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Biosecurity and Agriculture Management Act 2007

Biosecurity and Agriculture Management Regulations Amendment Regulations (No. 2) 2019

Made by the deputy of the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Biosecurity and Agriculture Management Regulations Amendment Regulations (No. 2) 2019*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

***Biosecurity and Agriculture Management Regulations Amendment
Regulations (No. 2) 2019***

Part 2 Biosecurity and Agriculture Management (Identification and
Movement of Stock and Apiaries) Regulations 2013 amended

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**Part 2 — *Biosecurity and Agriculture Management
(Identification and Movement of Stock and Apiaries)*
Regulations 2013 amended**

3. Regulations amended

This Part amends the *Biosecurity and Agriculture Management
(Identification and Movement of Stock and Apiaries)*
Regulations 2013.

4. Regulation 3 amended

- (1) In regulation 3 delete the definition of *NLIS Ltd*.
- (2) In regulation 3 insert in alphabetical order:

donkey includes a donkey hybrid;

ISC Ltd means Integrity Systems Company Limited
(ACN 134 745 038);

5. Regulation 4 replaced

Delete regulation 4 and insert:

4. References to animals and stock

Unless these regulations provide otherwise, a reference
in these regulations to an animal, or stock, is a
reference to any of the following —

- (a) a buffalo;
- (b) cattle;
- (c) a camel;
- (d) a deer;
- (e) a donkey;

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- (f) a goat;
- (g) a horse;
- (h) an ostrich;
- (i) a pig;
- (j) a sheep;
- (k) a South American camelid.

6. Regulation 38 amended

In regulation 38(8)(b) delete “device” and insert:

identifier

7. Regulation 39 amended

In regulation 39:

- (a) delete “device” and insert:

identifier

- (b) delete “the identifier.” and insert:

the registered identifier.

Note: The heading to amended regulation 39 is to read:

**When unused identifiers and identification equipment to be given
to inspector**

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8. Regulation 40 amended

- (1) In regulation 40(1):
 - (a) delete “his or her possession a device” and insert:

the person’s possession an identifier
 - (b) delete “registered owner of the identifier.” and insert:

owner of the registered identifier.
- (2) In regulation 40(2) delete “a device” and insert:

an identifier
- (3) In regulation 40(3):
 - (a) delete “device” and insert:

identifier
 - (b) in paragraph (c) delete “registered owner of the
identifier.” and insert:

owner of the registered identifier.
- (4) In regulation 40(4):
 - (a) delete “any device” and insert:

an identifier

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- (b) delete “the device” and insert:

the identifier

- (c) in paragraph (a) delete “registered owner of the
identifier,” and insert:

owner of the registered identifier,

Note: The heading to amended regulation 40 is to read:

Possession of identifiers and identification equipment

9. Regulation 47 amended

In regulation 47(2):

- (a) in paragraph (b)(ii) delete “born.” and insert:

born;

- (b) after paragraph (b) insert:

and

- (c) an NLIS device for pigs must —
- (i) if it is an NLIS post breeder device —
be orange; and
 - (ii) in each other case — be yellow.

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10. Regulation 48 amended

- (1) In regulation 48(1) to (4) in the Penalty delete “Penalty:” and insert:

Penalty for this subregulation:

- (2) After regulation 48(4) insert:

- (4A) A person must not apply an NLIS device (except an NLIS post breeder device) to a pig other than in its left ear.

Penalty for this subregulation: a fine of \$2 000.

- (4B) A person must not apply an NLIS post breeder device to a pig other than in its right ear.

Penalty for this subregulation: a fine of \$2 000.

- (3) In regulation 48(5) in the Penalty delete “Penalty:” and insert:

Penalty for this subregulation:

11. Regulation 51 amended

- (1) In regulation 51(2) after “NLIS tag” insert:

for an animal other than a pig

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-
- (2) After regulation 51(2) insert:
- (3) In addition to the requirements in subregulation (1), an NLIS tag for a pig must —
- (a) if it is an NLIS post breeder tag — be orange;
and
 - (b) in each other case — be yellow.

12. Regulation 52 amended

- (1) In regulation 52(1) in the Penalty delete “Penalty:” and insert:

Penalty for this subregulation:

- (2) In regulation 52(2):
- (a) delete “an animal” and insert:

a sheep or goat
 - (b) in the Penalty delete “Penalty:” and insert:

Penalty for this subregulation:

- (3) In regulation 52(3):
- (a) delete “an animal” and insert:

a sheep or goat
 - (b) in the Penalty delete “Penalty:” and insert:

Penalty for this subregulation:

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(4) After regulation 52(3) insert:

(4) A person must not apply an NLIS tag (except an NLIS post breeder tag) to a pig other than in its left ear.

Penalty for this subregulation: a fine of \$2 000.

(5) A person must not apply an NLIS post breeder tag to a pig other than in its right ear.

Penalty for this subregulation: a fine of \$2 000.

13. Regulation 59 amended

(1) Delete regulation 59(1)(a) and insert:

(a) a particular identifier (an *approved device*),
including an identifier of a particular make,
model or type;

(2) In regulation 59(2) delete “all devices” and insert:

all identifiers

(3) In regulation 59(3) delete “a device” and insert:

an identifier

14. Regulation 62 amended

(1) Delete regulation 62(1)(a) and insert:

(a) an identifier; or

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(2) Delete regulation 62(2)(a) and insert:

(a) an identifier; or

(3) In regulation 62(3):

(a) delete paragraph (a) and insert:

(a) an identifier; or

(b) in paragraph (c) delete “a device —” and insert:

an identifier —

(4) In regulation 62(4):

(a) delete paragraph (a) and insert:

(a) an identifier; or

(b) in paragraph (d) delete “registered owner of the
identifier; and” and insert:

owner of the registered identifier; and

Note: The heading to amended regulation 62 is to read:

**Manufacture and supply of identifiers and identification
equipment for registered identifiers**

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15. Regulation 76 amended

- (1) In regulation 76(1)(c), (2)(d), (3)(a) and (4)(a) delete “when” and insert:

before

- (2) In regulation 76(5) delete “For the purposes of this regulation, an owner of cattle or buffalo may identify the cattle or buffalo, or cause them to be identified, with all or” and insert:

Cattle or buffalo are identified in accordance with this regulation if they are identified with

16. Regulation 77 amended

In regulation 77 delete “cattle or buffalo” and insert:

unweaned cattle or unweaned buffalo

Note: The heading to amended regulation 77 is to read:

Exemption for unweaned cattle and buffalo

17. Regulations 78 and 79 replaced

Delete regulations 78 and 79 and insert:

78. Requirements for brands

For the purposes of regulation 76(5)(a), a registered identifier is applied as a brand in accordance with this regulation if —

- (a) it is applied as a firebrand or freezebrand; and

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- (b) in the case of a firebrand — it is not applied to the horn of cattle; and
- (c) in the case of cattle — it is applied to the near or left rump or shoulder; and
- (d) in the case of buffalo, it is applied to —
 - (i) the near or left rump or shoulder; or
 - (ii) the horn;and
- (e) in the case of a firebrand or freezebrand applied to the near or left rump or shoulder of an animal that has been previously branded, or has an age mark, on that rump or shoulder — it is applied immediately below the existing brand or age mark; and
- (f) it is applied in the approved manner; and
- (g) it is not less than 150 mm in length and 50 mm in height at the time it is applied; and
- (h) it is clearly legible.

79. Requirements for earmarks

For the purposes of regulation 76(5)(b), an earmark is applied in accordance with this regulation if —

- (a) it is applied to the ear of the animal specified for the purpose of applying an earmark in the owner's certificate of registration; and
- (b) each symbol forming part of the earmark is not less than 12 mm across its maximum dimension when the earmark is applied.

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18. Part 5 Division 2 Subdivision 2 heading amended

In the heading to Part 5 Division 2 Subdivision 2 delete
“**identification**” and insert:

requirements for cattle and buffalo

19. Regulation 84 amended

In regulation 84(2):

- (a) in paragraphs (a) to (e) delete “owner moves the animal”
and insert:

animal is moved

- (b) in paragraph (f) delete “owner to move the animal” and
insert:

animal to be moved

20. Part 5 Division 3 heading amended

In the heading to Part 5 Division 3 after “**Other**” insert:

NLIS

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21. Regulation 89 amended

- (1) In regulation 89(1) delete “on which the animal is to be kept or slaughtered, or from which the animal is to be exported, by the purchaser.” and insert:

to which the animal is to be moved.

- (2) In regulation 89(2):

- (a) delete “give —” and insert:

give the saleyard operator either —

- (b) in paragraph (a) delete “on which the animal is to be kept or slaughtered, or from which the animal is to be exported, by the purchaser; or” and insert:

to which the animal is to be moved; or

- (3) In regulation 89(3)(b)(i) delete “on which the animal is to be kept or slaughtered, or from which the animal is to be exported, by the purchaser;” and insert:

to which the animal has been moved;

22. Regulation 91 amended

In regulation 91(2):

- (a) delete “except by slaughter” and insert:

(except by slaughter)

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(b) in paragraph (a) delete “previous property;” and insert:

last property at which the animal was kept;

Note: The heading to amended regulation 91 is to read:

**Responsibilities of property operator if animal dies on or while
being moved to property other than pound**

23. Regulation 92 amended

In regulation 92(1) delete “there,” and insert:

to the pound,

24. Regulation 95 amended

In regulation 95(1)(b) delete “on which the animal is to be kept
or slaughtered, or from which the animal is to be exported, by
the person.” and insert:

to which the animal is to be moved.

25. Regulation 97 amended

Delete regulation 97(3)(b) and insert:

(b) inform an inspector accordingly.

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26. Regulation 104 amended

Delete regulation 104(3)(b) and insert:

- (b) inform an inspector accordingly.

27. Regulation 108 amended

(1) Delete regulation 108(1)(a) and (b) and insert:

- (a) it is moved back to the property from which it came, or to another property with a relevant PIC, and the saleyard operator has obtained from the person to whom the animal is sold or otherwise supplied the relevant PIC of the property to which the animal is to be moved; or
- (b) the saleyard operator has obtained from the person to whom the animal is sold or otherwise supplied the person's BIC.

(2) In regulation 108(2):

- (a) delete "saleyard after being sold there," and insert:

saleyard,

- (b) in paragraph (c) delete "sold." and insert:

moved from the saleyard.

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28. Regulation 109 amended

(1) Delete regulation 109(5)(b) and insert:

(b) inform an inspector accordingly.

(2) In regulation 109(6) delete “7 days” and insert:

48 hours

29. Regulation 112 amended

(1) In regulation 112(3) delete “7 days” and insert:

48 hours

(2) In regulation 112(4)(b) delete “on which the animal is to be kept or slaughtered, or from which the animal is to be exported, by the person.” and insert:

to which the animal is to be moved.

30. Regulation 113 amended

In regulation 113(1) delete “7 days” and insert:

48 hours

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31. Regulation 114 amended

In regulation 114(1) and (2) delete “7 days” and insert:

48 hours

32. Regulation 115 amended

Delete regulation 115(3)(b) and insert:

(b) inform an inspector accordingly.

33. Regulation 118 amended

(1) Delete regulation 118(2)(b) and insert:

(b) if the animal is moved from the export depot
within that period — before it is moved.

(2) In regulation 118(4)(b) delete “on which the animal is to be kept
or slaughtered, or from which the animal is to be exported, by
the person.” and insert:

to which the animal is to be moved.

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34. Part 6 heading amended

In the heading to Part 6 delete “**sheep and goats**” and
insert:

sheep, goats and pigs

35. Regulation 119 amended

In regulation 119 in the definition of *animal* delete “sheep or a
goat.” and insert:

sheep, goat or pig.

36. Part 6 Division 2 heading amended

In the heading to Part 6 Division 2 delete “**sheep or goats**” and
insert:

sheep, goats or pigs

37. Part 6 Division 2 Subdivision 1 heading replaced

Delete the heading to Part 6 Division 2 Subdivision 1 and insert:

Subdivision 1 — Identifiers for sheep

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38. Regulation 120 amended

- (1) In regulation 120(1)(b), (2)(d), (3)(a) and (4)(a) delete “when” and insert:

before

- (2) Delete regulation 120(5) and insert:

- (5) A sheep is identified in accordance with this regulation if it is identified with —

- (a) an NLIS device or an NLIS tag; and
- (b) a registered identifier applied as an earmark in accordance with regulation 122 or an approved identifier for sheep.

39. Regulation 121 amended

In regulation 121 delete “a sheep” and insert:

an unweaned sheep

Note: The heading to amended regulation 121 is to read:

Exemption for unweaned sheep

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40. Regulation 122 replaced

Delete regulation 122 and insert:

122. Requirements for earmarks

For the purposes of regulation 120(5)(b), a registered identifier is applied as an earmark in accordance with this regulation if —

- (a) in the case of a male sheep — it is applied in the right ear; and
- (b) in the case of a female sheep — it is applied in the left ear; and
- (c) each symbol forming part of the earmark is not less than 12 mm across its maximum dimension when the earmark is applied.

41. Part 6 Division 2 Subdivision 2 heading replaced

Delete the heading to Part 6 Division 2 Subdivision 2 and insert:

Subdivision 2 — Identifiers for goats

42. Regulation 124 amended

- (1) In regulation 124(1)(a), (2)(a) and (3)(a) delete “when” and insert:

before

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- (2) In regulation 124(4) delete “For the purposes of this regulation, an owner of a goat may identify the goat, or cause it be identified, with all or” and insert:

A goat is identified in accordance with this regulation if it is identified with

43. Regulation 125 amended

In regulation 125 delete “a goat” and insert:

an unweaned goat

Note: The heading to amended regulation 125 is to read:

Exemption for unweaned goats

44. Regulation 126 replaced

Delete regulation 126 and insert:

126. Requirements for earmarks

For the purposes of regulation 124(4)(a), a registered identifier is applied as an earmark in accordance with this regulation if —

- (a) in the case of a male goat — it is applied in the right ear; and
- (b) in the case of a female goat — it is applied in the left ear; and
- (c) each symbol forming part of the earmark is not less than 12 mm across its maximum dimension when the earmark is applied.

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45. Part 6 Division 2 Subdivision 2A inserted

After Part 6 Division 2 Subdivision 2 insert:

Subdivision 2A — Identifiers for pigs

127A. Owners to identify pigs

- (1) An owner of a pig must identify the pig, or cause it to be identified, in accordance with this regulation before it is moved from the farming property on which it is kept.
Penalty for this subregulation: a fine of \$5 000.
- (2) A pig that weighs less than 25 kg is identified in accordance with this regulation if it is identified with an NLIS device or NLIS tag.
- (3) Subject to subregulation (4), a pig that weighs 25 kg or more is identified in accordance with this regulation if it is identified with any of the following —
 - (a) a registered identifier applied as a slap brand in accordance with regulation 127C;
 - (b) an NLIS device;
 - (c) an NLIS tag.
- (4) Subregulation (3)(a) does not apply in relation to a pig that has been previously branded with a slap brand on its left rump.

127B. Exemption for unweaned pigs

It is not necessary for an unweaned pig to be identified in accordance with regulation 127A if it is being moved with its mother from the property on which it is kept to another property with the same relevant PIC.

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127C. Requirements for slap brands

For the purposes of regulation 127A(3)(a), a registered identifier is applied as a slap brand in accordance with this regulation if —

- (a) it is applied to a pig using equipment that is approved identification equipment; and
- (b) it is applied using carbon black paste, or a tattooing ink or dye of the colour that is approved for that purpose; and
- (c) in the case of a slap brand applied to a pig at its property of birth — it is applied to the left shoulder of the pig; and
- (d) in the case of a slap brand applied to a pig at a property other than its property of birth —
 - (i) if the pig has not been previously branded with a slap brand on the right shoulder — it is applied to the right shoulder of the pig; or
 - (ii) if the pig has been previously branded with a slap brand on the right shoulder — it is applied to the right rump of the pig; or
 - (iii) if the pig has been previously branded with a slap brand on the right rump — it is applied to the left rump of the pig.

46. Part 6 Division 2 Subdivision 3 heading replaced

Delete the heading to Part 6 Division 2 Subdivision 3 and insert:

**Subdivision 3 — NLIS requirements for sheep, goats
and pigs**

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47. Regulation 129 amended

In regulation 129(1)(a) delete “a sheep or a goat” and insert:

an unweaned sheep or unweaned goat

Note: The heading to amended regulation 129 is to read:

Exemptions from NLIS identification of sheep and goats

48. Regulations 129A and 129B inserted

After regulation 129 insert:

129A. Responsibilities of owner before moving pigs

- (1) Except as provided in regulation 129B, an owner of a pig that weighs less than 25 kg must not cause or permit the pig to be moved from the farming property on which it is kept unless —
 - (a) it has an NLIS tag applied to it that displays the relevant PIC of the property; or
 - (b) it has an NLIS device applied to it, and the PIC recorded in the NLIS database in relation to the device is the relevant PIC of the property from which the pig is to be moved.

Penalty for this subregulation: a fine of \$5 000.

- (2) Except as provided in regulation 129B, an owner of a pig that weighs 25 kg or more must not cause or permit the pig to be moved from the farming property on which it is kept unless —
 - (a) it has an NLIS tag applied to it that displays the relevant PIC of the property; or

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- (b) it has an NLIS device applied to it, and the PIC recorded in the NLIS database in relation to the device is the relevant PIC of the property from which the pig is to be moved; or
- (c) it has a registered identifier applied to it for which the corresponding PIC is the relevant PIC of the property.

Penalty for this subregulation: a fine of \$5 000.

129B. Exemptions from identification of pigs

- (1) Regulation 129A does not apply —
 - (a) to an unweaned pig being moved with its mother from the property on which it is kept to another property with the same relevant PIC; or
 - (b) if an inspector approves the movement of the pig without an identifier that meets the requirements of regulation 129A(1) or (2), as the case requires, being applied to the pig.
- (2) A person cannot rely upon an exemption in subregulation (1)(b) unless —
 - (a) the person has given the carrier of the pig a waybill that relates only to the pigs being moved under the exemption; and
 - (b) the person has taken all practicable measures to ensure that the pig, while it is being moved, is kept separate from —
 - (i) any pig to which a registered identifier or NLIS identifier is applied; and
 - (ii) any pig being moved from another property.

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49. Regulation 130 amended

- (1) In regulation 130(1) delete “sheep or a goat” and insert:

sheep, goat or pig

- (2) In regulation 130(2):

- (a) delete “following —” and insert:

information referred to in subregulation (1)(c) to (f).

- (b) delete paragraphs (a) to (d).

- (3) In regulation 130(3):

- (a) in paragraphs (a) to (e) delete “owner moves the
consignment” and insert:

consignment is moved

- (b) delete paragraph (f) and insert:

- (f) an inspector has given written approval for the
consignment to be moved to another property
without updating the NLIS database.

50. Part 6 Division 3 heading replaced

Delete the heading to Part 6 Division 3 and insert:

**Division 3 — Other NLIS requirements for sheep, goats
and pigs**

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51. Regulation 135 amended

- (1) In regulation 135(1) delete “on which the animal is to be kept or slaughtered, or from which the animal is to be exported, by the purchaser.” and insert:

to which the animal is to be moved.

- (2) In regulation 135(2):

- (a) delete “give —” and insert:

give the saleyard operator either —

- (b) in paragraph (a) delete “on which the animal is to be kept or slaughtered, or from which the animal is to be exported, by the purchaser; or” and insert:

to which the animal is to be moved; or

- (3) In regulation 135(3):

- (a) delete “24 hours” and insert:

48 hours

- (b) in paragraph (d) delete “on which the consignment is to be kept or slaughtered, or from which the consignment is to be exported, by the purchaser;” and insert:

to which the consignment has been moved;

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- (4) In regulation 135(4):
- (a) delete “24 hours” and insert:
- 48 hours
- (b) delete “following —” and insert:
- information referred to in subregulation (3)(c) to (f).
- (c) delete paragraphs (a) to (d).
- (5) In regulation 135(5)(d) delete “on which the consignment is to be kept or slaughtered, or from which the consignment is to be exported, by the purchaser;” and insert:
- to which the consignment has been moved;
- (6) In regulation 135(6):
- (a) delete “following —” and insert:
- information referred to in subregulation (5)(c) to (f).
- (b) delete paragraphs (a) to (e).
- 52. Regulation 137 amended**
- (1) In regulation 137(2):
- (a) delete “except by slaughter” and insert:
- (except by slaughter)

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(b) in paragraph (c) delete “previous property;” and insert:

last property at which the animal was kept;

(c) in paragraph (f) delete “death.” and insert:

death for each animal.

(2) In regulation 137(3):

(a) delete “following —” and insert:

information referred to in subregulation (2)(c) to (f).

(b) delete paragraphs (a) to (d).

53. Regulation 138 amended

(1) In regulation 138(2) delete “there,” and insert:

to the pound,

(2) In regulation 138(3) delete “pound,” and insert:

pound before the pound operator has applied, or caused to be
applied, to the animal an NLIS post breeder tag,

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Part 2 Biosecurity and Agriculture Management (Identification and
Movement of Stock and Apiaries) Regulations 2013 amended

r. 54

54. Regulation 141 amended

In regulation 141(1)(b) delete “on which the animal is to be kept or slaughtered, or from which the animal is to be exported, by the person.” and insert:

to which the animal is to be moved.

55. Regulation 142 amended

Delete regulation 142(4)(b) and insert:

(b) inform an inspector accordingly.

56. Regulation 146 amended

(1) In regulation 146(1)(e) delete “PIC and”.

(2) In regulation 146(2):

(a) delete “following —” and insert:

information referred to in subregulation (1)(c), (d), (f) and (h).

(b) delete paragraphs (a) to (d).

57. Regulation 147 amended

In regulation 147:

(a) delete “sheep or a goat” and insert:

sheep, goat or pig

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Regulations (No. 2) 2019***

Biosecurity and Agriculture Management (Identification and
Movement of Stock and Apiaries) Regulations 2013 amended

Part 2

r. 58

(b) delete “sheep or goat” (each occurrence) and insert:

sheep, goat or pig

58. Regulation 148 amended

(1) Delete regulation 148(4)(b) and insert:

(b) inform an inspector accordingly.

(2) In regulation 148(5) delete “regulation 129(1)(d).” and insert:

regulation 129(1)(d) or 129B(1)(b).

59. Regulation 151 amended

Delete regulation 151(1)(a) and (b) and insert:

- (a) it is moved back to the property from which it came, or to another property with a relevant PIC, and the saleyard operator has obtained from the person to whom the animal is sold or otherwise supplied the relevant PIC of the property to which the animal is to be moved; or
- (b) the saleyard operator has obtained from the person to whom the animal is sold or otherwise supplied the person’s BIC.

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Part 2 Biosecurity and Agriculture Management (Identification and
Movement of Stock and Apiaries) Regulations 2013 amended

r. 60

60. Regulation 152 amended

- (1) In regulation 152(1):
 - (a) delete “sheep or goats” (each occurrence) and insert:

animals
 - (b) delete “following —” and insert:

following (as applicable) —
 - (c) in paragraph (h) delete “relevant PIC and”;
 - (d) in paragraph (i) delete “at” and insert:

at, or otherwise moved from,
- (2) In regulation 152(2):
 - (a) delete “following —” and insert:

following (as applicable) —
 - (b) delete paragraphs (a) to (f) and insert:
 - (a) the date the animal arrived at the saleyard;
 - (b) the information referred to in
subregulation (1)(c), (d), (e), (g) and (i).

61. Regulation 153 amended

- (1) In regulation 153(2) delete “regulation 129(1).” and insert:

regulation 129(1) or 129B(1).

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Biosecurity and Agriculture Management (Identification and
Movement of Stock and Apiaries) Regulations 2013 amended

Part 2

r. 62

- (2) Delete regulation 153(5)(b) and insert:

(b) inform an inspector accordingly.

62. Regulation 156 amended

- (1) In regulation 156(1)(e) delete “PIC and”.

- (2) In regulation 156(2):

- (a) delete “following —” and insert:

information referred to in subregulation (1)(c), (d), (f)
and (h).

- (b) delete paragraphs (a) to (d).

63. Regulation 157 amended

- (1) In regulation 157(1) delete “7 days” and insert:

48 hours

- (2) In regulation 157(2):

- (a) delete “7 days” and insert:

48 hours

- (b) delete “following —” and insert:

information referred to in subregulation (1)(c), (d)
and (f).

- (c) delete paragraphs (a) to (c).

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Part 2 Biosecurity and Agriculture Management (Identification and
Movement of Stock and Apiaries) Regulations 2013 amended

r. 64

64. Regulation 158 amended

- (1) In regulation 158(1)(b) delete “on which the animal is to be kept or slaughtered, or from which the animal is to be exported, by the person; and” and insert:

to which the animal is to be moved; and

- (2) In regulation 158(2)(e) delete “PIC and”.

- (3) In regulation 158(3):

- (a) delete “following —” and insert:

information referred to in subregulation (2)(c), (d), (f) and (g).

- (b) delete paragraphs (a) to (d).

65. Regulation 159 amended

- (1) In regulation 159(1) delete “7 days” and insert:

48 hours

- (2) In regulation 159(2):

- (a) delete “7 days” and insert:

48 hours

- (b) delete “following —” and insert:

information referred to in subregulation (1)(c) to (f).

- (c) delete paragraphs (a) to (d).

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Biosecurity and Agriculture Management (Identification and
Movement of Stock and Apiaries) Regulations 2013 amended

Part 2

r. 66

66. Regulation 160 amended

Delete regulation 160(4)(b) and insert:

- (b) inform an inspector accordingly.

67. Regulation 163 amended

- (1) In regulation 163(1)(e) delete “PIC and”.

- (2) In regulation 163(2):

- (a) delete “following —” and insert:

information referred to in subregulation (1)(c), (d), (f)
and (h).

- (b) delete paragraphs (a) to (d).

68. Regulation 164 amended

- (1) In regulation 164(2):

- (a) delete “following —” and insert:

information referred to in subregulation (1)(c) to (f).

- (b) delete paragraphs (a) to (d).

- (2) In regulation 164(3)(b) delete “on which the animal is to be kept
or slaughtered, or from which the animal is to be exported, by
the person; and” and insert:

to which the animal is to be moved; and

- (3) In regulation 164(5)(e) delete “PIC and”.

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Part 2 Biosecurity and Agriculture Management (Identification and
Movement of Stock and Apiaries) Regulations 2013 amended

r. 69

(4) In regulation 164(6):

(a) delete “following —” and insert:

information referred to in subregulation (5)(c), (d), (f)
and (g).

(b) delete paragraphs (a) to (d).

69. Regulation 165 amended

(1) In regulation 165(1)(b), (2)(a) and (3)(a) delete “when” and
insert:

before

(2) In regulation 165(4) delete “For the purposes of this regulation,
an owner of a deer may identify the deer, or cause it to be
identified, with all or” and insert:

A deer is identified in accordance with this regulation if it is
identified with

70. Regulation 166 replaced

Delete regulation 166 and insert:

166. Exemption for unweaned deer

It is not necessary for an unweaned deer to be
identified in accordance with regulation 165(1)(b),
(2)(a) or (3)(a) if it is being moved with its mother
from the property on which it is kept to another
property with the same relevant PIC.

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Biosecurity and Agriculture Management (Identification and
Movement of Stock and Apiaries) Regulations 2013 amended

Part 2

r. 71

71. Regulations 168 and 169 replaced

Delete regulations 168 and 169 and insert:

168. Requirements for brands

For the purposes of regulation 165(4)(a), a registered identifier is applied as a brand in accordance with this regulation if it is legibly displayed on an eartag that is —

- (a) an approved device; and
- (b) applied to the ear of the deer specified for the purpose of applying an eartag in the owner's certificate of registration as an owner of stock.

169. Requirements for earmarks

For the purposes of regulation 165(4)(b), a registered identifier is applied as an earmark in accordance with this regulation if —

- (a) it is applied to the ear of the deer specified for the purpose of applying an earmark in the owner's certificate of registration as an owner of stock; and
- (b) each symbol forming part of the earmark is not less than 12 mm across its maximum dimension at the time when the earmark is applied.

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Part 2 Biosecurity and Agriculture Management (Identification and
Movement of Stock and Apiaries) Regulations 2013 amended

r. 72

72. Part 7 Division 2 replaced

Delete Part 7 Division 2 and insert:

Division 2 — Horses and donkeys

170. Owners to identify horses and donkeys

- (1) An owner of a horse or donkey, other than an imported horse or donkey or a horse or donkey from a pound, that is being kept on a property in the south-west of the State must identify the horse or donkey, or cause it to be identified, in accordance with this regulation —
 - (a) if it is moved from the property on which it is kept and before it is identified in accordance with this regulation — before it is moved; or
 - (b) otherwise — before it reaches 6 months of age.Penalty for this subregulation: a fine of \$2 000.
- (2) An owner of a horse or donkey, other than an imported horse or donkey or a horse or donkey from a pound, that is being kept on a property not in the south-west of the State must identify the horse or donkey, or cause it to be identified, in accordance with this regulation —
 - (a) if it is moved from the property on which it is kept and before it is identified in accordance with this regulation — before it is moved; or
 - (b) otherwise — before it reaches 18 months of age.Penalty for this subregulation: a fine of \$2 000.

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Regulations (No. 2) 2019***

Biosecurity and Agriculture Management (Identification and
Movement of Stock and Apiaries) Regulations 2013 amended

Part 2

r. 72

- (3) An owner of an imported horse or donkey must identify it, or cause it to be identified, in accordance with this regulation —
- (a) if it is moved from the property on which it is kept and before it is identified in accordance with this regulation — before it is moved; or
 - (b) otherwise — within 14 days of it being imported.

Penalty for this subregulation: a fine of \$2 000.

- (4) An owner of a horse or donkey from a pound must identify it, or cause it to be identified, in accordance with this regulation —
- (a) if it is moved from the property on which it is kept and before it is identified in accordance with this regulation — before it is moved; or
 - (b) otherwise — within 14 days of the owner taking possession of it from the pound.

Penalty for this subregulation: a fine of \$2 000.

- (5) A horse or donkey is identified in accordance with this regulation if it is identified with any of the following identifiers —
- (a) a registered identifier applied as a brand in accordance with regulation 173;
 - (b) an approved identifier for horses or donkeys.

171. Exemption for unweaned horses and donkeys

It is not necessary for an unweaned horse or unweaned donkey to be identified in accordance with regulation 170(1)(a), (2)(a), (3)(a) or (4)(a) if it is being moved with its mother from the property on which it is kept to another property with the same relevant PIC.

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Part 2 Biosecurity and Agriculture Management (Identification and
Movement of Stock and Apiaries) Regulations 2013 amended

r. 72

172. Horses or donkeys identified by previous owner

It is not necessary for an owner of a horse or donkey to identify it, or cause it to be identified, in accordance with regulation 170(1), (2), (3) or (4) if —

- (a) it is identified with the registered identifier or an approved identifier of a previous owner; and
- (b) the owner has in their possession or control documentary evidence of their right to possess the horse or donkey.

173. Requirements for brands

For the purposes of regulation 170(5)(a), a registered identifier is applied as a brand in accordance with this regulation if —

- (a) it is applied as a firebrand or freezebrand; and
- (b) in the case of a horse or donkey that has not been previously branded — it is applied on the left shoulder; and
- (c) in the case of a horse or donkey that has been previously branded —
 - (i) if there is sufficient room on the left shoulder — it is applied on the left shoulder; or
 - (ii) if there is insufficient room on the left shoulder — it is applied on the right shoulder;

and

- (d) it is not less than 100 mm in length and 30 mm in height when it is applied; and
- (e) it is applied in the approved manner.

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Biosecurity and Agriculture Management (Identification and
Movement of Stock and Apiaries) Regulations 2013 amended

Part 2

r. 73

73. Part 7 Division 4 deleted

Delete Part 7 Division 4.

74. Regulation 181 amended

- (1) In regulation 181(1)(a), (2)(a) and (3)(a) delete “when” and insert:

before

- (2) In regulation 181(4) delete “For the purposes of this regulation, an owner of a South American camelid may identify the South American camelid, or cause it be identified, with all or” and insert:

A South American camelid is identified in accordance with this regulation if it is identified with

75. Regulation 182 replaced

Delete regulation 182 and insert:

182. Exemption for unweaned South American camelids

It is not necessary for an unweaned South American camelid to be identified in accordance with regulation 181(1)(a), (2)(a) or (3)(a) if it is being moved with its mother from the property on which it is kept to another property with the same relevant PIC.

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Part 2 Biosecurity and Agriculture Management (Identification and
Movement of Stock and Apiaries) Regulations 2013 amended

r. 76

76. Regulations 184 to 186 replaced

Delete regulations 184 to 186 and insert:

184. Registered identifier applied as brand

For the purposes of regulation 181(4)(a), a registered identifier is applied as a brand in accordance with this regulation if it is legibly displayed on an eartag that —

- (a) is an approved device; and
- (b) in the case of a male South American camelid — is applied to the left ear; and
- (c) in the case of a female South American camelid — is applied to the right ear.

185. Registered identifier applied as earmark

For the purposes of regulation 181(4)(b), a registered identifier is applied as an earmark in accordance with this regulation if —

- (a) in the case of a male South American camelid — it is applied to the right ear; and
- (b) in the case of a female South American camelid — it is applied to the left ear; and
- (c) each symbol forming part of the earmark is not less than 12 mm across its maximum dimension when it is applied.

186. Earmarks and other markings

A person must not apply an earmark to a South American camelid, other than an identifier applied under regulation 181, unless —

- (a) if it is applied to the ear, it is —
 - (i) in the left ear of a male animal; or

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Biosecurity and Agriculture Management (Identification and
Movement of Stock and Apiaries) Regulations 2013 amended

Part 2

r. 77

(ii) in the right ear of a female animal;
and

(b) it is applied in such a manner, and in such a position, as to render it clearly distinguishable from an identifier applied to the animal under regulation 181.

Penalty: a fine of \$2 000.

77. Regulation 188 amended

In regulation 188(a) delete “a horse” and insert:

a horse, donkey or camel

78. Regulation 191 amended

In regulation 191(1)(g) delete “on which the consignment is to be kept or slaughtered, or from which the consignment is to be exported, by the purchaser — that PIC;” and insert:

to which the animal is to be moved — that relevant PIC;

79. Regulation 192 amended

In regulation 192(1):

(a) delete “on which the animal is to be kept or slaughtered, or from which the animal is to be exported, by the purchaser,” and insert:

to which the animal is to be moved,

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Part 2 Biosecurity and Agriculture Management (Identification and
Movement of Stock and Apiaries) Regulations 2013 amended

r. 80

(b) delete paragraph (d) and insert:

(d) the relevant PIC of the property to which the
animal is to be moved;

80. Regulation 194 amended

In regulation 194(1):

(a) in paragraph (c) delete “or approved identifier”;

(b) after paragraph (d) insert:

(da) the details of any approved identifier applied to
the animal or animals, including the type of
identifier and the breed society to which it is
issued;

81. Regulation 198 amended

In regulation 198(2) delete “an”.

82. Various references to “NLIS Ltd” amended

In the provisions listed in the Table delete “NLIS Ltd” (each
occurrence) and insert:

ISC Ltd

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Biosecurity and Agriculture Management (Identification and
Movement of Stock and Apiaries) Regulations 2013 amended

Part 2

r. 82

Table

r. 3 def. of <i>accredited device</i>	r. 3 def. of <i>accredited tag</i>
r. 64(2) and (3)(b)	r. 66(1) def. of <i>manufacturer</i>
r. 67(2) and (3)(b)	

Note: The headings to the regulations listed in the Table are to read as set out in the Table.

Table

Regulation	Regulation heading
r. 131	Imported sheep, goats and pigs
r. 132	Sheep, goats and pigs from pound
r. 133	Dead stray sheep, goats and pigs
r. 136	Sheep, goats and pigs not to be delivered to property without relevant PIC

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Regulations (No. 2) 2019***

Part 3 Biosecurity and Agriculture Management (Infringement
Notices) Regulations 2013 amended

r. 83

**Part 3 — *Biosecurity and Agriculture Management
(Infringement Notices) Regulations 2013* amended**

83. Regulations amended

This Part amends the *Biosecurity and Agriculture Management
(Infringement Notices) Regulations 2013*.

84. Schedule 1 amended

(1) In Schedule 1 Division 4 after the item for regulation 128 insert:

r. 129A(1)	Moving pig less than 25 kg from farming property contrary to regulations	500
r. 129A(2)	Moving pig 25 kg or more from farming property contrary to regulations	500

(2) In Schedule 1 Division 4 in the item for regulation 152(1) delete
“sheep or goats” and insert:

animals

(3) In Schedule 1 Division 4 delete the items for regulations 170(1),
(3) and (4) and 178(1) and insert:

r. 170(1)	Owner of horse or donkey kept on property in south-west of State failing to identify it in accordance with regulations	200
r. 170(2)	Owner of horse or donkey kept on property not in south-west of State failing to identify it in accordance with regulations	200

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Regulations (No. 2) 2019***

Biosecurity and Agriculture Management (Infringement
Notices) Regulations 2013 amended

Part 3

r. 84

- | | | |
|-----------|--|-----|
| r. 170(3) | Owner of imported horse or donkey failing to
identify it in accordance with regulations | 200 |
| r. 170(4) | Owner of horse or donkey from pound failing
to identify it in accordance with regulations | 200 |

**Biosecurity and Agriculture Management Regulations Amendment
Regulations (No. 2) 2019**

Part 4 Biosecurity and Agriculture Management Regulations 2013
amended

r. 85

**Part 4 — *Biosecurity and Agriculture Management
Regulations 2013* amended**

85. Regulations amended

This Part amends the *Biosecurity and Agriculture Management Regulations 2013*.

86. Schedule 1 amended

- (1) In Schedule 1 item 8 delete “*Equus caballus*; *Equus asinus*” and insert:

Equus caballus

- (2) In Schedule 1 after item 8 insert:

8A Donkey and any hybrids *Equus asinus*

D. FOSTER, Clerk of the Executive Council.
