

Australian Capital Territory

Eggs (Labelling and Sale) Regulation 2019

**Subordinate Law SL2019-21**

made under the

[Eggs (Labelling and Sale) Act 2001](http://www.legislation.act.gov.au/a/2001-83%22%20%5Co%20%22A2001-83)

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1 Name of regulation

This regulation is the Eggs (Labelling and Sale) Regulation 2019.

2 Dictionary

The dictionary at the end of this regulation is part of this regulation.

Note 1 The dictionary at the end of this regulation defines certain terms used in this regulation.

Note 2 A definition in the dictionary applies to the entire regulation unless the definition, or another provision of the regulation provides otherwise or the contrary intention otherwise appears (see [Legislation Act](http://www.legislation.act.gov.au/a/2001-14), s 155 and s 156 (1)).

3 Notes

A note included in this regulation is explanatory and is not part of this regulation.

Note See the [Legislation Act](http://www.legislation.act.gov.au/a/2001-14), s 127 (1), (4) and (5) for the legal status of notes.

4 Aviary eggs—Act, dict, def aviary eggs

The following conditions are prescribed for keeping hens that lay aviary eggs:

 (a) the hens are kept in a shed;

 (b) the hens have the freedom and capacity to socialise, to move freely within the shed, to stretch, perch, nest, dust bathe, flap wings and fly;

 (c) the hens have adequate perching facilities and nests available to birds on a number of levels within the shed to accommodate the needs of all hens;

 (d) half the housing is kept under litter;

 (e) the stocking level and other requirements for deep litter systems under the code with the allowance of a number of additional levels of nesting and perching space are complied with.

5 Barn eggs—Act, dict, def barn eggs

The following conditions are prescribed for keeping hens that lay barn eggs:

 (a) the hens are kept in a shed;

 (b) the hens have the freedom and capacity to socialise, to move freely within the shed, to stretch, perch, nest, dust bathe, flap wings and fly;

 (c) the hens have adequate perching facilities and nests available to birds within the shed to accommodate the needs of all hens;

 (d) half the housing is kept under litter;

 (e) the stocking level and other requirements for deep litter systems on a single level under the code are complied with.

6 Cage eggs—Act, dict, def cage eggs

The following conditions are prescribed for keeping hens that lay cage eggs:

 (a) the hens are kept in cages;

 (b) the hens do not have access to litter, perch or nest; and

 (c) the stocking level and other requirements for cage systems under the code are complied with.

7 Free-range eggs—Act, dict, def free-range eggs

 (1) The following conditions are prescribed for keeping hens that lay free-range eggs:

 (a) the hens have meaningful and regular access to an outdoor range during daylight hours during the laying cycle; and

 (b) the hens have the ability to roam and forage on the outdoor range; and

 (c) a stocking density of 10 000 hens or less is complied with.

 (2) However, the requirements under subsection (1) do not apply if hens are prevented from accessing an outdoor range for 1 or more of the following reasons:

 (a) the hens are undergoing nest box training;

 (b) risk to the health or safety of the hens caused by weather conditions;

 (c) exposure to predators;

 (d) the hens are being given medical treatment;

 (e) exceptional circumstances posing significant risk to the health or safety of the hens.

 (3) For subsection (2), the total period of time for which access to the outdoor range is prevented must not be unreasonable.

8 Disapplication of Legislation Act, s 47 (6)

The [Legislation Act](http://www.legislation.act.gov.au/a/2001-14), section 47 (6) does not apply to the code.

Note The code is accessible at [www.publish.csiro.au](http://www.publish.csiro.au).

Dictionary

(see s 2)

Note 1 The [Legislation Act](http://www.legislation.act.gov.au/a/2001-14) contains definitions and other provisions relevant to this regulation.

Note 2 For example, the [Legislation Act](http://www.legislation.act.gov.au/a/2001-14), dict, pt 1, defines the following terms:

 daylight

 prescribed.

Note 3 Terms used in this regulation have the same meaning that they have in the [Eggs (Labelling and Sale) Act 2001](http://www.legislation.act.gov.au/a/2001-83) (see [Legislation Act](http://www.legislation.act.gov.au/a/2001-14), s 148). For example, the following terms are defined in the [Eggs (Labelling and Sale) Act 2001](http://www.legislation.act.gov.au/a/2001-83), dict:

 aviary eggs

 barn eggs

 cage eggs

 free range eggs

 hen

 must

 stocking density.

code means the Model Code of Practice for the Welfare of Animals: Domestic Poultry, made by the Animal Welfare Committee of the Standing Committee on Agriculture and Resource Management, as in force from time to time.

Note The code is accessible at [www.publish.csiro.au](http://www.publish.csiro.au).

Endnotes

1 Making of regulations

 This regulation was made as part of the [Consumer Protection Legislation Amendment Act 2019](http://www.legislation.act.gov.au/a/2019-2/) (see A2019‑2, sch 2) and is taken to have been made under the [Eggs (Labelling and Sale) Act 2001](http://www.legislation.act.gov.au/a/2001-83/) A2001‑83 (see A2019-2, s 4 (1)).

2 Republications of amended laws

 For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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