

Stock Diseases Regulation 2009

[2009-429]



New South Wales

Status Information

Currency of version

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Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Repeal**

This Regulation was impliedly repealed by repeal of the *Stock Diseases Act 1923* by Sch 6 to the *Biosecurity Act 2015 No 24* with effect from 1.7.2017.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the *Interpretation Act 1987*.

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Stock Diseases Regulation 2009



New South Wales

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Schedule 1 Penalty notice offences

Stock Diseases Regulation 2009



New South Wales

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Stock Diseases Regulation 2009*.

2 Commencement

This Regulation commences on 1 September 2009 and is required to be published on the NSW legislation website.

Note—

This Regulation replaces the *Stock Diseases Regulation 2004* which is repealed on 1 September 2009 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definitions

(1) In this Regulation:

Chief Veterinary Officer means the person appointed under the *Animal Diseases (Emergency Outbreaks) Act 1991* to be the Chief Veterinary Officer.

permit means a permit in force under Part 5.

the Act means the *Stock Diseases Act 1923*.

(2) Notes in the text of this Regulation do not form part of this Regulation.

4 Savings

Any act, matter or thing that, immediately before the repeal of the *Stock Diseases Regulation 2004*, had effect under that Regulation continues to have effect under this Regulation.

Part 2 Treatment of stock

Division 1 Anthrax

5 Movement of stock vaccinated against anthrax

During the period of the 42 days following the vaccination of stock against anthrax:

- (a) a person must not move the stock from the holding or other place where it was vaccinated, and
- (b) the owner of the stock must take all practical steps to ensure that the stock is not moved from the holding or other place where it was vaccinated,

otherwise than in accordance with a permit.

Maximum penalty: 50 penalty units.

Division 2 Tuberculosis

6 Testing of stock for tuberculosis

(1) A person must not test stock for tuberculosis unless the person is:

- (a) a veterinary practitioner, or
- (b) a veterinary officer who (if not a veterinary practitioner) is authorised to do so by the Chief Veterinary Officer.

(2) In this clause:

veterinary officer means a veterinary officer of the Department.

Maximum penalty: 50 penalty units.

7 Restriction on movement or destruction of stock tested for tuberculosis

A person must not, otherwise than in accordance with a permit:

- (a) move or destroy any stock that has been (or, pursuant to the order of an inspector, is to be) tested for tuberculosis, or
- (b) remove or destroy the carcass of any such stock,

unless all stock on the same land that has been or is to be so tested has given a negative reaction to the test.

Maximum penalty: 50 penalty units.

8 Notification of suspected tuberculosis

- (1) An owner or person having control or in charge of the carcass of any stock who suspects that the carcass is infected with tuberculosis must, as soon as practicable:
 - (a) cause notice of that suspicion to be given (either orally or in writing) to an inspector, and
 - (b) cause to be sent to such laboratory or other place as the inspector may direct specimens taken from the carcass in accordance with the directions of the inspector.
- (2) For the purposes of this clause:
 - (a) a person engaged in inspecting any carcass for the purposes of the *Food Act 2003*, or
 - (b) a veterinary practitioner engaged in examining any carcass, is taken to have control or be in charge of the carcass.

Maximum penalty: 50 penalty units.

9 Vaccination against tuberculosis

A person must not:

- (a) vaccinate stock against tuberculosis, or
- (b) use any drug to treat stock for tuberculosis or for suspected tuberculosis, otherwise than in accordance with an approval given by the Chief Veterinary Officer.

Maximum penalty: 50 penalty units.

Division 3 Bovine Spongiform Encephalopathy

10 Testing of stock for Bovine Spongiform Encephalopathy

- (1) A person must not test, or attempt to test, stock for Bovine Spongiform Encephalopathy (**BSE**) unless:
 - (a) the test is carried out in a veterinary laboratory that has been accredited by the National Association of Testing Authorities, Australia for such testing, and:
 - (i) the test is performed in accordance with the *Australian and New Zealand Standard Diagnostic Procedure for Transmissible Spongiform Encephalopathies* (to the extent that the standard procedure relates to BSE), issued by the Subcommittee on Animal Health Laboratory Standards of the Animal Health Committee in October 2003, and

- (ii) the results of the test are released by a veterinary pathologist, or
 - (b) the test is carried out for diagnostic purposes and the Chief Veterinary Officer has approved:
 - (i) the diagnostic technique to be used, and
 - (ii) the laboratory at which the testing will be conducted, and
 - (iii) the person or persons who will be conducting the testing, or
 - (c) the test is carried out for research or training purposes and:
 - (i) the research or training has been approved by the Chief Veterinary Officer, and
 - (ii) the research or training is to be conducted by a person or class of persons approved by the Chief Veterinary Officer.
- (2) A person must not release or otherwise publish the results of a test for BSE (whether conducted under subclause (1) or otherwise) in relation to stock in New South Wales, that appear to be positive or inconclusive without the approval of the Chief Veterinary Officer.
- (3) For the purpose of this clause, a person is taken to have tested, or attempted to test, stock for BSE if the person has conducted any test that may be used to determine if stock has, or may have, been exposed to BSE.

Maximum penalty: 50 penalty units.

Division 4 Avian influenza

11 Testing of stock for avian influenza

- (1) A person must not test, or attempt to test, stock for avian influenza unless:
- (a) the test is carried out in a veterinary laboratory that has been accredited by the National Association of Testing Authorities, Australia for such testing, and the results of the test are released by a veterinary pathologist, or
 - (b) the test is carried out for diagnostic purposes and the Chief Veterinary Officer has approved:
 - (i) the diagnostic technique to be used, and
 - (ii) the laboratory at which the testing will be conducted, and
 - (iii) the person or persons who will be conducting the testing, or
 - (c) the test is carried out for research or training purposes and:

- (i) the research or training has been approved by the Chief Veterinary Officer, and
 - (ii) the research or training is to be conducted by a person or class of persons approved by the Chief Veterinary Officer.
- (2) A person must not release or otherwise publish the results of a test for avian influenza (whether conducted under subclause (1) or otherwise) in relation to stock in New South Wales, that appear to be positive or inconclusive without the approval of the Chief Veterinary Officer.
- (3) For the purpose of this clause, a person is taken to have tested, or attempted to test, stock for avian influenza if the person has conducted any test that may be used to determine if stock has, or may have, been exposed to avian influenza.

Maximum penalty: 50 penalty units.

Division 5 Vaccination against certain other diseases

12 Authorised vaccination of stock

- (1) **Brucellosis** A person must not vaccinate stock against brucellosis unless the person is authorised to do so by the Chief Veterinary Officer.
- (2) **Rabies** A person must not vaccinate stock against rabies unless the person is authorised to do so by the Chief Veterinary Officer.
- (3) **Footrot** A person must not, in a protected area or protected (control) area with respect to footrot in sheep and goats, vaccinate sheep or goats against footrot except with the approval of:
- (a) the Chief Veterinary Officer, or
 - (b) a Regional Veterinary Officer (being an officer of the Department).

Maximum penalty: 50 penalty units.

Part 3 Identification and tracing of stock

Note—

Local Land Services may charge and recover a fee under section 22 of the [Local Land Services Act 2013](#) for services it provides under this Part.

Division 1 Preliminary

13 Definitions

In this Part:

agent identification code, in relation to a stock and station agent, means:

- (a) the code assigned to the agent under Division 4, or
- (b) any identification code assigned to or in respect of the agent under the law of another State or Territory (being a law that is similar to the provisions of this Part).

animal welfare inspector means an inspector within the meaning of Division 2 of Part 2A of the [Prevention of Cruelty to Animals Act 1979](#).

approved identifier means a permanent identifier or a special identifier.

attached includes implanted, inserted, administered or applied.

authorised administrator means the person or body approved for the time being by the Director-General under clause 45.

brand means a tattoo brand.

camelids means members of the family camelidae, including camels, alpacas, llamas, vicunas and guanacos.

district code, in relation to a stock identification district, means the code assigned to the district under Division 4.

district registrar, in relation to land within a stock identification district wholly or partly within a local land services region, means:

- (a) any person appointed by Local Land Services to exercise any or all of the functions of the district registrar for the local land services region, and
- (b) if the Director-General has appointed a person to exercise any or all of the functions of the district registrar of the local land services region—that person.

equines means members of the family equidae, including horses donkeys, asses, mules and zebras.

food inspector means an authorised officer within the meaning of the [Food Act 2003](#).

identification code means an agent identification code, district code or property identification code.

identifier means a tag, label, brand, mark, implant or other means of identification of stock.

local land services region means a region within the meaning of the [Local Land Services Act 2013](#).

permanent identification register has the same meaning as in clause 44.

permanent identifier means an identifier that is approved by the Director-General

under Division 2.

poultry means chickens, turkeys, guinea fowl, ducks, geese, quails, pigeons, pheasants, partridges, emus or ostriches.

property means an area of land (including an area comprising one or more parcels of land that are proximate) that is worked as a single property, and includes any of the following:

- (a) a saleyard or abattoir,
- (b) a travelling stock reserve, or public land, within the meaning of the [Local Land Services Act 2013](#),
- (c) a public road to which a stock permit under the [Local Land Services Act 2013](#) relates.

property identification code, in relation to a property, means:

- (a) the code assigned to the property under Division 4, or
- (b) any identification code assigned to or in respect of the property under the law of another State or Territory (being a law that is similar to the provisions of this Part).

saleyard means any place where stock is sold by public auction.

sell includes offer for sale, assist in selling and attempt to sell.

send includes transfer or deliver.

special identifier means an identifier referred to in clause 46.

stock and station agent means a person who is licensed as a stock and station agent under the [Property, Stock and Business Agents Act 2002](#) or under a similar law of another State or Territory.

stock identification district means a rural lands protection district within the meaning of the [Rural Lands Protection Act 1998](#) as in force immediately before 1 January 2009.

Note—

The [Rural Lands Protection Act 1998](#) was amended by the [Rural Lands Protection Amendment Act 2008](#) on 1 January 2009. As part of that reorganisation the 47 existing rural lands protection districts were replaced by 14 new livestock health and pest districts. Stock identification districts are the same as the old rural lands protection districts.

veterinary practitioner has the same meaning as in the [Veterinary Practice Act 2003](#).

14 Exemptions

- (1) The Director-General may, by order published in the Gazette, grant an exemption from any provision of this Part.

- (2) An exemption may be granted in relation to:
 - (a) any person or class of persons, or
 - (b) any stock or class of stock, or
 - (c) any premises or class of premises, or
 - (d) any area or class of areas, or
 - (e) any activity or class of activities, or
 - (f) any other matter or thing or class of matters or things.
- (3) An exemption under this clause is subject to such conditions as may be imposed by the Director-General.

15 General provisions relating to orders made under this Part

- (1) An order made under this Part may:
 - (a) apply generally or be limited in its application by reference to specified exceptions or factors, or
 - (b) apply differently according to different factors of a specified kind.
- (2) Any such order takes effect:
 - (a) on the day it is published in the Gazette, or
 - (b) on a later date specified in the order.
- (3) The Director-General is to ensure that any order made under this Part is placed on the Department's website on the Internet as soon as practicable after its publication in the Gazette.

Note—

At the time of the commencement of this Regulation, the Department's website is www.dpi.nsw.gov.au.

- (4) Failure to comply with subclause (3) does not invalidate an order.

16 Provision of information to authorised administrator and other persons

- (1) A person who is required to provide information to the authorised administrator under this Part is required to provide that information:
 - (a) in an electronic form that permits it to be readily uploaded to the permanent identification register, or
 - (b) in some other form approved by the authorised administrator.
- (2) The Director-General may specify, by order published in the Gazette, the manner and

form in which information is to be provided under this Part to a person other than the authorised administrator.

- (3) A requirement in this Part that information be provided to a person other than the authorised administrator includes a requirement that the information be provided in a manner and form that complies with any relevant order of the Director-General under subclause (2).

Division 2 Mandatory permanent identification of cattle, pigs, goats and sheep

Subdivision 1 Preliminary

17 Definitions

- (1) In this Division:

cattle includes carcasses of cattle.

goats includes carcasses of goats.

identifiable stock means cattle, pigs, goats and sheep.

pigs includes carcasses of pigs.

relevant identification particulars means:

- (a) in relation to cattle:

- (i) the property identification code of the property on or in respect of which the cattle have been (or are required to be) permanently identified, and
- (ii) the characters that enable each animal to be individually identified, and

- (b) in relation to sheep and goats—the property identification code of each property on or in respect of which the sheep or goats have been (or are required to be) permanently identified, and

- (c) in relation to pigs—the property identification code of each property (or a truncated version of the code assigned to the property by a district registrar for each property) on or in respect of which the pigs have been (or are required to be) permanently identified.

sheep includes carcasses of sheep.

- (2) A reference in this Division to the owner or person in charge of identifiable stock or any saleyard or abattoir includes a reference to any stock and station agent (or other person) who is acting on behalf of the owner or person in charge of the stock, saleyard or abattoir.

- (3) A reference in this Division to the date on which stock left from, or arrived at, a particular place, means, in the case of stock leaving or arriving over more than one day, the first of those days.

Subdivision 2 Identifiable stock

18 Approval, use and sale of permanent identifiers

- (1) The Director-General may, by order published in the Gazette, approve of the types of identifiers to be permanently attached to identifiable stock for the purposes of this Division (including the specifications in respect of which such identifiers must comply).
- (2) A person must not use a permanent identifier approved under subclause (1) except in accordance with the Director-General's approval.
- (3) If a person sells or supplies a permanent identifier approved for cattle under subclause (1), the person must, by the close of business on the next working day after selling or supplying the identifier, provide the authorised administrator with the following information:
- (a) the relevant identification particulars contained on or in the permanent identifier,
 - (b) the date on which the permanent identifier was sold or supplied.

Maximum penalty: 100 penalty units.

19 Manner of permanently identifying stock

For the purposes of this Division, identifiable stock is identified by attaching to the stock, in the manner approved by the Director-General by order published in the Gazette:

- (a) a permanent identifier that contains the relevant identification particulars of the stock, or
- (b) a special identifier (but only in the circumstances referred to in clause 46 (3)).

20 Requirement to identify stock

The owner of any identifiable stock must ensure that the stock is identified in accordance with clause 19:

- (a) before the stock leaves any property in New South Wales on which it is kept (whether or not that property is the one on which it was born), or
- (b) on arrival of the stock in New South Wales, or
- (c) if directed to do so by an inspector, in such circumstances as the Director-General may specify by order published in the Gazette.

Maximum penalty: 100 penalty units.

21 Stock required to be identified in certain circumstances

- (1) A person must not:
 - (a) sell or otherwise dispose of any identifiable stock, or
 - (b) buy or otherwise acquire any such stock, or
 - (c) slaughter any such stock, or
 - (d) send any such stock to any location, or
 - (e) transport or move any such stock, or
 - (f) cause or permit anything referred to in paragraphs (a)–(e) to occur,unless the stock is identified in accordance with clause 19.
- (2) If any identifiable stock:
 - (a) is at a saleyard for sale or at an abattoir, and
 - (b) is not identified in accordance with clause 19,the person who is the owner of the stock is guilty of an offence.
- (3) Despite subclause (1) (c), 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, food inspector, animal welfare inspector or a veterinary practitioner.

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, or causes or permits the stock or its carcass to be bought, sold or moved, in breach of subclause (1).

Maximum penalty: 100 penalty units.

Subdivision 3 Additional requirements for cattle

22 Information in relation to cattle at saleyards

- (1) On the arrival of any cattle at a saleyard, the owner or person in charge of the cattle must provide the stock and station agent who is to sell the cattle with the following information:
 - (a) the number and type of cattle,
 - (b) the date the cattle left the property at which they were last held (the **previous property**) before being sent to the saleyard,

- (c) the property identification code of the previous property,
- (d) the unique serial number of any form filled in or document created in relation to the cattle in accordance with any relevant order of the Director-General under clause 16 (2).

Note—

For example, national vendor declarations, transported stock statements and movement documents.

- (2) A stock and station agent must not sell any cattle unless he or she has obtained the information referred to in subclause (1) in relation to the cattle.
- (3) Before any sold or unsold cattle leave a saleyard, the person who has bought or taken possession of the cattle must provide the stock and station agent who sold (or attempted to sell) the cattle with:
 - (a) if the cattle are to be sent to a property—the property identification code of the property, or
 - (b) if a stock and station agent has taken possession of the cattle—the agent identification code of the stock and station agent.
- (4) The person providing the information under subclause (1) and the stock and station agent must each:
 - (a) keep a record of that information and the property identification code or address of the saleyard for the following periods (commencing on the date on which the information was provided):
 - (i) in the case of the person providing the information under subclause (1)—at least 7 years,
 - (ii) in the case of the stock and station agent—at least 2 years, and
 - (b) if requested to do so by an inspector, produce the record for inspection.
- (5) A stock and station agent must:
 - (a) keep a record of the information referred to in subclause (3) in relation to the cattle for a period of at least 2 years (commencing on the date on which the information was provided), and
 - (b) if requested to do so by an inspector, produce the record for inspection.
- (6) A stock and station agent must, by the close of business of the saleyard on each working day, provide the owner or person in charge of the saleyard with any information provided to the stock and station agent on that day under subclauses (1) and (3).

- (7) The owner or person in charge of a saleyard must, after the sale of any cattle at the saleyard, or the movement of any unsold cattle from the saleyard, provide the authorised administrator with the information set out in subclause (8) in relation to that sale or movement within the following periods:
- (a) if the cattle are sold for the purpose of slaughter at an abattoir— by the close of business of the saleyard on the day of the sale,
 - (b) if the cattle are sold for any other purpose—by the close of business of the saleyard on the next working day after the sale,
 - (c) if the cattle are moved from the saleyard unsold—by the close of business of the saleyard on the next working day after the movement.
- (8) The following information is to be provided to the authorised administrator under subclause (7):
- (a) in the case of cattle sold at the saleyard—the date the sale occurred,
 - (b) in the case of cattle moved unsold from the saleyard—the date of the movement from the saleyard,
 - (c) the relevant identification particulars of the cattle concerned,
 - (d) the property identification code of the saleyard or other unique code or number assigned to the saleyard by the authorised administrator,
 - (e) the unique serial number of any form filled in or document created in relation to the sale or movement in accordance with any relevant order of the Director-General under clause 16 (2),
- Note—**
- For example, national vendor declarations, transported stock statements and movement documents.
- (f) if the cattle were held at a property before being sent to the saleyard—the property identification code of the property,
 - (g) if the cattle were held by a stock and station agent before being sent to the saleyard—the agent identification code of the stock and station agent,
 - (h) if the cattle are to be sent to a property—the property identification code of the property,
 - (i) if a stock and station agent has taken possession of the cattle—the agent identification code of the stock and station agent.
- (9) The owner or person in charge of a saleyard must:
- (a) by the close of business of the saleyard on each working day, make a record of

the number of cattle that have been sold at the saleyard on that day (if greater than zero), and

(b) keep any such record for a period of at least 2 years from the date on which it was made, and

(c) if requested to do so by an inspector, produce the record for inspection.

(10) A stock and station agent must, within 7 days after selling any cattle, provide the purchaser with a copy of the record under subclause (4) (a) in relation to the cattle.

(11) A purchaser of cattle must keep a copy of any record provided to the purchaser under subclause (10) for a period of at least 7 years from the date of the purchase.

Maximum penalty: 100 penalty units.

23 Information in relation to cattle held by stock and station agent

(1) If any cattle are sent to a stock and station agent, the owner or person in charge of the cattle must provide the stock and station agent with the property identification code of the property at which the cattle were held before being sent to the stock and station agent (the ***previous property***).

Note—

In this Part, ***send*** includes transfer or deliver: see clause 13.

(2) If any cattle are sent to a stock and station agent, the stock and station agent must, within 7 days after receiving the cattle, provide the authorised administrator with the following information:

(a) the relevant identification particulars of the cattle concerned,

(b) the agent identification code of the stock and station agent,

(c) the unique serial number of any form filled in or document created in relation to the sale in accordance with any relevant order of the Director-General under clause 16 (2),

Note—

For example, national vendor declarations, transported stock statements and movement documents.

(d) the property identification code of the previous property,

(e) if the stock and station agent is still in possession of the cattle—the property identification code of the property at which the cattle are being held,

(f) if the stock and station agent is no longer in possession of the cattle, the following information:

(i) that the cattle were sent to a property, saleyard or abattoir,

- (ii) the date the cattle were sent,
 - (iii) the property identification code of the property, saleyard or abattoir.
- (3) If any cattle are sent to a stock and station agent, the stock and station agent must, by the close of business on each working day:
- (a) make a record of:
 - (i) the relevant identification particulars of the cattle concerned, and
 - (ii) each movement of those cattle from the time they left the previous property until their arrival at the property, saleyard or abattoir notified to the authorised administrator under subclause (2), including the property identification code of each property at which they have been held during that time, and
 - (b) keep any such record for a period of at least 2 years from the date on which it was made, and
 - (c) if requested to do so by an inspector, produce the record for inspection.

Maximum penalty: 100 penalty units.

24 Information in relation to cattle at abattoir

- (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 following information:
- (a) the number and type of cattle,
 - (b) the date the cattle left the property at which they were last held (the ***previous property***) before being sent to the abattoir,
 - (c) the property identification code of the previous property,
 - (d) the unique serial number of any form filled in or document created in relation to the cattle in accordance with any relevant order of the Director-General under clause 16 (2).

Note—

For example, national vendor declarations, transported stock statements and movement documents.

- (2) The owner or person in charge of an abattoir must not slaughter any cattle, or cause or permit the slaughter of any cattle, unless he or she has obtained the information referred to in subclause (1) in relation to the cattle.
- (3) Despite subclause (2), the owner or person in charge of an abattoir may slaughter cattle without obtaining the information referred to in subclause (1) in relation to the cattle without committing an offence, but only if that owner or person is required to

slaughter the cattle for humane reasons on the direction of an inspector, food inspector, animal welfare inspector or a veterinary practitioner.

Note—

A person may still be guilty of an offence in relation to cattle that were slaughtered for humane reasons if the person buys, sells or moves the cattle or their carcass, or causes or permits the cattle or their carcass to be bought, sold or moved, in breach of clause 21 (1).

- (4) If any cattle are sent to an abattoir, the owner or person in charge of the abattoir must, by the close of business of the abattoir on the next working day after the cattle are slaughtered or moved while alive from the abattoir to another property, provide the authorised administrator with the following information:
- (a) the relevant identification particulars of the cattle concerned,
 - (b) the property identification code of the abattoir or other unique code or number assigned to the abattoir by the authorised administrator,
 - (c) the unique serial number of any form filled in or document created in relation to the cattle in accordance with any relevant order of the Director-General under clause 16 (2),

Note—

For example, national vendor declarations, transported stock statements and movement documents.

- (d) the property identification code of the property (other than a saleyard or an abattoir) at which the cattle were last held,
 - (e) if the cattle were slaughtered:
 - (i) the date the cattle were slaughtered, and
 - (ii) the weight of each carcass before chilling and after bleeding, skinning, evisceration and trimming,
 - (f) if the cattle were not slaughtered but were moved while alive to another property—the property identification code of the other property.
- (5) A person is not required to provide the authorised administrator with the information set out in subclause (4) (e) (ii) for carcasses of cattle slaughtered at a knackery or if the cattle were less than 6 weeks old when slaughtered.
- (6) The person providing the information under subclause (1) and the owner or person in charge of the abattoir must each:
- (a) keep a record of that information and the property identification code or address of the abattoir for the following periods (commencing on the date on which the information was provided):
 - (i) in the case of the person providing the information under subclause (1)—at

- least 7 years,
 - (ii) in the case of the owner or person in charge of the abattoir—at least 2 years, and
 - (b) if requested to do so by an inspector, produce the record for inspection.
- (7) The owner or person in charge of an abattoir must:
- (a) by the close of business of the abattoir on each working day, make a record of the following information:
 - (i) the number of cattle that have been slaughtered at the abattoir on that day (if greater than zero),
 - (ii) the number of live cattle that are held at the abattoir at the end of that day (if greater than zero), and
 - (b) keep any such record for a period of at least 2 years from the date on which it was made, and
 - (c) if requested to do so by an inspector or a food inspector, produce the record for inspection.

Maximum penalty: 100 penalty units.

25 Information in relation to cattle arriving at property

- (1) On arrival of any cattle at a property (the **current property**), the owner or person in charge of the cattle must provide the owner or person in charge of the cattle at the current property with the following information:
- (a) the number and type of cattle,
 - (b) the date the cattle left the property at which they were last held (the **previous property**) before being sent to the current property,
 - (c) the property identification code of the previous property,
 - (d) the unique serial number of any form filled in or document created in relation to the cattle in accordance with any relevant order of the Director-General under clause 16 (2).

Note—

For example, national vendor declarations, transported stock statements and movement documents.

- (2) The person providing the information under subclause (1) and the owner or person in charge of the cattle at the current property must each:
- (a) keep a record of that information and the property identification code of the

current property for a period of at least 7 years from the date on which it was provided, and

(b) if requested to do so by an inspector, produce the record for inspection.

(3) The owner or person in charge of the cattle at the current property must, within 7 days after the arrival of any cattle at the property or before the cattle leave the property, whichever is the sooner, provide the authorised administrator with the following information unless the cattle have arrived directly from a saleyard or stock and station agent:

(a) the date the cattle arrived at the current property,

(b) the relevant identification particulars of the cattle concerned,

(c) the property identification code of the current property,

(d) the unique serial number of any form filled in or document created in relation to the cattle in accordance with any relevant order of the Director-General under clause 16 (2),

Note—

For example, national vendor declarations, transported stock statements and movement documents.

(e) the property identification code of the previous property.

Maximum penalty: 100 penalty units.

26 Information in relation to export of living cattle

If any living cattle embark for overseas export, the owner or person in charge of the cattle must, within 7 days after the date of embarkation, provide the authorised administrator with the following information:

(a) that the cattle have embarked for overseas export,

(b) the date the cattle embarked,

(c) the relevant identification particulars of the cattle concerned,

(d) the property identification code of the property at which the cattle were held before embarking for overseas export.

Maximum penalty: 100 penalty units.

27 Information in relation to loss, death or theft of cattle

The owner or person in charge of a saleyard or an abattoir, or a stock and station agent, to which cattle have been sent, must, by the close of business on the next working day after the death, loss or theft of any of those cattle, provide the authorised administrator

with the following information:

- (a) that the cattle have died or been lost or stolen,
- (b) the date on which the cattle died or were lost or stolen, or if this is not known, the date the person became aware of the death, loss or theft,
- (c) the relevant identification particulars of the cattle concerned.

Maximum penalty: 100 penalty units.

28 Loss or theft of unattached permanent identifier

If any unattached permanent identifier is lost or stolen, the owner or person in charge of the property or cattle in respect of which the permanent identifier was issued (or if the identifier has not been issued, the person who was last in possession or control of the identifier) must, within 7 days after becoming aware of the loss or theft, provide the authorised administrator with the following information:

- (a) that the permanent identifier has been lost or stolen,
- (b) the date that the permanent identifier was lost or stolen, or if this is not known, the date the person became aware of the loss or theft,
- (c) the relevant identification particulars contained on or in the permanent identifier.

Maximum penalty: 100 penalty units.

Subdivision 4 Additional requirements for pigs

29 Information in relation to pigs at saleyard

(1) On the arrival of any pigs at a saleyard, the owner or person in charge of the pigs must provide the stock and station agent who is to sell the pigs with the following information:

- (a) the number and type of pigs,
- (b) the date the pigs left the property at which they were last held (the **previous property**) before being sent to the saleyard,
- (c) the property identification code of the previous property,
- (d) the relevant identification particulars of the pigs concerned,
- (e) the unique serial number of any form filled in or document created in relation to the pigs in accordance with any relevant order of the Director-General under clause 16 (2).

Note—

For example, national vendor declarations, transported stock statements and movement documents.

- (2) A stock and station agent must not sell any pigs unless he or she has obtained the information referred to in subclause (1) in relation to the pigs.
- (3) Before any sold or unsold pigs leave a saleyard, the person who has bought or taken possession of the pigs must provide the stock and station agent who sold (or attempted to sell) the pigs with the property identification code of the property to which the pigs are to be sent.
- (4) The person providing the information under subclause (1) and the stock and station agent must each:
 - (a) keep a record of that information and the property identification code or address of the saleyard for the following periods (commencing on the date on which the information was provided):
 - (i) in the case of the person providing the information under subclause (1)—at least 7 years,
 - (ii) in the case of the stock and station agent—at least 2 years, and
 - (b) if requested to do so by an inspector, produce the record for inspection.
- (5) A stock and station agent must:
 - (a) keep a record of the information referred to in subclause (3) for at least 2 years (commencing on the date on which the information was provided), and
 - (b) if requested to do so by an inspector, produce the record for inspection.
- (6) A stock and station agent must, within 7 days after selling any pigs, provide the purchaser with a copy of the record under subclause (4) (a) in relation to the pigs.
- (7) A purchaser of pigs must keep a copy of any record provided to the purchaser under subclause (6) for a period of at least 7 years from the date of the purchase.

Maximum penalty: 100 penalty units.

30 Information in relation to pigs at abattoir

- (1) On arrival of any pigs at an abattoir, the owner or person in charge of the pigs must provide the owner or person in charge of the abattoir with the following information:
 - (a) the number and type of pigs,
 - (b) the date the pigs left the property at which they were last held (the **previous property**) before being sent to the abattoir,
 - (c) the property identification code of the previous property,

- (d) the relevant identification particulars of the pigs concerned,
- (e) the unique serial number of any form filled in or document created in relation to the pigs in accordance with any relevant order of the Director-General under clause 16 (2).

Note—

For example, national vendor declarations, transported stock statements and movement documents.

- (2) The owner or person in charge of an abattoir must not slaughter any pigs, or cause or permit the slaughter of any pigs, unless he or she has obtained the information referred to in subclause (1) in relation to the pigs.
- (3) Despite subclause (2), the owner or person in charge of an abattoir may slaughter a pig without obtaining the information referred to in subclause (1) in relation to the pig without committing an offence, but only if that owner or person is required to slaughter the pig for humane reasons on the direction of an inspector, food inspector, animal welfare inspector or a veterinary practitioner.

Note—

A person may still be guilty of an offence in relation to a pig that was slaughtered for humane reasons if the person buys, sells or moves the pig or its carcass, or causes or permits the pig or its carcass to be bought, sold or moved, in breach of clause 21 (1).

- (4) The person providing the information under subclause (1) and the owner or person in charge of the abattoir must each:
 - (a) keep a record of that information and the property identification code or address of the abattoir for the following periods (commencing on the date on which the information was provided):
 - (i) in the case of the person providing the information under subclause (1)—at least 7 years,
 - (ii) in the case of the owner or person in charge of the abattoir—at least 2 years, and
 - (b) if requested to do so by an inspector or a food inspector, produce the record for inspection.

Maximum penalty: 100 penalty units.

31 Information in relation to pigs arriving at property

- (1) On arrival of any pigs at a property (the **current property**), the owner or person in charge of the pigs must provide the owner or person in charge of the pigs at the current property with the following information:
 - (a) the number and type of pigs,

- (b) the date the pigs left the property at which they were last held (the ***previous property***) before being sent to the current property,
- (c) the property identification code of the previous property,
- (d) the relevant identification particulars of the pigs concerned,
- (e) the unique serial number of any form filled in or document created in relation to the pigs in accordance with any relevant order of the Director-General under clause 16 (2).

Note—

For example, national vendor declarations, transported stock statements and movement documents.

- (2) The person providing the information under subclause (1) and the owner or person in charge of the pigs at the current property must each:
 - (a) keep a record of that information and the property identification code of the current property for a period of at least 7 years from the date on which it was provided, and
 - (b) if requested to do so by an inspector, produce the record for inspection.

Maximum penalty: 100 penalty units.

Subdivision 5 Additional requirements for sheep and goats

32 Information in relation to sheep and goats at saleyard

- (1) On the arrival of any sheep or goats at a saleyard, the owner or person in charge of the sheep or goats must provide the stock and station agent who is to sell the sheep or goats with the following information:
 - (a) the number and type of sheep or goats,
 - (b) the date the sheep or goats left the property at which they were last held (the ***previous property***) before being sent to the saleyard,
 - (c) the property identification code of the previous property,
 - (d) the relevant identification particulars of the sheep or goats concerned,
 - (e) the unique serial number of any form filled in or document created in relation to the sheep or goats in accordance with any relevant order of the Director-General under clause 16 (2),

Note—

For example, national vendor declarations, transported stock statements and movement documents.

- (f) whether the sheep or goats concerned were bred by the owner of the sheep or

goats.

- (2) A stock and station agent must not sell any sheep or goats unless he or she has obtained the information referred to in subclause (1) in relation to the sheep or goats.
- (3) Before any sold or unsold sheep or goats leave a saleyard, the person who has purchased or taken possession of the sheep or goats must provide the stock and station agent who sold (or attempted to sell) the sheep or goats with:
 - (a) if the sheep or goats are to be sent to a property—the property identification code of the property, or
 - (b) if a stock and station agent has taken possession of the sheep or goats—the agent identification code of the stock and station agent.
- (4) The person providing the information under subclause (1) and the stock and station agent must each:
 - (a) keep a record of that information and the property identification code or address of the saleyard for the following periods (commencing on the date on which the information was provided):
 - (i) in the case of the person providing the information under subclause (1)—at least 7 years,
 - (ii) in the case of the stock and station agent—at least 2 years, and
 - (b) if requested to do so by an inspector, produce the record for inspection.
- (5) A stock and station agent must each:
 - (a) keep a record of the information referred to in subclause (3) for at least 2 years (commencing on the date on which the information was provided), and
 - (b) if requested to do so by an inspector, produce the record for inspection.
- (6) A stock and station agent must, by the close of business of the saleyard on each working day, provide the owner or person in charge of the saleyard with any information provided to the stock and station agent on that day under subclauses (1) and (3).
- (7) The owner or person in charge of a saleyard must after the sale of any sheep or goats at the saleyard, or the movement of any unsold sheep or goats from the saleyard, provide the authorised administrator with the information set out in subclause (8) in relation to that sale or movement within the following periods:
 - (a) if the sheep or goats are sold for the purpose of slaughter at an abattoir— by the close of business of the saleyard on the day of the sale,

- (b) if the sheep or goats are sold for any other purpose—by the close of business of the saleyard on the next working day after the sale,
 - (c) if the sheep or goats are moved from the saleyard unsold—by the close of business of the saleyard on the next working day after the movement.
- (8) The following information is to be provided to the authorised administrator under subclause (7):
- (a) in the case of sheep or goats sold at the saleyard—the date the sale occurred and the number of sheep or goats sold,
 - (b) in the case of sheep or goats moved unsold from the saleyard—the date of the movement from the saleyard and the number of sheep or goats moved,
 - (c) the relevant identification particulars of the sheep or goats concerned,
 - (d) the property identification code of the saleyard or other unique code or number assigned to the saleyard by the authorised administrator,
 - (e) the unique serial number of any form filled in or document created in relation to the sale or movement in accordance with any relevant order of the Director-General under clause 16 (2),

Note—

For example, national vendor declarations, transported stock statements and movement documents.

- (f) whether the sheep or goats concerned were bred by the owner of the sheep or goats on arrival at the saleyard,
 - (g) if the sheep or goats were held at a property before being sent to the saleyard—the property identification code of the property,
 - (h) if the sheep or goats were held by a stock and station agent before being sent to the saleyard—the agent identification code of the stock and station agent,
 - (i) if the sheep or goats are to be sent to a property—the property identification code of the property,
 - (j) if a stock and station agent has taken possession of the sheep or goats—the agent identification code of the stock and station agent.
- (9) The owner or person in charge of a saleyard must:
- (a) by the close of business on each working day, make a record of the number of sheep or goats that have been sold at the saleyard on that day (if greater than zero), and
 - (b) keep any such record for a period of at least 2 years from the date on which it was

made, and

(c) if requested to do so by an inspector, produce the record for inspection.

(10) A stock and station agent must, within 7 days after selling any sheep or goats, provide the purchaser with a copy of the record under subclause (4) (a) in relation to the sheep or goats.

(11) A purchaser of sheep or goats must keep a copy of any record provided to the purchaser under subclause (10) for a period of at least 7 years from the date of the purchase.

Maximum penalty: 100 penalty units.

33 Information in relation to sheep and goats held by stock and station agent

(1) If any sheep or goats are sent to a stock and station agent, the owner or person in charge of the sheep or goats must provide the stock and station agent with the property identification code of the property at which the sheep or goats were held before being sent to the stock and station agent (the ***previous property***).

Note—

In this Part, ***send*** includes transfer or deliver: see clause 13.

(2) If any sheep or goats are sent to a stock and station agent, the stock and station agent must, within 7 days after receiving the sheep or goats, provide the authorised administrator with the following information:

(a) the number of sheep or goats,

(b) the relevant identification particulars of the sheep or goats concerned,

(c) the agent identification code of the stock and station agent,

(d) the unique serial number of any form filled in or document created in relation to the sale in accordance with any relevant order of the Director-General under clause 16 (2),

Note—

For example, national vendor declarations, transported stock statements and movement documents.

(e) the property identification code of the previous property,

(f) if the stock and station agent is still in possession of the sheep or goats—the property identification code of the property at which the sheep or goats are being held,

(g) if the stock and station agent is no longer in possession of the sheep or goats, the following information:

- (i) that the sheep or goats were sent to a property, saleyard or abattoir,
 - (ii) the date the sheep or goats were sent,
 - (iii) the property identification code of the property, saleyard or abattoir.
- (3) If any sheep or goats are sent to a stock and station agent, the stock and station agent must, by the close of business on each working day:
- (a) make a record of:
 - (i) the number and type of the sheep or goats, and
 - (ii) the relevant identification particulars of the sheep or goats concerned, and
 - (iii) each movement of those sheep or goats from the time they left the previous property until their arrival at the property, saleyard or abattoir notified to the authorised administrator under subclause (2), including the property identification code of each property at which they have been held during that time, and
 - (b) keep any such record for a period of at least 2 years from the date on which it was made, and
 - (c) if requested to do so by an inspector, produce the record for inspection.

Maximum penalty: 100 penalty units.

34 Information in relation to sheep or goats at abattoir

- (1) On arrival of any sheep or goats at an abattoir, the owner or person in charge of the sheep or goats must provide the owner or person in charge of the abattoir with the following information:
- (a) the number and type of sheep or goats,
 - (b) the date the sheep or goats left the property at which they were last held (the **previous property**) before being sent to the abattoir,
 - (c) the property identification code of the previous property,
 - (d) the relevant identification particulars of the sheep or goats concerned,
 - (e) the unique serial number of any form filled in or document created in relation to the sheep or goats in accordance with any relevant order of the Director-General under clause 16 (2),

Note—

For example, national vendor declarations, transported stock statements and movement documents.

(f) whether the sheep or goats concerned were bred by the owner of the sheep or goats.

(2) The owner or person in charge of an abattoir must not slaughter any sheep or goat, or cause or permit the slaughter of any sheep or goat, unless he or she has obtained the information referred to in subclause (1) in relation to the sheep or goat.

(3) Despite subclause (2), the owner or person in charge of an abattoir may slaughter a sheep or goat without obtaining the information referred to in subclause (1) in relation to the sheep or goat without committing an offence, but only if that owner or person is required to slaughter the sheep or goat for humane reasons on the direction of an inspector, food inspector, animal welfare inspector or a veterinary practitioner.

Note—

A person may still be guilty of an offence in relation to a sheep or goat that was slaughtered for humane reasons if the person buys, sells or moves the sheep or goat or its carcass, or causes or permits the sheep or goat or its carcass to be bought, sold or moved, in breach of clause 21 (1).

(4) If any sheep or goats are sent to an abattoir on or after 1 January 2010, the owner or person in charge of the abattoir must, by the close of business of the abattoir on the next working day after the sheep or goats are slaughtered or moved while alive from the abattoir to another property, provide the authorised administrator with the following information:

(a) the relevant identification particulars of the sheep or goats concerned,

(b) the property identification code of the abattoir or other unique code or number assigned to the abattoir by the authorised administrator,

(c) the unique serial number of any form filled in or document created in relation to the sheep or goats in accordance with any relevant order of the Director-General under clause 16 (2),

Note—

For example, national vendor declarations, transported stock statements and movement documents.

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

(e) whether the sheep or goats concerned were bred by the owner of the sheep or goats on arrival at the abattoir,

(f) if the sheep or goats were slaughtered—the date the sheep or goats were slaughtered and the number of sheep or goats slaughtered,

(g) if the sheep or goats were not slaughtered but were moved while alive from the abattoir to another property—the property identification code of the other property and the number of sheep or goats moved while alive to the other property.

- (5) The person providing the information under subclause (1) and the owner or person in charge of the abattoir must each:
- (a) keep a record of that information and the property identification code or address of the abattoir for the following periods (commencing on the date on which the information was provided):
 - (i) in the case of the person providing the information under subclause (1)—at least 7 years,
 - (ii) in the case of the owner or person in charge of the abattoir—at least 2 years, and
 - (b) if requested to do so by an inspector, produce the record for inspection.
- (6) The owner or person in charge of an abattoir must:
- (a) by the close of business of the abattoir on each working day, make a record of the following information:
 - (i) the number of sheep or goats that have been slaughtered at the abattoir on that day (if greater than zero),
 - (ii) the number of sheep or goats that are held at the abattoir at the end of that day (if greater than zero), and
 - (b) keep any such record for a period of at least 2 years from the date on which it was made, and
 - (c) if requested to do so by an inspector or a food inspector, produce the record for inspection.

Maximum penalty: 100 penalty units.

35 Information in relation to sheep or goats arriving at property

- (1) On arrival of any sheep or goats at a property (the **current property**), the owner or person in charge of the sheep or goats must provide the owner or person in charge of the sheep or goats at the current property with the following information:
- (a) the number and type of sheep or goats,
 - (b) the date the sheep or goats left the property at which they were last held (the **previous property**) before being sent to the current property,
 - (c) the property identification code of the previous property,
 - (d) the relevant identification particulars of the sheep or goats concerned,
 - (e) the unique serial number of any form filled in or document created in relation to

the sheep or goats in accordance with any relevant order of the Director-General under clause 16 (2),

Note—

For example, national vendor declarations, transported stock statements and movement documents.

- (f) whether the sheep or goats concerned were bred by the owner of the sheep or goats.
- (2) The person providing the information under subclause (1) and the owner or person in charge of the sheep or goats at the current property must each:
- (a) keep a record of that information and the property identification code of the current property for a period of at least 7 years from the date on which it was provided, and
 - (b) if requested to do so by an inspector, produce the record for inspection.
- (3) If any sheep or goats arrive at a property, the owner or person in charge of the sheep or goats at the property must, within 7 days after the arrival of the sheep or goats, provide the authorised administrator with the following information unless the sheep or goats have arrived directly from a saleyard or stock and station agent:
- (a) the number of sheep or goats that arrived at the property,
 - (b) the date the sheep or goats arrived at the property,
 - (c) the relevant identification particulars of the sheep or goats concerned,
 - (d) the property identification code of the property,
 - (e) the unique serial number of any form filled in or document created in relation to the sheep or goats in accordance with any relevant order of the Director-General under clause 16 (2),

Note—

For example, national vendor declarations, transported stock statements and movement documents.

- (f) whether the sheep or goats concerned were bred by the owner of the sheep or goats on arrival at the property,
 - (g) the property identification code of the previous property.
- (4) Subclause (3) does not have effect until:
- (a) in relation to a property that is a feedlot, export depot or goat depot—1 January 2010, or
 - (b) in relation to any other property—1 July 2010.

(5) In this clause:

export depot means a property that is used to aggregate sheep or goats prior to export as live animals.

feedlot means a confined or restricted area used to rear and fatten cattle, sheep or other animals for the purpose of meat production, fed (wholly or substantially) on prepared and manufactured feed, but does not include a poultry farm, dairy or piggery.

goat depot means a property that is used to aggregate feral goats prior to the slaughter of the goats, being a property that is fully accredited under the Livestock Production Assurance Program managed by AUS-MEAT Limited.

Note—

Information regarding the Livestock Production Assurance Program managed by AUS-MEAT Limited can be found at www.ausmeat.com.au.

Maximum penalty: 100 penalty units.

Division 3 Voluntary permanent identification of horses and other equines and alpacas and other camelids

Note—

This Division does not require the permanent identification of the horses and alpacas. However, if any horse or alpaca is permanently identified on a voluntary basis, the identification must be done in accordance with the scheme approved by the Director-General under this Division.

36 Approval and use of “voluntary” permanent identifiers

- (1) The Director-General may, by order published in the Gazette, approve of:
 - (a) the types of identifiers that may be permanently attached to the following stock (including the specifications in respect of which such identifiers must comply):
 - (i) horses and other equines,
 - (ii) alpacas and other camelids, and
 - (b) any terms or conditions for the use of any such permanent identifiers.
- (2) A person must not use a permanent identifier approved under subclause (1) except in accordance with the Director-General’s approval.

Maximum penalty: 100 penalty units.

Division 4 Identification codes

37 Requirement for certain properties to have identification codes

The owner or occupier of a property on which any of the following stock are held in captivity, and the owner or person in charge of any of the following stock held in captivity on a property, must ensure that the property has a property identification code:

- (a) bison,
- (b) buffalo,
- (c) camelids,
- (d) cattle,
- (e) deer,
- (f) equines,
- (g) goats,
- (h) pigs,
- (i) poultry,
- (j) sheep.

Maximum penalty: 100 penalty units.

38 Assigning of identification codes by district registrars

- (1) **Property identification codes** A district registrar for a stock identification district may assign a property identification code (and a truncated version of such a code) to:
 - (a) any property that is wholly or partly in the district, or
 - (b) any travelling stock reserve or public land (within the meaning of the [Local Land Services Act 2013](#)) in the district, or
 - (c) any public road in the district to which a stock permit under that Act relates, or
 - (d) any saleyard or abattoir in the district.
- (2) **District codes** A district registrar may assign a district code to a stock identification district. A district code only has effect, and may only be used, in relation to special identifiers.
- (3) **Agent identification codes** A district registrar may assign an agent identification code to a stock and station agent whose registered office is located in the stock identification

district or who carries on business in the stock identification district.

- (4) **Initiation of assignment of identification codes** Subject to subclause (5), an identification code may be assigned by a district registrar:
- (a) on the district registrar's own motion, or
 - (b) on application by or on behalf of:
 - (i) the owner or occupier of a property, or
 - (ii) the owner or person in charge of a saleyard or abattoir, or
 - (iii) a stock and station agent, or
 - (iv) the owner or person in charge of stock on a property.
- (5) **Identification codes to be determined by Director-General** The Director-General is to determine the identification codes that are assigned under this clause and the manner in which they are assigned.
- (6) **Transfer of identification codes** An identification code cannot be transferred except:
- (a) in the case of a property identification code—to another property that comprises all or part of the property to which the code was assigned, or
 - (b) in the case of a district code—to another stock identification district that comprises all or part of the stock identification district to which the code was assigned, or
 - (c) in the case of an agent identification code—to another stock and station agent who has taken over the business of the stock and station agent to whom the code was assigned.

39 Renewal of identification codes

An identification code, unless sooner inactivated or cancelled, remains active for 3 years or for the period specified in writing by the district registrar, whichever is the shorter, and may be renewed by application to the district registrar.

40 Inactivation and cancellation of identification codes and assignment of new codes

- (1) A district registrar may inactivate or cancel the operation of an identification code.
- (2) If an identification code is inactivated by a district registrar, it may, subject to this Regulation, be reactivated by that district registrar.
- (3) If an identification code is cancelled, it may only be re-assigned in such circumstances, and in such manner, as the Director-General determines.

Division 5 Registers

41 Purposes of registers

The purposes for which registers are to be used and maintained under this Part include the following:

- (a) to facilitate and assist the operation of the stock identification schemes established under this Part,
- (b) to protect public health and safety,
- (c) to assist in controlling disease and residues in stock or in animal products,
- (d) to assist in enabling the disease and residue risk or status of stock or any animal products to be ascertained,
- (e) to facilitate the determination of ownership of stock or any animal products,
- (f) to assist in tracing the movement of stock or any animal products,
- (g) to assist in the investigation of the theft of stock,
- (h) to facilitate the dissemination of information in relation to the production and marketing of stock or any animal products,
- (i) to assist in the assessment and management of the welfare of animals,
- (j) to assist with the management of land used by stock,
- (k) to assist with the administration and the exercise of functions under the [Local Land Services Act 2013](#).

Note—

Registers are subject to Part 6 of the [Privacy and Personal Information Protection Act 1998](#).

42 District registers

- (1) A district registrar must maintain a register (a **district register**) in which the following information is to be recorded:
 - (a) the particulars of each property identification code assigned by the district registrar, along with the following information:
 - (i) the name and location of the property to which the code has been assigned,
 - (ii) the lot and DP numbers of the property,
 - (iii) the name, address and telephone number of the owner or occupier of the property,

- (iv) the number and type of stock kept on the property (as disclosed in the latest annual return lodged under the *Local Land Services Act 2013*),
 - (b) the particulars of each district code assigned by the district registrar,
 - (c) the particulars of each agent identification code assigned by the district registrar, along with the name, address and telephone number of the stock and station agent to whom the code has been assigned,
 - (d) the status of each identification code assigned by the district registrar.
- (2) The Director-General may, from time to time, request a district registrar to provide such information as is recorded in the district register that is of a kind specified by the Director-General in the request. The Director-General may request that the information be provided in a specified manner.
- (3) A district registrar must, within 7 days after recording any information in the district register that is of a kind specified in the Director-General's request, provide the Director-General with that information (and provide it in the manner requested).
- (4) A district registrar must, if requested to do so:
- (a) allow an authorised person to have access to the information recorded in the district register free of charge at any time, and
 - (b) provide any such information to an authorised person in the manner and time as so requested.
- (5) A district registrar may allow any other person to have access at any reasonable time to the information recorded in a district register.
- (6) In this clause:
- authorised person** means any of the following:
- (a) the Director-General,
 - (b) an inspector,
 - (c) a food inspector,
 - (d) an animal welfare inspector.

43 Central register

- (1) The Director-General is to maintain a register (the **central register**) that contains the following information:
- (a) information provided to the Director-General by district registrars in accordance with clause 42, and

- (b) other information that the Director-General, having regard to the purposes referred to in clause 41, considers should be kept in the register.
- (2) The authorised administrator may, from time to time, request the Director-General to provide such information as is recorded in the central register that is of a kind specified by the authorised administrator in the request. The authorised administrator may request that the information be provided in a specified manner.
- (3) The Director-General must, within 7 days after information is recorded in the central register that is of a kind specified in the authorised administrator's request, provide the authorised administrator with that information (and provide it in the manner requested).
- (4) The Director-General must, if requested to do so:
- (a) allow an authorised person to have access to the information recorded in the central register free of charge at any time, and
 - (b) provide any such information to the authorised person in the manner and time as so requested.
- (5) The Director-General may allow any other person to have access at any reasonable time to the information recorded in the central register.
- (6) Contributions for the purposes of maintaining the central register are payable by Local Land Services in such amounts, and at such times, as may be agreed between the Director-General and Local Land Services or, in the absence of such agreement, as may be determined by the Minister.
- (7) The contributions are to be paid to the Director-General out of the money paid to Local Land Services as rates under the [Local Land Services Act 2013](#) and out of money collected under this Part.
- (8) In this clause:
- authorised person** means any of the following:
- (a) the authorised administrator,
 - (b) a district registrar,
 - (c) an inspector,
 - (d) a food inspector,
 - (e) an animal welfare inspector.

44 Permanent identification register

- (1) The authorised administrator must maintain a register (the **permanent identification register**) of the information that is provided to the authorised administrator under this Part.
- (2) If requested to do so, the authorised administrator must:
 - (a) allow an authorised person to have access at any time to the information recorded in the permanent identification register free of charge, and
 - (b) provide that information to the authorised person in the manner and time requested by the person.
- (3) The authorised administrator or an authorised person may allow any other person to have access at any reasonable time to the information recorded in the permanent identification register.
- (4) The authorised administrator or authorised person is not authorised to provide any information recorded in the permanent identification register to a person under subclause (3) unless the authorised administrator or authorised person is satisfied that the information is to be used for a purpose that relates to a purpose referred to in clause 41.
- (5) In this clause:

authorised person means any of the following:

 - (a) the Director-General,
 - (b) a district registrar,
 - (c) an inspector,
 - (d) a food inspector,
 - (e) an animal welfare inspector.

Division 6 Miscellaneous provisions

45 Authorised administrator

- (1) The Director-General may, from time to time, approve of a person or body to be the authorised administrator for the purposes of this Part.
- (2) The approval of a person or body as the authorised administrator:
 - (a) is subject to such conditions as the Director-General thinks fit to impose, and
 - (b) may be revoked for such reasons as the Director-General thinks fit.

46 Special identifiers

- (1) The Director-General may determine the identification particulars to be used on special identifiers.
- (2) Any such identifier may be supplied by a district registrar, an inspector or a person authorised by a district registrar.
- (3) A special identifier may be attached to stock:
 - (a) if a permanent identifier for identifying the stock in accordance with Division 2:
 - (i) is not readily available, or
 - (ii) cannot be safely attached to the stock, or
 - (iii) if already attached to the stock—is unreadable or has ceased to work, or
 - (iv) if previously attached to the stock—has been lost, or
 - (b) in such other circumstances as may be determined by the Director-General.
- (4) A person who is supplied with a special identifier under this clause:
 - (a) must attach the identifier without delay to the stock for which the identifier was supplied, and
 - (b) must not use the identifier on any stock other than the stock for which the identifier was supplied, and
 - (c) must not use the identifier contrary to the directions of the district registrar, inspector or authorised person who supplied it.

Maximum penalty (subclause (4)): 100 penalty units.

- (5) A district registrar may from time to time authorise (subject to such conditions as the district registrar thinks fit), or revoke the authorisation of, persons for the purposes of subclause (2).
- (6) A person who is for the time being so authorised:
 - (a) must keep such records as the Director-General may determine, and
 - (b) must prepare such records within such time, and preserve them for such time, as the Director-General may determine, and
 - (c) if requested to do so by an inspector, must produce the record for inspection, and
 - (d) must comply with the conditions, if any, of the authorisation.

Maximum penalty (subclause (6)): 100 penalty units.

47 Sale and supply of approved identifiers

- (1) A person must not sell or supply an approved identifier unless the approved identifier has been ordered by a person referred to in subclause (4).
- (2) A person, other than a person referred to in subclause (4), must not order an approved identifier.
- (3) A person must not sell or supply an approved identifier unless the approved identifier refers to or relates to an active property identification code.
- (4) For the purposes of subclauses (1) and (2), an approved identifier may be ordered by:
 - (a) a person who is entitled to apply for a property identification code to be assigned to the property to which the approved identifier relates, or
 - (b) a person who has been authorised by a person referred to in paragraph (a) to act as an agent for the person, or
 - (c) an inspector, or
 - (d) a district registrar.

Maximum penalty: 100 penalty units.

48 Alteration or removal of approved identifiers

- (1) In this clause:

alter includes deface.

approved identifier includes, in the case of any stock that has been brought into New South Wales, any means by which the stock has been identified in accordance with the law of the State or Territory from which the stock has been brought.

- (2) A person must not alter, or cause or permit the alteration of:
 - (a) an approved identifier that is attached, or intended to be attached, to any stock, or
 - (b) any equipment that is used for the purposes of attaching or reading an approved identifier.
- (3) A person must not remove an approved identifier that is attached to any stock, or cause or permit an approved identifier to be removed from any stock, except in the following circumstances:
 - (a) if the stock has been slaughtered at an abattoir,
 - (b) if the person has been authorised by an inspector to remove the approved

identifier and does so in accordance with any conditions specified in the authorisation,

- (c) if the person removes the approved identifier in such circumstances as may be approved by the Director-General by order published in the Gazette and in accordance with any conditions specified in the order.

(4) A person must not:

- (a) buy, sell or send any stock, or
- (b) cause or permit any stock to be sold, bought or sent,

if an approved identifier in relation to the stock has been altered or removed from the stock in contravention of this clause.

(5) Nothing in this clause prevents an inspector, an animal welfare inspector or a food inspector from removing an approved identifier, or causing an approved identifier to be removed, from any stock.

Maximum penalty: 100 penalty units.

49 Attaching permanent identifiers to cattle or carcasses already identified

A person must not attach a permanent identifier, or cause a permanent identifier to be attached, to any cattle, or carcasses of cattle, that are already identified with a permanent identifier.

Maximum penalty: 100 penalty units.

50 Attaching approved identifiers that have been previously attached

A person must not, except in such circumstances as may be approved by the Director-General by order published in the Gazette, attach an approved identifier, or cause or permit an approved identifier to be attached, to any stock if the identifier has previously been attached to any other stock.

Maximum penalty: 100 penalty units.

51 Selling or supplying approved identifiers that have been previously attached

A person must not, except in such circumstances as may be approved by the Director-General by order published in the Gazette, sell or supply an approved identifier, or cause or permit the sale or supply of an approved identifier, if the identifier has previously been attached to any other stock.

Maximum penalty: 100 penalty units.

52 Approved identifiers attached to slaughtered stock

If any stock to which an approved identifier is attached is slaughtered at an abattoir, the owner or person in charge of the abattoir must deal with the approved identifier, or cause the identifier to be dealt with, in the manner specified by the Director-General by order published in the Gazette.

Maximum penalty: 100 penalty units.

53 Attachment of approved identifiers for wrongful purpose

A person must not attach an approved identifier, or cause or permit an approved identifier to be attached, to any stock unless the attachment of the approved identifier would result in the stock being identified in accordance with the requirements of this Part.

Maximum penalty: 100 penalty units.

54 Manufacture, sale, supply and use of counterfeit identifiers

- (1) A person must not, knowing that it is or may be intended to be attached to any stock, make, sell, supply or use any thing that is not, but could reasonably be mistaken for, an approved identifier.
- (2) A person is not guilty of an offence under this clause if the court is satisfied that the person did not realise, and could not reasonably be expected to have realised, that the thing the person made, sold, supplied or used could reasonably be mistaken for an approved identifier.

Maximum penalty: 100 penalty units.

55 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.
- (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.
- (3) In this clause:

identifier means an identifier other than an approved identifier.

relevant identification particulars has the same meaning as in Division 2.

Maximum penalty: 100 penalty units.

56 Inspector may take possession of unattached identifiers or branding devices

- (1) An inspector may take possession of an approved identifier that is not attached to any stock, or a branding device, on which there are particulars of a property identification code and that the inspector believes on reasonable grounds:
 - (a) is for sale or supply otherwise than in accordance with clause 47, or
 - (b) is to be used or is in use in contravention of this Part, or
 - (c) is not being used for the purposes of this Part, or
 - (d) is in the possession of a person without the approval of:
 - (i) the owner or occupier of the property for which the code was assigned, or
 - (ii) the owner of the stock, or
 - (e) has been abandoned.
- (2) If an inspector takes possession of an approved identifier or branding device under this clause, and the owner or occupier of the property in respect of which the property identification code specified on the identifier or device was assigned does not claim it within 3 months, the identifier or device may be disposed of in a manner approved by the Director-General.

57 Inspection of records

An inspector may:

- (a) at any reasonable time, inspect any record under this Part that is required to be produced for inspection by an inspector, and
- (b) make copies of the record or take extracts or notes from it.

58 Certificate as to identification codes

A certificate that:

- (a) purports to be signed by the Director-General or a district registrar, and
- (b) states that a specified identification code was active at a specified time in relation to any specified property, stock identification district or stock and station agent,

is admissible in evidence in any proceedings and is evidence of the matters stated in it.

Part 4 Movement of things out of quarantine areas and across

quarantine lines

59 Definition

In this Part:

quarantine line means a line declared to be a quarantine line by a notification in force under section 15 of the Act.

60 Permit for movement of things other than stock

(1) A person must not, otherwise than in accordance with a permit, move out of any quarantine area anything of a kind that is specified:

- (a) in the notification by which the quarantine area is declared, or
- (b) in an order in force under section 8 of the Act, or
- (c) in an undertaking in force under section 11 of the Act,

as a kind of thing that must not be so moved.

(2) A person must not, otherwise than in accordance with a permit, move across any quarantine line anything of a kind that is specified:

- (a) in the notification by which the quarantine line is declared, or
- (b) in an order in force under section 8 of the Act, or
- (c) in an undertaking in force under section 11 of the Act,

as a kind of thing that must not be so moved.

Maximum penalty: 50 penalty units.

Part 5 Permits

61 Application of Part

This Part applies to:

- (a) any permit of the kind referred to in section 7 (6) of the Act, and
- (b) any permit of a kind required by this Regulation.

62 Application for permit

(1) An application for a permit is to be made to an inspector and may be made orally or in writing.

(2) On receiving an application, an inspector:

- (a) may grant the permit, either unconditionally or subject to conditions specified in the permit, or
- (b) may refuse the application.

63 Revocation of permit

(1) If an inspector believes on reasonable grounds:

- (a) that any condition imposed by a permit has not been complied with, or
- (b) that the holder of the permit has contravened any provision of the Act or of this Regulation applicable to the stock or the thing to which the permit relates, or
- (c) that the revocation of the permit is necessary in order to prevent the spread of disease,

the inspector may revoke the permit by notice in writing served on the owner of the stock concerned or on any person having control or in charge of the stock.

(2) The holder of the permit must not fail to comply with the requirements of the notice with respect to the return of the permit.

Maximum penalty (subclause (2)): 50 penalty units.

Part 6 Miscellaneous

64 Authorised officers: section 7 of Act

For the purposes of section 7 (4) of the Act, any person holding or acting in any of the following positions within the Department is prescribed:

- (a) Regional Veterinary Officer,
- (b) Director, Animal and Plant Biosecurity,
- (c) Director, Compliance Operations Agriculture and Fisheries,
- (d) Manager, Field Veterinary Services and Product Integrity,
- (e) Manager, Agricultural Compliance.

65 Notice of bee diseases: section 9 of Act

For the purposes of section 9 (3) (c) of the Act, written notice of a bee disease is to be given to an inspector under the Act who is also an inspector under the [Apiaries Act 1985](#).

66 Evidence of inspector's appointment

(1) For the purposes of section 12A (3) of the Act, the prescribed evidence of an inspector's appointment is a certificate of authority issued by the Director-General or a

person authorised by the Director-General to issue such certificates.

(2) The certificate of authority must:

- (a) state that it is issued under the Act, and
- (b) state the name of the person to whom it is issued and bear a photograph of that person and the person's signature, and
- (c) include words to the effect that the person to whom it is issued is an inspector for the purposes of the Act, and
- (d) state the date (if any) on which it expires, and
- (e) bear the signature of the person by whom it is issued and the capacity in which the person is acting in issuing the certificate.

67 Inspectors: section 17 of Act

For the purposes of section 17 (4) (b) of the Act, an inspector who is the Chief Veterinary Officer or who is holding or acting in any of the following positions within the Department is prescribed:

- (a) Regional Veterinary Officer,
- (b) Director, Animal and Plant Biosecurity,
- (c) Director, Compliance Operations Agriculture and Fisheries,
- (d) Manager, Field Veterinary Services and Product Integrity,
- (e) Manager, Agricultural Compliance.

68 Authorised officers: section 18 of Act

For the purposes of section 18 (3) of the Act, the Chief Veterinary Officer and any person holding or acting in any of the following positions within the Department is prescribed:

- (a) Regional Veterinary Officer,
- (b) Director, Animal and Plant Biosecurity,
- (c) Director, Compliance Operations Agriculture and Fisheries,
- (d) Manager, Field Veterinary Services and Product Integrity,
- (e) Manager, Agricultural Compliance.

69 Communicating disease to stock

(1) For the purposes of section 20A of the Act, a person may communicate a disease to

stock:

(a) for the purpose of preventing the stock from contracting that or any other disease,
or

(b) for the purpose of treating stock for that or any other disease,

but only in the circumstances set out in subclause (2), (3) or (4).

(2) The person may communicate the disease in the course of treating stock with a stock medicine but only if:

(a) the stock medicine is approved for use in New South Wales by the Chief Veterinary Officer, and

(b) the treatment is carried out in accordance with the manufacturer's directions for administering the stock medicine.

(3) The person may communicate the disease in the course of vaccinating stock with a vaccine (other than a tick fever vaccine) but only if:

(a) the vaccine is approved for use in New South Wales by the Chief Veterinary Officer, and

(b) the vaccination is carried out in accordance with the manufacturer's directions for administering the vaccine.

(4) The person may communicate the disease in the course of vaccinating stock with tick fever vaccine, but only if:

(a) the stock is intended for export, and

(b) vaccination is carried out with the prior approval of the Chief Veterinary Officer or the Director-General for each animal to be vaccinated, and

(c) vaccination is carried out elsewhere than in:

(i) a cattle tick quarantine area, or

(ii) a tick fever protected area, and

(d) vaccinated stock is not permitted to enter:

(i) a cattle tick quarantine area, or

(ii) a tick fever protected area, and

(e) all stock to be vaccinated is, at the time of vaccination, individually identified in a manner approved by the Chief Veterinary Officer or the Director-General.

(5) For the purposes of section 20A of the Act, a person may communicate a disease to

stock for training, research or diagnostic purposes, but only if the Chief Veterinary Officer:

- (a) has approved of the training or research or diagnostic activity being carried out in New South Wales, and
 - (b) has authorised the person (whether as an individual or as a member of a class of persons) to carry out the training or research or diagnostic activity.
- (6) This clause does not authorise a person to treat or vaccinate stock in contravention of any other provision of this Regulation.
- (7) In this clause:

cattle tick quarantine area means a quarantine area declared on account of the infestation of stock by cattle tick (*Boophilus microplus*).

tick fever means either or both of the diseases anaplasmosis and babesiosis (bovine).

tick fever protected area means a protected area declared on account of the presence or suspected presence of tick fever.

tick fever vaccine means a vaccine to prevent tick fever obtained from the Tick Fever Centre of Queensland Primary Industries and Fisheries.

70 Feeding of prohibited substances to ruminants

- (1) For the purposes of section 20FB of the Act, restricted animal material is prescribed as a prohibited substance in relation to ruminants.
- (2) For the purposes of section 20FB (3) of the Act, all ruminants are prescribed in relation to restricted animal material in circumstances in which such material is fed to them for a purpose, and in a manner, approved by the Director-General.
- (3) In this clause:

restricted animal material means tissue, blood or feathers derived from the carcass of an animal, including any substance produced from or containing any such tissue, blood or feathers (but does not include tallow or gelatin).

Note—

Milk products are not regarded as restricted animal material as they are not tissue or blood derived from the carcass of an animal.

ruminant means an animal that has a rumen, and includes an animal belonging to any of the following classes of animal, namely, cattle, sheep, goats and deer.

tallow means any product (including, but not limited to, a product known as tallow, yellow grease or acid oil) that:

- (a) contains rendered fats and oils from any animal, or contains used cooking oil that has subsequently been filtered or otherwise treated to remove visible particulate matter, and
- (b) complies with a specification of 2 per cent maximum moisture plus insoluble impurities as measured in accordance with the official measuring methods of the American Oil Chemists' Society.

Note—

The official measuring methods of the American Oil Chemists' Society are available from their website: <http://www.aocs.org>.

71 Feeding of prohibited substances to pigs

- (1) For the purposes of section 20FB of the Act, the following substances are prescribed as prohibited substances in relation to pigs:
 - (a) any carcass or part of a carcass (including any carcase, meat, offal, tissue, blood or bone) of any bird or mammal, other than any carcass or part of a carcass of a domestic pig that:
 - (i) was born on the property on which the pigs that are to be fed are held, and
 - (ii) is fed to the pigs in accordance with the instructions of a veterinary practitioner,

Note—

Milk and eggs do not fall within paragraph (a).

- (b) the excreta of any bird or mammal (other than that of a domestic pig born on the property on which the pigs that are to be fed are held),
- (c) any substance produced from or containing any substance referred to in paragraph (a) or (b), other than the following:
 - (i) tallow or gelatin,
 - (ii) manufactured dry dog or dry cat food,
 - (iii) dry meal derived from meat, blood, bone or feathers (or from any combination of those substances) that has been produced in compliance with AS 5008-2007, *Hygienic rendering of animal products*,
 - (iv) a substance that has been processed at premises, and in a manner, approved by the Director-General,
- (d) any household, commercial or industrial waste (including garbage or surplus foodstuffs) other than the following:

- (i) non-meat bakery waste (being bakery waste that does not contain any prohibited substance referred to in paragraph (a)),
 - (ii) fruit, vegetable, cereal or legume waste,
 - (iii) vegetable oil or oilseed waste,
- (e) any substance that has come into contact with a prohibited substance referred to in any of the preceding paragraphs (for example, through being collected, stored or transported in, or being fed out from, a receptacle that contains or has contained a substance referred to in any of those paragraphs).
- (2) For the purposes of section 20FB (3) of the Act, feral pigs are prescribed in relation to the substances prescribed by subclause (1) in circumstances in which those substances are fed to them for the purpose of suppressing or controlling their numbers, but only if those substances are fed to them in a manner approved by the Director-General or by a person authorised by the Director-General to give such an approval.

72 Providing false or misleading information

The following matters are prescribed for the purposes of section 20J (2) (c) of the Act:

- (a) the matter of whether any particular stock has or has not been fed with a substance prescribed as a prohibited substance under section 20FB of the Act in relation to that stock,
- (b) the matter of whether or not any particular stock has or has not been vaccinated.

Note—

Section 20J of the *Stock Diseases Act 1923* and Part 5, Division 3 of the *Crimes Act 1900* contain offences in relation to the giving of false and misleading information.

73 Penalty notice offences

For the purposes of section 20O (Penalty notices) of the Act:

- (a) each offence created by a provision specified in Column 1 of Schedule 1 is declared to be a penalty notice offence, and
- (b) the prescribed penalty for such an offence is the amount specified in Column 2 of Schedule 1.

74 Defence to proceedings for certain offences

In any proceedings for an offence against a provision of this Regulation, it is a sufficient defence if the defendant establishes that the act or omission giving rise to the alleged offence was done or omitted in accordance with an order or direction of an inspector.

Schedule 1 Penalty notice offences

(Clause 73)

Offences under the Act

Column 1	Column 2
Offence	Penalty
Section 9 (1) and (2)	\$550
Section 12A (5) (a)	\$550
Section 20	\$550
Section 20C (1) (a), (b) and (c) and (2)	\$550
Section 20D	\$550
Section 20FB	\$550
Section 20H (1) (a), (b) and (c)	\$550

Offences under this Regulation

Column 1	Column 2
Offence	Penalty
Clause 5	\$550
Clause 6	\$550
Clause 7	\$550
Clause 8	\$550
Clause 9	\$550
Clause 10	\$550
Clause 11	\$550
Clause 12	\$550
Clause 18	\$550
Clause 20	\$550
Clause 21	\$550
Clause 22	\$550
Clause 23	\$550
Clause 24	\$550
Clause 25	\$550

Clause 26	\$550
Clause 27	\$550
Clause 28	\$550
Clause 29	\$550
Clause 30	\$550
Clause 31	\$550
Clause 32	\$550
Clause 33	\$550
Clause 34	\$550
Clause 35	\$550
Clause 36	\$550
Clause 37	\$550
Clause 46 (4) and (6)	\$550
Clause 47	\$550
Clause 48	\$550
Clause 49	\$550
Clause 50	\$550
Clause 51	\$550
Clause 52	\$550
Clause 53	\$550
Clause 54	\$550
Clause 55	\$550
Clause 60	\$550
Clause 63	\$550