- (2) In this clause:

stallion means a male horse over 6 months old that has not been castrated.

72 Use of dogs to move horses prohibited

A person in charge of horses at any time during the transport process must not use a dog to move a horse.

Note: Section 16(2) of the *Prevention of Cruelty to Animals Act 1979* and clause 35 of, and Schedule 3 to, the *Prevention of Cruelty to Animals Regulation 2012* has the effect that it is an offence to use an electric stock prod upon a horse other than, in certain limited circumstances, for controlling horses being used in a rodeo. That offence has a maximum penalty of 250 penalty units in the case of a corporation and 50 penalty units or imprisonment for 6 months, or both, in the case of an individual.

Part 11 Specific requirements for the land transport of pigs

Note: The general standards for the land transport of livestock set out in Part 2 of these Standards also apply to the land transport of pigs.

73 Interpretation

(1) In this Part:

maximum journey time for the class of pigs described in Column 1 of the Table, is the period of time specified opposite in Column 2 of the Table.

minimum spell period for the class of pigs described in Column 1 of the Table, is the period of time specified opposite in Column 4 of the Table.

piglet means an unweaned pig.

Table means the Table to clause 74.

weaner means a pig that has been weaned and is under 30 kg live weight.

(2) In this Part and for the purposes of Division 6 of Part 2, the *maximum time off water* for the class of pigs described in Column 1 of the Table, is the period of time specified opposite in Column 3 of the Table.

74 Spelling requirements for pigs

A person in charge of pigs of the class described in Column 1 of the Table must provide the pigs with a spell for at least the minimum spell period, at the earlier of:

- (a) the end of any transport process; or
- (b) when the maximum journey time or the maximum time off water is reached,

before another transport process can commence.

Table

Column 1 Class	Column 2 Maximum journey time (hours)	Column 3 Maximum time off water (hours)	Column 4 Minimum spell period (hours)
Pigs known or visually assessed to be more than 14 weeks pregnant	4	4	24
Lactating pigs with piglets	12	12	12
Weaners	12	12	12
Pigs not in any of the above classes	24	24	12

75 Extension of maximum journey time for pigs

A person in charge of pigs during a journey may allow the maximum journey time to extend up to 72 hours if each of the following conditions is satisfied:

- (a) the pigs must not be known or visually assessed to be more than 14 weeks pregnant,
- (b) the pigs must be provided with access to water and access to feed on the vehicle at least every 24 hours,
- (c) each pig must have sufficient space to lie down, and
- (d) the pigs must have a spell for at least 24 hours before another transport process can commence.

Note: Section 16(2) of the *Prevention of Cruelty to Animals Act 1979* and clause 35 of, and Schedule 3 to, the *Prevention of Cruelty to Animals Regulation 2012* has the effect that it is an offence to use an electric stock prod upon a pig other than a weaned pig when it is being loaded or unloaded onto or from a vehicle for transportation purposes. That offence has a maximum penalty of 250 penalty units in the case of a corporation and 50 penalty units or imprisonment for 6 months, or both, in the case of an individual.

Part 12 Specific requirements for the land transport of poultry

Note: The general standards for the land transport of livestock set out in Part 2 of these Standards also apply to the land transport of poultry.

76 Interpretation

(1) In this Part:

maximum journey time for the class of poultry described in Column 1 of the Table, is the period of time specified opposite in Column 2 of the Table.

minimum spell period for the class of poultry described in Column 1 of the Table, is the period of time specified opposite in Column 4 of the Table.

Table means the Table to clause 77.

(2) In this Part and for the purposes of Division 6 of Part 2, the *maximum time off water* for the class of poultry described in Column 1 of the Table, is the period of time specified opposite in Column 3 of the Table.

77 Spelling requirements for poultry

A person in charge of poultry of the class described in Column 1 of the Table must provide the poultry with a spell for at least the minimum spell period, at the earlier of:

- (a) the end of any transport process; or
- (b) when the maximum journey time or the maximum time off water is reached,

before another transport process can commence.

Table

Column 1 Class	Column 2 Maximum journey time (hours)	Column 3 Maximum time off water (hours)	Column 4 Minimum spell period (hours)
Poultry less than 5 days old without hydrating material in the container	60	60 after removal from the incubator	24
Poultry less than 5 days old with hydrating material in the container	72	72 after removal from the incubator	24
Poultry not in any of the above classes	24	24	24

78 Feed requirements for poultry prior to assembly

A person in charge of poultry to be transported must ensure that poultry that are less than 5 days old are provided with access to feed during the 12 hour period preceding assembly for transport.

79 Feed requirements for poultry held in containers

A person in charge of poultry to be transported must ensure that poultry that are less than 5 days old are not held in a container for more than 24 hours, unless the poultry are provided with access to water, access to feed and shelter.

80 Transportation of poultry in containers

A person in charge of poultry held in a container must ensure the container:

- (a) is lifted and placed with care, and
- (b) is positioned on the vehicle in an upright position without excessive tilting, and
- (c) is not dropped or thrown, and
- (d) is securely attached to the vehicle, and
- (e) is suitable for the purpose of transporting poultry.

81 Lifting of poultry during transport

- (1) A person in charge of poultry at any time during the transport process must not lift or carry an animal by the head, neck, wings, feathers or tail feathers unless the animal is also supported under the breast.
- (2) Subclause (1) does not apply to any of the following classes of poultry:
 - (a) chicken breeder birds and adult geese, which may be lifted and carried by the base of both wings,
 - (b) turkeys, which may be lifted by the tail feathers and neck or by a leg and a wing,
 - (c) ducks, which may be lifted and carried by their necks or by the base of both wings.

82 Tying legs of poultry together prohibited

A person in charge of poultry at any time during the transport process must not tie the legs of an animal together.

83 Transportation of poultry less than 5 days old

A person in charge of poultry that are less than 5 days old during a journey must take reasonable steps to minimise the risk to the welfare of the poultry that are less than 5 days old from chilling or overheating during the journey.

84 Treatment of poultry less than 5 days old after journey

A person in charge of poultry that are less than 5 days old which have arrived at a destination after a journey must ensure the poultry that are less than 5 days old are placed in a suitable brooding environment after arrival and within 72 hours of removal from the incubator.

Note: Section 16(2) of the *Prevention of Cruelty to Animals Act 1979* has the effect that it is an offence to use an electric prodder upon poultry. That offence has a maximum penalty of 250 penalty units in the case of a corporation and 50 penalty units or imprisonment for 6 months, or both, in the case of an individual.

Part 13 Specific requirements for the land transport of sheep

Note: The general standards for the land transport of livestock set out in Part 2 of these Standards also apply to the land transport of sheep.

85 Interpretation

(1) In this Part:

maximum journey time for the class of sheep described in Column 1 of the Table, is the period of time specified opposite in Column 2 of the Table.

minimum spell period for the class of sheep described in Column 1 of the Table, is the period of time specified opposite in Column 4 of the Table.

Table means the Table to clause 86.

(2) In this Part and for the purposes of Division 6 of Part 2, the *maximum time off water*, for the class of sheep described in Column 1 of the Table, is the period of time specified opposite in Column 3 of the Table.

86 Spelling requirements for sheep

A person in charge of sheep of the class described in Column 1 of the Table must provide the sheep with a spell for at least the minimum spell period, at the earlier of:

- (a) the end of any transport process; or
- (b) when the maximum journey time or the maximum time off water is reached,

before another transport process can commence.

Table

Column 1 Class	Column 2 Maximum journey time (hours)	Column 3 Maximum time off water (hours)	Column 4 Minimum spell period (hours)
Sheep known or visually assessed to be more than 19 weeks pregnant	4	4	24
Sheep known or visually assessed to be between 14 and 19 weeks pregnant	24	24	12
Lactating sheep	28	28	12
Sheep less than 4 months old	28	28	12
Sheep not in any of the above classes	48	48	36

Note: Section 16(2) of the *Prevention of Cruelty to Animals Act 1979* and clause 35 of, and Schedule 3 to, the *Prevention of Cruelty to Animals Regulation 2012* has the effect that it is an offence to use an electric stock prod upon sheep other than weaned sheep for the purposes of driving, herding, mustering or controlling the weaned sheep. That offence has a maximum penalty of 250 penalty units in the case of a corporation and 50 penalty units or imprisonment for 6 months, or both, in the case of an individual.