

2018

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for the Environment and Heritage)

Animal Diseases Amendment Bill 2018

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2018

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for the Environment and Heritage)

Animal Diseases Amendment Bill 2018

A Bill for

An Act to amend the *Animal Diseases Act 2005* and the *Animal Diseases Regulation 2006*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 **Part 1 Preliminary**

2 **1 Name of Act**

3 This Act is the *Animal Diseases Amendment Act 2018*.

4 **2 Commencement**

5 This Act commences on a day fixed by the Minister by written
6 notice.

7 *Note 1* The naming and commencement provisions automatically commence on
8 the notification day (see [Legislation Act](#), s 75 (1)).

9 *Note 2* A single day or time may be fixed, or different days or times may be
10 fixed, for the commencement of different provisions (see [Legislation](#)
11 [Act](#), s 77 (1)).

12 *Note 3* If a provision has not commenced within 6 months beginning on the
13 notification day, it automatically commences on the first day after that
14 period (see [Legislation Act](#), s 79).

15 **3 Legislation amended**

16 This Act amends the *Animal Diseases Act 2005* and the *Animal*
17 *Diseases Regulation 2006*.

18 **4 Legislation repealed**

19 The *Animal Diseases (Tagable Stock) Declaration 2005 (No 1)*
20 (DI2005-237) is repealed.

Part 2 Animal Diseases Act 2005

5 Dictionary Section 4, note 1

substitute

Note 1 The dictionary at the end of this Act defines certain terms used in this Act, and includes references (*signpost definitions*) to other terms defined elsewhere in this Act.

For example, the signpost definition, '*identifiable stock*, for part 4 (National livestock identification system)—see section 37.' means that the term '*identifiable stock*' is defined in that section for part 4.

6 Part 4

substitute

Part 4 National livestock identification system

Division 4.1 General

37 Definitions—pt 4

In this part:

agent identification code means an agent identification code allocated to an agent under—

(a) this part; or

(b) a related NLIS law.

camelids means members of the family *camelidae* other than vicunas or guanacos.

Note Camelids include camels, alpacas and llamas.

1 **cattle** means the following:

- 2 (a) a member of the genus *Bos*;
- 3 (b) American bison or buffalo (*Bison bison*);
- 4 (c) domestic water buffalo (*Bubalus bubalis*).

5 **equine** means a member of the family *equidae*.

6 **Note** Equines include horses, donkeys, asses, mules and zebras.

7 **identifiable stock** means cattle, pigs, goats and sheep and includes a

8 carcass of any such animal.

9 **identifier** means a tag, label, brand, mark, implant or other means of

10 identification of stock.

11 **large poultry** means emu and ostrich.

12 **property** means an area of land (including an area comprising 1 or

13 more parcels of land close together) worked as a single entity.

14 **property identification code** means—

- 15 (a) in relation to a property in the ACT—the property
- 16 identification code allocated to the property or premises under
- 17 this part; or
- 18 (b) in relation to a property in another jurisdiction—the property
- 19 identification code allocated to the property under a related
- 20 NLIS law.

21 **related NLIS law** means a law of another jurisdiction that applies

22 the NLIS in that jurisdiction.

23 **responsible person** means—

- 24 (a) for leased property or premises—
- 25 (i) the lessee of the property or premises; or

- 1 (ii) if the lessee of the property or premises is not the
2 occupier of the property or premises—the occupier or
3 manager of the property or premises; and
- 4 (b) for an area of unleased territory land that is licensed to
5 someone—the licensee of the land; and
- 6 (c) for an abattoir, saleyard or stock event—the operator of the
7 abattoir, saleyard or stock event.
- 8 *small poultry* means chicken, turkey, guinea fowl, duck, goose,
9 quail, pigeon, pheasant and partridge.

10 **Division 4.2 Identification codes**

11 **38 Allocating identification codes**

- 12 (1) The chief veterinary officer may allocate a property identification
13 code to property or premises—
- 14 (a) that require a property identification code under this division;
15 or
- 16 (b) that are unleased territory land.
- 17 (2) The chief veterinary officer may allocate an agent identification
18 code to a stock and station agent.
- 19 (3) The identification code may be allocated—
- 20 (a) on application under this division; or
- 21 (b) on the chief veterinary officer's own initiative.

22 **39 Applying for property identification code**

- 23 (1) A responsible person may apply to the chief veterinary officer for a
24 property identification code.
- 25 (2) The application must include the following:
- 26 (a) the name and street address of the property or premises;

1 (b) a description of the property or premises by reference to—

2 (i) district, division, section or block number; or

3 (ii) ACTmapi;

4 *Note* ACTmapi is accessible at www.actmapi.act.gov.au.

5 (c) the full name, street address, postal address, email address and
6 phone number of the responsible person for the property or
7 premises.

8 *Note* A fee may be determined under s 88 for this provision.

9 (3) In this section:

10 ***responsible person*** means—

11 (a) for leased property or premises—

12 (i) the lessee of the property or premises; or

13 (ii) if the lessee of the property or premises is not the
14 occupier of the property or premises—the occupier or
15 manager of the property or premises; and

16 (b) for an area of unleased territory land—

17 (i) the custodian of the land; or

18 (ii) if the land is licensed to someone else—the licensee of
19 the land; and

20 (c) for an abattoir, saleyard or stock event—the operator of the
21 abattoir, saleyard or stock event.

22 **40 Responsible person for property with property**
23 **identification code must update details**

24 (1) A person commits an offence if—

25 (a) the person is a responsible person for a property or premises
26 that have been allocated a property identification code; and

- 1 (b) there is a change in any of the details mentioned in
2 section 39 (2); and
- 3 (c) the person does not, within 14 days of the change, tell the chief
4 veterinary officer, in writing, about the change.

5 Maximum penalty: 20 penalty units.

- 6 (2) An offence against this section is a strict liability offence.

7 **41 Applying for agent identification code**

- 8 (1) A stock and station agent may apply to the chief veterinary officer
9 for an agent identification code.
- 10 (2) The application must include the following:
- 11 (a) the name and street address in the ACT of the registered office
12 of the agent;
- 13 (b) the applicant's full name, street address, postal address, email
14 address and phone number.

15 *Note* A fee may be determined under s 88 for this provision.

16 **42 Stock and station agent must update details of agent**
17 **identification code**

- 18 (1) A stock and station agent commits an offence if—
- 19 (a) the agent is allocated an agent identification code; and
- 20 (b) there is a change in any of the details mentioned in
21 section 41 (2); and
- 22 (c) the agent does not, within 14 days of the change, tell the chief
23 veterinary officer, in writing, about the change.

24 Maximum penalty: 20 penalty units.

- 25 (2) An offence against this section is a strict liability offence.

43 Transfer of identification codes

- (1) The chief veterinary officer may transfer a property identification code to another property that comprises all or part of the property or premises to which the property identification code was first allocated.
- (2) The chief veterinary officer may transfer an agent identification code to a stock and station agent if the stock and station agent has taken over the business of the stock and station agent to whom the agent identification code was first allocated.

44 Inactivation or cancellation of identification codes

- (1) This section applies if the chief veterinary officer believes on reasonable grounds that a property identification code or an agent identification code is not needed for compliance with this Act.
- (2) The chief veterinary officer may inactivate or cancel the identification code if the officer—
- (a) gives the person who was allocated the identification code at least 15 working days to give reasons why the code should not be inactivated or cancelled; and
- (b) takes into account the reasons given by the person.
- (3) If the chief veterinary officer inactivates or cancels an identification code, the officer must tell—
- (a) the person who was allocated the identification code; and
- (b) the NLIS administrator.
- (4) If an identification code is inactivated or cancelled, the chief veterinary officer may only reallocate the code in circumstances declared by the director-general.
- (5) A declaration under subsection (4) is a notifiable instrument.

Note A notifiable instrument must be notified under the [Legislation Act](#).

1 **45 Property identification code required if certain animals**
2 **kept**

- 3 (1) A person commits an offence if—
- 4 (a) the person is a responsible person for a property; and
- 5 (b) the person keeps any of the following on the property:
- 6 (i) identifiable stock;
- 7 (ii) camelids;
- 8 (iii) deer;
- 9 (iv) equines;
- 10 (v) 100 or more small poultry;
- 11 (vi) 10 or more large poultry; and
- 12 (c) a property identification code is not allocated for the property.
- 13 Maximum penalty: 50 penalty units.
- 14 (2) An offence against this section is a strict liability offence.

15 **46 Property identification code required if certain activities**
16 **happen**

- 17 (1) A person commits an offence if—
- 18 (a) the person operates any of the following on a property or
- 19 premises:
- 20 (i) an abattoir;
- 21 (ii) a saleyard;
- 22 (iii) a stock event; and

- 1 (b) a property identification code is not allocated for the property
2 or premises.

3 Maximum penalty: 50 penalty units.

- 4 (2) An offence against this section is a strict liability offence.

5 **Division 4.3 Permanent identification of**
6 **identifiable stock**

7 **Subdivision 4.3.1 Identifiable stock**

8 **47 When identifiable stock is *properly identified*—pt 4**

- 9 (1) Identifiable stock is *properly identified* for this part if—

- 10 (a) a permanent identifier is—

11 (i) properly attached to the stock; or

12 (ii) for stock born outside the ACT—attached in accordance
13 with a related NLIS law; and

14 (b) the property identification code on the permanent identifier is
15 the property identification code for the property or premises
16 where the permanent identifier is attached to the stock; and

17 (c) the permanent identifier is readable and has not stopped
18 working.

- 19 (2) In this section:

20 ***relevant NLIS standard***, for an animal, means the standard as
21 published from time to time by the NLIS administrator for the
22 animal.

23 *Note* The NLIS administrator publishes standards for animals at
24 www.nlis.com.au.

properly attached, to stock, for a permanent identifier, means—

(a) for cattle—being the only permanent identifier attached to the cattle, attached in accordance with—

- (i) the manufacturer's instructions; and
- (ii) the relevant NLIS standard; and

(b) for sheep or goats—attached to the ear of the sheep or goat—

- (i) in a way that allows the property identification code on the identifier to be easily read; and
- (ii) in accordance with the manufacturer's instructions; and
- (iii) in accordance with the relevant NLIS standard; and

Note Sheep, goats and pigs may have more than 1 permanent identifier attached to them.

(c) for pigs—

- (i) if the permanent identifier for the pig is an NLIS device—attached in accordance with—
 - (A) the manufacturer's instructions; and
 - (B) the relevant NLIS standard; or
- (ii) in any other case—attached by applying the permanent identifier for pigs to 1 or more shoulders of the pig so that the characters on the brand are impressed through the skin of the pig and can be easily read.

48 Offences—identifiable stock not properly identified

(1) A person commits an offence if—

- (a) the person moves identifiable stock from a property or premises; and
- (b) the movement is not an exempt movement under section 49; and

1 (c) the identifiable stock is not properly identified.

2 Maximum penalty: 50 penalty units.

3 (2) A person commits an offence if—

4 (a) the person operates a saleyard or abattoir; and

5 (b) identifiable stock is kept at the saleyard or abattoir; and

6 (c) the identifiable stock is not properly identified.

7 Maximum penalty: 50 penalty units.

8 (3) A person commits an offence if—

9 (a) the person owns identifiable stock; and

10 (b) the identifiable stock are delivered to a saleyard or abattoir;
11 and

12 (c) the identifiable stock is not properly identified; and

13 (d) the person does not immediately tell the operator of the
14 saleyard or abattoir that the identifiable stock is not properly
15 identified.

16 Maximum penalty: 50 penalty units.

17 (4) A person commits an offence if—

18 (a) identifiable stock is at a saleyard or abattoir; and

19 (b) the person does any of the following:

20 (i) sells or otherwise disposes of the stock;

21 (ii) buys or otherwise acquires the stock;

22 (iii) slaughters the stock (unless slaughter is required for
23 humane reasons at the direction of an authorised person);
24 and

- 1 (c) the identifiable stock is not properly identified.
2 Maximum penalty: 50 penalty units.
- 3 (5) A person commits an offence if—
4 (a) the person is in charge of identifiable stock at a saleyard or
5 abattoir; and
6 (b) the identifiable stock is not properly identified; and
7 (c) the person does not take all reasonable steps to ensure that
8 another person does not do any of the following:
9 (i) sell or otherwise dispose of the stock;
10 (ii) buy or otherwise acquire the stock;
11 (iii) slaughter the stock (unless slaughter is required for
12 humane reasons at the direction of an authorised person).
13 Maximum penalty: 50 penalty units.
- 14 (6) Despite any other provision of this section, identifiable stock is not
15 required to be properly identified after the stock is slaughtered at an
16 abattoir.
- 17 (7) In this section:
18 ***authorised person*** includes either of the following:
19 (a) an inspector or authorised officer under the *Animal Welfare*
20 *Act 1992*, division 7.2;
21 (b) a veterinary surgeon.

- 1 **49 Exempt movements of identifiable stock**
- 2 (1) A person does not commit an offence under section 48 (1) if the
- 3 person moves identifiable stock that is not properly identified from a
- 4 property or premises in any of the following circumstances:
- 5 (a) the identifiable stock is a carcass that is moved directly to—
- 6 (i) a waste management facility that is authorised to accept
- 7 the carcass; or
- 8 (ii) the National Zoo and Aquarium;
- 9 (b) the identifiable stock (other than a pig) is moved—
- 10 (i) from the property on which it is located (the *first*
- 11 *property*) to a contiguous property and returned to the
- 12 first property within 2 days; or
- 13 (ii) from the property on which it is located (the *first*
- 14 *property*) to a contiguous property because the stock is
- 15 grazed continuously between the first property and the
- 16 contiguous property; or
- 17 (iii) to another part of the same property by a route that
- 18 requires the stock to leave the property;
- 19 (c) the identifiable stock is moved for display at the National Zoo
- 20 and Aquarium;
- 21 (d) for identifiable stock that is a dairy goat or a goat that was born
- 22 without ears—the identifiable stock is moved to somewhere
- 23 other than a saleyard or abattoir;
- 24 (e) for identifiable stock that is a feral goat that has been captured
- 25 from the wild—the identifiable stock is moved from the
- 26 property on which it was captured to an abattoir;
- 27 (f) the identifiable stock being moved is a pig that will continue to
- 28 be owned by the same person following the move;

- (g) the identifiable stock is moved because of an extreme emergency.

Example—extreme emergency

imminent threat arising from a bushfire or a flood

Note 1 The person may commit an offence if the chief veterinary officer is not informed of the move within 7 days (see s 50 (1)).

Note 2 The defendant has an evidential burden in relation to the matters mentioned in s (1) (see [Criminal Code](#), s 58).

Note 3 An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (2) A person does not commit an offence under section 48 (1) if—

(a) the person moves identifiable stock that are cattle from a property or premises; and

(b) either—

(i) the cattle have special identifiers approved or recognised by a related NLIS law; or

(ii) the chief veterinary officer approves the move in writing.

- (3) A person does not commit an offence under section 48 (1) if—

(a) the person moves identifiable stock from a property or premises; and

(b) the chief veterinary officer approves the move in writing.

50 Offence—required information if identifiable stock moved in extreme emergency

- (1) A person commits an offence if—

(a) the person owns identifiable stock; and

(b) the person moves the identifiable stock from a property or premises because of an extreme emergency; and

- 1 (c) the identifiable stock is not properly identified; and
- 2 (d) the person does not give the chief veterinary officer the
- 3 required information within 7 days after the day the
- 4 identifiable stock is moved.
- 5 Maximum penalty: 50 penalty units.
- 6 (2) An offence against this section is a strict liability offence.
- 7 (3) In this section:
- 8 ***required information*** means the following information given in
- 9 writing or electronically:
- 10 (a) the property identification code of the property from which the
- 11 identifiable stock is moved;
- 12 (b) the property identification code of the property to which the
- 13 identifiable stock is moved;
- 14 (c) if identifiable stock is moved to a property that does not have a
- 15 property identification code—the address of the location to
- 16 which the identifiable stock is moved and the name of the
- 17 person receiving the identifiable stock;
- 18 (d) the date the identifiable stock moved;
- 19 (e) the number and a description of the identifiable stock moved.

1 **Subdivision 4.3.2 Permanent identifiers**

2 **51 Meaning of *supply*—sdiv 4.3.2**

3 In this subdivision:

4 *supply* includes sale.

5 **52 Offences—acquisition of permanent identifiers**

6 (1) A person commits an offence if the person—

7 (a) acquires a permanent identifier; and

8 (b) is not—

9 (i) the chief veterinary officer; or

10 (ii) a responsible person for a property or premises that have
11 a property identification code; or

12 (iii) a stock and station agent who has an agent identification
13 code.

14 Maximum penalty: 50 penalty units.

15 (2) The manufacturer of an NLIS device commits an offence if—

16 (a) the manufacturer supplies a permanent identifier to a person;
17 and

18 (b) the person is not—

19 (i) the chief veterinary officer; or

20 (ii) a responsible person for a property or premises that have
21 a property identification code; or

22 (iii) a stock and station agent who has an agent identification
23 code.

24 Maximum penalty: 50 penalty units.

- 1 (3) The manufacturer of an NLIS device commits an offence if—
2 (a) the manufacturer supplies a permanent identifier to a person;
3 and
4 (b) the permanent identifier refers to a property identification code
5 that is not active.

6 Maximum penalty: 50 penalty units.

7 **52A Directions for use of permanent identifiers in saleyard or**
8 **abattoir**

- 9 (1) The chief veterinary officer may give directions for the use of a
10 permanent identifier in a saleyard or an abattoir.

- 11 (2) A direction under subsection (1) is a notifiable instrument.

12 *Note* A notifiable instrument must be notified under the [Legislation Act](#).

- 13 (3) A person commits an offence if the person—

- 14 (a) is subject to a direction under subsection (1); and
15 (b) does not comply with the direction.

16 Maximum penalty: 50 penalty units.

17 **52B Request for details on use and location of permanent**
18 **identifier**

- 19 (1) An authorised person may—

- 20 (a) ask the responsible person for a property or premises that have
21 been allocated a property identification code for details about
22 the location and use of any permanent identifier issued in
23 relation to the property identification code (the *requested*
24 *details*); and

- 25 (b) state a day, at least 7 days after the day of the request (the
26 *response day*), for the person to give the requested details.

(2) A person commits an offence if—

- (a) the person is the responsible person for a property or premises; and
- (b) an authorised person asks the person to give the authorised person the requested details in relation to the property or premises by the response day; and
- (c) the person fails to give the requested details to the authorised person by the response day.

Maximum penalty: 50 penalty units.

(3) An offence against this section is a strict liability offence.

52C Records and provision of information to NLIS administrator

(1) The manufacturer of an NLIS device commits an offence if—

- (a) the manufacturer supplies a permanent identifier; and
- (b) the manufacturer does not keep the required supply record for the required time.

Maximum penalty: 50 penalty units.

(2) The manufacturer of an NLIS device commits an offence if—

- (a) the manufacturer supplies a permanent identifier for cattle; and
- (b) the manufacturer does not give the NLIS administrator, before the close of business on the next working day after the supply, the following:
 - (i) the relevant identification particulars for the cattle;
 - (ii) the date on which the permanent identifier was supplied.

Maximum penalty: 50 penalty units.

(3) An offence against this section is a strict liability offence.

- 1 (4) In this section:
- 2 *required supply record* means a record of the following information
- 3 about a permanent identifier kept in writing or electronically:
- 4 (a) the date the identifier was supplied;
- 5 (b) the number and type of identifiers supplied;
- 6 (c) the identification code and serial number of each identifier;
- 7 (d) the full name and street address of the person to whom each
- 8 identifier was supplied;
- 9 (e) the full name and street address of the owner of the stock for
- 10 which each identifier was supplied, and in relation to that
- 11 stock—
- 12 (i) the species of the stock; and
- 13 (ii) the property identification code for the property of origin
- 14 of the stock (if known);
- 15 (f) in the case of a permanent identifier for use in a saleyard or an
- 16 abattoir—the reason the identifier was supplied.
- 17 *required time* means—
- 18 (a) if the permanent identifier is supplied for use in a saleyard or
- 19 abattoir—at least 2 years beginning on the date of the supply;
- 20 and
- 21 (b) in any other case—at least 7 years beginning on the date of the
- 22 supply.
- 23 **52D Alteration or removal of permanent identifier**
- 24 (1) A person commits an offence if the person alters, or allows or
- 25 directs another person to alter—
- 26 (a) a permanent identifier; or

1 (b) equipment that is used for attaching or reading a permanent
2 identifier.

3 Maximum penalty: 50 penalty units.

4 (2) A person commits an offence if the person—

5 (a) removes a permanent identifier from identifiable stock; or

6 (b) directs another person to remove a permanent identifier from
7 identifiable stock.

8 Maximum penalty: 50 penalty units.

9 (3) Subsection (2) does not apply if—

10 (a) the stock is slaughtered at an abattoir; or

11 (b) the person is authorised by an authorised person, in writing, to
12 remove the permanent identifier and does so in accordance
13 with any condition stated in the authorisation; or

14 (c) the stock is dead and there is no requirement to notify the chief
15 veterinary officer of the death; or

16 (d) if the stock are cattle—the permanent identifier could not be
17 read electronically, a new permanent identifier is attached to
18 the stock immediately after the removal, and information about
19 the replacement of the identifier is given to the NLIS
20 administrator by the earlier of—

21 (i) the next business day; and

22 (ii) the day the cattle are removed from the property.

23 *Note* The defendant has an evidential burden in relation to the matters
24 mentioned in s (3) (see [Criminal Code](#), s 58).

25 (4) A person commits an offence if the person—

26 (a) knows that a permanent identifier has been altered or removed
27 from identifiable stock; and

- 1 (b) buys or sells the identifiable stock, or moves the stock from a
2 property or premises.
- 3 Maximum penalty: 50 penalty units.
- 4 (5) A person commits an offence if the person—
- 5 (a) removes a permanent identifier from identifiable stock (other
6 than a pig); and
- 7 (b) attaches a new permanent identifier to the identifiable stock;
8 and
- 9 (c) fails to give the NLIS administrator information about the new
10 permanent identifier.
- 11 Maximum penalty: 50 penalty units.
- 12 (6) This section does not apply to the removal of a permanent identifier
13 by any of the following:
- 14 (a) an authorised person;
- 15 (b) an authorised officer under the *Food Act 2001*;
- 16 (c) an inspector or authorised officer under the *Animal Welfare*
17 *Act 1992*;
- 18 (d) a registered veterinary practitioner, if the removal is in relation
19 to medical treatment of the identifiable stock.
- 20 (7) In this section:
- 21 *alter* includes deface.
- 22 **52E Improper use of permanent identifiers**
- 23 (1) A person commits an offence if—
- 24 (a) the person attaches a permanent identifier to identifiable stock;
25 and

- 1 (b) the permanent identifier has previously been attached to other
2 stock.

3 Maximum penalty: 50 penalty units.

- 4 (2) A person commits an offence if—

- 5 (a) the person attaches a permanent identifier to identifiable stock;
6 and

- 7 (b) the attachment of the permanent identifier will result in the
8 stock not being properly identified.

9 Maximum penalty: 50 penalty units.

- 10 (3) A person commits an offence if—

- 11 (a) the person attaches a permanent identifier to cattle; and

- 12 (b) the cattle are already properly identified.

13 Maximum penalty: 50 penalty units.

14 **52F Destruction of permanent identifiers removed from**
15 **slaughtered stock**

16 The operator of an abattoir commits an offence if—

- 17 (a) a permanent identifier is removed from identifiable stock
18 slaughtered at the abattoir; and

- 19 (b) the permanent identifier is not disposed of in a way that
20 ensures the identifier is unable to be used or attached to
21 identifiable stock.

22 Maximum penalty: 20 penalty units.

- 1 **52G Manufacture, sale, supply and use of counterfeit**
2 **identifiers**
- 3 (1) A person commits an offence if the person—
- 4 (a) makes, supplies or uses anything that could reasonably be
5 mistaken for a permanent identifier; and
- 6 (b) knows that the thing may be attached to identifiable stock.
- 7 Maximum penalty: 50 penalty units.
- 8 (2) This section does not apply if the person did not know, and could
9 not reasonably be expected to have known, that the thing the person
10 made, supplied or used could reasonably be mistaken for a
11 permanent identifier.
- 12 *Note* The defendant has an evidential burden in relation to the matters
13 mentioned in s (2) (see [Criminal Code](#), s 58).
- 14 **52H Loss or theft of unattached permanent identifier for cattle**
- 15 (1) A person commits an offence if—
- 16 (a) the person is the responsible person for a property; and
- 17 (b) a permanent identifier is issued for cattle on the property but is
18 not attached to cattle; and
- 19 (c) the permanent identifier is lost or stolen; and
- 20 (d) the person does not give the NLIS administrator the following
21 information, in writing, within 7 days after the day the person
22 became aware of the loss or theft:
- 23 (i) notice that the permanent identifier is lost or stolen;
- 24 (ii) the date the permanent identifier was lost or stolen (or the
25 date the person became aware of the loss);

- (iii) the relevant identification particulars contained on or in the permanent identifier.

Maximum penalty: 50 penalty units.

- (2) Subsection (1) does not apply in relation to a person if the person knows another person has provided the information to the NLIS administrator.

Note The defendant has an evidential burden in relation to the matters mentioned in s (2) (see [Criminal Code](#), s 58).

Division 4.4 Information requirements—stock transactions

Subdivision 4.4.1 Provisions applying to all identifiable stock

52I Meaning of *delivery information*—sdiv 4.4.1

In this subdivision:

delivery information, in relation to identifiable stock, means the following information:

- (a) the kind of stock and the number of each kind of stock;
- (b) the date the stock left the previous property;
- (c) the property identification code of the previous property;
- (d) the serial number of any NLIS movement document created in relation to the delivery of the stock;
- (e) for pigs, sheep or goats—
 - (i) the relevant identification particulars for the pigs, sheep or goats; and
 - (ii) whether the pigs, sheep or goats were bred on the previous property;

- 1 (f) a completed delivery declaration that includes the following:
- 2 (i) the name and signature of the owner of identifiable stock
- 3 who is making the declaration;
- 4 (ii) the day on which the declaration is made;
- 5 (iii) the property identification code of the property to which
- 6 the stock is to be delivered (or if the code is not known or
- 7 readily available, the name and address of the person to
- 8 whom the stock are to be delivered).

9 *Note* A relevant NLIS movement document will contain some or all of the

10 delivery information.

11 **52J Owner of identifiable stock must prepare and retain**

12 **delivery information etc**

- 13 (1) An owner of identifiable stock commits an offence if—
- 14 (a) the owner's identifiable stock is delivered to another person;
- 15 and
- 16 (b) the owner does not prepare the delivery information in relation
- 17 to the stock before the stock is delivered.

18 Maximum penalty: 50 penalty units.

- 19 (2) An owner of identifiable stock commits an offence if—
- 20 (a) the owner's identifiable stock is to be delivered to another
- 21 person; and
- 22 (b) the owner does not give the delivery information in relation to
- 23 the stock to the person who is to deliver the stock when the
- 24 person is given the stock to deliver.

25 Maximum penalty: 50 penalty units.

- 26 (3) An owner of identifiable stock commits an offence if—
- 27 (a) the owner's identifiable stock is delivered to another person;
- 28 and

(b) the owner does not keep, for at least 7 years after the delivery of the identifiable stock, the following:

(i) the delivery information in relation to the stock;

(ii) if the stock is delivered to an abattoir or to a stock and station agent for sale—the property identification code or address of the abattoir or saleyard.

Maximum penalty: 50 penalty units.

52K Delivery information—stock and station agents and saleyards

(1) A person commits an offence if the person—

(a) delivers identifiable stock to a stock and station agent; and

(b) does not give the delivery information in relation to the stock to the stock and station agent.

Maximum penalty: 50 penalty units.

(2) A stock and station agent commits an offence if the agent—

(a) sells or otherwise disposes of identifiable stock; and

(b) does not have the delivery information in relation to the identifiable stock.

Maximum penalty: 50 penalty units.

(3) A person commits an offence if the person—

(a) takes possession of identifiable stock from a stock and station agent; and

(b) does not immediately give the stock and station agent the following information (the *post-sale information*):

(i) if the stock is to be sent to a property—the property identification code of the property;

- 1 (ii) if another stock and station agent is to take possession of
2 the stock—the agent identification code of the other stock
3 and station agent.
- 4 Maximum penalty: 50 penalty units.
- 5 (4) A stock and station agent commits an offence if the agent—
- 6 (a) sells or otherwise disposes of identifiable stock; and
- 7 (b) does not keep the following information in relation to the sale
8 or disposal for at least 2 years:
- 9 (i) the delivery information in relation to the identifiable
10 stock;
- 11 (ii) the property identification code or address of the saleyard
12 at which the identifiable stock was sold or otherwise
13 disposed of;
- 14 (iii) the post-sale information.
- 15 Maximum penalty: 50 penalty units.
- 16 (5) A stock and station agent commits an offence if the agent—
- 17 (a) sells identifiable stock to a person; and
- 18 (b) does not, within 7 days after the day of the sale, give the
19 person the following information:
- 20 (i) the delivery information in relation to the identifiable
21 stock;
- 22 (ii) the property identification code or address of the saleyard
23 at which the stock was sold.
- 24 Maximum penalty: 50 penalty units.
- 25 (6) A person commits an offence if the person—
- 26 (a) is given the information mentioned in subsection (5); and

- 1 (b) does not keep the information for at least 7 years after the day
2 the information was given.
- 3 Maximum penalty: 50 penalty units.
- 4 (7) A stock and station agent commits an offence if the agent does not,
5 at least once in each week in which the agent transfers stock—
- 6 (a) reconcile the number of living stock linked to the agent's agent
7 identification code on the NLIS database; and
- 8 (b) record the transfer of the stock from the agent's agent
9 identification code to the property identification code of the
10 property or premises to which the stock was delivered; and
- 11 (c) give the information to the NLIS administrator.
- 12 Maximum penalty: 50 penalty units.
- 13 (8) A stock and station agent commits an offence if the agent—
- 14 (a) takes delivery of, sells or otherwise disposes of identifiable
15 stock (other than pigs) at a saleyard; and
- 16 (b) does not, by close of business on the day of the delivery, sale
17 or other disposal, give the operator of the saleyard the
18 following information:
- 19 (i) the delivery information in relation to the identifiable
20 stock;
- 21 (ii) the post-sale information given to the agent in relation to
22 the stock.
- 23 Maximum penalty: 50 penalty units.
- 24 (9) An operator of a saleyard commits an offence if the operator—
- 25 (a) is given the information mentioned in subsection (8); and

- 1 (b) does not keep the information for at least 2 years after the day
2 the information is given.

3 Maximum penalty: 50 penalty units.

4 **52L Delivery information—farm properties**

- 5 (1) A person commits an offence if the person—

6 (a) delivers identifiable stock to a farm property; and

7 (b) does not give the delivery information in relation to the
8 identifiable stock to the person taking charge of the stock at the
9 farm property.

10 Maximum penalty: 50 penalty units.

- 11 (2) Subsection (1) does not apply if the identifiable stock—

12 (a) is delivered to the farm property because the stock is being
13 transferred from one vehicle to another in the course of being
14 transported; and

15 (b) is on the farm property for less than 24 hours.

- 16 (3) A person commits an offence if the person—

17 (a) is given the information mentioned in subsection (1); and

18 (b) is not the owner of the identifiable stock; and

19 (c) does not immediately give the information to the owner of the
20 identifiable stock.

21 Maximum penalty: 50 penalty units.

- 22 (4) An owner of identifiable stock commits an offence if the owner does
23 not keep the delivery information for at least 7 years after the day
24 the stock is delivered.

25 Maximum penalty: 50 penalty units.

- 1 **52M Delivery information—stock events**
- 2 (1) A person commits an offence if the person—
- 3 (a) delivers identifiable stock to a property or premises for a stock
- 4 event; and
- 5 (b) does not give the delivery information to the operator of the
- 6 stock event.
- 7 Maximum penalty: 50 penalty units.
- 8 (2) The operator of a stock event commits an offence if the operator
- 9 does not keep the delivery information for at least 2 years after the
- 10 day the identifiable stock is delivered.
- 11 Maximum penalty: 50 penalty units.
- 12 (3) The operator of a stock event commits an offence if the operator
- 13 does not, within 7 days after the end of the event—
- 14 (a) reconcile the number of living stock linked to the operator's
- 15 property identification code on the NLIS database with the
- 16 number of living stock remaining on the property or premises
- 17 at the end of the event; and
- 18 (b) give the information to the NLIS administrator.
- 19 Maximum penalty: 50 penalty units.

1 **Subdivision 4.4.2 Reporting to the NLIS administrator**

2 **52N Application—sdiv 4.4.2**

3 This subdivision does not apply in relation to transactions involving
4 pigs.

5 **52O Meaning of *transaction information*—sdiv 4.4.2**

6 In this subdivision:

7 ***transaction information***, for a reportable transaction, means the
8 following:

- 9 (a) the kind of transaction;
- 10 (b) the date of the transaction;
- 11 (c) the relevant identification particulars for the stock involved in
12 the transaction;
- 13 (d) the serial number of any NLIS movement document created in
14 relation to the transaction;
- 15 (e) if the transaction is a reportable transaction at a property other
16 than a saleyard or abattoir—the property identification code of
17 the property;
- 18 (f) if the transaction is a reportable transaction at a saleyard or
19 abattoir—
- 20 (i) the property identification code of the saleyard or
21 abattoir; or
- 22 (ii) any other unique code or number assigned to the saleyard
23 or abattoir by the NLIS administrator;
- 24 (g) the property identification code of the previous property;

1 (h) for sheep or goats—

2 (i) the number of sheep or goats involved in the transaction;
3 and

4 (ii) whether the sheep or goats were bred on the previous
5 property.

6 **52P Reportable transactions—saleyards**

7 (1) The operator of a saleyard commits an offence if—

8 (a) a reportable transaction happens at the saleyard; and

9 (b) the operator does not give the NLIS administrator the required
10 information in relation to the reportable transaction in the
11 required time.

12 Maximum penalty: 50 penalty units.

13 (2) The operator of a saleyard commits an offence if—

14 (a) cattle, sheep or goats are sold at the saleyard; and

15 (b) by close of business on the day of the sale, the operator does
16 not make a record of the number of cattle, sheep and goats sold
17 at the saleyard.

18 Maximum penalty: 50 penalty units.

19 (3) The operator of a saleyard commits an offence if the operator does
20 not keep the information recorded under subsection (2) for at least
21 2 years after the day the stock is sold.

22 Maximum penalty: 50 penalty units.

23 (4) In this section:

24 ***reportable transaction*** means—

25 (a) the sale of identifiable stock at a saleyard; or

26 (b) the movement of unsold identifiable stock from a saleyard.

1 ***required information***, in relation to a reportable transaction, means
2 the following:

- 3 (a) the transaction information for the reportable transaction;
- 4 (b) if the stock involved in the transaction was held by a stock and
5 station agent before being sent to the saleyard—the agent
6 identification code of the agent;
- 7 (c) if a stock and station agent has taken possession of the stock
8 involved in the transaction—the agent identification code of
9 the agent;
- 10 (d) if the stock involved in the transaction is to be sent to a
11 property—the property identification code of the property;
- 12 (e) if the identifiable stock involved in the transaction are sheep or
13 goats—a copy of any NLIS movement document created in
14 relation to the transaction.

15 ***required time*** means—

- 16 (a) if the identifiable stock are cattle and the reportable transaction
17 is the sale of the cattle for slaughter at an abattoir—by the
18 close of business of the saleyard on the day of the sale; or
- 19 (b) in any other case—by the close of business of the saleyard on
20 the next working day after the reportable transaction happens.

21 **52Q Reportable transactions—stock and station agents**

- 22 (1) A stock and station agent commits an offence if—
- 23 (a) a reportable transaction happens in relation to the agent; and
- 24 (b) the agent does not give the NLIS administrator the required
25 information in relation to the reportable transaction within
26 2 days after the day the reportable transaction happens.

27 Maximum penalty: 50 penalty units.

- 1 (2) A stock and station agent commits an offence if—
- 2 (a) a reportable transaction happens in relation to the agent on a
- 3 day; and
- 4 (b) by close of business on the day of the reportable transaction,
- 5 the agent does not record the following in relation to the
- 6 identifiable stock involved in the transaction:
- 7 (i) the relevant identification particulars;
- 8 (ii) if the stock are sheep or goats—the number of sheep and
- 9 goats;
- 10 (iii) each movement of the stock from the time the stock left
- 11 the previous property until the stock arrived at the
- 12 receiving property, including the property identification
- 13 code of each property at which the stock was held during
- 14 that time.
- 15 Maximum penalty: 50 penalty units.
- 16 (3) A stock and station agent commits an offence if the agent does not
- 17 keep a record of the information recorded under subsection (2) for at
- 18 least 2 years after the day the reportable transaction happens.
- 19 Maximum penalty: 50 penalty units.
- 20 (4) In this section:
- 21 **reportable transaction**, in relation to a stock and station agent,
- 22 means the delivery of identifiable stock to the agent.
- 23 **required information**, in relation to a reportable transaction, means
- 24 the following:
- 25 (a) the transaction information for the reportable transaction;
- 26 (b) the stock and station agent's agent identification code;

- 1 (c) if the stock and station agent is in possession of the stock
2 involved in the transaction—the property identification code of
3 the property at which the stock is held;
- 4 (d) if the stock and station agent is not in possession of the stock
5 involved in the transaction—
- 6 (i) the property identification code of the property to which
7 the stock was moved; and
- 8 (ii) the date on which the stock was moved.

9 **52R Reportable transactions—farm property**

- 10 (1) The owner of identifiable stock commits an offence if—
- 11 (a) the identifiable stock is involved in a reportable transaction at a
12 farm property; and
- 13 (b) the owner does not give the NLIS administrator the transaction
14 information for the reportable transaction in relation to the
15 reportable transaction within the required time.

16 Maximum penalty: 50 penalty units.

- 17 (2) In this section:

18 ***reportable transaction*** means the movement of identifiable stock to
19 a farm property unless the stock is moved—

- 20 (a) directly to the farm property from a saleyard; or
- 21 (b) directly to the farm property from a stock and station agent; or
- 22 (c) for a stock event being held on the farm property.

23 ***required time*** means the earlier of—

- 24 (a) 2 days after the reportable transaction happens; and
- 25 (b) the day the identifiable stock involved in the transaction is
26 moved from the farm property.

52S Reportable transactions—stock event

(1) The operator of a stock event involving identifiable stock (other than cattle that are at a stock event property for less than 3 days) commits an offence if—

- (a) a reportable transaction happens for the stock event; and
- (b) the operator does not give the NLIS administrator the following information within 2 days after the reportable transaction happens:
 - (i) the transaction information for the reportable transaction;
 - (ii) if the reportable transaction is the movement of identifiable stock from the stock event property—the property identification code of the property to which the stock is moved.

Maximum penalty: 50 penalty units.

(2) A person commits an offence if the person—

- (a) moves identifiable stock involved in a stock event from a stock event property; and
- (b) does not give the property identification code of the property to which the stock is moved to the operator of the stock event.

Maximum penalty: 50 penalty units.

(3) The operator of a stock event involving cattle that are at a stock event property for less than 3 days commits an offence if—

- (a) a reportable transaction happens in relation to the cattle; and
- (b) the operator does not give the NLIS administrator the following information within 2 days after the reportable transaction happens:
 - (i) the relevant identification particulars for the cattle;
 - (ii) the day or days the cattle are at the stock event;

- 1 (iii) the property identification code of the property on which
2 the stock event is held;
- 3 (iv) the serial number of any NLIS movement document
4 created in relation to the transaction.

5 Maximum penalty: 50 penalty units.

- 6 (4) In this section each of the following is a *reportable transaction* for a
7 stock event:
- 8 (a) the movement of identifiable stock to the stock event property
9 for the stock event;
- 10 (b) the movement of identifiable stock involved in the stock event
11 from the stock event property.

12 **52T Reporting to NLIS administrator about live export**

13 The owner of identifiable stock commits an offence if—

- 14 (a) the identifiable stock is sent for overseas export; and
- 15 (b) the owner does not give the NLIS administrator the following
16 information within 2 days after the identifiable stock leaves the
17 ACT for export:
- 18 (i) that the stock has been sent for overseas export;
- 19 (ii) the date the stock was sent for overseas export;
- 20 (iii) the relevant identification particulars for the stock;
- 21 (iv) the property identification code of the property at which
22 the stock was held immediately before being sent for
23 overseas export.

24 Maximum penalty: 50 penalty units.

1 **52U Reporting to NLIS administrator about death of cattle**

- 2 (1) The operator of a saleyard commits an offence if—
- 3 (a) cattle at the saleyard die; and
- 4 (b) the operator does not give the NLIS administrator the required
- 5 information by close of business on the next working day after
- 6 the death of the cattle.

7 Maximum penalty: 50 penalty units.

- 8 (2) A stock and station agent commits an offence if—
- 9 (a) cattle held by the stock and station agent die; and
- 10 (b) the agent does not give the NLIS administrator the required
- 11 information by close of business on the next working day after
- 12 the death of the cattle.

13 Maximum penalty: 50 penalty units.

- 14 (3) In this section:

15 *required information* means the following:

- 16 (a) that the cattle have died;
- 17 (b) the date of the death (or if this is not known, the date the
- 18 person became aware of the death);
- 19 (c) the relevant identification particulars for the cattle.

20 **Division 4.5 Registers**

21 **52V Purposes of registers**

22 Registers under this division are kept for the following purposes:

- 23 (a) to facilitate and assist the operation of the stock identification
- 24 schemes established under this Act;
- 25 (b) to protect public health and safety;

- 1 (c) to assist in controlling disease and residues in stock and animal
2 products;
- 3 (d) to assist in ascertaining the disease and residue risk or status of
4 stock and related animal products;
- 5 (e) to facilitate the determination of ownership of stock and related
6 animal products;
- 7 (f) to assist in tracing the movement of stock and related animal
8 products;
- 9 (g) to assist in the investigation of the loss or theft of stock;
- 10 (h) to facilitate the dissemination of information in relation to the
11 production and marketing of stock or related animal products;
- 12 (i) to assist in the assessment and management of the welfare of
13 animals;
- 14 (j) to assist with the management of land used by stock.

15 **52W Territory register**

- 16 (1) The director-general must keep a register (the *territory register*) that
17 contains the following:
- 18 (a) the status and particulars of each property identification code
19 allocated to a property or premises by the chief veterinary
20 officer including the following:
 - 21 (i) the name and street address of the property or premises;
 - 22 (ii) a description of the property or premises by reference
23 to—
 - 24 (A) district, division, section or block number; or
 - 25 (B) ACTmapi;
- 26 *Note* ACTmapi is accessible at www.actmapi.act.gov.au.

-
- 1 (iii) the full name, street address, postal address, email
2 address and phone number of the responsible person for
3 the property or premises;
- 4 (b) the status and particulars of each agent identification code
5 allocated to a stock and station agent by the chief veterinary
6 officer including the following:
- 7 (i) the name and street address of the registered office of the
8 stock and station agent;
- 9 (ii) the full name, street address, postal address, email
10 address and phone number of the stock and station agent;
- 11 (c) anything else the director-general considers relevant, having
12 regard to section 52V.
- 13 (2) The director-general must give the information contained in the
14 territory register to the NLIS administrator within 7 days after the
15 day a request for the information is received from the NLIS
16 administrator.
- 17 (3) The director-general may give the information contained in the
18 territory register to a person in another jurisdiction administering a
19 related NLIS law if satisfied that the information is to be used for
20 the administration of the related NLIS law.
- 21 (4) In this section:
- 22 *responsible person*, for a property or premises, means—
- 23 (a) for leased property or premises—
- 24 (i) the lessee or manager of the property or premises; or
- 25 (ii) if the lessee of the property or premises is not the
26 occupier of the property or premises—the occupier or
27 manager of the property or premises; and
- 28 (b) for an area of unleased territory land—
- 29 (i) the custodian of the land; or

- 1 (ii) if the land is licensed to someone else—the licensee of
2 the land; and
- 3 (c) for an abattoir, saleyard or stock event—the operator of the
4 abattoir, saleyard or stock event.

5 **52X NLIS register**

- 6 (1) The NLIS administrator must keep a register (the *NLIS register*) of
7 the information that is given to the NLIS administrator under this
8 Act.
- 9 (2) The NLIS administrator must, if asked—
- 10 (a) allow an authorised person to have access at any time to the
11 information contained in the NLIS register free of charge; and
- 12 (b) give the information to the authorised person in the way and
13 time requested by the person.
- 14 (3) In this section:
- 15 *authorised person*—
- 16 (a) means an authorised person appointed under section 64; and
- 17 (b) includes any of the following:
- 18 (i) the director-general;
- 19 (ii) an authorised officer under the *Food Act 2001*;
- 20 (iii) an inspector or authorised officer under the *Animal*
21 *Welfare Act 1992*.

Division 4.6 Miscellaneous

52Y Provision of information to NLIS administrator etc

- (1) A person who is required to give information to the NLIS administrator under this Act may be required to give the information in an electronic form that allows it to be readily uploaded to the NLIS register or in any other form approved by the NLIS administrator.
- (2) A person who is required to give information under this Act to another person (not being the NLIS administrator) must give the information in a way approved by the director-general.
- (3) The operator of a business that is required to give information to the NLIS administrator under this Act must ensure that systems are in place to ensure that—
- (a) the information given is accurate; and
 - (b) any inaccurate information is promptly corrected.
- (4) In this section:
- NLIS register*—see section 52X.

52Z Inspection of slaughtered stock

- (1) The chief veterinary officer may inspect the carcass of an animal that has been slaughtered at an abattoir.
- (2) Without limiting subsection (1), if the chief veterinary officer believes on reasonable grounds that appropriate health standards for the animal have not been met, the chief veterinary officer may—
- (a) take samples or seize the carcass for testing or other investigation of the health of the animal; or
 - (b) direct the person in charge of the abattoir to do anything to the carcass to enable investigation of the health of the animal; or

- 1 (c) dispose of the carcass; or
2 (d) direct the person in charge of the abattoir to dispose of the
3 carcass as directed.
- 4 (3) A person commits an offence if the person fails to take all
5 reasonable steps to comply with a direction given to the person
6 under subsection (2) (b) or (d).
- 7 Maximum penalty: 50 penalty units.

8 **52ZA Evidentiary certificates**

- 9 (1) In a proceeding for an offence against this part, a certificate signed
10 by the chief veterinary officer stating either of the following is
11 evidence of the matters stated:
- 12 (a) a property identification code has or has not been allocated to a
13 property or premises;
- 14 (b) an agent identification code has or has not been allocated to a
15 stock and station agent.
- 16 (2) Without limiting subsection (1), a certificate may state a matter by
17 reference to a date or period.

18 **7 General powers on entry to premises**
19 **Section 69 (1) (e) (iii)**

20 *substitute*

- 21 (iii) identifiable stock;

22 **8 Regulation-making power**
23 **Section 90 (2) (n)**

24 *substitute*

- 25 (n) requirements for NLIS and permanent identifiers;

9 Dictionary, definition of *abattoir*

omit

10 Dictionary, definition of *agency*, par (a) (i)

omit

an administrative unit

substitute

a department

11 Dictionary, new definition of *agent identification code*

insert

agent identification code, for part 4 (National livestock identification system)—see section 37.

12 Dictionary, definition of *approved tag*

omit

13 Dictionary, new definitions

insert

breeder device means an identifier containing the property identification code of the property on which the stock that is to carry the identifier was born.

camelids, for part 4 (National livestock identification system)—see section 37.

cattle, for part 4 (National livestock identification system)—see section 37.

delivery information, in relation to identifiable stock, for subdivision 4.4.1 (Provisions applying to all identifiable stock)—see section 52I.

1 *equine*, for part 4 (National livestock identification system)—see
2 section 37.

3 *farm property*—

4 (a) means a property for which a property identification code may
5 be allocated; but

6 (b) does not include—

7 (i) an abattoir; or

8 (ii) a saleyard; or

9 (iii) a property for which a property identification code may
10 be allocated only because a stock event is held on the
11 property.

12 **14 Dictionary, definition of *holding***

13 *omit*

14 **15 Dictionary, new definitions**

15 *insert*

16 *identifiable stock*, for part 4 (National livestock identification
17 system)—see section 37.

18 *identifier*, for part 4 (National livestock identification system)—see
19 section 37.

20 *large poultry*, for part 4 (National livestock identification system)—
21 see section 37.

22 *NLIS* means the national livestock identification system for
23 identifying and tracing identifiable stock agreed to by the
24 Commonwealth and the States under a resolution of the Primary
25 Industries Ministerial Council of 2 October 2003.

26 *NLIS administrator* means Integrity Systems Company Limited
27 (ACN 134 745 038).

1 **NLIS device** means a breeder device or post breeder device that is
2 fully or conditionally accredited by the NLIS administrator as a
3 permanent identifier for a particular species of stock.

4 **NLIS movement document** means the following:

- 5 (a) for identifiable stock other than pigs—a national vendor
6 declaration and waybill approved from time to time by
7 SAFEMEAT (being the entity formed between industry and
8 Australian governments to ensure the safety and hygiene of red
9 meat and livestock) and Meat and Livestock Australia;
- 10 (b) for pigs—a national vendor declaration (PigPass) approved by
11 Australian Pork Limited;
- 12 (c) a post-sale summary that contains the transaction information;
- 13 (d) an exhibitor entry or registration form for an agricultural show
14 that contains the delivery information.

15 **permanent identifier** means:

- 16 (a) for cattle, sheep or goats—an NLIS device; or
- 17 (b) for pigs weighing 25kg or less—an NLIS device; or
- 18 (c) for pigs weighing more than 25kg—
19 (i) an NLIS device; or
20 (ii) a permanent identifier for pigs.

21 **permanent identifier for pigs** means a carbon based ink or paste
22 brand—

- 23 (a) containing the final 6 characters of the property identification
24 code of the property on which the brand is applied—
25 (i) that is no more than 53mm wide; and
26 (ii) that has the characters set out on 2 equal rows one above
27 the other; and

1 (iii) that is applied so the characters are clearly visible and are
2 at least 20mm high with spaces between those characters
3 of between 2mm and 3mm; or

4 (b) in a form approved by the chief veterinary officer.

5 *post breeder device* means an identifier containing the property
6 identification code of a property other than the property on which
7 the stock that is to carry the identifier was born.

8 *previous property*, in relation to identifiable stock, means the last
9 farm property at which the stock was held.

10 *properly identified*, for part 4 (National livestock identification
11 system)—see section 47.

12 *property* for part 4 (National livestock identification system)—see
13 section 47.

14 *property identification code*, for part 4 (National livestock
15 identification system)—see section 37.

16 **16 Dictionary, definition of register**

17 *omit*

18 **17 Dictionary, new definitions**

19 *insert*

20 *related NLIS law*, for part 4 (National livestock identification
21 system)—see section 37.

22 *relevant identification particulars* means—

23 (a) for cattle—

24 (i) the property identification code of each property in
25 relation to which the cattle have been (or are required to
26 be) permanently identified; and

- 1 (ii) information allowing each animal to be individually
2 identified; and
- 3 (b) for sheep, goats or pigs—the property identification code of
4 each property in relation to which the sheep, goats or pigs have
5 been (or are required to be) permanently identified.
- 6 **responsible person**, for part 4 (National livestock identification
7 system)—see section 37.
- 8 **saleyard** means premises on which identifiable stock is sold by
9 public auction.
- 10 **small poultry**, for part 4 (National livestock identification system)—
11 see section 37.

12 **18 Dictionary, definition of stock**

13 *omit*

14 **19 Dictionary, new definitions**

15 *insert*

16 **stock and station agent** means a person who holds a licence as a
17 stock and station agent under the *Agents Act 2003* or a
18 corresponding law.

19 **stock event** means an event that involves identifiable stock being
20 kept at premises for the purposes of an exhibition or competition.

21 **Example—stock event**

22 an agricultural show

23 *Note* An example is part of the Act, is not exhaustive and may extend, but
24 does not limit, the meaning of the provision in which it appears (see
25 *Legislation Act*, s 126 and s 132).

26 **supply**, for subdivision 4.3.2 (Permanent identifiers)—see
27 section 51.

- 1 **20 Dictionary, definitions of *tag*, *tagable stock* and *tag***
2 ***number***
- 3 *omit*
- 4 **21 Dictionary, new definition of *transaction information***
- 5 *insert*
- 6 ***transaction information***, for a reportable transaction, for
7 subdivision 4.4.2 (Reporting to the NLIS administrator)—see
8 section 52O.
- 9 **22 Dictionary, definition of *travelling stock***
- 10 *omit*
- 11 holding
- 12 *substitute*
- 13 property

Part 3 Animal Diseases Regulation 2006

23 Dictionary Section 3, note 1

substitute

Note 1 The dictionary at the end of this regulation defines certain terms used in this regulation, and includes references (*signpost definitions*) to other terms defined elsewhere in this regulation.

For example, the signpost definition, '*brood*, for part 4 (Honey bees)—see section 47.' means that the term 'brood' is defined in that section for part 4.

24 Part 2 heading etc

omit

- part 2 heading
- divisions 2.1 to 2.5
- sections 35 to 37

25 Miscellaneous Division 2.6 (as amended)

relocate as part 5

26 Reviewable decisions Schedule 1, items 10 and 11

substitute

10	Act , 38 (1)	fail to allocate property identification code	applicant for property identification code
11	Act , 38 (2)	fail to allocate agent identification code	applicant for agent identification code

11A	Act , 44 (2)	inactivate or cancel property identification code or agent identification code	holder of identification code
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27 Schedule 1, items 16 to 19

omit

28 Dictionary, note 3

omit

- approved tag
- holding
- register
- tag
- tagable stock

29 Dictionary

omit the definitions of
approved manufacturer
approved NLIS device
authorised administrator
corresponding law
identification particulars
NLIS
NLIS device
property identification code
stock and station agent

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 7 June 2018.

2 Notification

Notified under the [Legislation Act](#) on 2018.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

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