



Australian Capital Territory

# **Eggs (Labelling and Sale) Regulation 2019**

**SL2019-21**

made under the

**Eggs (Labelling and Sale) Act 2001**

**Republication No 1**

**Effective: 26 August 2019**

Republication date: 26 August 2019

Regulation not amended

## About this republication

### The republished law

This is a republication of the *Eggs (Labelling and Sale) Regulation 2019*, made under the *Eggs (Labelling and Sale) Act 2001* (including any amendment made under the [Legislation Act 2001](#), part 11.3 (Editorial changes)) as in force on 26 August 2019. It also includes any commencement, repeal or expiry affecting this republished law.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

### Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)):

- authorised republications to which the [Legislation Act 2001](#) applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### Editorial amendments

The [Legislation Act 2001](#), part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see [Legislation Act 2001](#), s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register ([www.legislation.act.gov.au](http://www.legislation.act.gov.au)). For more information, see the home page for this law on the register.

### Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the [Legislation Act 2001](#), section 95.

### Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$160 for an individual and \$810 for a corporation (see [Legislation Act 2001](#), s 133).



Australian Capital Territory

# Eggs (Labelling and Sale) Regulation 2019

made under the

**Eggs (Labelling and Sale) Act 2001**

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Australian Capital Territory

# Eggs (Labelling and Sale) Regulation 2019

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made under the

**Eggs (Labelling and Sale) Act 2001**

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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](#), 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](#), 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](#), section 47 (6) does not apply to the code.

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

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## Dictionary

(see s 2)

*Note 1* The [Legislation Act](#) contains definitions and other provisions relevant to this regulation.

*Note 2* For example, the [Legislation Act](#), 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](#) (see [Legislation Act](#), s 148). For example, the following terms are defined in the [Eggs \(Labelling and Sale\) Act 2001](#), 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 About the endnotes

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## Endnotes

### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

### 2 Abbreviation key

A = Act	NI = Notifiable instrument
AF = Approved form	o = order
am = amended	om = omitted/repealed
amdt = amendment	ord = ordinance
AR = Assembly resolution	orig = original
ch = chapter	par = paragraph/subparagraph
CN = Commencement notice	pres = present
def = definition	prev = previous
DI = Disallowable instrument	(prev...) = previously
dict = dictionary	pt = part
disallowed = disallowed by the Legislative Assembly	r = rule/subrule
div = division	reloc = relocated
exp = expires/expired	renum = renumbered
Gaz = gazette	R[X] = Republication No
hdg = heading	RI = reissue
IA = Interpretation Act 1967	s = section/subsection
ins = inserted/added	sch = schedule
LA = Legislation Act 2001	sdiv = subdivision
LR = legislation register	SL = Subordinate law
LRA = Legislation (Republication) Act 1996	sub = substituted
mod = modified/modification	<u>underlining</u> = whole or part not commenced or to be expired

### 3 Legislation history

This regulation was made as part of the *Consumer Protection Legislation Amendment Act 2019* (see A2019-2, s 4) and is taken to have been made under the *Eggs (Labelling and Sale) Act 2001* A2001-83 (see A2019-2, s 4 (1)).

#### **Eggs (Labelling and Sale) Regulation 2019 SL2019-21**

taken to have been notified LR 26 February 2019 (A2019-2 s 4 (2) (a))

s 1 commenced 26 February 2019 (LA s 75 (1))

remainder commenced 26 August 2019 (A2019-2 s 4 (2) (b))

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