

**Authorised Version No. 003**  
**Livestock Disease Control Regulations 2017**

**S.R. No. 57/2017**

Authorised Version incorporating amendments as at  
23 October 2018

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**Part 1—Preliminary**

**1 Objectives**

The objectives of these Regulations are—

- (a) to provide for the timing and manner of the notification of livestock diseases; and
- (b) to provide for the manner in which certain livestock are identified; and
- (c) to provide for the manner of certification of, and restrictions relating to, livestock, livestock products, fodder or fittings introduced into Victoria; and
- (d) to set out the standards and record keeping requirements relating to the testing for livestock diseases; and
- (e) to set out requirements for the prevention of livestock diseases; and
- (f) to provide for the recording or forwarding of information relating to the movement of identified livestock; and
- (g) to provide for matters relating to claims for compensation for losses incurred due to livestock disease; and
- (h) to provide for other matters required to be prescribed under the **Livestock Disease Control Act 1994**.

## 2 Authorising provision

These Regulations are made under section 139 of the **Livestock Disease Control Act 1994**.

## 3 Commencement

These Regulations come into operation on 1 July 2017.

## 4 Revocation

The Regulations listed in Schedule 1 are **revoked**.

## 5 Definitions

In these Regulations—

***abattoir*** has the same meaning as it has in the **Meat Industry Act 1993**;

***animal identifier*** means a number, code or other marker that has been applied to an animal or in respect of an animal for the purpose of identifying that animal;

***ANZSDP*** means the Australian and New Zealand Standard diagnostic procedures for use in Australian veterinary laboratories, published by the Commonwealth Department of Agriculture and Water Resources as published or amended from time to time;

***approved NLIS device*** means a NLIS device approved by the Secretary under section 9A(1)(c) of the Act;

***approved NLIS ear tag*** means a NLIS ear tag approved by the Secretary under section 9A(1)(c) of the Act;

***ASDT*** means the Australian standard diagnostic techniques published by the Commonwealth Department of Agriculture and Water Resources as published or amended from time to time;



\* \* \* \* \*

Reg. 5 def. of  
AS ISO/IEC  
17025-2005  
revoked by  
S.R. No.  
118/2018  
reg. 5(1).

***authorised officer*** means a person appointed under a law of another State or Territory of the Commonwealth corresponding with the Act to inspect livestock, livestock products, fodder or fittings;

***bovine malignant tumour of the eye larger than 2 cm*** means a squamous cell carcinoma of the ocular, periocular, or both tissues of a size greater than 2 centimetres in any plane, including conditions commonly known as cancer eye or bovine malignant tumour of the eye;

***chief veterinary officer*** means the chief veterinary officer of the Department of Economic Development, Jobs, Transport and Resources;

***commercial flock of poultry*** means a group of more than 1000 chickens;

***corresponding law*** means—

- (a) for the purposes of these Regulations other than regulation 107(e), the following Acts—
  - (i) Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991 of New South Wales;
  - (ii) Apiaries Act 1985 of New South Wales;

- (iii) Biosecurity Act 2015 of New South Wales;
- (iv) Stock Diseases Act 1923 of New South Wales;
- (v) Livestock Act 1997 of South Australia;
- (vi) Biosecurity Act 2014 of Queensland;
- (vii) Animal (Brands and Movement) Act 1984 of Tasmania;
- (viii) Animal Health Act 1995 of Tasmania;
- (ix) Biosecurity and Agriculture Management Act 2007 of Western Australia;
- (x) Exotic Diseases of Animals Act 1993 of Western Australia;
- (xi) Livestock Act of the Northern Territory;
- (xii) Animal Diseases Act 2005 of the Australian Capital Territory;
- (xiii) Stock Act 2005 of the Australian Capital Territory;
- (b) for the purposes of regulation 107(e) the following Acts—
  - (i) Australian Meat and Live-stock Industry Act 1997 of the Commonwealth;
  - (ii) Meat Industry Act 1978 of New South Wales;

- (iii) Food Production (Safety) Act 2000 of Queensland;
- (iv) Primary Produce (Food Safety Schemes) Act 2004 of South Australia;
- (v) Western Australian Meat Industry Authority Act 1976 of Western Australia;
- (vi) Primary Produce Safety Act 2011 of Tasmania;
- (vii) Meat Industries Act of the Northern Territory;

**emergency** means an emergency that poses an imminent danger to livestock but does not include an outbreak of disease;

**government apiary officer** means a person appointed, under a law of another State or Territory of the Commonwealth corresponding with the Act, to inspect bees, bee products, fodder or beekeeping fittings;

**knackery** has the same meaning as it has in the **Meat Industry Act 1993**;

**National Livestock Identification System** means the system in Australia for identifying and tracking livestock for disease control, food safety and market access purposes;

**Newcastle Disease Management Plan** means the Australian Animal Health Council Ltd. "National Newcastle Disease Management Plan 2013-16 Version 1.7", as published or amended from time to time;

Reg. 5 def. of  
*NLIS device*  
amended by  
S.R. No.  
118/2018  
reg. 5(2).

**NLIS** means the National Livestock Identification System;

**NLIS device** means a device for the permanent identification of livestock that—

- (a) contains a microchip, which records information that can be retrieved electronically; and
- (b) is capable of being permanently attached to or implanted in livestock; and
- (c) is made by a manufacturer under a licence granted by NLIS Limited (ABN 34 134 745 038); and
- (d) in the case of a rumen bolus, is accompanied by an ear tag in the form of Part D of Schedule 3;

**NLIS ear tag** means an ear tag for the permanent identification of a sheep or a goat that—

- (a) records information that can be read visually; and
- (b) is capable of being permanently attached to a sheep or a goat; and
- (c) is made by a manufacturer under a licence granted by Meat and Livestock Australia Limited (ABN 39 081 678 364);

**poultry** means any of the following livestock reared in captivity—

- (a) a chicken;
- (b) a turkey;
- (c) a guinea fowl;
- (d) a duck;

- (e) a goose;
- (f) a quail;
- (g) a pigeon;
- (h) a pheasant;
- (i) a partridge;
- (j) an emu;
- (k) an ostrich;

***registered beekeeper*** means a person registered as a beekeeper in accordance with Division 5 of Part 4 of the Act;

***rumen bolus*** means a capsule that may be inserted into cattle which after application is intended to rest in the reticulum for the life of the animal and which contains an electronic transponder that can be read electronically;

***the Act*** means the **Livestock Disease Control Act 1994**;

***veterinary practitioner*** means a veterinary practitioner registered under the **Veterinary Practice Act 1997**.

## Part 2—Notification of livestock diseases

### 6 Notification of diseases

- (1) For the purposes of section 7(3) of the Act, the following is the prescribed time—
- (a) for a disease listed in Part A of Schedule 2, without delay;
  - (b) for a disease listed in Part B of Schedule 2, within 12 hours;
  - (c) for a disease listed in Part C of Schedule 2, within 7 days;
  - (d) for any disease not listed in Schedule 2 (other than an exotic disease), within 12 hours.

- (2) For the purposes of section 7(3) of the Act, the following is the prescribed manner—

Reg. 6(2)(a)  
amended by  
S.R. No.  
118/2018  
reg. 6(1).

- (a) in the case of a notice provided in accordance with subregulation (1)(a), that the notice is provided by the fastest means of communication available at the time;
- (b) for any notice provided in accordance with subregulation (1)(a), (b), (c) or (d) that it contains information in respect of—

Reg. 6(2)(b)(i)  
substituted by  
S.R. No.  
118/2018  
reg. 6(2).

- (i) the species of livestock, or the type of livestock product and the species from which it was derived; and

- (ii) the property identification code identifying the property at which the livestock is kept (if known); and

Reg. 6(2)(b)(iii)  
amended by  
S.R. No.  
118/2018  
reg. 6(3).

- (iii) the disease known or suspected to be present; and

- (iv) the number and type of livestock on the property; and
- (v) the species and number of live animals that are affected and the species and number of live animals that are not affected; and
- (vi) the number of dead animals; and
- (vii) a description of the signs of the disease; and
- (viii) whether or not a veterinary practitioner has been consulted for the purposes of determining if the livestock, livestock product or hive is infected with any disease; and
- (ix) any veterinary practitioner who has been consulted in accordance with paragraph (viii), and the name and contact details of the veterinary practitioner; and
- (x) the address or description of the location at which the livestock, livestock product or hives were observed; and
- (xi) the date of onset of signs of the disease; and
- (xii) the age of any livestock known or suspected to be affected by the disease; and
- (xiii) whether or not any specimens have been submitted to a laboratory for the purpose of determining if the livestock, livestock product or hive is infected with any disease; and

Reg.  
6(2)(b)(xii)  
amended by  
S.R. No.  
118/2018  
reg. 6(3).

Reg. 6(3)  
inserted by  
S.R. No.  
118/2018  
reg. 6(4).

- (xiv) the name and address of the laboratory to which any specimen has been sent; and
  - (xv) the name and address of the owner of the affected livestock, livestock product or hive (if known); and
  - (xvi) the name, address and telephone number of the person providing the notice; and
  - (xvii) the date of the notice.
- (3) A person who is required to notify an inspector about a known or suspected disease under section 7(1) of the Act must retain any documents evidencing, or giving rise to the knowledge or suspicion of, the disease for a period of 7 years after the person gives the required notification.

Penalty: 5 penalty units.

## **7 Notification of unusual circumstances of disease or death in livestock**

For the purposes of section 7B of the Act, the following is the prescribed manner—

- (a) that the notification is in writing;
- (b) that the notification contains information in respect of—
  - (i) the species of the livestock or the species of livestock from which the livestock product was derived; and
  - (ii) the property identification code identifying the property at which the livestock is kept (if known); and
  - (iii) the disease suspected to be present; and



- (iv) the species and number of live animals that are affected and the species and number of live animals that are not affected; and
- (v) the number of dead animals; and
- (vi) a description of the signs of the disease; and
- (vii) the date of onset of signs of the disease; and
- (viii) the age of any livestock suspected to be affected by the disease; and
- (ix) whether or not a veterinary practitioner has been consulted for the purposes of determining whether the livestock, livestock product or hive is infected with any disease; and
- (x) any veterinary practitioner who has been consulted in accordance with paragraph (ix), and the name and contact details of the veterinary practitioner; and
- (xi) the address or description of the location at the which the livestock, livestock product or hives were observed; and
- (xii) whether or not any specimens have been submitted to a laboratory for the purpose of determining if the livestock, livestock product or hive is infected with any disease; and
- (xiii) the name and address of the laboratory to which any specimen has been sent; and

- (xiv) the name and address of the owner of the affected livestock, livestock product or hive (if known); and
- (xv) the name, address and telephone number of the person providing the notice; and
- (xvi) the date of the notification.

## **Part 3—Requirements for vendor declarations when livestock are moved**

### **8 Prescribed particulars to be included in vendor declaration by first owner**

For the purposes of section 8A(2)(c)(vii) of the Act, the prescribed particulars are—

(a) in the case of cattle, pigs, sheep and goats—

- (i) the name of the owner of the livestock or the trading name of the owner of the livestock; and
- (ii) the physical address of the place from which the livestock are being moved; and
- (iii) the unique serial number on the form approved by the Secretary under section 8A(2)(b) of the Act; and
- (iv) the property identification code of the property of destination or, if not known, the name of the owner of the property of destination and the address; and
- (v) whether the livestock have been bred by the owner making the declaration and if not, the period of time the livestock were kept on the property from which they are to be moved; and

Reg. 8(a)(v)  
inserted by  
S.R. No.  
118/2018  
reg. 7(1).

(b) in the case of pigs, sheep and goats, in addition to the matters referred to in paragraph (a), the number and description of the pigs, sheep or goats being moved; and

Reg. 8(b)  
substituted by  
S.R. No.  
118/2018  
reg. 7(2).

Reg. 8(c)  
amended by  
S.R. No.  
118/2018  
reg. 7(3).

(c) in the case of pigs that are branded or tattooed, in addition to the matters referred to in paragraph (a) and (b), the tattoo or brand number; and

Reg. 8(d)  
inserted by  
S.R. No.  
118/2018  
reg. 7(4).

(d) any property identification codes recorded on the vendor declaration in accordance with regulation 23(1)(d).

### **9 Prescribed period for which vendor declaration to be kept when ownership does not change**

For the purposes of section 8A(4) of the Act, the prescribed period is—

- (a) in the case of cattle, 7 years; or
- (b) in the case of pigs, 2 years; or
- (c) in the case of sheep, 7 years; or
- (d) in the case of goats, 7 years; or
- (e) in the case of a vendor declaration kept by the NLIS, the period between the date the relevant livestock are moved and the giving of a vendor declaration to the NLIS.

### **10 Prescribed period within which livestock agent to give vendor declaration to new owner**

For the purposes of section 8A(6) of the Act, the prescribed period is—

- (a) in the case of cattle—
  - (i) if the cattle are being moved from a saleyard to an abattoir whichever is the sooner of midnight on the day of sale or before the cattle are slaughtered at the abattoir; or
  - (ii) in any other case, within 2 working days; and

- (b) in the case of pigs, by the time of delivery to the new owner; and
- (c) in the case of sheep or goats—
  - (i) that are being moved from a saleyard to an abattoir, whichever is the sooner of midnight on the day of sale or before the sheep or goats are slaughtered at the abattoir; or
  - (ii) in any other case, within 2 working days.

**11 Prescribed document and particulars for document relating to movement of livestock**

Reg. 11  
substituted by  
S.R. No.  
118/2018  
reg. 8.

For the purposes of section 8A(6)(b) of the Act, in the case of cattle, pigs, sheep or goats consigned to an abattoir, the prescribed document is a document (a *post-sale summary*) containing the following particulars—

- (a) the date of sale of the livestock;
- (b) the number of livestock in the sale lot;
- (c) the serial number on any vendor declaration accompanying the livestock;
- (d) the property identification code identifying the property from which the livestock were dispatched;
- (e) the property identification code identifying the property to which the livestock will be dispatched;
- (f) in the case of livestock sold through a saleyard, the property identification code identifying the saleyard;
- (g) whether the livestock are vendor bred, and if not, the period of time that the livestock were kept on the property from which they were dispatched;

- (h) in the case of sheep or goats that are not vendor bred, and are not identified with a NLIS device, or a NLIS ear tag applied by the vendor, the property identification codes recorded on the vendor declaration in accordance with regulation 23(1)(d);
- (i) for every sheep or goat identified with a NLIS device, the first 8 visually readable characters on the NLIS device if it is not identifying the property from which the sheep or goat was dispatched.

**12 Prescribed period to keep a vendor declaration by person giving a vendor declaration**

For the purposes of section 8A(7) of the Act, the prescribed period is—

- (a) in the case of pigs, 2 years; or
- (b) in the case of sheep or goats—
  - (i) for a stock and station agent, 2 years; and
  - (ii) for any other person, 7 years; or
- (c) in the case of cattle—
  - (i) for a stock and station agent, 2 years; and
  - (ii) for any other person, 7 years; or
- (d) in the case of a document kept by the NLIS in respect of sheep or goats, the period between the date the vendor declaration or document was given to the person and the giving of the copy to the NLIS.

### **13 Prescribed period for person to keep vendor declaration or document**

For the purposes of section 8A(8) of the Act, the prescribed period is—

- (a) for a document given under section 8A(3) of the Act—
  - (i) in the case of pigs, 2 years; and
  - (ii) in the case of cattle, sheep or goats, 7 years; or
- (b) for a document given under section 8A(6) of the Act, other than to a saleyard operator, 2 years.

### **14 Prescribed livestock**

For the purposes of the definition of *livestock* in section 8A(9) of the Act, the prescribed livestock are cattle, pigs, sheep and goats.

## **Part 4—Requirements for movement information when livestock are slaughtered**

### **15 Cattle, pigs, sheep and goats not to be slaughtered without movement documentation**

An abattoir operator must not slaughter cattle, pigs, sheep or goats unless the abattoir operator has in the abattoir operator's possession, in relation to the ownership of the cattle, pigs, sheep or goats a vendor declaration or a document provided to the abattoir operator under section 8A of the Act.

Penalty: 5 penalty units.



## Part 5—Identification of livestock

### Division 1—Prescribed manner of identification

#### 16 Prescribed livestock for the purposes of section 9

For the purposes of section 9 of the Act, the prescribed livestock are pigs, sheep and goats.

#### 17 Prescribed manner of identification for cattle

(1) For the purposes of section 9 of the Act, in respect of cattle the prescribed manner is—

Reg. 17(1)  
substituted by  
S.R. No.  
118/2018  
reg. 9.

(a) by means of a NLIS device in the form of Part A or Part D of Schedule 3 that identifies the property at which the cattle were born (***cattle breeder electronic tag***); or

(b) in the case of cattle that have moved off the property of birth—

(i) if the cattle are unidentified or identified with a NLIS device that is not functioning, by means of a NLIS device in the form of Part B or Part D of Schedule 3 that identifies the property at which the cattle are kept (***cattle post-breeder electronic tag***); or

(ii) if the cattle have previously been identified with a cattle breeder electronic tag, or a cattle post-breeder electronic tag, and that tag remains attached to the cattle and is functioning, by means of that tag; or

(c) in the case of cattle that are less than 6 weeks of age and are consigned directly to a knackery for disposal, by means of a NLIS device or ear tag that identifies the property from which the cattle are to be dispatched.

Livestock Disease Control Regulations 2017  
S.R. No. 57/2017  
Part 5—Identification of livestock

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Reg. 17(1A)  
inserted by  
S.R. No.  
118/2018  
reg. 9.

(1A) If a NLIS device in the form of Part A or Part B of Schedule 3 is used to identify cattle under subregulation (1), the NLIS device must be attached to the right ear of the cattle in accordance with the manufacturer's instructions.

Reg. 17(1B)  
inserted by  
S.R. No.  
118/2018  
reg. 9.

(1B) If a NLIS device in the form of Part D of Schedule 3 is used to identify cattle under subregulation (1), the ear tag accompanying the rumen bolus must be attached to an ear of the cattle in accordance with the manufacturer's instructions.

(2) A saleyard operator, selling agent or cattle scale operator who reasonably believes that cattle has not been identified in accordance with section 9 of the Act must make and keep a record of the use of a cattle post-breeder electronic tag to identify cattle for a period of 2 years that includes the following information—

- (a) the relevant animal identifier;
- (b) the date of use of the cattle post-breeder electronic tag;
- (c) the name of the person who attached the cattle post-breeder electronic tag to the cattle;
- (d) the property identification code of the property from which the cattle originated;
- (e) the total number of livestock in the consignment of which the cattle are a part.

Penalty: 10 penalty units.

### **18 Unidentified cattle—unsafe circumstances**

Regulation 17 does not apply in the circumstance of the dispatch of cattle that has not been identified by an owner who—

- (a) reasonably believes it is unsafe to identify the cattle in the manner prescribed under regulation 17; and
- (b) has been issued a permit by an inspector authorising the dispatch of the cattle without the cattle being identified in the manner prescribed under regulation 17; and
- (c) complies with any term or condition of the permit referred to in paragraph (b).

### **19 Unidentified cattle—emergency circumstances**

Regulation 17 does not apply in the circumstance of the dispatch by an owner during an emergency of cattle that has not been identified if the owner—

- (a) within 7 days of the dispatch occurring, notifies an inspector of the dispatch of the cattle; and
- (b) gives the following information to the Secretary in the manner specified by the Secretary—
  - (i) the property identification code of the property from which the cattle were dispatched;
  - (ii) the date of dispatch of the cattle;
  - (iii) the number and description of the cattle received at the destination property;

Reg. 19(b)(iv)  
amended by  
S.R. No.  
118/2018  
reg. 10.

- (iv) the property identification code of the destination property;

- (v) the name and address of the consignee (if known).

Reg. 20  
amended by  
S.R. No.  
118/2018  
reg. 11(1).

## **20 Prescribed manner of identification for pigs**

For the purposes of section 9 of the Act, in respect of a pig the prescribed manner is—

Reg. 20(b)  
amended by  
S.R. No.  
118/2018  
reg. 11(2).

- (a) by means of a tattoo or ear tag that sets out the brand issued to the owner of the pig by the Secretary, from which can be ascertained the property identification code identifying the property at which the pig was kept immediately before being dispatched, sold, transported, slaughtered or disposed of; and

- (b) in the case that the pig is less than 25 kilograms in weight, an ear tag that must be in the form of Part E of Schedule 3 and attached to an ear of the pig in accordance with the manufacturer's instructions; and

Reg. 20(c)  
substituted by  
S.R. No.  
118/2018  
reg. 11(3).

- (c) in the case of a pig that is 25 kilograms or more in weight, a tattoo that must be in the form of Part F of Schedule 3 and applied so that the tattoo is readable and located in accordance with the following—

- (i) in the case of a tattoo that identifies the property on which the pig is born, on the left shoulder of the pig;

- (ii) if subparagraph (i) does not apply—
  - (A) if there is no tattoo on the right shoulder of the pig, on the right shoulder of the pig; or
  - (B) if there is a tattoo on the right shoulder of the pig and no tattoo on the right rump of the pig, on the right rump of the pig; or
  - (C) if there are tattoos on the right shoulder and right rump of the pig and no tattoo on the left rump of the pig, on the left rump of the pig; or
  - (D) if there are tattoos on the right shoulder, right rump and left rump of the pig, on whichever of those locations the tattoo is likely to be the most clearly visible.

## **21 Unidentified pig—unsafe circumstances**

Regulation 20 does not apply in the circumstance of the dispatch of a pig that has not been identified by an owner who—

- (a) reasonably believes it is unsafe to identify the pig in the manner prescribed under regulation 20; and
- (b) has been issued a permit by an inspector authorising the dispatch of the pig without the pig being identified in the manner prescribed under regulation 20; and
- (c) complies with any term or condition of the permit referred to in paragraph (b).

## **22 Unidentified pig—emergency circumstances**

Regulation 20 does not apply in the circumstance of the dispatch by an owner during an emergency of a pig that has not been identified if the owner—

- (a) within 7 days of the dispatch occurring, notifies an inspector of the dispatch of the pig; and
- (b) gives the following information to the Secretary in the manner specified by the Secretary—
  - (i) the property identification code of the property from which the pig was dispatched;
  - (ii) the date of dispatch of the pig;
  - (iii) the number of pigs received at the destination property;
  - (iv) the property identification code of the property of destination;
  - (v) the name and address of the consignee (if known).

Reg. 22(b)(iv)  
amended by  
S.R. No.  
118/2018  
reg. 12.

## **23 Prescribed manner of identification for sheep and goats born before 1 January 2017**

- (1) For the purposes of section 9 of the Act, in respect of a sheep or a goat born before 1 January 2017 the prescribed manner is—
  - (a) the manner of identification prescribed under regulation 24; or

- (b) in the case that a sheep or a goat is not identified in accordance with paragraph (a) and is on the property of birth, by means of a NLIS ear tag in the form of Part G of Schedule 3 that is attached to an ear of the sheep or goat in accordance with the manufacturer's instructions and sets out the property identification code identifying the property at which the sheep or the goat was born (***sheep and goat breeder tag***); or
- Reg. 23(1)(b) amended by S.R. No. 118/2018 reg. 13(1).
- (c) in the case that a sheep or goat is not identified in accordance with paragraph (a) and has moved off the property of birth, by means of a NLIS ear tag in the form of Part H of Schedule 3 that is attached to an ear of the sheep or goat in accordance with the manufacturer's instructions and identifies the property at which the sheep or goat is kept (***sheep and goat post-breeder tag***), in addition to any other NLIS ear tag already attached to the sheep or goat; or
- Reg. 23(1)(c) substituted by S.R. No. 118/2018 reg. 13(2).
- (d) in the case that a sheep or goat has moved off the property of birth and is not identified in accordance with paragraph (a) or (c) and has one or more NLIS ear tags attached to it, by means of recording the property identification codes on the NLIS ear tags onto the vendor declaration.
- Reg. 23(1)(d) inserted by S.R. No. 118/2018 reg. 13(2).
- (2) A saleyard operator or selling agent who reasonably believes that a sheep or a goat has not been identified in accordance with section 9 of the Act must make and keep for a period of 2 years a record of the use of a sheep and goat post-breeder tag to identify the sheep or the goat that includes the following information—
- (a) the relevant animal identifier;

- (b) the date of use of the sheep and goat post-breeder tag;
- (c) the name of the person who attached the sheep and goat post-breeder tag to the sheep or the goat;
- (d) the property identification code of the property from which the sheep or the goat originated;
- (e) the total number of livestock in the consignment of which the sheep or the goat are a part.

Penalty: 10 penalty units.

#### **24 Prescribed manner of identification for sheep and goats born on or after 1 January 2017**

Reg. 24(1)  
substituted by  
S.R. No.  
118/2018  
reg. 14.

- (1) For the purposes of section 9 of the Act, in respect of a sheep or goat born on or after 1 January 2017, the prescribed manner is—
  - (a) by means of a NLIS device in the form of Part I of Schedule 3 that is attached to an ear of the sheep or goat in accordance with the manufacturer's instructions and identifies the property at which the sheep or goat was born (***breeder electronic tag***); or
  - (b) in the case of a sheep or goat that has moved off the property of birth—
    - (i) if the sheep or goat is not identified with a NLIS device or identified with a NLIS device that is not functioning, by means of a NLIS device in the form of Part J of Schedule 3 that is attached to an ear of the sheep or goat in accordance with the manufacturer's instructions and identifies the property at which the sheep or goat is kept (***post-breeder electronic tag***); or



- (ii) if the sheep or goat has previously been identified with a breeder electronic tag, or a post-breeder electronic tag, and that tag remains attached to the sheep or goat and is functioning, by means of that tag.
- (2) A saleyard operator or selling agent who reasonably believes that a sheep or a goat has not been identified in accordance with section 9 of the Act must make and keep for a period of 2 years a record of the use of a post-breeder electronic tag to identify the sheep or the goat that includes the following information—
  - (a) the relevant animal identifier;
  - (b) the date of use of the post-breeder electronic tag;
  - (c) the name of the person who attached the post-breeder electronic tag to the sheep or the goat;
  - (d) the property identification code of the property from which the sheep or goat originated;
  - (e) the total number of livestock in the consignment of which the sheep or the goat are a part.

Penalty: 10 penalty units.

## **25 Unidentified sheep or goat—unsafe circumstances**

Regulation 23 or 24 (as the case requires) do not apply in the circumstance of the dispatch of a sheep or a goat that has not been identified by an owner who—

- (a) reasonably believes it is unsafe to identify the sheep or the goat in the manner prescribed under regulation 23 or 24; and

- (b) has been issued a permit by an inspector authorising the dispatch of the sheep or the goat without the sheep or the goat being identified in the manner prescribed under regulation 23 or 24; and
- (c) complies with any term or condition of the permit referred to in paragraph (b).

**26 Unidentified sheep or goats—emergency circumstances**

- (1) Regulation 23 or 24 (as the case requires) do not apply in the circumstance of the dispatch by an owner during an emergency, of a sheep or a goat that has not been identified, if the owner within 14 days of the date of the dispatch makes a record that contains the information under subregulation (2), and provides that record to the Secretary in the manner specified by the Secretary.
- (2) A record referred to in subregulation (1) must include the following information—
  - (a) the property identification code of the property from which the sheep or the goat was dispatched;
  - (b) the date of dispatch of the sheep or the goat;
  - (c) the number of sheep or goats received at the destination property;
  - (d) the unique serial number on any vendor declaration.

**27 Prescribed manner for identification of cattle directly dispatched from place of purchase**

For the purposes of section 9 of the Act, in respect of any cattle that is dispatched directly from the place at which it was purchased for sale at a saleyard, slaughter at an abattoir or disposal at a knackery, the prescribed manner

is a NLIS device attached to the cattle at the time of purchase.

**28 Prescribed manner for identification of pigs directly dispatched from place of purchase**

For the purposes of section 9 of the Act, in respect of a pig that is dispatched directly from the place at which it was purchased for sale at a saleyard, slaughter at an abattoir or disposal at a knackery, the prescribed manner is an ear tag or tattoo borne by the pig at the time of purchase.

**29 Prescribed manner for identification of sheep and goats directly dispatched from place of purchase**

For the purposes of section 9 of the Act, in respect of a sheep or a goat that is dispatched directly from the place at which it was purchased for sale at a saleyard, slaughter at an abattoir or disposal at a knackery, the prescribed manner is a NLIS ear tag or NLIS device borne by the sheep or the goat at the time of purchase.

**30 Prescribed manner for identification of pigs sold privately**

For the purposes of section 9 of the Act, in respect of a pig that is sold privately between persons and is to remain on the purchaser's property for 30 days or more, and is not identified in accordance with regulation 20 the prescribed manner is that the pig must be accompanied by a document that—

- (a) identifies the pig by breed, sex and age; and
- (b) contains the property identification code identifying the property from which the pig was dispatched for sale or the brand issued to the owner of the pig by the Secretary from which that property identification code can be ascertained.

**31 Prescribed manner of identification for cattle or pigs to be slaughtered or disposed of at a knackery**

For the purposes of section 9 of the Act, in the case of any cattle or pig that is to be slaughtered at an abattoir or disposed of at a knackery and the cattle or pig is not identified in the manner set out in regulation 17, 20, 33 or 34 the prescribed manner of identification is that the operator of the abattoir or knackery—

- (a) before the slaughter or disposal of the cattle or the pig determine the property at which the cattle or the pig was last kept or the lot or pen number at the relevant sale yard from which the cattle or the pig was collected; and
- (b) keep a record of the information determined under paragraph (a) for 2 years.

**32 Pigs less than 25 kg may be identified with temporary tags**

- (1) For the purposes of section 9 of the Act, in the case of a pig that is not identified by an ear tag and weighs less than 25 kilograms and is to be sold in a saleyard or scale operation or slaughtered or disposed of at an abattoir or a knackery, the prescribed manner of identification is that—

- (a) a selling agent ensure that a temporary ear tag in the form of Part K of Schedule 3 be attached to an ear of the pig in accordance with the manufacturer's instructions; and
- (b) the following details are recorded against the tag number by the selling agent—
  - (i) the name and address of the person selling the pig;

Reg. 32(1)(a)  
amended by  
S.R. No.  
118/2018  
reg. 15.

- (ii) the property identification code (if issued) or the brand identifying the property from which the pig was dispatched.
  - (2) The selling agent must keep the details recorded in accordance with subregulation (1)(b) for 2 years.
- Penalty: 5 penalty units.

### **33 Pigs may be identified with temporary tattoos**

- (1) For the purposes of section 9 of the Act, in the case of a pig that is not identified by a tattoo and weighs 25 kilograms or more and is to be sold in a saleyard or scale operation or slaughtered or disposed of at an abattoir or a knackery, the prescribed manner of identification is that—
  - (a) a selling agent ensure that a temporary tattoo in accordance with Part L of Schedule 3 be applied to the pig such that the tattoo is readable and located—
    - (i) in the case that there is no tattoo on the right shoulder of the pig, on the right shoulder of the pig; or
    - (ii) in the case that there is a tattoo on the right shoulder of the pig and no tattoo on the right rump of the pig, on the right rump of the pig; or
    - (iii) in the case that there are tattoos on the right shoulder and right rump of the pig and no tattoo on the left rump of the pig, on the left rump of the pig; or
    - (iv) in the case that there are tattoos on the right shoulder, right rump and left rump of the pig, on whichever of those locations the tattoo is likely to be the most clearly visible; and

Reg. 33(1)(a)  
substituted by  
S.R. No.  
118/2018  
reg. 16.

- (b) the following details are recorded against the tattoo brand by the selling agent—
  - (i) the name and address of the person selling the pig;
  - (ii) the property identification code (if issued) or other details identifying the property from which the pig was dispatched.
- (2) The selling agent must keep the details recorded in accordance with subregulation (1)(b) for 2 years.

Penalty: 5 penalty units.

#### **34 Cattle may be identified with temporary tags**

- (1) For the purposes of section 9 of the Act, in the case of cattle that is not identified by a NLIS device and a selling agent or a scale operator reasonably believes it is unsafe to attach a NLIS device and the cattle is to be sold in a saleyard or scale operation or slaughtered or disposed of at an abattoir or a knackery, the prescribed manner of identification is—
  - (a) a temporary tail tag in the form of Part C of Schedule 3 attached to the tail of the cattle, before the cattle leave the saleyard or scale operation; and
  - (b) that the selling agent or the scale operator who attaches a temporary tail tag under paragraph (a) records the following information against the tag number by the close of business on the day the temporary tag was attached—
    - (i) the name and address of the person selling the cattle;

Reg. 34(1)(a)  
amended by  
S.R. No.  
118/2018  
reg. 17.

- (ii) the property identification code (if issued) identifying the property from which the cattle was dispatched;
  - (iii) the number on each temporary tail tag attached to the cattle and the date it was attached;
  - (iv) the unique number on the vendor declaration accompanying the cattle.
- (2) A selling agent or scale operator must keep the information recorded in accordance with subregulation (1)(b) for 2 years.
- (3) The selling agent or the scale operator who records information under subregulation (1)(b) must provide as soon as practicable that information to the Secretary in the manner specified by the Secretary.

Penalty: 5 penalty units.

**35 Non-functioning identification device or tag may be removed**

Reg. 35  
(Heading)  
amended by  
S.R. No.  
118/2018  
reg. 18(1).

- (1) For the purposes of section 9A(2)(c) of the Act—
- (a) a NLIS device may be removed if the device cannot be read with a reader; and
  - (b) a NLIS ear tag may be removed if the identifying numbers cannot be visually read.
- (1A) A person who removes a NLIS device or NLIS ear tag from livestock under subregulation (1) must immediately after the removal—
- (a) attach a new NLIS device or NLIS ear tag to the livestock in accordance with this Division; and
  - (b) provide to the Secretary or a person nominated by the Secretary, in the manner required by the Secretary, a record that specifies—

Reg. 35(1A)  
inserted by  
S.R. No.  
118/2018  
reg. 18(2).

- (i) the visually readable information printed on the NLIS device or NLIS ear tag that was removed, or if there is no visually readable information, a statement to that effect; and
- (ii) the visually readable information on the replacement NLIS device or NLIS ear tag; and
- (iii) in the case that a replacement NLIS device is used, the information recorded electronically on the replacement NLIS device.

Penalty: 5 penalty units.

(2) In this regulation **reader** means an instrument—

- (a) that is used to scan a NLIS device; and
- (b) that is capable of detecting and decoding the number encoded on the transponder in a NLIS device.

Reg. 36  
substituted by  
S.R. No.  
118/2018  
reg. 19.

### **36 Disposal of removed NLIS device or NLIS ear tag**

A person who removes a NLIS device or NLIS ear tag from livestock must dispose of the NLIS device or NLIS ear tag in a manner that prevents its reuse.

Penalty: 5 penalty units.

### **37 NLIS device not to be re-used without authority**

A person must not without the approval of the Secretary use for the identification of livestock, a NLIS device that has previously been used to identify livestock.

Penalty: 5 penalty units.



## **Division 2—Identification of livestock brought into Victoria**

### **38 Identification of livestock brought into Victoria**

For the purposes of section 10(2)(a) of the Act, for a person who brings into Victoria any cattle, pig, sheep or goat from another State or a Territory of the Commonwealth, the prescribed requirements are—

- (a) in the case of cattle, the cattle must be identified by means of a NLIS device that identifies the cattle in accordance with any laws relating to identification of livestock of the State or Territory from which the cattle was dispatched; and
- (b) in the case of a pig, the pig must be identified by a tattoo or ear tag that contains the brand that identifies the property from which the pig was dispatched in accordance with any laws relating to identification of livestock of the State or Territory from which the pig was dispatched; and
- (c) in the case of a sheep or a goat, the sheep or the goat must be identified by means of a NLIS device or a NLIS ear tag that identifies the sheep or the goat in accordance with any laws relating to identification of livestock of the State or Territory from which the sheep or the goat was dispatched; and
- (d) that a consignment is accompanied by a completed and accurate vendor declaration; and
- (e) any requirement determined by the Secretary.

### **Division 3—Permanent identification of livestock**

#### **39 Prescribed classes of livestock to be permanently identified**

For the purposes of section 9A of the Act, the prescribed classes of livestock are pigs, sheep and goats.

#### **40 Prescribed circumstances for permanent identification of prescribed classes of livestock**

- (1) For the purposes of section 9A(1)(b) of the Act, the prescribed circumstances, in the case of cattle, are—
  - (a) before the cattle are dispatched from the property at which they are being kept—
    - (i) to another property for grazing, feeding or exhibition if the other property has a different property identification code; or
    - (ii) to another property after private sale of the cattle; or
    - (iii) to another property in any other circumstances other than those set out in section 9(a) of the Act; and
  - (b) in the case of cattle not permanently identified that are introduced to a property before being dispatched from that property.
- (2) For the purposes of section 9A(1)(b) of the Act, the prescribed circumstances, in the case of a sheep or a goat are, before the sheep or the goat is removed from the property at which it is being kept to another property—

- (a) for grazing, feeding or exhibition if that other property has a different property identification code; or
- (b) after private sale of the sheep or the goat.

#### **Division 4—General**

##### **41 Livestock prescribed for the purposes of section 9B**

For the purposes of section 9B(1) of the Act, the prescribed classes of livestock are camels, pigs, sheep, goats, horses, alpaca, llama, deer and poultry.

Reg. 41  
amended by  
S.R. No.  
118/2018  
reg. 20.

##### **42 Applications for property identification code**

- (1) For the purposes of section 9B(3)(a) of the Act, the prescribed manner is—
  - (a) in writing in a form approved by the Secretary; or
  - (b) by electronic communication on the Internet site of the Department of Economic Development, Jobs, Transport and Resources; or
  - (c) by sending to the Secretary by post, fax or by any other form or communication approved by the Secretary in writing in the form approved by the Secretary.
- (2) For the purposes of section 9B(3)(b) of the Act, the following is the prescribed information—
  - (a) the name, postal address, telephone number, facsimile number (if any) and email address (if any) of the applicant, the person responsible for the husbandry of the livestock and the owner of the property;

- (b) details of the property (including the shire, parish, rural address, council property number (if any) and grazing licence number (if applicable));
  - (c) the type and number of livestock running on the property at the time of the application;
  - (d) if the ownership in the property changed within the 12 months before the application, the name and address of the former owner and the previous property identification code that was issued in relation to the property.
- (3) For the purposes of paragraph (e) of the definition of **livestock business** in section 9B(7) of the Act, a prescribed class of business is—
- (a) a business undertaken by a stock and station agent; or
  - (b) a business dealing with the buying or selling of livestock or the carcasses of livestock; or
  - (c) a business dealing with the displaying or exhibiting of livestock; or
  - (d) an artificial breeding centre.
- (4) In this regulation **council** has the same meaning as in the **Local Government Act 1989**.

#### **43 NLIS tags and devices are specific to property**

A person, other than a person approved by the Secretary, must not attach a NLIS device or NLIS ear tag to any livestock on a property if the property identification code visible on the NLIS ear tag or encoded on the NLIS device is not the property identification code allocated by the Secretary to that property.

Penalty: 5 penalty units.

**44 Tags, devices and tattoo brands to be returned where livestock no longer kept at property**

The owner of any cattle or livestock of a class prescribed in regulation 39, in respect of which a property identification code has been issued, who permanently ceases to keep the cattle or the livestock on the property identified by the code must—

- (a) immediately notify the Secretary of that fact; and
- (b) return to the Secretary any unused ear tags or approved NLIS devices and any tattoo brands in the owner's possession that were used to identify the cattle, pigs, sheep or goats.

Penalty: 5 penalty units.

**45 Carcase to remain identified until tests carried out**

An operator of an abattoir or knackery must, in respect of all cattle, pigs, sheep or goats ensure that any NLIS ear tag, NLIS device, tattoo or other identification tag that was attached to cattle, pigs, sheep or goats before being slaughtered is able to be related to the carcase of the cattle, pigs, sheep or goats until the carcase has passed all examinations and tests required to be carried out by the inspection and quality assurance process at that abattoir or knackery.

Penalty: 10 penalty units.

## **Part 6—Introduction of livestock, livestock products, fodder or fittings into Victoria**

### **Division 1—Certification of livestock, livestock products, fodder or fittings introduced into Victoria**

#### **46 Prescribed manner of certification**

For the purposes of section 10(2) and (3) of the Act, the following manner of certification is prescribed—

- (a) in the case of cattle from Queensland, Western Australia or the Northern Territory, that is not being sent directly to an abattoir for slaughter, a certificate in the form of—
  - (i) Part A of Schedule 4 completed by the owner of the cattle 14 days or less before the introduction of the cattle into Victoria; and
  - (ii) Part B of Schedule 4 completed by an authorised officer;
- (b) in the case of pigs from Western Australia or the area of Queensland north of the Tropic of Capricorn or the Northern Territory, that are not being sent directly to an abattoir for slaughter, a certificate in the form of—
  - (i) Part A of Schedule 5 completed by the owner of the pigs 14 days or less before the introduction of the pigs into Victoria; and
  - (ii) Part B of Schedule 5 completed by an authorised officer;

- (c) in the case of bees, bee products, pollen or used beekeeping fittings, a certificate (as the case requires) in the form of—
  - (i) Part A of Schedule 6 or 7 completed by the owner of the bees, bee products, pollen or used beekeeping fittings—
    - (A) one month or less before the introduction into Victoria of the bees, bee products, pollen or used beekeeping fittings; or
    - (B) four months or less before the introduction into Victoria of a queen bee, escorts, queen cell or packaged bees; and
  - (ii) Part B of Schedule 6 or 7 completed by a government apiary officer.

**47 Owner must forward certificate to Secretary**

- (1) An owner of livestock who has completed a certificate in the manner prescribed under regulation 46(a) or (b) must give that certificate to the Secretary 48 hours or less after the introduction of the relevant livestock into Victoria.
- (2) An owner of honey, beeswax, pollen or used beekeeping fittings who has completed a certificate in the manner prescribed under regulation 46(c) must give that certificate to the Secretary—
  - (a) in the case that the certificate is in the form of Parts A and B of Schedule 6, 48 hours or less after the introduction of the relevant bees, honey, beeswax, pollen or used beekeeping fittings into Victoria; or

- (b) in the case that the certificate is in the form of Parts A and B of Schedule 7, 48 hours or less after the introduction of the relevant honey, beeswax, pollen or used beekeeping fittings into Victoria.

**48 Copy of certificate must accompany livestock, livestock products etc.**

- (1) A person who introduces cattle or pigs into Victoria that are the subject of a certificate completed in the manner prescribed under regulation 46(a) or (b) must ensure that a copy of the certificate—
  - (a) accompanies the relevant cattle or pigs; and
  - (b) is given to the consignee specified in the certificate.
- (2) A person who introduces any bees, bee products, pollen or used beekeeping fittings into Victoria that are the subject of a certificate completed in the manner prescribed under regulation 46(c) must ensure that a copy of the certificate—
  - (a) accompanies the bees, bee products, pollen or used beekeeping fittings; and
  - (b) is given to the consignee specified in the certificate.

**49 Consignee to retain copy of certificate**

A consignee who has been given a copy of a certificate under regulation 48 must retain it for 3 months after the date of the certificate.

Penalty: 5 penalty units.



## **Division 2—Restrictions on introduction of livestock, livestock products, fodder or fittings into Victoria**

### **50 Livestock subject to quarantine or restrictions on movement must not be introduced into Victoria**

- (1) A person must not, without the written approval of the Secretary, introduce into Victoria from any State or Territory of the Commonwealth any livestock (other than bees) which is—
  - (a) from a quarantine area under the laws of that State or Territory; or
  - (b) subject to restrictions on movement under the laws of that State or Territory.
- (2) For the purposes of subregulation (1), the Secretary may give an approval subject to conditions (if any) if the Secretary is satisfied that the introduction of the livestock into Victoria is unlikely to lead to the transmission of disease from the livestock to other livestock or humans.

### **51 Restrictions on introduction of cattle from Queensland, Western Australia and Northern Territory**

A person must not introduce into Victoria any cattle from Queensland, Western Australia or the Northern Territory unless the cattle—

- (a) is in good health and free from cattle tick;  
and
- (b) travels by direct transport without being agisted or depastured en route except for any necessary stops for feeding and watering;  
and

- (c) has been inspected by the owner required to complete Part A of Schedule 4 under regulation 46(a)(i), 14 days or less before introduction of the cattle.

**52 Restrictions on introduction of pigs from the Northern Territory, Western Australia or Queensland**

A person must not introduce into Victoria any pig from any area of Western Australia or Queensland north of the Tropic of Capricorn, or the Northern Territory unless—

- (a) it comes from a herd—
  - (i) recognised as being free of swine brucellosis under the laws of that State or Territory of the Commonwealth; or
  - (ii) in which swine brucellosis is not known to exist and the pig has, 30 days or less before entry into Victoria, been subjected to a blood test for swine brucellosis and the test has given a negative result; and
- (b) the pig is in good health and not under surveillance because of disease; and
- (c) the pig has been inspected by the owner required to complete Part A of Schedule 5 under regulation 46(b)(i), 14 days or less before introduction of the pig.

**53 Restrictions on introduction of bees, bee products, pollen and used beekeeping fittings—quarantine area**

- (1) Subject to regulation 54(2), a person must not, without the written approval of the Secretary, introduce into Victoria any bees, bee products, pollen or used beekeeping fittings from an apiary that is under the laws of the State or Territory of

the Commonwealth in which the apiary is located—

- (a) in a quarantine area in respect of a disease of bees; or
  - (b) in an area subject to restrictions on the movement of bees, bee products, pollen or beekeeping fittings due to a disease of bees.
- (2) For the purposes of subregulation (1), the Secretary may give an approval subject to conditions (if any) if the Secretary is satisfied that the introduction of the bees, bee products, pollen or used beekeeping fittings into Victoria is unlikely to lead to the transmission of disease from the bees, bee products, pollen or used beekeeping fittings to other livestock or humans.

**54 Restrictions on introduction of bees, bee products, pollen and used beekeeping fittings—disease of bees**

- (1) Subject to subregulation (2), a person must not introduce into Victoria any bees (including queen cells, queen bees, escorts, packaged bees), bee products, pollen or used beekeeping fittings unless they are—
- (a) from an apiary recognised under the laws of the State or Territory of the Commonwealth in which the apiary is located as not showing symptoms of American foul brood disease; and
  - (b) from hives not showing field symptoms of any other disease of bees.
- (2) A person may introduce into Victoria any honey, beeswax or pollen, used beekeeping fittings or hives affected by American foul brood disease if—

- (a) the pollen and used beekeeping fittings have been sufficiently irradiated by gamma radiation to eliminate any American foul brood disease before introduction; or
- (b) the honey, beeswax, pollen or used beekeeping fittings are placed in containers which are (except for containers placed inside a larger container and in that case only the larger container is labelled) labelled with weather-proof labels setting out—
  - (i) the name of the owner of the apiary from which the honey, beeswax, pollen or fittings originated or the name of the owner's agent; and
  - (ii) a contact telephone number of an inspector and the words "This load contains American foul brood diseased material which is highly infectious to honey bees. In the event of an accident contact an apiary inspector appointed under the **Livestock Disease Control Act 1994** as soon as possible"; or
- (c) the person ensures that the honey or beeswax is treated at a processing plant approved by the Secretary to eliminate the American foul brood disease immediately after its introduction into Victoria; or
- (d) the person ensures that the pollen or used beekeeping fittings will be sufficiently irradiated by gamma radiation to eliminate any American foul brood disease at a plant approved by the Secretary, immediately after its introduction into Victoria.

**55 Prescribed requirement—introduction of bees**

For the purposes of section 10(2)(a) of the Act, it is a prescribed requirement that any bees, pollen or used beekeeping fittings from an apiary in Tasmania are not introduced into Victoria.

**56 Prescribed requirement—introduction of comb honey**

For the purposes of section 10(2)(a) of the Act, it is a prescribed requirement that any comb honey from an apiary in Tasmania is not introduced into Victoria unless before the comb honey is introduced—

- (a) the comb honey is frozen to minus 15 degrees centigrade and held at that temperature for 24 hours; and
- (b) the comb honey is stored and transported in bee-free containers or transport vehicles; and
- (c) the comb honey is cut and packed in a bee-free area; and
- (d) no other comb honey is on the premises whilst the comb honey is being processed; and
- (e) copies of a temperature data log endorsed by the government apiary officer who completes the certificate referred to in regulation 46 accompany those certificates.

**57 Prescribed requirement—introduction of pollen**

For the purposes of section 10(2)(a) of the Act, it is a prescribed requirement that any pollen for feeding to bees is not introduced into Victoria unless—

- (a) it has been irradiated to a minimum 15 kilogray before introduction; or

- (b) the person ensures that the pollen will be so irradiated immediately after its introduction.

**58 Offence to feed pollen not irradiated to bees**

A person must not feed to bees, pollen that has been introduced into Victoria, unless the pollen has been irradiated to a minimum 15 kilogray before or immediately after its introduction.

Penalty: 5 penalty units.

## **Part 7—Testing for diseases**

### **59 Testing for diseases**

- (1) For the purposes of section 16(2A)(f) of the Act, the information prescribed is the animal identifier of the livestock from which the sample or specimen was taken.

**Reg. 59(1)**  
**substituted by**  
**S.R. No.**  
**118/2018**  
**reg. 21(1).**

- (1A) For the purposes of section 16(2B)(f) of the Act, the following information is prescribed—

**Reg. 59(1A)**  
**inserted by**  
**S.R. No.**  
**118/2018**  
**reg. 21(1).**

- (a) the animal identifier of the livestock from which the sample or specimen was taken;
  - (b) a brief description of the sample or specimen submitted;
  - (c) a brief description of the test, analysis or the diagnostic examination performed on the sample or specimen;
  - (d) a brief description of the results of the test, analysis or diagnostic examination;
  - (e) any comments on the relevance of the test, analysis or diagnostic examination performed;
  - (f) any provisional and final diagnosis in relation to the test, analysis or diagnostic examination.
- (2) For the purposes of section 16(3)(a) of the Act the prescribed standard is—
- (a) in the case of the determination of whether or not a sample or specimen is infected with a disease—ANZSDP; or
  - (b) in any other case, the relevant part of the ASDT for a disease.

Reg. 59(3)  
substituted by  
S.R. No.  
118/2018  
reg. 21(2).

- (3) For the purposes of section 16(4) of the Act, the prescribed standard is AS ISO/IEC 17025:2018 General requirements for the competence of testing and calibration laboratories published on 16 April 2018, as amended and in force from time to time.

**60 Records to be kept in relation to laboratory examinations**

For the purposes of section 16(3)(b) of the Act, the following are the prescribed records—

- (a) a record of the date of submission of a sample or specimen;
- (b) a record of the name and address of the owner of the livestock from which the sample or specimen is submitted;
- (c) a record of the name and address of the person submitting the sample or specimen;
- (d) a record of the property identification code identifying the property at which the livestock is kept;
- (e) a record of the animal identifier;
- (f) a record of a brief description of the sample or specimen submitted;
- (g) a record of a brief description of the test, analysis or the diagnostic examination performed on the sample or specimen;
- (h) a record of a brief description of the results of the test, analysis or diagnostic examination;
- (i) a record of any comments on the relevance of the test, analysis or diagnostic examination performed;



- (j) a record of any provisional and final diagnosis in relation to the test, analysis or diagnostic examination;

Reg. 60(j)  
amended by  
S.R. No.  
118/2018  
reg. 22(1).

- (k) a record of a sample or specimen submitted to the laboratory, in a form fixed in formalin;

Reg. 60(k)  
inserted by  
S.R. No.  
118/2018  
reg. 22(2).

- (l) a record of a sample or specimen produced by the laboratory, in a form embedded in paraffin.

Reg. 60(l)  
inserted by  
S.R. No.  
118/2018  
reg. 22(2).

#### **61 Period that records are to be kept**

For the purposes of section 16(3)(b) of the Act, a record referred to in regulation 60 must be kept for 7 years after—

Reg. 61  
substituted by  
S.R. No.  
118/2018  
reg. 23.

- (a) in the case of records referred to in regulation 60(a) to (j), the date that the prescribed record is submitted to the Secretary; and
- (b) in the case of a record referred to in regulation 60(k), the date the sample or specimen was submitted to the laboratory; or
- (c) in the case of a record referred to in regulation 60(l), the date that the sample or specimen was produced by the laboratory.

#### **62 Time and manner of submitting records to the Secretary**

For the purposes of section 16(3)(b) of the Act, the prescribed time and manner for submitting records referred to in regulation 60(a) to (j) to the Secretary is—

Reg. 62  
(Heading)  
amended by  
S.R. No.  
118/2018  
reg. 24(1).

Reg. 62  
amended by  
S.R. No.  
118/2018  
reg. 24(2).

- (a) in the case of a disease listed in Part A of Schedule 2, immediately after the test, analysis or diagnostic examination is completed, by hand delivery or electronic transmission; and
- (b) in the case of a disease listed in Part B of Schedule 2, within 7 days after the test, analysis or diagnostic examination is completed, by hand delivery, post or electronic transmission; and
- (c) in the case of an exotic disease, immediately after the test, analysis or diagnostic examination is completed, by hand delivery or electronic transmission.

## **Part 8—Prevention of spread of disease**

### **Division 1—Vaccinating of livestock**

#### **63 Requirement to vaccinate for Newcastle disease**

- (1) An owner of a commercial flock of poultry, other than an owner who holds an approval given by the chief veterinary officer, must ensure that all chickens in the commercial flock of poultry are vaccinated and serologically monitored in accordance with the Newcastle Disease Management Plan.

Penalty: 10 penalty units.

- (2) An owner of a commercial flock of poultry, other than an owner who holds an approval given by the chief veterinary officer, must ensure that any chickens introduced into the flock—
- (a) have been vaccinated in accordance with the Newcastle Disease Management Plan; and
  - (b) are accompanied by a vendor declaration that includes the following particulars—
    - (i) the age and number of chickens;
    - (ii) the date of vaccination and type of Newcastle disease vaccine administered.

Penalty: 10 penalty units.

- (3) An owner of a commercial flock of poultry must on the direction of the chief veterinary officer, submit the chickens for sampling for Newcastle disease to a veterinary practitioner or an inspector approved by the Secretary.

Penalty: 10 penalty units.

- (4) An owner of a commercial flock of poultry must notify the chief veterinary officer of any adverse reaction or suspected adverse reaction to any Newcastle disease vaccine administered to the commercial flock of poultry within 48 hours of the vaccination being administered.

Penalty: 10 penalty units.

- (5) An owner of a commercial flock of poultry must from the date of the administration of a Newcastle disease vaccine to the commercial flock of poultry keep for 3 years the following records—

- (a) any vendor declarations received for chickens introduced to the commercial flock of poultry;
- (b) any records of the type of Newcastle disease vaccine administered to the commercial flock of poultry and the date, location and age and number of chickens vaccinated;
- (c) any records of serological monitoring of the commercial flock of poultry for Newcastle disease.

Penalty: 10 penalty units.

- (6) A person other than a person who holds an approval of the chief veterinary officer, must ensure that chickens introduced into a commercial flock of poultry—
- (a) have been vaccinated in accordance with the Newcastle Disease Management Plan; and
  - (b) are accompanied by a vendor declaration that includes the following particulars—
    - (i) the age and number of the chickens;
    - (ii) the date of vaccination and type of Newcastle disease vaccine administered.

- (7) In this regulation an **owner** means an owner of a commercial flock of poultry but does not include—
- (a) an owner of a commercial flock of poultry who is the holder of a permit issued under section 30(2) of the Act who is operating in accordance with that permit while that permit is in force; or
  - (b) an owner of a commercial flock of poultry tested by a veterinary diagnostic laboratory registered by the Secretary under section 16(1) of the Act found to not contain a pathogen capable of causing disease.

**64 Restrictions on the use of vaccines for certain diseases**

- (1) A person other than a person who is authorised by the Secretary under regulation 65, must not administer a vaccine to any livestock for the control or treatment of anthrax or any exotic disease.

Penalty: 10 penalty units.

- (2) A person who is authorised under regulation 65 must comply with any condition that applies to that authorisation.

Penalty: 10 penalty units.

- (3) In the case that a person authorised under regulation 65 is not the owner of the livestock to be vaccinated, the owner of the livestock must not without reasonable excuse refuse or fail to provide such assistance as a person or a class of persons authorised under regulation 65 may reasonably require to administer a vaccine to the owner's livestock.

Penalty: 10 penalty units.

**65 Authorisation of person or class of person to administer vaccine**

- (1) The Secretary, by instrument, may authorise a person or class of persons to administer a vaccine to any livestock for the control or treatment of anthrax or an exotic disease.
- (2) The terms and conditions of an authorisation of a person or class of persons under subregulation (1) may—
  - (a) direct that an authorisation is limited to specific livestock or class of livestock; and
  - (b) direct that an authorisation is limited to a specific vaccine; and
  - (c) contain general directions as to how the person's authorisation may be exercised; and
  - (d) impose conditions, requirements or restrictions which may include—
    - (i) requirements for mustering, separation or isolation for vaccination, during vaccination or for a specified period after vaccination; or
    - (ii) restrictions on slaughter of the livestock for human consumption; or
    - (iii) requirements for, or restrictions on the sale or export from Victoria of the livestock.
- (3) The Secretary, in writing, may vary or revoke the authorisation of a person or a class of persons at any time.

**66 Requirement for vaccination for anthrax**

- (1) An inspector, by notice in writing, may require an owner of livestock to vaccinate the owner's livestock and any other livestock born on or introduced to a property on which the livestock

is kept during the period specified in the notice if the inspector believes on reasonable grounds that—

- (a) livestock are infected with anthrax; or
  - (b) livestock are at risk of becoming infected with anthrax; or
  - (c) anthrax is present on a property on which the livestock is kept; or
  - (d) there is a risk that anthrax may be present on a property on which the livestock is kept.
- (2) A notice given under this regulation may—
- (a) apply to livestock of a specified species; or
  - (b) specify the period within which the notice applies; or
  - (c) require one or more vaccinations over a period that the notice applies; or
  - (d) require vaccination to occur within a specified time including a specified time of a year or at a specified age of the livestock; or
  - (e) require the livestock to be identified in a specified manner prior to the livestock being submitted for vaccination; or
  - (f) impose conditions, requirements or restrictions relating to the livestock or specified species of livestock to which the notice applies which may include—
    - (i) requirements for mustering, separation or isolation of the livestock for vaccination, during vaccination or for a specified period after vaccination; or
    - (ii) restrictions on slaughter of the livestock for human consumption; or

(iii) requirements for, or restrictions on the sale or export from Victoria of the livestock.

- (3) An owner given a notice under this regulation must comply with the notice and any conditions or restrictions imposed under the notice.

Penalty: 20 penalty units.

Reg. 67  
(Heading)  
substituted by  
S.R. No.  
118/2018  
reg. 25(1).

#### **67 Keeping of babesiosis vaccinated livestock in Victoria prohibited**

A person must not keep in Victoria, livestock vaccinated for babesiosis unless—

- (a) the Secretary has approved the keeping of the livestock due to the livestock being injured or unable to travel; or
- (b) the livestock is to be dispatched for slaughter at an abattoir or disposal at a knackery; or
- (c) the livestock is identified with an approved NLIS device and the Secretary is notified of the vaccination.

Penalty: 10 penalty units.

Reg. 67  
amended by  
S.R. No.  
118/2018  
reg. 25(2).

#### **68 Notice to Secretary**

A person engaged in administering any vaccine, serum or diagnostic agent to livestock must, within 48 hours after the administration, notify the Secretary of any livestock that—

- (a) shows evidence of infection with the disease that is the subject of the vaccine, serum or diagnostic agent; or
- (b) shows an adverse reaction to the vaccine, serum or diagnostic agent.

Penalty: 10 penalty units.



**69 Identification of cattle vaccinated for Johne's disease**

Reg. 69  
substituted by  
S.R. No.  
118/2018  
reg. 26.

A person vaccinating cattle for Johne's disease must ensure that the cattle are identified—

- (a) by a three hole ear punch in an ear of the cattle; or
- (b) in any other manner approved by the Secretary.

Penalty: 10 penalty units.

**Division 2—Dairy produce**

**70 Treatment of dairy produce for use as livestock food**

A person must not remove skim milk, butter milk or whey from any premises where dairy produce is received for the purpose of feeding it to livestock unless it—

- (a) has been heated to a temperature of not less than 71°C and held at that temperature for at least 15 seconds; or
- (b) was derived from dairy produce which has been subjected to one of the following heat treatment procedures—
  - (i) held at a temperature of not less than 63°C for not less than 30 minutes;
  - (ii) held at a temperature of not less than 71°C for not less than 15 seconds;
  - (iii) held at a temperature of not less than 82°C for not less than 2 seconds;
  - (iv) held at a temperature of not less than 132°C for not less than 1 second.

Penalty: 10 penalty units.

### **Division 3—Exotic disease agents**

#### **71 Handling and use of exotic disease agents**

For the purposes of section 39(2) of the Act, a person who has the authority of the Secretary must maintain the exotic disease agent—

- (a) within the security of the building that is the office of the Australian Animal Health Laboratory, at 5 Portarlington Road East Geelong, Victoria or any subsequent address of that office; or
- (b) within any other laboratory approved by the Secretary if the exotic disease agent—
  - (i) is maintained in in-vitro systems; and
  - (ii) is maintained under any other conditions imposed by the Secretary; and
  - (iii) with the approval of the Secretary, is only used to perform tests, prepare re-agents for tests or to undertake research for the diagnosis, monitoring or surveillance for the presence of the exotic disease in livestock in Australia.

### **Division 4—Dairying animals**

#### **72 Identification of cows, goats, sheep or buffalo prohibited for dairying**

For the purposes of section 45(1)(b) of the Act, the prescribed manner of branding is by way of an ear tag in the form of Part M of Schedule 3.

## **Division 5—Bees**

### **73 Hives to be marked with registered brand**

For the purposes of section 50(1) of the Act, the prescribed manner for marking or branding a hive is to burn, stencil, paint, endorse, stamp, carve or etch the letters, figures or symbols constituting the registered brand so that the brand is clear and legible and not less than 19 millimetres in height.

### **74 Disposal and acquisition of hives**

For the purposes of section 51(1) of the Act, the prescribed form is the form in Schedule 8.

## **Division 6—Artificial breeding**

### **75 Record of sales of semen from sires**

- (1) For the purposes of section 55(4) of the Act, the prescribed records are the following—
- (a) a record of the address of the premises from which the semen was received;
  - (b) a record of the premises at which the semen was collected from the sire;
  - (c) a record of the identity of the sire from which the semen was collected;
  - (d) a record of the batch number of the semen;
  - (e) a record of a statement as to whether the semen was chilled or frozen when sold;
  - (f) a record of the name and address of the person to whom the semen was sold;
  - (g) a record of the date on which the semen was sold;

- (h) in the case of semen that is not sold a record of—
  - (i) the particulars of any semen stored at the premises; or
  - (ii) the method and date of disposal of the semen.
- (2) For the purposes of section 55(4) of the Act, the prescribed manner is that the records prescribed under subregulation (1) must be completed and reconciled at least once a month.

#### **76 Health of livestock must be declared annually**

For the purposes of section 98(2) of the Act the prescribed conditions of a licence granted under section 98(1) in respect of section 57 are—

- (a) that the licensee before 15 January each year ensure that—
  - (i) a certificate in the form of Part A of Schedule 9 as to the health of the livestock on the premises for the preceding calendar year is certified by a veterinary practitioner; and
  - (ii) a statement in the form of Part B of Schedule 9 as to the health of the livestock on the premises is made by the licensee of the premises; and
- (b) that the licensee ensure as soon as practicable after a certificate is certified and a statement is made under paragraph (a) that the certificate and the statement are given to the Secretary.

## **Part 9—Compensation**

### **77 Cattle Compensation Advisory Committee**

For the purposes of section 79(3A) of the Act—

- (a) the Victorian Farmers Federation is the prescribed body that represents the cattle industry; and
- (b) the Australian Livestock and Property Agents Association Limited is the prescribed body that represents the livestock agents profession; and
- (c) the Australian Meat Industry Council is the prescribed body that represents the meat processing industry.

### **78 Sheep and Goat Compensation Advisory Committee**

For the purposes of section 79I(3A) of the Act—

- (a) the Victorian Farmers Federation is the prescribed body that represents the sheep industry and the goat industry; and
- (b) the Australian Livestock and Property Agents Association Limited is the prescribed body that represents the livestock agents profession; and
- (c) the Australian Meat Industry Council is the prescribed body that represents the meat processing industry.

### **79 Prescribed manner of applying for compensation**

- (1) Subject to subregulation (2) for the purposes of section 88(1) of the Act, the prescribed manner is—
  - (a) that an application is made in writing to the Secretary; and

- (b) that an application is accompanied by the following information—
  - (i) details of the numbers of, description of, condition of, and disease which affected, any livestock, premises, livestock products, fodder, fittings or vehicles which were or are to be destroyed or disinfected;
  - (ii) the market value of each item of property referred to in paragraph (i);
  - (iii) the agreement of the owner to the valuation of each item of property;
  - (iv) a certificate of an inspector stating that each item of property was destroyed or disinfected in accordance with an order by an inspector;
  - (v) the date of destruction of each item of property;
  - (vi) a declaration by the claimant as to the claimant's and any other person's interest in or entitlement over each item of property;
  - (vii) the property identification code (if any) relating to any livestock that is the subject of an application.
- (2) For the purposes of section 88(1) of the Act, in the case of an application for compensation for a carcase or portion of a carcase condemned as unfit for human consumption under the **Meat Industry Act 1993** the prescribed manner is—

- (a) that the application is made in writing to the Secretary; and
- (b) that the application is accompanied by the following information—
  - (i) details of the number, description and condition of the livestock prior to slaughter;
  - (ii) details of the disease which affected the carcase or portion of carcase of the livestock after slaughter;
  - (iii) details of the value claimed for each of the carcasses that were condemned;
  - (iv) the animal identifier incorporated in the microchip contained in any NLIS device or the NLIS number printed on that device attached to the livestock before slaughter;
  - (v) details of any tail tag, ear tag or tattoo brand (as the case may be) borne by the livestock before slaughter;
  - (vi) certification of the details of condemnation by a person responsible for quality assurance under the **Meat Industry Act 1993**;
  - (vii) the date of destruction of the condemned carcase;
  - (viii) a copy of the invoice issued under section 95(5), 95A(5) or 95B(5) of the Act for the purchase of the livestock or carcase.

## **80 Time limits for applying for compensation**

For the purposes of section 88(1) of the Act, the prescribed time limit is—

- (a) in the case of a compensatable exotic disease, within 30 days from—
  - (i) the date of the destruction or death of any domestic livestock; and
  - (ii) the date of destruction of any premises, livestock product, fodder, fittings or vehicle; and
- (b) in the case of a compensatable disease in respect of bees, sheep, goats, cattle or swine, within 30 days from—
  - (i) the date on which any livestock was destroyed; or
  - (ii) in the case of any livestock that dies before being destroyed, the date on which it died after being ordered to be destroyed by an inspector; and
- (c) in the case of a compensatable disease in respect of bees, within 30 days from the date on which any bee product, beekeeping fittings or other article was destroyed or disinfected; and
- (d) in the case of an application for compensation pursuant to which section 79E(c) of the Act applies, within 30 days or such other period approved by the chief veterinary officer.



## **Part 10—Records of sale, purchase and movement of livestock**

### **Division 1—General**

#### **81 Definitions and interpretation**

(1) In this Part—

***livestock manager*** means in relation to a property the person responsible for the husbandry of livestock at that property;

***scale operation*** includes any business that purchases cattle by live weight or price per head.

(2) In this Part a property identification code in relation to livestock that have been introduced from, or that are to be dispatched to, another State or Territory of the Commonwealth includes an identification code or number issued in accordance with a law of that State or Territory that corresponds with section 9B of the Act.

(3) In this Part, if livestock are dispatched from one property to another and a property identification code identifying the property that the livestock were dispatched to or from has not been issued by the Secretary under section 9B of the Act or in accordance with a corresponding law of another State or a Territory of the Commonwealth (as the case requires), the address of the property (not being a saleyard) on which the livestock were kept before being dispatched or are to be kept after being dispatched may be used.

## **82 Records about livestock sold**

(1) For the purposes of section 94A(1) of the Act—

(a) the prescribed species of livestock are the following—

- (i) cattle;
- (ii) sheep;
- (iii) goats;
- (iv) deer;
- (v) pigs;

Reg.  
82(1)(a)(v)  
amended by  
S.R. No.  
118/2018  
reg. 27(1).

(vi) horses;

Reg.  
82(1)(a)(vi)  
inserted by  
S.R. No.  
118/2018  
reg. 27(2).

(vii) donkeys; and

Reg.  
82(1)(a)(vii)  
inserted by  
S.R. No.  
118/2018  
reg. 27(2).

(b) a prescribed business is the business of carrying on as an auctioneer; and

(c) the prescribed particulars are the following—

- (i) the name and address of the seller;
- (ii) the date of the sale;
- (iii) the location of the sale;
- (iv) a description of the livestock including species, age and sex;
- (v) the number of head in the sale lot;

- (vi) the name, address and property identification code of the purchaser;
- (vii) if stated in the vendor declaration, whether the livestock were bred by the vendor;
- (viii) in the case of cattle, sheep or goats the property identification code identifying the property where the cattle, sheep or goats were kept before the sale (not being the saleyard or scales operation where the cattle, sheep or goats were sold);
- (ix) in the case of cattle, the property identification code identifying the property where the cattle are to be kept after the sale (if provided by the purchaser of the cattle).

### **83 Records about livestock purchased**

- (1) For the purposes of section 94A(2) of the Act—
  - (a) a prescribed business is the business of carrying on as—
    - (i) a cattle scale operator; or
    - (ii) a farmer; or
    - (iii) a grazier; or
    - (iv) a livestock buyer; and
  - (b) a prescribed species of livestock is cattle, sheep or goats; and
  - (c) the prescribed particulars about the cattle, sheep or goats are the following—
    - (i) the name and address of the purchaser;

- (ii) the property identification code identifying the property at which the cattle, sheep or goats are to be taken after the purchase;
  - (iii) whether the cattle, sheep or goats are to be dispatched directly to an abattoir or knackery for slaughter or disposal within 7 days of its purchase.
- (2) For the purposes of section 94A(2)(b) of the Act, a prescribed seller is a person who carries on business as—
- (a) an auctioneer; or
  - (b) a cattle scale operator; or
  - (c) a selling agent.

#### **84 Notification about slaughter or disposal of livestock**

For the purposes of section 94B(a)(iv) of the Act, the prescribed information in the case of individual cattle, other than calves which are less than 6 weeks of age, is—

- (a) the weight of the carcase prior to chilling and after bleeding, skinning, evisceration and trimming (*hot standard carcase weight*); or
- (b) the weight of the carcase immediately after slaughter prior to the evisceration and the removal of the hide (*slaughter weight*).

#### **84A Requirement to include property identification code in advertisement for sale of livestock**

- (1) For the purposes of the prevention of the introduction or spread of disease, a person who proposes to sell cattle, or livestock of a class of livestock prescribed under regulation 41, must ensure the property identification code identifying the property at which the cattle or livestock are

Reg. 84A  
inserted by  
S.R. No.  
118/2018  
reg. 28.

kept is included in any advertisement to sell the cattle or livestock.

Penalty: 10 penalty units.

- (2) For the purposes of the prevention of the introduction or spread of disease, a person must not publish an advertisement to sell cattle, or livestock of a class of livestock prescribed under regulation 41, unless the advertisement contains the property identification code identifying the property at which the cattle or livestock are kept.

Penalty: 10 penalty units.

- (3) In this regulation, references to sell includes barter or give away.

## **Division 2—Information about the movement of cattle, sheep, goats and pigs**

### **85 Definitions**

In this Division—

***cattle movement information*** means in respect of cattle the following information—

- (a) the animal identifier and number incorporated in the microchip contained in the NLIS device used to identify the cattle;
- (b) the serial number on any vendor declaration form accompanying the cattle;
- (c) the date on which (as the case requires)—
  - (i) the cattle were sold or passed in at the public auction or weighed, sold or passed in at the scale operation (as applicable); or

Pt 10 Div. 2  
(Heading)  
amended by  
S.R. No.  
118/2018  
reg. 29.

Reg. 85 def. of  
*cattle  
movement  
information*  
amended by  
S.R. No.  
118/2018  
reg. 30(1)-(3).

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|                                                                                                  |   |                                                                                                                                                                   |   |   |   |
|--------------------------------------------------------------------------------------------------|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|---|
|                                                                                                  |   | (ii) the cattle were introduced to the new property;                                                                                                              |   |   |   |
|                                                                                                  |   | (d) the property identification code identifying the property at which the cattle were kept before being dispatched (not being a saleyard or scale operation);    |   |   |   |
|                                                                                                  |   | (e) in the case of cattle that were weighed, sold or passed in, the property identification code identifying the property to which the cattle will be dispatched; |   |   |   |
|                                                                                                  |   | (ea) in the case of cattle that were introduced to a property, the property identification code identifying that property;                                        |   |   |   |
|                                                                                                  |   | (f) in the case of cattle less than 6 weeks of age and not accompanied by their dam, the time the number referred to in paragraph (a) was recorded;               |   |   |   |
| Reg. 85 def. of movement information revoked by S.R. No. 118/2018 reg. 30(4).                    | * | *                                                                                                                                                                 | * | * | * |
| Reg. 85 def. of pig, sheep or goat movement information revoked by S.R. No. 118/2018 reg. 30(4). | * | *                                                                                                                                                                 | * | * | * |

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***pig movement information*** means—

Reg. 85 def. of  
*pig  
movement  
information*  
substituted by  
S.R. No.  
118/2018  
reg. 30(5).

- (a) in respect of pigs that are sold or passed in, the following information—
  - (i) the date of sale;
  - (ii) the number of pigs in the sale lot;
  - (iii) the serial number on any vendor declaration form accompanying the pigs;
  - (iv) the property identification code identifying the property at which the pigs were kept before being dispatched;
  - (v) the property identification code identifying the property to which the pigs will be dispatched;
  - (vi) whether the pigs are vendor bred, and if not, the period of time the pigs were kept on the property from which they were dispatched;
  - (vii) an electronic copy of any vendor declaration form accompanying the pigs;
- (b) in respect of pigs that are introduced to a property, the following information—
  - (i) the date of introduction of the pigs to the property;
  - (ii) the number of pigs introduced;
  - (iii) the serial number on any vendor declaration form accompanying the pigs;
  - (iv) the property identification code identifying the property from which the pigs were moved;

(v) the property identification code identifying the property to which the pigs were introduced;

(vi) whether the pigs were bred on the property from which they were moved, and if not, the period of time the pigs were kept on that property;

Reg. 85 def. of  
*sheep or goat  
movement  
information*  
substituted by  
S.R. No.  
118/2018  
reg. 30(6).

***sheep or goat movement information*** means—

(a) in respect of sheep or goats that are sold or passed in, the following information—

(i) the date of sale;

(ii) the number of sheep or goats in the sale lot;

(iii) the serial number on any vendor declaration form accompanying the sheep or goats;

(iv) the property identification code identifying the property at which the sheep or goats were kept before being dispatched;

(v) the property identification code identifying the property to which the sheep or goats will be dispatched;

(vi) whether the sheep or goats are vendor bred, and if not, the period of time the sheep or goats were kept on the property from which they were dispatched;

(vii) in the case of sheep or goats that are not vendor bred, and are not identified with a NLIS device, or a NLIS ear tag applied by the



vendor, the property identification codes recorded on the vendor declaration in accordance with regulation 23(1)(d);

- (viii) for every sheep or goat identified with a NLIS device, the first 8 visually readable characters on the NLIS device (if it is not identifying the property from which the sheep or goat was dispatched) and the unique number encoded in the NLIS device;
- (ix) an electronic copy of any vendor declaration form accompanying the sheep or goats;
- (b) in respect of sheep or goats that are introduced to a property, the following information—
  - (i) the date of introduction of the sheep or goats to the property;
  - (ii) the number of sheep or goats introduced;
  - (iii) the serial number on any vendor declaration form accompanying the sheep or goats;
  - (iv) the property identification code identifying the property from which the sheep or goats were moved;
  - (v) the property identification code identifying the property to which the sheep or goats were introduced;

- (vi) whether the sheep or goats were bred on the property from which they were moved, and if not, the period of time the sheep or goats were kept on that property;
- (vii) in the case of sheep or goats that are not vendor bred, and are not identified with a NLIS device, or a NLIS ear tag applied by the vendor, the property identification codes recorded on the vendor declaration in accordance with regulation 23(1)(d);
- (viii) for every sheep or goat identified with a NLIS device, the unique number encoded in the NLIS device;

Reg. 85 def. of  
*the required  
identifying  
information*  
inserted by  
S.R. No.  
118/2018  
reg. 30(8).

***the required identifying information***, in relation to a saleyard or scale operation, means the information specified by the Secretary by notice published in the Government Gazette;

Reg. 85 def. of  
*the required  
manner or by  
the required  
method of  
transmission*  
amended by  
S.R. No.  
118/2018  
reg. 30(7).

***the required manner or by the required method of transmission***, in relation to the forwarding of information to the Secretary or to such other persons as specified in this Division, means the manner or the method of transmission required by the Secretary by notice published in the Government Gazette;

Reg. 85 def. of  
*the specified  
manner*  
amended by  
S.R. No.  
118/2018  
reg. 30(7).

***the specified manner***, in relation to the recording of information, means the manner specified by the Secretary by notice published in the Government Gazette.

**86 Cattle scale operator to record cattle movement information and forward it to Secretary**

Reg. 86  
substituted by  
S.R. No.  
118/2018  
reg. 31.

A person who operates a scale operation must, for each head of cattle weighed, sold or passed in at the scale operation—

- (a) record in the specified manner the cattle movement information; and
- (b) in the case of cattle that are aged less than 6 weeks and not accompanied by their dam, ensure that the unique number encoded in the NLIS device attached to the cattle and the time of reading of the NLIS device is recorded before taking possession of the cattle; and
- (c) in the case of cattle to be dispatched directly to an abattoir or knackery, for slaughter or disposal within 7 days of being weighed, sold or passed in, forward to the Secretary or a person nominated by the Secretary in the required manner or by the required method of transmission—
  - (i) the cattle movement information (other than the property identification code identifying the property to which the cattle will be dispatched) and the required identifying information that identifies the scale operation, before the cattle leave the scale; and
  - (ii) the property identification code identifying the property to which the cattle will be dispatched (if provided by the purchaser or owner), by close of business on the next day after the cattle are weighed, sold or passed in; and

- (d) in the case of cattle to which paragraph (c) does not apply, forward to the Secretary or a person nominated by the Secretary in the required manner or by the required method of transmission, the cattle movement information and the required identifying information that identifies the scale operation, by close of business on the next day after the cattle are weighed, sold or passed in.

Penalty: 20 penalty units.

**87 Auctioneer or selling agent of cattle, sheep or goats sold other than at a saleyard to record information and forward it to Secretary**

A person who conducts a public auction or sale other than at a saleyard, of cattle, sheep or goats required under these regulations to be identified with a NLIS device—

Reg. 87(a)  
amended by  
S.R. No.  
118/2018  
reg. 32(1).

- (a) must record the cattle movement information in the specified manner for each head of cattle sold or passed in at the auction or sale; and

Reg. 87(b)  
amended by  
S.R. No.  
118/2018  
reg. 32(1).

- (b) must record the sheep or goat movement information in the specified manner for each sheep or goat sold or passed in at the auction or sale; and

Reg. 87(c)  
substituted by  
S.R. No.  
118/2018  
reg. 32(2).

- (c) in the case of cattle, sheep or goats that are to be dispatched directly to an abattoir or knackery, for slaughter or disposal within 7 days of being sold or passed in, must forward to the Secretary or a person nominated by the Secretary in the required manner or by the required method of transmission—

- (i) the cattle movement information or the sheep or goat movement information (as the case requires) (other than the property identification code identifying the property to which the cattle, sheep or goats will be dispatched), before the cattle, sheep or goats leave the place of auction or sale; and
- (ii) the property identification code identifying the property to which the cattle, sheep or goats will be dispatched (if provided by the purchaser or owner), by close of business on the next day after the cattle, sheep or goats are sold or passed in; and
- (d) in any other case, must forward to the Secretary or a person nominated by the Secretary in the required manner or by the required method of transmission, the cattle movement information or the sheep or goat movement information (as the case requires) by close of business on the next day after the cattle, sheep or goats are sold or passed in.

Penalty: 20 penalty units.

**88 Auctioneer or selling agent of cattle to provide information to saleyard operator and operator of an abattoir or knackery**

- (1) A person who conducts a public auction of cattle at a saleyard must, for each head of cattle sold or passed in at that auction, provide to the operator of the saleyard in the required manner—
  - (a) in the case of cattle that are to be dispatched directly to an abattoir or knackery, for slaughter or disposal within 7 days of being sold or passed in, the following information

Reg. 88(1)(a)  
substituted by  
S.R. No.  
118/2018  
reg. 33(1).

before the cattle are dispatched from the saleyard—

- (i) notification that the cattle are to be dispatched directly from the saleyard to the abattoir or knackery for slaughter or disposal within 7 days of being sold or passed in; and
  - (ii) the property identification code identifying the property at which the cattle were kept before being sold or passed in; and
  - (iii) the serial number on any vendor declaration form accompanying the cattle; and
  - (iv) the property identification code identifying the property to which the cattle will be dispatched (if provided by the purchaser or owner); and
- (b) in any other case the following information by midday on the next day after the cattle are sold or passed in—
- (i) the property identification code identifying the property at which the cattle were kept before being sold or passed in;
  - (ii) the serial number on any vendor declaration form accompanying the cattle;
  - (iii) the property identification code identifying the property to which the cattle will be dispatched (if provided by the purchaser or owner).

Penalty: 20 penalty units.

Reg.  
88(1)(b)(iii)  
substituted by  
S.R. No.  
118/2018  
reg. 33(2).

(2) A person who conducts a public auction of cattle at a saleyard must, if the purchaser is the operator of an abattoir or knackery—

(a) provide the following information to the purchaser, in the required manner, by midnight on the day of sale—

Reg. 88(2)(a)  
substituted by  
S.R. No.  
118/2018  
reg. 33(3).

- (i) the date of sale;
- (ii) the property identification code identifying the property from which the cattle were dispatched to the saleyard;
- (iii) the property identification code identifying the property to which the cattle will be dispatched;
- (iv) the property identification code identifying the saleyard;
- (v) the serial number on any vendor declaration form accompanying the cattle;
- (vi) the number of cattle in the sale lot;
- (vii) whether the cattle are vendor bred, and if not, the period of time that the cattle were kept on the property from which they were dispatched; and

(b) keep a record of the provision of that information for one year.

Reg. 88(2)(b)  
amended by  
S.R. No.  
118/2018  
reg. 33(4).

Penalty: 20 penalty units.

**89 Saleyard operator to record cattle movement information and forward it to Secretary**

A person who operates a saleyard at which cattle are sold or passed in must—

- (a) record the cattle movement information in the specified manner for each head of cattle sold or passed in at the auction; and
- (b) in the case of cattle that are to be dispatched directly to an abattoir or knackery, for slaughter or disposal within 7 days of being sold or passed in, forward to the Secretary or a person nominated by the Secretary in the required manner or by the required method of transmission—
  - (i) the cattle movement information (other than the property identification code identifying the property to which the cattle will be dispatched) and the required identifying information that identifies the saleyard, before the cattle are dispatched from the saleyard; and
  - (ii) the property identification code identifying the property to which the cattle will be dispatched (if provided by the purchaser or owner) by close of business on the next day after the cattle are sold or passed in; and
- (c) in any other case, forward to the Secretary or a person nominated by the Secretary in the required manner or by the required method of transmission by the close of business on the next day after the cattle are sold or passed in—

Reg. 89(b)  
substituted by  
S.R. No.  
118/2018  
reg. 34(1).



- (i) the cattle movement information; and
- (ii) the required identifying information that identifies the saleyard.

Reg. 89(c)(ii)  
substituted by  
S.R. No.  
118/2018  
reg. 34(2).

Penalty: 20 penalty units.

**90 Auctioneer or selling agent of pigs, sheep or goats at a saleyard to record and forward information**

Reg. 90  
substituted by  
S.R. No.  
118/2018  
reg. 35.

A person who conducts a public auction or sale of pigs, sheep or goats at a saleyard must—

- (a) scan the sheep and goats; and
- (b) record in the specified manner—
  - (i) the pig movement information, for every lot of pigs sold or passed in; and
  - (ii) the sheep or goat movement information, for every lot of sheep or goats sold or passed in; and
- (c) for every lot of pigs, sheep or goats sold or passed in, provide to the operator of the saleyard in the required manner—
  - (i) the pig movement information or the sheep or goat movement information (as the case requires) (other than the property identification code identifying the property to which the pigs, sheep or goats will be dispatched) before the pigs, sheep or goats leave the saleyard; and
  - (ii) the property identification code identifying the property to which the pigs, sheep or goats will be dispatched (if provided by the purchaser or owner) by midday on the next day after the pigs, sheep or goats are sold or passed in; and

- (d) in the case of pigs, sheep or goats purchased by the operator of an abattoir or knackery, provide the following information to the purchaser, in the required manner, by midnight on the day of sale, and keep a record of the provision of that information for one year—
- (i) the date of sale;
  - (ii) the property identification code identifying the property from which the pigs, sheep or goats were dispatched;
  - (iii) the property identification code identifying the property to which the pigs, sheep or goats will be dispatched;
  - (iv) the property identification code identifying the saleyard;
  - (v) the serial number on any vendor declaration form accompanying the pigs, sheep or goats;
  - (vi) the number of pigs, sheep or goats in the sale lot;
  - (vii) whether the pigs, sheep or goats are vendor bred, and if not, the period of time that the pigs, sheep or goats were kept on the property from which they were dispatched;
  - (viii) in the case of sheep or goats that are not vendor bred, and are not identified with a NLIS device, or a NLIS ear tag applied by the vendor, the property identification codes recorded on the vendor declaration in accordance with regulation 23(1)(d);

- (ix) for every sheep or goat identified with a NLIS device, the first 8 visually readable characters on the NLIS device if it is not identifying the property from which the sheep or goat was dispatched.

Penalty: 20 penalty units.

**91 Saleyard operator to record information about pigs, sheep and goats and forward it to Secretary**

Reg. 91  
substituted by  
S.R. No.  
118/2018  
reg. 36.

A person who operates a saleyard at which pigs, sheep or goats are sold or passed in must, for each pig, sheep or goat that is sold or passed in—

- (a) record in the specified manner the pig movement information or sheep or goat movement information (as the case requires); and
- (b) in the case of sheep or goats, forward to the Secretary or person nominated by the Secretary, in the required manner or by the required method of transmission—
  - (i) the sheep or goat movement information (other than the property identification code identifying the property to which the sheep or goats will be dispatched) and the required identifying information that identifies the saleyard, before the sheep or goats leave the saleyard; and
  - (ii) the property identification code identifying the property to which the sheep or goats will be dispatched (if provided by the purchaser or owner) by close of business on the next day after the sheep or goats are sold or passed in; and

- (c) in the case of pigs, forward to the Secretary or person nominated by the Secretary, in the required manner or by the required method of transmission, within 2 working days of the sale or passing in of a pig—
  - (i) the pig movement information; and
  - (ii) the required identifying information that identifies the saleyard; and
- (d) in the case of any pig, sheep or goat that died in transit to, or before dispatch from the saleyard, forward to the Secretary or person nominated by the Secretary, in the required manner or by the required method of transmission, within 2 working days of the sale or passing in of the pig, sheep or goat, a record that specifies—
  - (i) that the pig, sheep or goat is deceased; and
  - (ii) in the case of a sheep or goat identified with a NLIS device, the unique number encoded in the NLIS device; and
  - (iii) in the case of a sheep or goat identified with one or more NLIS ear tags, the first 8 visually readable characters on the NLIS ear tags; and
  - (iv) in the case of a pig that has a tattoo or ear tag, the brand or tag number set out in the tattoo or ear tag; and
  - (v) the required identifying information that identifies the saleyard.

Penalty: 20 penalty units.

**92 Purchaser's agent to update purchaser information**

If an agent has purchased livestock on behalf of a purchaser and provided the selling agent with the agent's own property identification code, the agent must, within 2 days of the sale, forward to the Secretary or a person nominated by the Secretary in the required manner or by the required method of transmission, the property identification code of the property to which the livestock are to be, or have been, dispatched.

Penalty: 20 penalty units.

Reg. 92  
substituted by  
S.R. No.  
118/2018  
reg. 37.

**93 Operator of an abattoir or knackery to record and forward movement information to the Secretary**

- (1) An operator of an abattoir or knackery must, for each head of cattle, pig, sheep or goat slaughtered or processed at the abattoir or knackery—
  - (a) record the required information in the specified manner; and
  - (b) ensure the record is correct; and
  - (c) forward the required information to the Secretary or person nominated by the Secretary in the required manner or by the required method of transmission, within 2 working days of the slaughter or processing.

Penalty: 20 penalty units.

- (2) In this regulation ***required information*** means—
  - (a) the property identification code of the property from which the cattle, pig, sheep or goat was dispatched; and
  - (b) the property identification code of the knackery or abattoir; and
  - (c) the date of slaughter or processing; and

Reg. 93  
(Heading)  
substituted by  
S.R. No.  
171/2018  
reg. 3.

Reg. 93  
substituted by  
S.R. No.  
118/2018  
reg. 38.

- (d) the serial number on any vendor declaration accompanying the cattle, pig, sheep or goat; and
- (e) in the case of any cattle, sheep or goat identified with a NLIS device, the unique number encoded in the NLIS device; and
- (f) in the case of cattle less than 6 weeks of age and not accompanied by their dam, the time the unique number recorded in paragraph (e) was recorded; and
- (g) the body number of the cattle, pig, sheep or goat slaughtered or processed; and
- (h) in the case of sheep or goats, whether the sheep or goat was vendor bred, and if not, the period of time the sheep or goat was kept on the property from which it was dispatched.

Reg. 94  
substituted by  
S.R. No.  
118/2018  
reg. 39.

#### **94 Owner of livestock to forward movement information to Secretary**

- (1) An owner of any cattle, pig, sheep or goat must not dispatch, or allow the dispatch of the cattle, pig, sheep or goat from a property unless the property identification code identifying the property has, before the dispatch, been forwarded to the Secretary or person nominated by the Secretary in the required manner or by the required method of transmission as the property on which the cattle, pig, sheep or goat is kept.

Penalty: 20 penalty units.

- (2) An owner of any cattle, pig, sheep or goat introduced to a property must—
  - (a) record in the specified manner the cattle movement information, pig movement information or sheep or

- goat movement information for the cattle, pig, sheep or goat (as the case requires); and
- (b) forward the information recorded under paragraph (a) to the Secretary or a person nominated by the Secretary, in the required manner or by the required method of transmission—
- (i) within 2 days after the introduction of the cattle, pig, sheep or goat; or
- (ii) if the cattle, pig, sheep or goat is removed from the property earlier than 2 days after introduction, before that removal.

Penalty: 20 penalty units.

- (3) Subregulation (2) does not apply if the cattle, pig, sheep or goat was dispatched directly to the property from a scale operation, saleyard or a public auction.
- (4) In this regulation, **property** does not include—
- (a) a property on which an agricultural show or exhibition is or is to be conducted; or
- (b) a property within the meaning of regulation 98 from which the cattle, sheep or goat is scheduled to be dispatched directly to an abattoir within 7 days after being introduced to the property.

**95 Operator of an agricultural show or exhibition to forward movement information to Secretary**

An operator of an agricultural show or exhibition, who introduces or allows the introduction of any cattle, sheep or goat identified with a NLIS device onto a property on which the show or exhibition is or is to be conducted, must—

Reg. 95  
substituted by  
S.R. No.  
118/2018  
reg. 40.

- (a) record the following information in the specified manner—
  - (i) the property identification code of the property;
  - (ii) the date of introduction of the cattle, sheep or goat onto the property;
  - (iii) the unique number encoded in the NLIS device; and
- (b) forward the information recorded under paragraph (a) to the Secretary or person nominated by the Secretary, in the required manner or by the required method of transmission, within 2 days after the introduction of the cattle, sheep or goat.

Penalty: 20 penalty units.

Pt 10 Div. 3  
(Heading)  
revoked by  
S.R. No.  
118/2018  
reg. 41.

\* \* \* \* \*

Reg. 96  
substituted by  
S.R. No.  
118/2018  
reg. 42.

## **96 Person dispatching cattle, pigs, sheep or goats to provide property identification code**

- (1) Subject to subregulation (2), a person who dispatches cattle, pigs, sheep or goats from a property, must provide, in writing, the property identification code identifying the property, at the time of delivery of the cattle, pigs, sheep or goats, to the following persons—
  - (a) the livestock manager of the property to which the cattle, pigs, sheep or goats are dispatched;
  - (b) in the case of cattle, pigs, sheep or goats dispatched to a saleyard, the auctioneer or selling agent at the saleyard;



- (c) in the case of cattle, pigs, sheep or goats dispatched to a property for sale at a public auction other than a saleyard, the auctioneer at that property;
- (d) in the case of cattle dispatched to a scale operation, the scale operator at that scale operation;
- (e) in the case of cattle, pigs, sheep or goats dispatched to an abattoir or knackery, the person operating that abattoir or knackery.

Penalty: 20 penalty units.

- (2) This regulation does not apply to a person who dispatches cattle, pigs, sheep or goats—
  - (a) directly from a scale operation or a public auction (including an auction conducted at a saleyard) after the cattle, pigs, sheep or goats are sold or passed in; or
  - (b) who is the livestock manager at both the property from which the cattle, pigs, sheep or goats are dispatched and the property to which the cattle, pigs, sheep or goats are dispatched.

**96A Owner of livestock to provide information to auctioneer in certain circumstances**

An owner of cattle, pigs, sheep or goats who offers the cattle, pigs, sheep or goats for sale by public auction at the property at which the cattle, pigs, sheep or goats are kept, must provide, in writing, the property identification code identifying that property to the auctioneer before the auction commences.

Penalty: 20 penalty units.

Reg. 96A  
inserted by  
S.R. No.  
118/2018  
reg. 42.

Reg. 97  
substituted by  
S.R. No.  
118/2018  
reg. 43.

**97 Person acquiring cattle, pigs, sheep or goats to provide information**

- (1) A person who purchases or receives cattle, pigs, sheep or goats, must, by close of business on the day of purchase or receipt, provide to the person selling or dispatching the cattle, pigs, sheep or goats or to that person's selling agent (as the case requires) the property identification code of the property to which the cattle, pigs, sheep or goats are to be dispatched.

Penalty: 20 penalty units.

- (2) For the purposes of subregulation (1), the property to which the cattle, pigs, sheep or goats are to be dispatched is the next property to which the cattle, pigs, sheep or goats are to be dispatched, which may include a holding yard or depot.

Reg. 98  
substituted by  
S.R. No.  
118/2018  
reg. 44.

**98 Owner of livestock to forward information when livestock are introduced to a depot, holding property or assembly point before being dispatched to an abattoir**

If any cattle, sheep or goats are introduced to a transit depot, holding property or assembly point (other than at a saleyard for a public auction) (the **property**) and are scheduled to be dispatched directly to an abattoir within 7 days after the introduction, the owner of the cattle, sheep or goats must, within 2 days after the introduction or before departure of the cattle, sheep or goats (whichever is sooner)—

- (a) read the NLIS device for each head of cattle, sheep or goat identified with a NLIS device; and
- (b) forward to the Secretary, or a person nominated by the Secretary, in the required manner or by the required method of transmission, the property identification

code identifying the property as the property  
on which the cattle, sheep or goats are kept.

Penalty: 20 penalty units.

**98A Exporter of cattle, sheep or goats to forward  
information**

Reg. 98A  
inserted by  
S.R. No.  
118/2018  
reg. 44.

An exporter of livestock must, for each head of  
cattle, sheep or goat that is identified with a NLIS  
device and loaded onto an export vessel or aircraft  
for export to countries outside Australia, read the  
NLIS device and forward to the Secretary, or a  
person nominated by the Secretary, in the required  
manner or by the required method of transmission,  
within 2 days after the loading of the cattle, sheep  
or goat, a record of—

- (a) the unique number encoded in the  
NLIS device; and
- (b) the code "EEEEEEEE".

Penalty: 20 penalty units.

**99 Offence to record, provide or forward false  
information**

Reg. 99  
substituted by  
S.R. No.  
118/2018  
reg. 45.

- (1) Without affecting the operation of section 137A  
of the Act, a person who is required to record,  
provide or forward information under this  
Division must not record, provide or forward  
incorrect information.

Penalty: 5 penalty units.

- (2) Without affecting the operation of section 137A  
of the Act, a person must not record, provide or  
forward information under this Division which the  
person knows is false or misleading in a material  
detail.

Penalty: 10 penalty units.

## **Part 11—Returns and invoices**

### **100 Returns furnished by approved agent for sales and purchases of cattle**

For the purposes of section 95(1)(b) of the Act, in the case of cattle—

- (a) the prescribed form is that the return be in writing and set out—
  - (i) the number of cows, calves or carcasses of cattle sold; and
  - (ii) the amount of cattle duty to be paid on the return; and
  - (iii) the month to which the return relates; and
  - (iv) the number assigned to the approved agent under section 248A of the **Duties Act 2000**; and
- (b) the prescribed manner is that a return be verified by the person making the return setting out the person's name and signature at the foot of the return.

### **101 Returns furnished by approved agent for sales and purchases of sheep and goats**

For the purposes of section 95A(1)(b) of the Act, in the case of sheep or goats—

- (a) the prescribed form is that a return be in writing and set out—
  - (i) the number of sheep, goats or carcasses of sheep or goats sold; and
  - (ii) the amount of sheep or goat duty to be paid on the return; and
  - (iii) the month to which the return relates; and

- (iv) the number assigned to the approved agent under section 248A of the **Duties Act 2000**; and
- (b) the prescribed manner is that a return be verified by the person making the return setting out the person's name and signature on the foot of the return.

**102 Invoices and statements issued in relation to the sale of cattle**

For the purposes of section 95(5) and (7) of the Act, the following are the prescribed particulars—

- (a) the date of the sale of the cattle, calves or carcasses of cattle;
- (b) the pen number of the cattle or calves sold;
- (c) the number of cattle, calves or carcasses of cattle sold;
- (d) the age, sex and class of the cattle or calves sold;
- (e) the price paid for each head of cattle or calf or for each carcass;
- (f) the name of the person who purchased the cattle, calves or carcasses of cattle;
- (g) the property identification code of the property from which the cattle or calves were dispatched prior to their sale or slaughter or the name and address of the person who sold the cattle, calves or carcasses of cattle.

**103 Invoices and statements issued in relation to the sale of sheep or goats**

For the purposes of section 95A(5) and (7) of the Act, the following are the prescribed particulars—

- (a) the date of the sale of the sheep, goats or carcasses of sheep or goats;
- (b) the pen number of the sheep or goats sold;
- (c) the number of sheep, goats or carcasses of sheep or goats sold;
- (d) the age, sex and class of the sheep or goats sold;
- (e) the price paid for each head of sheep or goat or carcase of sheep or goat;
- (f) the name of the person who purchased the sheep, goats or carcasses of sheep or goats;
- (g) the property identification code of the property from which the sheep or goats were dispatched prior to their sale or slaughter or the name and address of the person who sold the sheep, goats or the carcasses of sheep or goats.

**104 Returns furnished by approved agent for sales and purchases of pigs**

For the purposes of section 95B(1)(b) of the Act, in the case of pigs—

- (a) the prescribed form is that a return be in writing and set out—
  - (i) the number of pigs or carcasses of pigs sold; and
  - (ii) the amount of pig duty to be paid on the return; and
  - (iii) the month to which the return relates; and

- (iv) the number assigned to an approved agent under section 248A of the **Duties Act 2000**; and
- (b) the prescribed manner is that a return be verified by the person making the return setting out the person's name and signature at the foot of the return.

**105 Invoices and statements issued in relation to the sale of pigs**

For the purposes of section 95B(5) and (7) of the Act, the following are the prescribed particulars—

- (a) the date of the sale of the pigs or carcasses of pigs;
- (b) the pen number of the pigs sold;
- (c) the number of pigs or carcasses of pigs sold;
- (d) the age, sex and class of the pigs sold;
- (e) the price paid for each head of pig or carcass of pig;
- (f) the name of the person who purchased the pigs or carcasses of pigs;
- (g) the property identification code of the property from which the pigs were dispatched prior to their sale or slaughter or the name and address of the person who sold the pigs or the carcasses of pigs.

## **Part 12—Administration**

### **106 Grounds for refusing to grant or renew licence**

For the purposes of section 98(4)(b) of the Act, the following grounds are prescribed—

- (a) the relevant premises are not or are no longer provided with the buildings, fittings or equipment to ensure the continuous sanitary condition of the premises;
- (b) the relevant premises and equipment are not or are no longer maintained in a state of good repair and hygiene;
- (c) precautions are not or have not been taken to limit the likelihood of entry of disease to the premises;
- (d) disease is being spread or is likely to be spread from the premises;
- (e) in the case of an application to renew a licence, the applicant has not kept the records required to be kept under the Act or the regulations.

### **107 Disclosure of identification information**

For the purposes of section 107B(4)(a) of the Act, the following persons are prescribed—

- (a) a person employed for the administration of the NLIS;
- (b) a person registered to be an approved agent under section 248A of the **Duties Act 2000**;
- (c) a member of Council staff within the meaning of the **Local Government Act 1989** responsible for the conduct or facilitation of livestock sales at a saleyard operated or managed by the Council;



- (d) a person who operates a saleyard for the purpose of trading livestock or an employee of that person;
- (e) an operator of an abattoir or knackery licensed as a meat processing facility under the **Meat Industry Act 1993** or a corresponding law of the Commonwealth and any employee of an operator nominated by the operator and notified in writing to the Secretary;
- (f) a person authorised under section 9C(1) of the Act to make or sell a tag or a marking, branding or identification device;
- (g) a veterinary practitioner;
- (h) an employee of Dairy Food Safety Victoria established under the **Dairy Act 2000**;
- (i) an employee of PrimeSafe established under the **Meat Industry Act 1993**;
- (j) a person who operates a livestock transport business;
- (k) a person who operates a facility for the testing of the productivity of dairy cows;
- (l) a person who operates a cattle feedlot;
- (m) a person who operates an on-farm quality assurance program that is audited by a third party;
- (n) a person who operates a business scanning approved NLIS devices in Victoria;
- (o) an employee of the Roads Corporation within the meaning of the **Transport Integration Act 2010**;

Reg. 107(t)  
amended by  
S.R. No.  
118/2018  
reg. 46(1).

- (p) a person producing fodder to be sold that is accompanied by a declaration stating the location at which the fodder was grown and its suitability for livestock use;
- (q) a police officer within the meaning of the **Victoria Police Act 2013** or a member of the police force of another State or Territory of the Commonwealth;
- (r) an employee of an approved veterinary diagnostic laboratory;
- (s) the owner of any cattle or class of livestock prescribed by regulation 39 who has been issued with a property identification code;
- (t) a POCTA inspector within the meaning of the **Prevention of Cruelty to Animals Act 1986**;
- (u) an employee of the Department of Health and Human Services or the Department of Environment, Land, Water and Planning.

Reg. 107(u)  
inserted by  
S.R. No.  
118/2018  
reg. 46(2).

## 108 Prescribed Acts

For the purposes of section 107B(4)(b) of the Act, the Acts listed in Schedule 10 are the prescribed Acts.

## **Part 13—Enforcement**

### **109 Charges incurred in seizing certain livestock**

For the purposes of section 120(4) of the Act, payment may be required to be made for the reasonable costs at current market rates of the following charges incurred in connection with the impounding of any livestock or other thing seized under Division 3 of Part 8 of the Act—

- (a) charges incurred in the purchase or hire of materials or equipment used in a seizure and impounding;
- (b) charges incurred in paying the salary of an inspector for the time involved in a seizure and impounding calculated by reference to the hourly rate of pay of the inspector at the time of the seizure, plus an additional 50% of the salary so paid;
- (c) charges incurred in paying fees to persons engaged to assist the inspector in making the seizure or impounding the livestock or other thing;
- (d) charges incurred in keeping, treating and storing the livestock or other thing during the time it was impounded;
- (e) charges incurred in the agistment, storage or maintenance of the livestock or other thing during the time it was impounded.

### **110 Disposal of abandoned bees, hives or fittings**

For the purposes of section 125(1) of the Act, an inspector may dispose of neglected or abandoned bees, hives or fittings by—

- (a) in the case of bees, hives or fittings which the inspector believes to be in a badly neglected state, burning or burying them; and
- (b) in the case of bees, hives or fittings which the inspector believes to be in a good or reasonable condition—
  - (i) burning or burying the bees and selling the hives and fittings; or
  - (ii) selling the bees, hives and fittings; or
  - (iii) giving the bees, hives and fittings to a registered beekeeper.

Reg. 111  
substituted by  
S.R. No.  
118/2018  
reg. 47.

#### **111 Infringement penalties and offences against these Regulations**

- (1) For the purposes of section 126(1) of the Act, regulations 32(2), 33(2), 37, 43, 64(1), 64(2), 66(3), 84A(1), 84A(2), 86, 87, 88(1), 88(2), 89, 90, 91, 92, 93(1), 94(1), 94(2), 95, 96(1), 96A, 97(1), 98, 98A and 99(1) are prescribed.
- (2) For the purposes of section 129 of the Act, the infringement penalty for an offence against regulation 66(3), 86, 87, 88(1), 88(2), 89, 90, 91, 92, 93(1), 94(1), 94(2), 95, 96(1), 96A, 97(1), 98 or 98A is 3 penalty units.
- (3) For the purposes of section 129 of the Act, the infringement penalty for an offence against regulation 64(1), 64(2), 84A(1), 84A(2) or 99(1) is 2 penalty units.
- (4) For the purposes of section 129 of the Act, the infringement penalty for an offence against regulation 32(2), 33(2), 37 or 43 is 1 penalty unit.

## **112 Infringement offences against the Act**

For the purposes of section 129 of the Act, the prescribed infringement penalty for an offence—

- (a) against section 9B(6), 94A(1), 94A(2), 94B, 95(1), 95A(1), 95B(1) or 96B of the Act is 1 penalty unit; and
- (b) against section 6(4), 51(1), 51(2), 52(1) or 52(2) of the Act is 2 penalty units; and
- (c) against section 9, 9A(1), 9A(2), 9B(1), 50(1), 52(3) or 115(3) of the Act is 3 penalty units; and
- (d) against section 9C(1), 9C(2), 48(1) or 115A(4) of the Act is 5 penalty units.

**Reg. 112(a)**  
**amended by**  
**S.R. No.**  
**118/2018**  
**reg. 48(1).**

**Reg. 112(c)**  
**substituted by**  
**S.R. No.**  
**118/2018**  
**reg. 48(2).**

Livestock Disease Control Regulations 2017  
S.R. No. 57/2017  
Schedule 1—Regulations revoked

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**Schedule 1—Regulations revoked**

Regulation 4

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| <i>S.R. No.</i> | <i>Title</i>                                                 |
|-----------------|--------------------------------------------------------------|
| 172/2006        | Livestock Disease Control Regulations 2006                   |
| 39/2010         | Livestock Disease Control Amendment Regulations 2010         |
| 129/2012        | Livestock Disease Control Amendment Regulations 2012         |
| 130/2012        | Livestock Disease Control Further Amendment Regulations 2012 |
| 145/2016        | Livestock Disease Control Amendment Regulations 2016         |

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## Schedule 2—Notification of diseases

Regulations 6 and 62

### Part A

#### Diseases of mammals and birds

Anthrax

### Part B

#### Diseases of mammals and birds

Cattle tick

Equine herpes-virus 1 (abortigenic and neurological strains)

Infectious laryngotracheitis

Psittacosis

Pullorum disease (*Salmonella pullorum*)

Swine brucellosis (*B. suis*)

#### Diseases of bees

American foul brood (*Paenibacillus larvae*)

Braula fly (*Braula coeca*)

### Part C

#### Diseases of mammals and birds

Anaplasmosis

Avian paramyxovirus Type 1

Avian tuberculosis (*Mycobacterium avium*)

Babesiosis

Bovine genital campylobacteriosis

Bovine malignant catarrh

Sch. 2 Pt C  
amended by  
S.R. No.  
118/2018  
reg. 49.

Bovine malignant tumour of the eye larger than 2 cm

Buffalo fly

Caprine arthritis encephalitis

*Cysticercus bovis* (*Taenia saginata*)

Enzootic bovine leucosis

Equine infectious anaemia

Equine viral arteritis

Infectious bovine rhinotracheitis

Lead poisoning (in food producing livestock)

Leptospirosis

Listeriosis

Mucosal disease

Ovine brucellosis

Ovine footrot

Paratuberculosis (Johne's disease)

Pigeon paramyxovirus Type 1

Salmonellosis

Strangles

Trichomoniasis

Tuberculosis (other than *Mycobacterium bovis*)

Verocytotoxigenic *E. coli*

**Diseases of bees**

Chalkbrood disease

European foulbrood disease (*Melissococcus plutonius*)

Nosema (*Nosema apis* and *Nosema ceranae*)



**Diseases of fin fish**

*Aeromonas salmonicida* (atypical strains)

Epizootic haematopoietic necrosis (EHN virus)

Infection with *Aphanomyces invadans*  
(epizootic ulcerative syndrome)

**Diseases of amphibians**

Infection with *Batrachochytrium dendrobatidis* (Chytridiomycosis)

Infection with *Batrachochytrium salamandrivorans*

Infection with Ranavirus species

**Diseases of molluscs**

Infection with *Bonamia exitiosa*

## **Schedule 3—Identification tags and tattoos for livestock**

Sch. 3 Pt A  
amended by  
S.R. No.  
118/2018  
reg. 50(1).

### **Part A**

Regulation 17(1)(a) and (1A)

#### **NLIS device for cattle**

A NLIS device that includes the following visible information:

**3ABCD123 XBY**

**SN**

$\alpha$

Do not remove

Where—

- |          |                                                                                                                                                                     |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3        | is the first character on the property identification code that must be the number 3 unless the cattle is introduced into Victoria from another State or Territory; |
| 3ABCD123 | is the 8 character property identification code issued to the cattle owner that identifies the property on which the cattle were born;                              |
| X        | is the manufacturer's code issued by NLIS Limited;                                                                                                                  |
| B        | is the tenth character and must be the letter B;                                                                                                                    |
| Y        | is the eleventh character and is the year of supply code issued by NLIS Limited;                                                                                    |
| SN       | is the 5 character serial number of the tag, with the first of the 5 characters being either an alpha or numeric character;                                         |
| $\alpha$ | is the NLIS logo.                                                                                                                                                   |

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## Part B

Regulation 17(1)(b)(i) and (1A)

Sch. 3 Pt B  
amended by  
S.R. No.  
118/2018  
reg. 50(2).

### NLIS device for cattle

The NLIS device for cattle which is denoted with an orange colour with black lettering that contains the following visible information:

**3ABCD123 XBY**

**SN**

**α**

Where—

3 is the first character on the property identification code that must be the number 3 unless the cattle is introduced into Victoria from another State or Territory;

3ABCD123 is the 8 character property identification code issued to the cattle owner that identifies the property on which the cattle are kept;

X is the manufacturer's code issued by NLIS Limited;

B is the tenth character and must be the letter E;

Y is the eleventh character and is the year of supply code issued by NLIS Limited;

SN is the 5 character serial number of the tag, with the first of the 5 characters being either an alpha or numeric character;

α is the NLIS logo.

Sch. 3 Pt C  
amended by  
S.R. No.  
118/2018  
reg. 50(3).

## Part C

Regulation 34(1)

### Temporary tail tag for cattle

A temporary tail tag for cattle that contains the following visible information:

3

$\alpha\beta$

SN

Where—

3 is for Victoria;

$\alpha\beta$  are letters signifying the district of the inspector or the identity of the selling agent who supplied the tag;

SN is the serial number of the tag.

Sch. 3 Pt D  
amended by  
S.R. No.  
118/2018  
reg. 50(4).

## Part D

Regulation 17(1)(a), (b)(i) and (1B)

### NLIS device for cattle that is a rumen bolus accompanied by an ear tag

A NLIS device for cattle that is a rumen bolus accompanied by an ear tag that is white (where the device is a breeder device) or orange (where the device is a post-breeder device) and contains the following visible information:

3ABCD123 XBY

SN

$\alpha$

Do not remove

Livestock Disease Control Regulations 2017  
S.R. No. 57/2017  
Schedule 3—Identification tags and tattoos for livestock

Where—

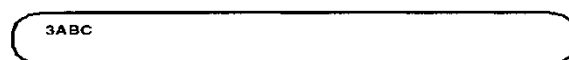
- 3 is the first character on the property identification code that must be the number 3 unless the cattle is introduced into Victoria from another State or Territory;
- 3ABCD123 is the 8 character property identification code issued to the cattle owner that identifies the property on which the cattle were born (where the device is a breeder device) or are kept (where the device is a post-breeder device);
- X is the manufacturer's code issued by NLIS Limited;
- B is the tenth character and must be either the letter E where the device is a breeder device or F where the device is a post-breeder device;
- Y is the eleventh character and is the year of supply code issued by NLIS Limited;
- SN is the 5 character serial number of the tag, with the first of the 5 characters being either an alpha or numeric character;
- α is the NLIS logo.

## Part E

Regulation 20

Sch. 3 Pt E  
amended by  
S.R. No.  
118/2018  
reg. 50(5).

### Plastic ear tags for pigs less than 25 kilograms in weight



White tag  
Black lettering

Where—

- 3ABC is the brand issued to the pig owner from which the property identification code issued to the pig owner that identifies the property on which the pigs are kept can be ascertained.

Sch. 3 Pt F  
amended by  
S.R. No.  
118/2018  
reg. 50(6).

## Part F

Regulation 20

### Tattoo for pigs 25 kg or more in weight

|   |   |   |   |
|---|---|---|---|
| 3 | A | B | C |
|---|---|---|---|

Where—

3ABC is the brand issued to the pig owner from which the property identification code issued to the pig owner that identifies the property on which the pigs are kept can be ascertained.

The letters must be at least 20 mm high, 12 mm wide and 2.5 mm apart.

The pins producing the tattoo must be tapered needles at least 6.8 mm long set so that the needles are no more than 2.5 mm between centres.

Sch. 3 Pt G  
amended by  
S.R. No.  
118/2018  
reg. 50(7).

## Part G

Regulation 23(1)(b)

### NLIS ear tag for sheep and goats

A NLIS ear tag for sheep or goats which is not in pink colouring that contains the following visible information:

**3ABCD123 X**

Where—

3 is the first character on the property identification code that must be the number 3 unless the sheep or goat is introduced into Victoria from another State or Territory;

3ABCD123 is the property identification code issued to the sheep or goat owner that identifies the property on which the sheep or goats were born;

X is the NLIS logo.

## Part H

Regulation 23(1)(c)

Sch. 3 Pt H  
amended by  
S.R. No.  
118/2018  
reg. 50(8).

### NLIS ear tag for sheep and goats

A NLIS ear tag for sheep or goats which is pink in colour that contains the following visible information:

**3ABCD123 X**

Where—

- 3 is the first character on the property identification code that must be the number 3 unless the sheep or goat is introduced into Victoria from another State or Territory;
- 3ABCD123 is the property identification code issued to the sheep or goat owner that identifies the property on which the sheep or goats are kept;
- X is the NLIS logo.

## Part I

Regulation 24(1)(a)

Sch. 3 Pt I  
amended by  
S.R. No.  
118/2018  
reg. 50(9).

### NLIS device for sheep and goats

A NLIS device for sheep and goats that is not pink in colour that contains the following visible information:

**3ABCD123 XBY**

**SN**

$\alpha$

Where—

- 3 is the first character on the property identification code that must be the number 3 unless the sheep or goat is introduced into Victoria from another State or Territory;

Livestock Disease Control Regulations 2017  
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Schedule 3—Identification tags and tattoos for livestock

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|          |                                                                                                                                                       |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3ABCD123 | is the 8 character property identification code issued to the sheep or goat owner that identifies the property on which the sheep or goats were born; |
| X        | is the manufacturer's code issued by NLIS Limited;                                                                                                    |
| B        | is the tenth character and must be either the letter S where the device is for sheep or K where the device is for goats;                              |
| Y        | is the eleventh character and is the year of supply code issued by NLIS Limited;                                                                      |
| SN       | is the 5 character serial number of the tag, with the first of the 5 characters being either an alpha or numeric character;                           |
| $\alpha$ | is the NLIS logo.                                                                                                                                     |

Sch. 3 Pt J  
amended by  
S.R. No.  
118/2018  
reg. 50(10).

## Part J

Regulation 24(1)(b)(i)

### NLIS device for sheep and goats

A NLIS device for sheep and goats that is pink in colour that contains the following visible information:

**3ABCD123 XBY**

**SN**

$\alpha$

Where—

|          |                                                                                                                                                                            |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3        | is the first character on the property identification code that must be the number 3 unless the sheep or goat is introduced into Victoria from another State or Territory; |
| 3ABCD123 | is the 8 character property identification code issued to the sheep or goat owner that identifies the property on which the sheep or goats are kept;                       |
| X        | is the manufacturer's code issued by NLIS Limited;                                                                                                                         |



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|          |                                                                                                                             |
|----------|-----------------------------------------------------------------------------------------------------------------------------|
| B        | is the tenth character and must be either the letter T where the device is for sheep or L where the device is for goats;    |
| Y        | is the eleventh character and is the year of supply code issued by NLIS Limited;                                            |
| SN       | is the 5 character serial number of the tag, with the first of the 5 characters being either an alpha or numeric character; |
| $\alpha$ | is the NLIS logo.                                                                                                           |

### Part K

Regulation 32(1)

Sch. 3 Pt K  
amended by  
S.R. No.  
118/2018  
reg. 50(11).

#### Ear tag for pigs less than 25 kilograms in weight

3\*SN

White tag  
Black lettering

Where—

|    |                                                              |
|----|--------------------------------------------------------------|
| 3  | is for Victoria;                                             |
| *  | identifies the region of Victoria where the tag was applied; |
| SN | is the serial number of the tag.                             |

### Part L

Regulation 33(1)(a)

Sch. 3 Pt L  
amended by  
S.R. No.  
118/2018  
reg. 50(12).

#### Temporary tattoo for pigs 25 kilograms or more in weight

|   |    |               |
|---|----|---------------|
| 3 | XX | $\alpha\beta$ |
|---|----|---------------|

Where—

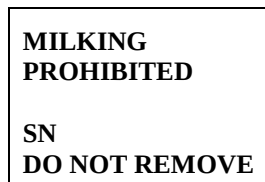
|   |                  |
|---|------------------|
| 3 | is for Victoria; |
|---|------------------|

- XX identifies the region in Victoria where the tattoo was applied;
- $\alpha\beta$  are letters signifying the location of the inspector who supplied the tattoo brand.

## Part M

Regulation 72

### Ear tag for cows, goats, sheep or buffalo prohibited for dairying



Red tag  
Black lettering

Where—

SN is the serial number of the tag.

## Schedule 4

Regulations 46 and 51

### Livestock Disease Control Act 1994

Livestock Disease Control Regulations 2017

### Introduction of cattle into Victoria from Queensland, Western Australia or the Northern Territory

#### Part A

#### Certification by owner

##### 1. Particulars of cattle

State of origin of cattle:                      Livestock district of origin:

Proposed place of entry into Victoria:

Proposed date of entry:     /     /

##### 2. Category of cattle

|                                                    | Steers | Bulls | Heifers | Cows | Calves | Total |
|----------------------------------------------------|--------|-------|---------|------|--------|-------|
| Consigned to an abattoir for slaughter:            |        |       |         |      |        |       |
| Consigned to a saleyard for sale for slaughter:    |        |       |         |      |        |       |
| Breeding cattle and cattle for feeding or grazing: |        |       |         |      |        |       |
| Total number of cattle:                            |        |       |         |      |        |       |

##### 3. Cattle owner and property details

Name and address of owner of cattle:

Name of agent (if any):

Property or place of origin of cattle:

Property identification number of property of dispatch of cattle:

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**4. Certification**

I, [print full name] have inspected the cattle  
described above on [date] and CERTIFY THAT:

1. The cattle are being consigned to:  
[name of consignee property owner/livestock agent/abattoir]  
at:  
[address of consignee property owner/saleyard/abattoir]
2. All the cattle have been identified with a NLIS device in accordance with the Livestock Disease Control Regulations 2017 of Victoria.
3. I believe the cattle are in good health and are free from cattle tick.
- \*4. Neither the cattle described above, nor the property of origin of the cattle are under quarantine or restrictions because of disease in the cattle.
- \*5. The cattle are from a property under quarantine or subject to restrictions because of disease in the cattle but the Secretary to the Department of Economic Development, Jobs, Transport and Resources (Victoria) has given the attached written approval for their introduction.
6. The information furnished on this certificate is, to the best of my knowledge and belief, correct in every particular.

Signature of \*owner/\*owner's agent on behalf of the owner:

Date:     /     /

**Calves** means heifers, bulls or steers less than 6 months of age or at foot

\*Strike out alternatives not applicable

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**Part B**

**Certification by authorised officer**

I, [full name]  
of [business address]  
being an authorised officer within the meaning of the Livestock Disease Control Regulations 2017 of Victoria, CERTIFY THAT, after due inquiries and to the best of my knowledge and belief, the particulars of the certification made by the owner or the owner's agent on behalf of the owner are correct.

Signature of authorised officer: Stationed at:

Status of authorised officer: Date:    /    /

- Note 1: Regulation 47(1) requires that the owner of livestock to be introduced into Victoria must forward the certificates in Part A and Part B to the Secretary to the Economic Development, Jobs, Transport and Resources (Victoria) within 48 hours after their introduction.
- Note 2: Regulation 46(a)(i) requires that an owner introducing cattle into Victoria must ensure that the certificates in Part A and Part B are completed 14 days or less before introduction of the cattle.
- Note 3: Regulation 51 requires that cattle introduced into Victoria have been inspected by the person who completes the Part A certificate within 14 days before introduction of the cattle.

## Regulations 46 and 52

## Livestock Disease Control Regulations 2017

## Part A

## 1. Particulars of pigs

Breed:

Description:

Property identification number of property of dispatch of pigs:

Method of transport:

Proposed place and date of introduction: / /

Name and address of owner:

Name of consignee:

Address of consignee:

Name and address of owner's agent (if any):

I, [print full name]

of [address]

CERTIFY THAT:

1. I have inspected the pigs described above on [date].
2. I believe the pigs to be in good health and not at present under surveillance because of disease.
- \*3. The pigs described above are not under restrictions, or from an area under quarantine, because of a disease of pigs.
- \*4. The pigs described above are under restrictions because of a disease of pigs or from an area under quarantine because of a disease of pigs but the Secretary to the Department of Economic Development, Jobs, Transport and Resources (Victoria) has given the attached written approval for their introduction.
- \*5. The herd of origin of the pigs is recognised as being free of swine brucellosis.
- \*6. The pigs were blood tested within 30 days before their introduction into Victoria and the test was negative in respect of swine brucellosis and swine brucellosis is not known to exist in the herd of origin.
7. The information furnished on this certificate is, to the best of my knowledge and belief, correct in every particular.

Date:     /     /

I, [full name]  
of [business address]  
being an authorised officer within the meaning of the Livestock Disease  
Control Regulations 2017 of Victoria, CERTIFY THAT, after due inquiry  
and to the best of my knowledge and belief, the particulars of the certification  
made by the owner or the owner's agent on behalf of the owner are correct.

Note 1: Regulation 47(1) requires that the owner of livestock to be introduced into Victoria must forward the certificates in Part A and Part B to the Secretary to the Economic Development, Jobs, Transport and Resources (Victoria) 48 hours or less after their introduction.

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- Note 2: Regulation 46(b)(i) requires that a person introducing pigs into Victoria must ensure that the certificates in Part A and Part B are completed 14 days or less before introduction of the pigs.
- Note 3: Regulation 52 requires that pigs introduced into Victoria have been inspected by the owner who completes the Part A certificate 14 days or less before introduction of the pigs.



## Schedule 6

Regulations 46 and 47

### Livestock Disease Control Act 1994

Livestock Disease Control Regulations 2017

### Introduction of bees, bee products, fodder or used beekeeping fittings into Victoria

#### Part A

#### Certification by owner

I, [full name of owner]  
of [postal address]

CERTIFY THAT:

1. I propose to introduce (\*kg/\*number) of \*honey/  
\*comb honey/\*honeycomb/\*beeswax/\*pollen/\*bee colonies/\*packaged  
bees/\*used beekeeping fittings/\*queen bees/\*escorts/\*queen  
cells/\*other bee products into Victoria\* on [date]  
TO [name of consignee]  
of [address of consignee]
- \*2. The above bees, bee products, pollen or fittings are not from an apiary  
that is located in a quarantine area or in an area in which their  
movement is restricted, due to a disease of bees, or from an apiary  
showing symptoms of American foul brood disease or from hives  
showing field symptoms of another disease of bees.
- \*3. The above bees, bee products, pollen or fittings are from an apiary  
located in a quarantine area in respect of a disease of bees or subject to  
restrictions on movement due to a disease of bees but the Secretary to  
the Department of Economic Development, Jobs, Transport and  
Resources (Victoria) has given the attached written approval for their  
introduction.
- \*4. The comb honey is dispatched from Tasmania and has been frozen and  
processed in accordance with regulation 56(a) to (e) and a copy of the  
temperature data log accompanies this certificate.
- \*5. Pollen used for feeding to bees \*has been/\*will be irradiated to a  
minimum of 15 kilogray \*prior to/ \*immediately after introduction into  
Victoria.

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Signature of \*owner/\*owner's agent on behalf of the owner:

Date:     /     /

\*Strike out alternatives not applicable

**Part B**

**Certificate by government apiary officer**

I, [full name]

of [postal address]

being a government apiary officer in [\*State/Territory]

CERTIFY THAT:

- \*1. After due inquiry I have no reason to doubt the correctness of the certification in Part A.
- \*2. There is no evidence of braula fly in the bees, pollen or used beekeeping fittings.

Signature of government apiary officer:

Date:     /     /

Business address:

\*Strike out alternatives not applicable

## Schedule 7

Regulations 46 and 47

### Livestock Disease Control Act 1994

Livestock Disease Control Regulations 2017

### Introduction of honey, beeswax, pollen or used beekeeping fittings from a hive affected by American foul brood disease into Victoria

#### Part A

#### Certification by owner

##### 1. Consignment details

- (a) Quantity of \*honey/\*beeswax/\*pollen to be introduced:
- (b) \*Number and description of used beekeeping fittings to be introduced:
- (c) Present location of honey, beeswax, pollen or fittings:
- (d) Owner of apiary of origin of honey, beeswax, pollen or fittings:

##### 2. Certification

I, [full name of owner]  
of [postal address]

being the \*owner/\*owner's agent of the \*honey/\*beeswax/\*pollen/\*used  
beekeeping fittings from hives affected by American foul brood disease  
described above to be introduced into the State of Victoria from any other  
State or Territory of the Commonwealth

CERTIFY THAT—

- \*1. The quantity of \*extracted honey/\*beeswax specified above is to be  
forwarded direct to the processing plant approved by the Secretary to  
the Department of Primary Industries located at  
[address]  
in Victoria.
- \*2. The \*pollen/\*used beekeeping fittings will be sufficiently irradiated by  
gamma radiation at a plant approved by the Secretary located at  
[address]  
in Victoria.

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- \*3. The proposed date of consignment of the \*honey/\*beeswax/\*pollen/  
\*used beekeeping fittings to the above named plant is: [date]
4. The method of transport will be: [insert method]
- \*5. The containers (except for containers placed inside a larger container)  
of the \*honey/\*beeswax/\*pollen/\*used beekeeping fittings have been  
labelled with weather-proof labels setting out the name of the owner of  
the apiary of origin or the owner's agent and a contact number of an  
inspector in Victoria and the words "This load contains American foul  
brood diseased material which is highly infectious to honey bees. In the  
event of an accident contact an apiary inspector appointed under the  
**Livestock Disease Act 1994** as soon as possible."
- \*6. The \*pollen/\*used beekeeping fittings described above have been  
sufficiently irradiated by gamma radiation before introduction into  
Victoria and are consigned to:  
[name of consignee]  
[address of consignee]

Signature of \*owner/\*owner's agent on behalf of the owner:

Date:     /     /

\*Strike out alternatives not applicable

**Part B**

**Certificate by government apiary officer**

I, [full name of apiary officer]  
of [address]  
being a government apiary officer, of the Department of  
[name of Department/government agency]  
in [State or Territory]

**CERTIFY THAT:**

1. the processing plant in Victoria is approved by the Secretary for the  
receipt of the \*honey/\*beeswax/\*pollen/\*used beekeeping fittings.
2. After due inquiry I have no reason to doubt the correctness of the  
certification in Part A.

Signature of government apiary officer:

Date:     /     /

\*Strike out alternatives not applicable

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Schedule 8

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## Schedule 8

Regulation 74

### Livestock Disease Control Act 1994

Livestock Disease Control Regulations 2017

#### Notice of disposal of hives

I, *[print full name]*  
of *[print address]*

Registration no.:

GIVE NOTICE that I have disposed of *[number]* hives, formerly my property

to: *[full name of new owner(s)]*

of: *[address of new owner(s)]*

New owner's registration no.:

I now own *[number]* hives.

Signed: *[disposer's signature]* Dated:    /    /

## Schedule 9

Regulation 76

### Livestock Disease Control Act 1994

Livestock Disease Control Regulations 2017

### Certification and statement of stock health on licensed semen collection premises

#### Part A

#### Certification by veterinary practitioner

I, *[name of veterinary practitioner]* being a veterinary practitioner within the meaning of the Livestock Disease Control Regulations 2017, whose signature appears below,

in respect of the premises *[name of premises if any]*

being premises located at *[address of premises]*

CERTIFY:

1. that I have, within the preceding 14 days, examined all livestock on the premises and found them to be free from evidence of infectious and contagious disease;
2. that during the past 12 months, no evidence of infectious disease has been observed in the breeding sires on the premises or in livestock bred there from those sires with the following exceptions:

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| Sire | Disease observed | Number of progeny affected |
|------|------------------|----------------------------|
|------|------------------|----------------------------|

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(attach a separate sheet if insufficient space);

3. that, during the 12 months ending on 31 December, no sires have been used for collection of semen for sale on the premises unless approved by the Secretary under section 55 of the **Livestock Disease Control Act 1994**;

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4. that all livestock on the premises have been re-tested with negative results, or where applicable treated in accordance with the conditions of the licence with the exception of the following animals, for the reasons stated:

| Animal | Test required | Reason for the exception |
|--------|---------------|--------------------------|
|--------|---------------|--------------------------|

*[attach a separate sheet if insufficient space].*

Signed: \_\_\_\_\_ [veterinary practitioner] Date:     /     /

**Part B**

**Statement of licensee**

I, \_\_\_\_\_ [name of licensee] being the licensee of the premises \_\_\_\_\_ [name of premises] located at \_\_\_\_\_ [address of premises] state that to the best of my knowledge and belief, the statements made by the veterinary practitioner in Part A of this Schedule are true and correct.

Signed: \_\_\_\_\_ Date:     /     /

## **Schedule 10—Prescribed Acts of the Commonwealth and States and Territories of the Commonwealth**

Regulation 108

### **Acts of Victoria**

**Environment Protection Act 1970**

**Drugs, Poisons and Controlled Substances Act 1981**

**Food Act 1984**

**Wildlife Act 1975**

### **Acts of the Commonwealth**

Agricultural and Veterinary Chemicals Act 1994

Biosecurity Act 2015

Export Control Act 1982

### **Acts of the State of New South Wales**

Animal Diseases and Animal Pests (Emergency Outbreaks)  
Act 1991

Apiaries Act 1985

Biosecurity Act 2015

Fisheries Management Act 1994

Pesticides Act 1999

Stock Diseases Act 1923

Stock Medicines Act 1989

### **Acts of the State of South Australia**

Agricultural and Veterinary Chemicals (South Australia)  
Act 1994

Agricultural and Veterinary Products (Control of Use)  
Act 2002



Fisheries Management Act 2007

Livestock Act 1997

**Acts of the State of Queensland**

Agricultural and Veterinary Chemicals (Queensland)  
Act 1994

Agricultural Chemicals Distribution Control Act 1966

Biosecurity Act 2014

Chemical Usage (Agricultural and Veterinary) Control  
Act 1988

Fisheries Act 1994

**Acts of the State of Tasmania**

Agricultural and Veterinary Chemicals (Tasmania)  
Act 1994

Animal (Brands and Movement) Act 1984

Animal Health Act 1995

**Acts of the State of Western Australia**

Aerial Spraying Control Act 1966

Agriculture and Related Resources Protection Act 1976

Agricultural and Veterinary Chemicals (Western Australia)  
Act 1995

Biosecurity and Agriculture Management Act 2007

Dangerous Goods Safety Act 2004

Exotic Diseases of Animals Act 1993

Health (Miscellaneous Provisions) Act 1911

Veterinary Chemical Control and Animal Feeding Stuffs  
Act 1976

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Territories of the Commonwealth

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**Acts of the Northern Territory**

Agricultural and Veterinary Chemicals (Northern Territory)  
Act

Fisheries Act

Livestock Act

Medicines, Poisons and Therapeutic Goods Act

Territory Parks and Wildlife Conservation Act

**Acts of the Australian Capital Territory**

Animal Diseases Act 2005

Stock Act 2005

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## Endnotes

### 1 General information

See [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au) for Victorian Bills, Acts and current authorised versions of legislation and up-to-date legislative information.

The Livestock Disease Control Regulations 2017, S.R. No. 57/2017 were made on 27 June 2017 by the Governor in Council under section 139 of the **Livestock Disease Control Act 1994**, No. 115/1994 and came into operation on 1 July 2017: regulation 3.

The Livestock Disease Control Regulations 2017 will sunset 10 years after the day of making on 27 June 2027 (see section 5 of the **Subordinate Legislation Act 1994**).

### INTERPRETATION OF LEGISLATION ACT 1984 (ILA)

#### Style changes

Section 54A of the ILA authorises the making of the style changes set out in Schedule 1 to that Act.

#### References to ILA s. 39B

Sidenotes which cite ILA s. 39B refer to section 39B of the ILA which provides that where an undivided regulation, rule or clause of a Schedule is amended by the insertion of one or more subregulations, subrules or subclauses the original regulation, rule or clause becomes subregulation, subrule or subclause (1) and is amended by the insertion of the expression "(1)" at the beginning of the original regulation, rule or clause.

#### Interpretation

As from 1 January 2001, amendments to section 36 of the ILA have the following effects:

- **Headings**

All headings included in a Statutory Rule which is made on or after 1 January 2001 form part of that Statutory Rule. Any heading inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, forms part of that Statutory Rule. This includes headings to Parts, Divisions or Subdivisions in a Schedule; Orders; Parts into which an Order is divided; clauses; regulations; rules; items; tables; columns; examples; diagrams; notes or forms. See section 36(1A)(2A)(2B).

- **Examples, diagrams or notes**

All examples, diagrams or notes included in a Statutory Rule which is made on or after 1 January 2001 form part of that Statutory Rule. Any examples, diagrams or notes inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, form part of that Statutory Rule. See section 36(3A).

- **Punctuation**

All punctuation included in a Statutory Rule which is made on or after 1 January 2001 forms part of that Statutory Rule. Any punctuation inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, forms part of that Statutory Rule. See section 36(3B).

- **Provision numbers**

All provision numbers included in a Statutory Rule form part of that Statutory Rule, whether inserted in the Statutory Rule before, on or after 1 January 2001. Provision numbers include regulation numbers, rule numbers, subregulation numbers, subrule numbers, paragraphs and subparagraphs. See section 36(3C).

- **Location of "legislative items"**

A "legislative item" is a penalty, an example or a note. As from 13 October 2004, a legislative item relating to a provision of a Statutory Rule is taken to be at the foot of that provision even if it is preceded or followed by another legislative item that relates to that provision. For example, if a penalty at the foot of a provision is followed by a note, both of these legislative items will be regarded as being at the foot of that provision. See section 36B.

- **Other material**

Any explanatory memorandum, table of provisions, endnotes, index and other material printed after the Endnotes does not form part of a Statutory Rule. See section 36(3)(3D)(3E).

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## 2 Table of Amendments

This publication incorporates amendments made to the Livestock Disease Control Regulations 2017 by statutory rules, subordinate instruments and Acts.

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Livestock Disease Control Amendment Regulations 2018, S.R. No. 118/2018

*Date of Making:* 4.9.18

*Date of Commencement:* 5.9.18: reg. 3

Livestock Disease Control Further Amendment Regulations 2018, S.R. No. 171/2018

*Date of Making:* 23.10.18

*Date of Commencement:* 23.10.18

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### **3 Amendments Not in Operation**

There are no amendments which were Not in Operation at the date of this publication.

#### 4 Explanatory details

##### Penalty Units

These Regulations provide for penalties by reference to penalty units within the meaning of section 110 of the **Sentencing Act 1991**. The amount of the penalty is to be calculated, in accordance with section 7 of the **Monetary Units Act 2004**, by multiplying the number of penalty units applicable by the value of a penalty unit.

The value of a penalty unit for the financial year commencing 1 July 2018 is \$161.19.

The amount of the calculated penalty may be rounded to the nearest dollar.

The value of a penalty unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a penalty unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.

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##### Table of Applied, Adopted or Incorporated Matter

The following table of applied, adopted or incorporated matter was included in S.R. No. 57/2017 accordance with the requirements of regulation 5 of the Subordinate Legislation Regulations 2014.

| Statutory rule provision                                             | Title of applied, adopted or incorporated document                                                                                                                                                                           | Matter in applied, adopted or incorporated document |
|----------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
| Regulation 5<br>Definition of <b>ANZSDP</b> ,<br>Regulation 59(2)(a) | Australian and New Zealand Standard diagnostic procedures for use in Australian veterinary laboratories, published on 8 December 2016 by the Commonwealth Department of Agriculture and Water Resources on its Internet site | The whole                                           |

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| <b>Statutory rule provision</b>                                                                                      | <b>Title of applied, adopted or incorporated document</b>                                                                                                                                  | <b>Matter in applied, adopted or incorporated document</b> |
|----------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|
| Regulation 5<br>Definition of <i>ASDT</i> ,<br>Regulation 59(2)(b)                                                   | Australian standard diagnostic techniques for animal diseases published in 1993 by the Standing Committee on Agriculture and Resource Management as published or amended from time to time | The whole                                                  |
| Regulation 5<br>Definition of <i>AS ISO/IEC 17025-2005</i> ,<br>Regulation 59(3)                                     | Australian Standard AS ISO/IEC 17025—2005 "General requirements for the competence of testing and calibration laboratories" Second Edition published in 2005 by Standards Australia        | The whole                                                  |
| Regulation 5<br>Definition of <i>Newcastle Disease Management Plan</i> ,<br>Regulations 63(1),<br>63(2)(a), 63(6)(a) | National Newcastle Disease Management Plan 2013-2016 Version 1.7 published on 29 July 2013 by the Australian Animal Health Council Ltd.                                                    | The whole                                                  |

**Table of Applied, Adopted or Incorporated Matter**

The following table of applied, adopted or incorporated matter was included in S.R. No. 118/2018 in accordance with the requirements of regulation 5 of the Subordinate Legislation Regulations 2014.

| <b>Statutory rule provision</b>                                                          | <b>Title of applied, adopted or incorporated document</b>                                                                       | <b>Matter in applied, adopted or incorporated document</b> |
|------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|
| Regulation 21(2)<br>of the Livestock<br>Disease Control<br>Amendment<br>Regulations 2018 | AS ISO/IEC 17025:2018<br>General requirements for the competence of testing and calibration laboratories published by Standards | The whole                                                  |



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| <b>Statutory rule provision</b>                                                      | <b>Title of applied, adopted or incorporated document</b> | <b>Matter in applied, adopted or incorporated document</b> |
|--------------------------------------------------------------------------------------|-----------------------------------------------------------|------------------------------------------------------------|
| which substitutes regulation 59(3) of the Livestock Disease Control Regulations 2017 | Australia on 16 April 2018                                |                                                            |