

Queensland



Stock Act 1915

STOCK IDENTIFICATION REGULATION 1985

**Reprinted as in force on 23 March 2000
(includes amendments up to SL No. 338 of 1999)**

Reprint No. 1

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

Information about this reprint

This regulation is reprinted as at 23 March 2000. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

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

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have been made to—

- update references (pt 4, div 3)
- express gender specific provisions in a way consistent with current drafting practice (s 24)
- use standard punctuation consistent with current drafting practice (s 27)
- use conjunctives and disjunctives consistent with current drafting practice (s 28)
- use expressions consistent with current drafting practice (s 29)
- use aspects of format and printing style consistent with current drafting practice (s 35)
- number and renumber certain provisions (s 43).

Also see endnotes for information about—

- **editorial changes made in the reprint, including—**
 - **table of changed names and titles**
 - **table of renumbered provisions.**

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STOCK IDENTIFICATION REGULATION 1985

[as amended by all amendments that commenced on or before 23 March 2000]

Short title

1. This regulation may be cited as the *Stock Identification Regulation 1985*.

Definitions

2. The dictionary in the schedule defines particular words used in this regulation.

Forms

3. The chief executive may approve forms for use under this regulation.

Tags

4.(1) An approved ear tag or approved tail tag, district tail tag or saleyard tail tag must be in the approved form.

(2) If a person owns a holding but is not required to register the holding under section 10, an inspector may issue the person with a district tail tag.

Movement of cattle

7.(1) Subject to this regulation, every owner of cattle, or owner who has sold cattle, must, before such cattle are travelled from the holding on which they are depastured, cause such cattle to be identified under section 8.

(2) Where cattle are offered for sale by public auction held on the holding on which they are depastured, the owner must cause such cattle to be identified prior to such auction under section 8.

(3) Subsection (1) does not apply if the owner of the cattle, or owner who has sold the cattle, satisfies an inspector—

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- (a) that the cattle in question have been consigned for the purpose of immediate slaughter and may be positively identified as having been travelled from the holding in question without such cattle being identified under section 8; or
- (b) that the cattle in question are to be travelled directly to another holding for the purpose of stocking that holding; or
- (c) that the cattle in question are to be offered for sale at a special store or breeding cattle sale which is to be held on an appointed day or during a specified period.

(4) Subsection (2) does not apply if the owner of the cattle satisfies an inspector that the cattle in question are to be offered for sale at a special store or breeding cattle sale which is to be held on an appointed day or during a specified period.

(5) Where an inspector has permitted cattle to be travelled to a meat processing facility under subsection (3)(a), the owner of the meat processing facility must cause such cattle to be kept separate from other cattle not identified by means of an approved ear tag, approved tail tag, a district tail tag or a saleyard tail tag until such first mentioned cattle have been slaughtered.

(6) Where cattle which have not been identified as required under section 8 are received at a meat processing facility, the owner must forthwith keep such cattle separate from other cattle and withhold such cattle from slaughter until they have been identified to the satisfaction of an inspector under the *Meat Industry Act 1993*.

(7) Where cattle which have not been identified as required under section 8 are received at a saleyard, other than a saleyard where a special store or breeding cattle sale is being held, the authorised agent must withhold such cattle from sale until they have been identified to the satisfaction of an inspector.

(7A) For this purpose an inspector may issue an owner with the required number of saleyard tail tags.

(7B) Where these are issued to the authorised agent such agent must maintain a record of—

- (a) the name of the actual owner; and

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(b) the name and address of the holding from which such cattle have been travelled; and

(c) the serial numbers of the saleyard tail tags attached to such cattle;

and must supply at the time of issue of such saleyard tail tags a copy of such details to the inspector who issued such saleyard tail tags.

Identification of cattle

8.(1) Cattle required to be identified by this regulation must be identified by—

(a) an approved ear tag securely attached to the ear of each animal; or

(b) an approved tail tag, district tail tag or saleyard tail tag securely attached to the tail of each animal.

(1A) An approved ear tag or approved tail tag must show the identification number allocated to the holding from which the cattle are being travelled.

(2) A person who attaches an approved tail tag, a district tail tag or a saleyard tail tag to cattle must affix the tag securely around the tail of the cattle, immediately above the brush.

Use of breeder and post breeder tags

8A.(1) An owner of cattle may also attach to the cattle a tag that—

(a) contains the following information—

(i) the identification number of the holding on which the cattle are being kept;

(ii) a serial number; and

(b) is approved by the chief executive as—

(i) a breeder tag for use in identifying cattle that have not, at any time, been removed from the holding on which they were born; or

(ii) a post breeder tag for use in identifying cattle that have been removed from the holding on which they were born.

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(2) However, the owner must not attach to the cattle—

- (a) a breeder tag unless—
 - (i) the cattle are on the holding on which they were born; and
 - (ii) the cattle have not, at any time, been removed from the holding; and
 - (iii) the identification number of the holding is on the tag; or
- (b) a post breeder tag unless—
 - (i) the cattle have been removed from the holding on which they were born; and
 - (ii) the cattle do not have a breeder tag attached to them; and
 - (iii) the identification number of the holding on which the cattle are being kept is on the tag.

Maximum penalty—20 penalty units.

Owner of meat processing facility to keep records

8B.(1) This section applies to the owner of a meat processing facility if cattle (“**tagged animals**”) to which a breeder tag, post breeder tag or cattle tag is attached are slaughtered at the facility.

(2) The owner must record the following information about each tagged animal—

- (a) the date it is slaughtered;
- (b) the identification number and serial number on each—
 - (i) breeder tag and post breeder tag; and
 - (ii) cattle tag.

Maximum penalty—20 penalty units.

(3) Subsection (2)(b)(i) does not apply if the owner has the chief inspector’s written approval stating the numbers on a breeder tag or post breeder tag need not be recorded.

(4) The owner must—

- (a) keep the record mentioned in subsection (2) for at least 6 months

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after the day the tagged animal is slaughtered; and

- (b) if asked by the chief inspector, give the record to the chief inspector.

Maximum penalty—20 penalty units.

(5) The owner must also ensure the dressed body, head, hide and viscera of the tagged animal are able to be identified to the identification number and serial number on each—

- (a) breeder tag and post breeder tag; and
- (b) cattle tag.

Maximum penalty—20 penalty units.

(6) Subsection (5)(a) does not apply if the owner has the chief inspector's written approval stating the dressed body, head, hide and viscera need not be identified to the numbers on a breeder tag or post breeder tag.

Dealing with breeder tags, post breeder tags and cattle tags

9.(1) A person must not attach to cattle that are to be travelled, or are being travelled, from a holding—

- (a) any approved ear tag or approved tail tag other than an approved ear tag, or approved tail tag which bears the identification number relating to that holding; or
- (b) a district tail tag other than a district tail tag which bears an identification number relating to that holding.

(2) A person, other than an inspector or a person authorised by an inspector, must not—

- (a) attach to cattle—
 - (i) an ear tag or tail tag under section 8 other than a tag in the approved form; or
 - (ii) a cattle tag other than in a way prescribed under section 8; or
 - (iii) a tag for use as a breeder tag or post breeder tag unless the tag is approved by the chief executive under section 8A(1)(b); or

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- (b) remove, or allow to be removed, a cattle tag from cattle or a carcass unless—
 - (i) the cattle are slaughtered at a meat processing facility; and
 - (ii) the tag is removed because of the slaughtering process; or
- (c) remove, or allow to be removed, a breeder tag or post breeder tag from cattle or a carcass unless—
 - (i) for cattle slaughtered at a meat processing facility—the tag is removed because of the slaughtering process; or
 - (ii) for cattle that die on a holding—the person is responsible for the husbandry of the cattle and the identification number of the holding is on the tag; or
- (d) alter or deface, or allow to be altered or defaced, a breeder tag, post breeder tag or cattle tag.

Maximum penalty—20 penalty units.

(2A) If a person, other than an inspector or a person authorised by an inspector, removes a breeder tag or post breeder tag from cattle slaughtered at a meat processing facility, the person must—

- (a) give the tag to—
 - (i) the owner of the holding whose identification number is on the tag; or
 - (ii) another person approved by the chief inspector; or
- (b) destroy the tag.

Maximum penalty—20 penalty units.

(2B) If an inspector, or a person authorised by an inspector, removes a breeder tag or post breeder tag from cattle, the inspector or person may—

- (a) give the tag to another person approved by the chief inspector; or
- (b) destroy the tag.

(3) A person who has purchased cattle identified with approved ear tags, approved tail tags, district tail tags or saleyard tail tags may travel or resell such cattle within a period of 40 days from such purchase without further identification provided the original approved ear tags, approved tail tags, district tail tags or saleyard tail tags are still inserted in the ear or affixed

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around the tail of each animal, as the case may be.

(4) Despite subsection (2)(b), if an approved ear tag, approved tail tag, district tail tag or saleyard tail tag is attached to a head of cattle, a person must remove the tag before attaching another approved ear tag or approved tail tag, district tail tag or saleyard tail tag to the head of cattle.

Maximum penalty—20 penalty units.

(5) In this section—

“**inspector**” includes an inspector under the *Meat Industry Act 1993*.

Registration of holdings

10.(1) Every owner of a holding where cattle are kept or depastured, other than the owner of less than eleven head of cattle, or a local government having control of a reserve or commonage, must apply for registration of the holding under this regulation.

(2) Such application must be made—

- (a) within 14 days after the date on which this regulation commences in the case of a person who is or becomes the owner of a holding on that date; or
- (b) within 14 days thereafter, in the case of a person who on any later date becomes the owner of an unregistered holding.

(3) An application for registration of a holding must be made in the approved form to the inspector for the district in which the holding is situated.

(4) Upon receipt of an application for registration of a holding, the inspector for the district may allocate to the holding an identification number and notify the owner of the holding accordingly.

(4A) An identification number must consist of 7 digits as follows—

- (a) 3 digits to identify the locality in which the holding is situated by reference, wherever possible, to a shire; and
- (b) 4 digits to identify the particular holding.

(4B) Where cattle are kept or depastured on a holding by more than 1 owner, whether as joint owners, co-owners or separate owners, or 2 or

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more holdings in the same locality are being worked by the same owner or owners in conjunction, then 1 identification number only may be allocated to the holding or, as the case may be, to the 2 or more holdings being worked in conjunction.

Register of holdings

11.(1) The chief inspector must keep a register of holdings registered under section 10.

(2) Without limiting subsection (1)—

- (a) The chief inspector may cause the register of holdings to be kept, in whole or in part, at the chief inspector's office or at the office of any government veterinary officer who holds the appointment of divisional veterinary officer;
- (b) the chief inspector may cause the register of holdings to be kept in parts, so that each part relates to such districts, shires, regions or other divisions of the State as the chief inspector considers to be suitable;
- (c) the register of holdings must contain in relation to each holding registered therein—
 - (i) the identification number allocated to the holding;
 - (ii) the name of the owner of the holding;
 - (iii) the name (if any) of the holding;
 - (iv) such other information and particulars as the chief inspector considers to be necessary or desirable.

(3) The chief inspector or other person responsible for the keeping of the register of holdings, or any part thereof, may cancel or correct any entry therein in any case in which he has reason to believe that the entry in question has been made upon false or erroneous information.

(4) In any proceedings under this regulation, a copy or extract from the register of holdings endorsed with a certificate under the hand of the chief inspector or an inspector certifying that such copy or extract is a true copy of or extract from the register of holdings is evidence of the register of

holdings as at the date of the certificate and in the absence of evidence to the contrary is conclusive evidence of same.

Transfer of registration

12.(1) Where any registered holding is sold or otherwise disposed of, the new owner must, within 14 days of becoming the owner thereof, make application, in the approved form to the inspector for the district in which the holding is situated for the transfer to the owner of the registration of such holding and of the identification number relating thereto.

(2) Upon receipt of such application, the registration of the holding must be transferred to the new owner and the inspector for the district must notify the new owner of the holding accordingly.

Protection from fraud or misuse

13.(1) A person must not—

- (a) except under and in compliance in every respect with the conditions of an authority in writing from the chief inspector, manufacture a breeder tag or post breeder tag, or a tag for use as an approved ear tag, approved tail tag, district tail tag or saleyard tail tag in the identification of stock;
- (b) except upon receipt of and in accordance with an order in writing which bears the approval of an inspector endorsed thereon, sell or supply to any person a breeder tag or post breeder tag, or a tag for use as an approved ear tag, district tail tag or saleyard tail tag in the identification of stock.

(2) A person who desires to obtain an authority from the chief inspector to manufacture a breeder tag, a post breeder tag or a cattle tag must apply in writing and give to the chief inspector such information and particulars in respect of the application as the chief inspector may require.

(2A) The authority may be issued, and is valid, subject to any conditions which may be specified therein by the chief inspector.

(3) A person must not purchase or obtain a breeder tag or post breeder tag, or a tag for use as an approved ear tag or approved tail tag in the identification of stock, except in accordance with an order in writing which

bears the approval of an inspector endorsed thereon.

(3A) Such order must be submitted to the inspector for the district in which the holding in question is situated.

HGP free tags

14.(1) The actual owner, or a person responsible for the husbandry, of a head of cattle that has not been treated with a hormonal growth promotant may attach a HGP free tag to the head of cattle.

(2) A person must not attach a HGP free tag to a head of cattle treated with a hormonal growth promotant.

Maximum penalty—20 penalty units.

(3) A HGP free tag stops being an approved ear tag or approved tail tag when—

- (a) it is attached to a head of cattle treated with a hormonal growth promotant; or
- (b) the head of cattle to which it is attached is treated with a hormonal growth promotant.

(4) Despite section 9(2)(c), the actual owner, or the person responsible for the husbandry, of a head of cattle to which a HGP free tag is attached must remove the tag when the head of cattle is treated with a hormonal growth promotant.

Maximum penalty—20 penalty units.

Tag manufacturer's sale records

15.(1) The manufacturer of a breeder tag, post breeder tag, approved ear tag or approved tail tag must, when the manufacturer sells the tag, keep a record of the following—

- (a) the purchaser's name and address;
- (b) the identification number of the purchaser's holding;
- (c) the date of the sale;
- (d) the serial number of the tag.

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(2) The manufacturer must keep the record mentioned in subsection (1) for at least 3 years after the sale.

(3) A person who fails to comply with subsection (1) or (2) commits an offence unless the person has a reasonable excuse.

Maximum penalty—20 penalty units.

SCHEDULE**DICTIONARY**

section 2

“**approved ear tag**” includes a HGP free tag.

“**approved tail tag**” includes a HGP free tag.

“**attach**”, to cattle, includes implant and insert into the cattle.

“**breeder tag**” means a tag approved as a breeder tag by the chief executive under section 8A(1)(b)(i).

“**cattle tag**” means an approved ear tag, approved tail tag, district tail tag or saleyard tail tag.

“**dressed body**”, of a tagged animal, means the skeleton and musculature, other than the head, hide or viscera, of the animal.

“**form**” includes a tag in a particular form.

“**HGP free tag**” means a HGP free tag in the approved form under the *Stock Act 1915*.

“**hormonal growth promotant**” means a product that—

- (a) contains an anabolic substance or a hormone; and

Examples of ‘an anabolic substance or a hormone’—

- 17 beta oestradiol
- oestradiol benzoate
- progesterone
- testosterone propionate
- trenbolone acetate
- zeranol.

- (b) is used to promote the growth of bovines or bubalines.

“**identification number**”, of a holding, means an identification number allocated to the holding under section 10(4).

SCHEDULE (continued)

“meat processing facility” means a meat processing facility under the *Meat Industry Act 1993*.

“post breeder tag” means a tag approved as a post breeder tag by the chief executive under section 8A(1)(b)(ii).

“serial number”, of a breeder tag, post breeder tag or cattle tag, means a unique number placed on the tag by the tag’s manufacturer to identify the tag.

“special store or breeding cattle sale” means a sale approved by a government veterinary officer at which cattle may be sold other than for slaughter.

“tag” includes an electronic device—

- (a) for use in identifying cattle; and
- (b) from which information is capable of being reproduced.

“tagged animal” see section 8B(1).

ENDNOTES**1 Index to endnotes**

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 23 March 2000. Future amendments of the Stock Identification Regulation 1985 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

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

4 List of legislation

Stock Identification Regulation 1985 (prev Identification of Stock Regulation 1985)

pubd gaz 28 September 1985 pp 313–322

commenced on date of publication

exempted from application of Regulatory Reform Act 1986 by order pubd gaz
24 June 1989 p 1817

exp 30 June 2000 (see SIA s 56A(2) and SIR s 9 sch 6)

[orig exp 1 July 1999 (see SIA ss 54, 56(1)(a), 61 and SIR s 4 sch 3)]

as amended by—

regulations published gazette (pre SL series)—

15 March 1986 pp 1062–3

commenced on date of publication

30 June 1987 p 2415

commenced on date of publication

Primary Industries (Variation of Fees) Regulation 1993 SL No. 9

notfd gaz 29 January 1993 pp 262–5

commenced on date of notification

Stock Identification Amendment Regulation (No. 1) 1994 SL No. 233

notfd gaz 1 July 1994 pp 1170–7

commenced on date of notification

Stock Identification Amendment Regulation (No. 1) 1997 SL No. 181

notfd gaz 27 June 1997 pp 1004–1010
 ss 1–2 commenced on date of notification
 remaining provisions commenced 1 July 1997 (see s 2)

Stock Identification Amendment Regulation (No. 1) 1999 SL No. 338

notfd gaz 17 December 1999 pp 1586–9
 commenced on date of notification

5 List of annotations**Short title**

s 1 sub 1994 SL No. 233 s 3

Definitions

s 2 sub 1994 SL No. 233 s 3; 1999 SL No. 338 s 3

Forms

s 3 amd reg pubd gaz 30 June 1987 p 2415
 sub 1994 SL No. 233 s 3

Tags

s 4 sub 1994 SL No. 233 s 3
 amd 1999 SL No. 338 s 4

Definitions

s 5 om 1994 SL No. 233 s 3

s 6 om 1994 SL No. 233 s 3

Movement of cattle

s 7 amd reg pubd gaz 30 June 1987 p 2415; 1993 SL No. 9 s 2 sch; 1994 SL No. 233 s 4; 1997 SL No. 181 s 4; 1999 SL No. 338 ss 5–6

Identification of cattle

prov hdg sub 1999 SL No. 338 s 7(1)

s 8 amd reg pubd gaz 15 March 1986 pp 1062–3; reg pubd gaz 30 June 1987 p 2415; 1994 SL No. 233 s 5; 1999 SL No. 338 ss 5, 7(2)

Use of breeder and post breeder tags

s 8A ins 1999 SL No. 338 s 8

Owner of meat processing facility to keep records

s 8B ins 1999 SL No. 338 s 8

Dealing with breeder tags, post breeder tags and cattle tags

prov hdg ins 1994 SL No. 233 s 6(1)
 sub 1999 SL No. 338 s 9(1)

s 9 amd reg pubd gaz 30 June 1987 p 2415; 1994 SL No. 233 s 6(2)–(4); 1999 SL No. 338 s 9(2)–(5)

Registration of holdings

s 10 amd 1994 SL No. 233 s 7; 1999 SL No. 338 ss 5, 10

Register of holdings

s 11 amd 1999 SL No. 338 ss 5, 11

Transfer of registration

s 12 amd 1994 SL No. 233 s 8; 1999 SL No. 338 s 5

Protection from fraud or misuse

s 13 amd 1999 SL No. 338 ss 5, 12

HGP free tags

s 14 ins 1994 SL No. 233 s 9

Tag manufacturer's sale records

s 15 ins 1994 SL No. 233 s 9
amd 1999 SL No. 338 s 13

SCHEDULE—DICTIONARY

ins 1999 SL No. 338 s 14

SCHEDULE 1—FORM 1

om 1994 SL No. 233 s 10

SCHEDULE 2—APPROVED EAR TAG

amd reg pubd gaz 15 March 1986 pp 1062–3
om 1994 SL No. 233 s 10

6 Table of changed names and titles

TABLE OF CHANGED NAMES AND TITLES
under the Reprints Act 1992 ss 23 and 23A

Old	New	Reference provision
Local Authority	local government	Local Government Act 1993 s 796(1)(a)

7 Table of renumbered provisions

TABLE OF RENUMBERED PROVISIONS
under the Reprints Act 1992 s 43

Previous	Renumbered as
7(7) (2nd sentence)	7(7A)
7(7) (3rd sentence)	7(7B)
7(7)(i)	7(7B)(a)
7(7)(ii)	7(7B)(b)
7(7)(iii)	7(7B)(c)
10(4)(a)	10(4)

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10(4)(b)	10(4A)
10(4)(b)(i)	10(4A)(a)
10(4)(b)(ii)	10(4A)(b)
10(4)(c)	10(4B)
13(2)(a)	13(2)
13(2)(b)	13(2A)
13(3)(a)	13(3)
13(3)(b)	13(3A)