



Western Australia

Biosecurity and Agriculture Management Act 2007

**Biosecurity and Agriculture Management
(Identification and Movement of Stock and
Apiaries) Amendment Regulations 2024**

Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Amendment Regulations 2024

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Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Amendment Regulations 2024

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Amendment Regulations 2024*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published on the WA legislation website;
- (b) the rest of the regulations — on 1 January 2025.

3. Regulations amended

These regulations amend the *Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013*.

4. Regulation 48 amended

- (1) In regulation 48(3):
 - (a) delete “(except an NLIS post breeder device) to a sheep or a goat” and insert:

to a sheep

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(b) in paragraph (a) delete “animal; or” and insert:

sheep; or

(c) in paragraph (b) delete “animal.” and insert:

sheep.

(2) Delete regulation 48(4) and insert:

(4) A person must not apply an NLIS device to a goat other than —

(a) in the left ear of a male goat; or

(b) in the right ear of a female goat; or

(c) around a leg of the goat.

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

5. Regulation 52 amended

Delete regulation 52(2) and (3).

6. Part 6 Division 1 deleted

Delete Part 6 Division 1.

7. Part 6 Division 2 Subdivisions 1 and 2 deleted

Delete Part 6 Division 2 Subdivisions 1 and 2.

8. Regulations 128 and 129 deleted

Delete regulations 128 and 129.

9. Regulation 148 amended

In regulation 148(5) delete “129(1)(d) or”.

10. Regulation 153 amended

In regulation 153(2) delete “129(1) or”.

11. Part 6A inserted

After regulation 164 insert:

Part 6A — Identifying sheep and goats

Division 1 — Preliminary

164A. Terms used

In this Part —

NLIS identified sheep or goat means a sheep, or a goat, to which an NLIS device is applied;

receiving owner, in relation to a sheep or goat that is being moved to a farming property, means the person —

- (a) who is taking possession or control of the sheep or goat; and
- (b) who is, or is acting on behalf of, the registered owner of a relevant PIC for the property.

Division 2 — Owners and purchasers of sheep and goats

Subdivision 1 — Identifiers for sheep

164B. Owners must identify sheep

- (1) An owner of a sheep that is kept on a property in the south-west of the State must identify the sheep, or cause it to be identified, with an NLIS device —
 - (a) if the sheep is weaned before it reaches 6 months of age and before it is identified in

accordance with this regulation — when it is weaned; or

- (b) if the sheep is moved from the property on which it is kept before it reaches 6 months of age and before it is identified in accordance with this regulation — before it is moved; or
- (c) otherwise — before it reaches 6 months of age.

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

- (2) An owner of a sheep, other than a sheep that is kept on a property in the south-west of the State, must identify the sheep, or cause it to be identified, with an NLIS device —
 - (a) if the sheep is moved from the property on which it is kept before it is first shorn and before it is identified in accordance with this regulation — before it is moved; or
 - (b) otherwise — when it is first shorn.

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

- (3) Nothing in these regulations prevents an owner of a sheep from applying to it, in addition to an NLIS device, 1 or both of the following identifiers —
 - (a) a registered identifier applied as an earmark in accordance with regulation 164E;
 - (b) an approved identifier for sheep.

164C. Exemption for unweaned sheep

It is not necessary for an unweaned sheep to be identified in accordance with regulation 164B(1)(b) or (2)(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.

164D. Requirements for earmarks

For the purposes of regulation 164B(3)(a), 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.

164E. Application of markings: sheep

A person must not apply a marking to a sheep, other than an identifier applied under regulation 164B, unless —

- (a) if it is applied to the ear, it is —
 - (i) in the left ear of a male sheep; or
 - (ii) in the right ear of a female sheep;and
- (b) if it is intended to identify an uncoloured sheep known to be a carrier of a gene for coloured wool — it is applied in the form of 3 circular holes in line, each being not less than 6 mm and not more than 10 mm in diameter, completely within the sheep's ear; and
- (c) it is applied in such a manner, and in such a position, as to render it clearly distinguishable from an identifier applied to the sheep under regulation 164B.

Penalty: a fine of \$2 000.

Subdivision 2 — Identifiers for goats

164F. Owners must identify goats

- (1) An owner of a goat must identify the goat, or cause it to be identified, with an NLIS device —
 - (a) if it is moved from the property on which it is kept before it reaches 6 months of age 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) Nothing in these regulations prevents an owner of a goat from applying to it, in addition to an NLIS device, 1 or both of the following identifiers —
 - (a) a registered identifier applied as an earmark in accordance with regulation 164H;
 - (b) an approved identifier for goats.

164G. Exemption for unweaned goats

It is not necessary for an unweaned goat to be identified in accordance with regulation 164F(1)(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.

164H. Requirements for earmarks

For the purposes of regulation 164F(2), 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.

164I. Application of markings: goat

A person must not apply a marking to a goat, other than an identifier applied under regulation 164F, unless —

- (a) if it is applied to the ear, it is —
 - (i) in the left ear of a male goat; or
 - (ii) in the right ear of a female goat;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 goat under regulation 164F.

Penalty: a fine of \$2 000.

Subdivision 3 — Owner responsibilities when sheep and goats moved

164J. Responsibilities of owner before moving sheep or goat

An owner of a sheep or goat must not cause or permit the sheep or goat to be moved from the farming property on which it is kept unless —

- (a) the sheep or goat has an NLIS device applied to it; and
- (b) the PIC recorded in the NLIS database in relation to the device is the relevant PIC of the property from which the sheep or goat is to be moved.

Penalty: a fine of \$5 000.

164K. Exemptions from NLIS device identification when sheep or goat moved

- (1) Regulation 164J does not apply —
 - (a) to an unweaned sheep or unweaned goat 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 sheep or goat without an NLIS device being applied to it.
- (2) The exemption in subregulation (1)(b) applies only if —
 - (a) the person has given the carrier of the sheep or goat a waybill that relates to the sheep or goat and to no other sheep or goats, unless all of them are being moved under the exemption; and
 - (b) the person has taken all practicable measures to ensure that the sheep or goat, while it is being moved, is kept separate from —
 - (i) any NLIS identified sheep or goat; and
 - (ii) any sheep or goat being moved from another property.

164L. Responsibility of owner if receiving sheep or goat without NLIS device

Unless an inspector in a particular case approves otherwise, if a sheep or goat other than an NLIS identified sheep or goat is moved to a farming property, the receiving owner must, as soon as practicable after taking possession of the sheep or goat,

apply, or cause to be applied, to the sheep or goat an NLIS post breeder device.

Penalty: a fine of \$2 000

164M. Responsibility of owner if receiving NLIS identified sheep or goat

- (1) If an NLIS identified sheep or goat is moved from a property (the *first property*) to a farming property with a different PIC, the receiving owner must, within 48 hours after the sheep or goat is moved from the first property, record in the NLIS database the following —
 - (a) the relevant PIC of the first property;
 - (b) the relevant PIC of the farming property to which the sheep or goat has been moved;
 - (c) the serial number of the transport document relating to the movement of the sheep or goat to the farming property;
 - (d) the date the sheep or goat was moved from the first property.

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

- (2) Subregulation (1) does not apply if —
 - (a) the sheep or goat was purchased by the receiving owner at a property other than a saleyard; or
 - (b) an inspector has given written approval for the sheep or goat to be moved to another property without updating the NLIS database.

Note for this subregulation:

For the purposes of paragraph (a), see regulation 164O(3) for the requirement to record information in the NLIS database in relation to a sheep or goat referred to in subregulation (2)(a).

Subdivision 4 — Owner responsibilities if sheep or goat dies

164N. Responsibilities of owner if sheep or goat dies on or while being moved to farming property

- (1) If an NLIS identified sheep or goat dies on the farming property on which it is kept, or while being moved to another farming property with the same relevant PIC, the owner of the sheep or goat must, within 48 hours after the animal is found dead, record in the NLIS database the information set out in subregulation (3).
Penalty for this subregulation: a fine of \$2 000.
- (2) If an NLIS identified sheep or goat dies while being moved from a property to a farming property that does not have the same relevant PIC, the receiving owner of the sheep or goat must, within 48 hours after the animal is found dead, record in the NLIS database the information set out in subregulation (3).
Penalty for this subregulation: a fine of \$2 000.
- (3) The information is as follows —
 - (a) the relevant PIC of the last property at which the sheep or goat was kept;
 - (b) the relevant PIC of the property on which the sheep or goat died or to which it was being moved;
 - (c) the serial number of the transport document relating to the movement of the sheep or goat to the property;
 - (d) the date the sheep or goat was found dead.

Subdivision 5 — Purchasers of sheep and goats

1640. Responsibilities of purchasers of sheep and goats

- (1) A purchaser of a sheep or goat at a property other than a saleyard must, when requested by the property operator, give the property operator the relevant PIC of the property to which the sheep or goat is to be moved.
Penalty for this subregulation: a fine of \$5 000.
- (2) A purchaser of a sheep or goat at a saleyard must, when requested by the saleyard operator, give the saleyard operator either —
 - (a) the relevant PIC of the property to which the sheep or goat is to be moved; or
 - (b) the purchaser's BIC.Penalty for this subregulation: a fine of \$5 000.
- (3) A purchaser of an NLIS identified sheep or goat at a property other than a saleyard must, within 48 hours after the sheep or goat is moved from the property, record in the NLIS database the following —
 - (a) the relevant PIC of the property from which the sheep or goat has been moved;
 - (b) the relevant PIC of the property to which the sheep or goat has been moved;
 - (c) the serial number of the transport document relating to the movement of the sheep or goat from the property;
 - (d) the date the sheep or goat was moved from the property.Penalty for this subregulation: a fine of \$5 000.
- (4) If, in relation to the purchase from a saleyard of an NLIS identified sheep or goat, a purchaser does not give the saleyard operator a relevant PIC under

subregulation (2), the purchaser must, within 24 hours after the sheep or goat is moved from the saleyard, record in the NLIS database the following —

- (a) the purchaser's BIC;
- (b) the relevant PIC of the property to which the sheep or goat has been moved;
- (c) the serial number of the transport document relating to the movement of the sheep or goat from the saleyard;
- (d) the date the sheep or goat was moved from the saleyard.

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

- (5) A purchaser of a sheep or goat at a property must not take possession or control of the sheep or goat unless it is moved in accordance with this Part.

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

Division 3 — Property operators

Subdivision 1 — General provisions relating to property operators

164P. Sheep and goats not to be delivered to property without relevant PIC

The operator of a property must not cause or permit a sheep or goat to be moved to the property unless the operator is the registered owner of a relevant PIC for the property.

Penalty: a fine of \$5 000.

164Q. Responsibility of property operator if sheep or goat dies on or while being moved to property

If an NLIS identified sheep or goat dies (except by slaughter) on, or while being moved to, a non-farming property, the property operator must, within 48 hours after the animal is found dead, record in the NLIS database the following —

- (a) the relevant PIC of the last property at which the sheep or goat was kept;
- (b) the relevant PIC of the property on which the sheep or goat died or to which it was being moved;
- (c) the serial number of the transport document relating to the movement of the sheep or goat to the property;
- (d) the date the sheep or goat was found dead.

Penalty: a fine of \$2 000.

Subdivision 2 — Pounds

164R. Responsibilities of pound operator if no NLIS device applied to sheep or goat

- (1) This regulation does not apply to an NLIS identified sheep or goat.
- (2) The operator of a pound may, before a sheep or goat is moved to the pound, apply, or cause to be applied, to the sheep or goat an NLIS post breeder device.
- (3) Unless an inspector in a particular case approves otherwise, if a sheep or goat is moved to a pound before the pound operator has applied, or caused to be applied, to the sheep or goat an NLIS post breeder device, the pound operator must, within the period specified in subregulation (4), apply, or cause to be

applied, to the sheep or goat an NLIS post breeder device.

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

- (4) The pound operator must comply with subregulation (3) as soon as practicable after the sheep or goat is moved to the pound and before it is moved from the pound.

164S. Responsibility of pound operator if sheep or goat born at or while being moved to pound

If a sheep or goat is born at, or while being moved to, a pound, the pound operator must, as soon as practicable after its birth and before it is moved from the pound, apply, or cause to be applied, to the sheep or goat an NLIS post breeder device.

Penalty: a fine of \$2 000.

164T. Responsibility of pound operator if NLIS device applied to sheep or goat

- (1) If an NLIS identified sheep or goat is moved to a pound, the pound operator must, within the period specified in subregulation (2), record in the NLIS database the following —
 - (a) the relevant PIC of the pound;
 - (b) the serial number of the transport document relating to the movement of the sheep or goat to the pound;
 - (c) the date the sheep or goat arrived at the pound.

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

- (2) The pound operator must comply with subregulation (1) as soon as practicable after the sheep or goat is moved to the pound and before it is moved from the pound.

164U. Responsibilities of pound operator if sheep or goat moved from pound

- (1) A pound operator must not move, or permit to be moved, from the pound a sheep or goat unless —
 - (a) it is to be moved back to the property from which it came or to another property with a relevant PIC; and
 - (b) the pound operator has obtained from the person to whom the sheep or goat is sold or otherwise supplied the relevant PIC of the property to which the sheep or goat is to be moved.

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

- (2) If a sheep or goat other than an NLIS identified sheep or goat is moved from a pound, the pound operator must, within 48 hours after the sheep or goat is moved, record in the NLIS database the following —
 - (a) the species of animal;
 - (b) the relevant PIC of the pound;
 - (c) the relevant PIC of the property to which the sheep or goat has been moved;
 - (d) the serial number of the transport document relating to the movement of the sheep or goat from the pound;
 - (e) the date the sheep or goat was moved from the pound.

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

- (3) If an NLIS identified sheep or goat is moved from a pound, the pound operator must, within 48 hours after the sheep or goat is moved, record in the NLIS database the following —
 - (a) the relevant PIC of the pound;

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- (b) the relevant PIC of the property to which the sheep or goat has been moved;
- (c) the serial number of the transport document relating to the movement of the sheep or goat from the pound;
- (d) the date the sheep or goat was moved from the pound.

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

Subdivision 3 — Holding yards

164V. Responsibility of holding yard operator if no NLIS device applied to sheep or goat

- (1) Unless an inspector in a particular case approves otherwise, if a sheep or goat other than an NLIS identified sheep or goat is moved to a holding yard, the holding yard operator must, within the period specified in subregulation (2), apply, or cause to be applied, to the sheep or goat an NLIS post breeder device.

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

- (2) The holding yard operator must comply with subregulation (1) as soon as practicable after the sheep or goat arrives at the holding yard and before it is moved from the holding yard.
- (3) If a consignment of sheep or goats is moved to a holding yard and more than 10% of the animals in the consignment are not NLIS identified sheep or goats, the holding yard operator must —
 - (a) hold the sheep or goats at the holding yard; and
 - (b) inform an inspector accordingly.

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

- (4) For the purposes of this regulation, a sheep or goat that is moved to a holding yard is taken not to be an NLIS identified sheep or goat unless the relevant PIC of the property from which the sheep or goat was moved is recorded in the NLIS database.

164W. Directions by inspectors

- (1) An inspector who receives information about a consignment of sheep or goats from a holding yard operator under regulation 164V(3)(b) may give any necessary or convenient direction to the holding yard operator in relation to the sheep or goats, including —
- (a) to hold the sheep or goats at the holding yard; and
 - (b) to move them to, and hold them at, another place specified by the inspector; and
 - (c) to arrange for regulation 164V(1) to be complied with.
- (2) The holding yard operator must comply with a direction given by an inspector under subregulation (1).
Penalty for this subregulation: a fine of \$5 000.

164X. Responsibility of holding yard operator if sheep or goat born at or while being moved to holding yard

If a sheep or goat is born at, or while being moved to, a holding yard, the holding yard operator must, as soon as practicable after its birth and before it is moved from the holding yard, apply, or cause to be applied, to the sheep or goat an NLIS post breeder device.

Penalty: a fine of \$2 000.

164Y. Responsibility of holding yard operator if consignment held for less than 48 hours and moved from holding yard in a single consignment

- (1) Subregulation (2) applies if —
 - (a) a consignment of 1 or more NLIS identified sheep or goats is moved to a holding yard; and
 - (b) within 48 hours after arriving there, the consignment is moved from the holding yard in a single consignment.
- (2) If this subregulation applies, the holding yard operator must, within 48 hours after the consignment is moved from the holding yard, record the following in the NLIS database in relation each sheep or goat in the consignment —
 - (a) the relevant PIC of the holding yard;
 - (b) the date the sheep or goat arrived at the holding yard.

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

164Z. Responsibility of holding yard operator if sheep or goat held for less than 48 hours and moved from holding yard in different consignment

- (1) Subregulation (2) applies if —
 - (a) a consignment of 1 or more NLIS identified sheep or goats is moved to a holding yard; and
 - (b) within 48 hours after arriving there, the sheep or goats are moved from the holding yard but not in the same consignment.
- (2) If this subregulation applies, the holding yard operator must, within 48 hours after each consignment is moved

from the holding yard, record in the NLIS database the following —

- (a) the relevant PIC of the previous property or, if applicable, the BIC of the purchaser;
- (b) the relevant PIC of the holding yard;
- (c) the serial number of the transport document relating to the movement of the sheep or goat to the holding yard;
- (d) the date the sheep or goat arrived at the holding yard.

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

164ZA. Responsibility of holding yard operator if sheep or goat held for more than 48 hours

- (1) If an NLIS identified sheep or goat is moved to a holding yard and is to be kept there for more than 48 hours, the holding yard operator must, within 48 hours after the sheep or goat arrives at the holding yard, record in the NLIS database the information set out in subregulation (2).

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

- (2) The information is as follows —
 - (a) the relevant PIC of the previous property or, if applicable, the BIC of the purchaser;
 - (b) the relevant PIC of the holding yard;
 - (c) the serial number of the transport document relating to the movement of the sheep or goat to the holding yard;
 - (d) the date the sheep or goat arrived at the holding yard.

Subdivision 4 — Saleyards

164ZB. When saleyard to be treated as holding yard

- (1) Subdivision 3 applies with any necessary modifications to the movement of a sheep or goat to a saleyard, in the circumstances set out in subregulation (2), as if the saleyard were a holding yard.
- (2) Subregulation (1) applies if a sheep or goat is moved to a saleyard for purposes other than for sale, and while the sheep or goat is kept at the saleyard no other species of animal is kept there —
 - (a) for the purposes of sale; or
 - (b) after having been sold at the property.

164ZC. Responsibilities of saleyard operator if no NLIS device applied to sheep or goat

- (1) Unless an inspector in a particular case approves otherwise, if a sheep or goat other than an NLIS identified sheep or goat is moved to a saleyard, the saleyard operator must, within the period specified in subregulation (2), apply, or cause to be applied, to the sheep or goat an NLIS post breeder device.
Penalty for this subregulation: a fine of \$5 000.
- (2) The saleyard operator must comply with subregulation (1) as soon as practicable after the sheep or goat arrives at the saleyard and before it is sold or moved from the saleyard.
- (3) If a consignment of sheep or goats is moved to a saleyard and more than 10% of the animals in the consignment are not NLIS identified sheep or goats, the saleyard operator must —
 - (a) hold the sheep or goats at the saleyard without selling them; and

(b) inform an inspector accordingly.

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

- (4) Subregulation (3) does not apply to a consignment of sheep or goats that is moved to a saleyard under the exemption in regulation 164K(1)(b).
- (5) For the purposes of this regulation, a sheep or goat that is moved to a saleyard is taken not to be an NLIS identified sheep or goat unless the relevant PIC of the property from which the sheep or goat was moved is recorded in the database.

164ZD. Directions by inspectors

- (1) An inspector who receives information about a consignment of sheep or goats from a saleyard operator under regulation 164ZC(3)(b) may give any necessary or convenient direction to the saleyard operator in relation to the sheep or goats, including —
 - (a) to hold the sheep or goats at the saleyard; and
 - (b) to move them to, and hold them at, another place specified by the inspector; and
 - (c) to arrange for regulation 164ZC(1) to be complied with.

- (2) The saleyard operator must comply with a direction given by an inspector under subregulation (1).

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

164ZE. Responsibility of saleyard operator if sheep or goat born at or while being moved to saleyard

If a sheep or goat is born at, or while being moved to, a saleyard, the saleyard operator must, as soon as practicable after its birth and before it is sold or moved

from the saleyard, apply, or cause to be applied, to the sheep or goat an NLIS post breeder device.

Penalty: a fine of \$5 000.

164ZF. Responsibility of saleyard operator if sheep or goat moved from saleyard

A saleyard operator must not move, or permit to be moved, from the saleyard an NLIS identified sheep or goat unless —

- (a) it is to be 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 sheep or goat is sold or otherwise supplied the relevant PIC of the property to which the sheep or goat is to be moved; or
- (b) the saleyard operator has obtained from the person to whom the sheep or goat is sold or otherwise supplied the person's BIC.

Penalty: a fine of \$5 000.

164ZG. Information to be recorded in NLIS database by saleyard operator

- (1) The operator of a saleyard must, within the period specified in subregulation (2), record in the NLIS database the movement of a sheep or goat to the saleyard, and any subsequent sale or other movement of the sheep or goat from the saleyard, including the following (as applicable) —
 - (a) the relevant PIC of the previous property;
 - (b) the relevant PIC of the saleyard;
 - (c) the serial number of the transport document relating to the movement of the sheep or goat to the saleyard;

- (d) the relevant PIC of the property to which the sheep or goat was moved from the saleyard or, if applicable, the BIC of the purchaser of the sheep or goat;
- (e) the date the sheep or goat arrived at the saleyard;
- (f) the date the sheep or goat was sold at, or otherwise moved from, the saleyard.

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

- (2) The saleyard operator must comply with the requirement in subregulation (1) within 48 hours after the sheep or goat is moved from the saleyard.

Subdivision 5 — Abattoirs

164ZH. Responsibilities of abattoir operator if no NLIS device applied to sheep or goat

- (1) In this regulation —
abattoir inspector means —
 - (a) an inspector; or
 - (b) any other officer of an agency responsible under a written law of this State or the Commonwealth for either inspecting animals before they are slaughtered, or giving consent for animals to be slaughtered after inspection, who is authorised by that agency to exercise the functions of an abattoir inspector under this regulation.
- (2) Unless an abattoir inspector in a particular case approves otherwise, if a sheep or goat other than an NLIS identified sheep or goat is moved to an abattoir, the abattoir operator must, within the period specified

in subregulation (3), apply, or cause to be applied, to the sheep or goat an NLIS post breeder device.

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

- (3) The abattoir operator must comply with subregulation (2) as soon as practicable after the sheep or goat arrives at the abattoir and before it is slaughtered or otherwise moved from the abattoir.
- (4) If a consignment of sheep or goats is moved to an abattoir and more than 10% of the animals in the consignment are not NLIS identified sheep or goats, the abattoir operator must —
 - (a) hold the sheep or goats at the abattoir without slaughtering them; and
 - (b) inform an inspector accordingly.

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

- (5) Subregulations (2) to (4) do not apply to a sheep or goat, or a consignment of sheep or goats, that is moved to an abattoir under the exemption in regulation 164K(1)(b).
- (6) For the purposes of this regulation, a sheep or goat that is moved to an abattoir is taken not to be an NLIS identified sheep or goat unless the relevant PIC of the property from which the sheep or goat was moved is recorded in the database.

164ZI. Directions by inspectors

- (1) An inspector who receives information about a consignment of sheep or goats from an abattoir operator under regulation 164ZH(4)(b) may give any necessary or convenient direction to the abattoir operator in relation to the sheep or goats, including —
 - (a) to hold the sheep or goats at the abattoir; and

- (b) to move them to, and hold them at, another place specified by the inspector; and
 - (c) to arrange for regulation 164ZH(2) to be complied with.
- (2) The abattoir operator must comply with a direction given by an inspector under subregulation (1).
Penalty for this subregulation: a fine of \$5 000.

164ZJ. Responsibility of abattoir operator if sheep or goat born at or while being moved to abattoir

Unless an inspector in a particular case approves otherwise, if a sheep or goat is born at, or while being moved to, an abattoir, the abattoir operator must, as soon as practicable after its birth and before it is sold or moved from the abattoir, apply, or cause to be applied, to the sheep or goat an NLIS post breeder device.

Penalty: a fine of \$5 000.

164ZK. Responsibility of abattoir operator if sheep or goat moved to abattoir

If an NLIS identified sheep or goat is moved to an abattoir, the abattoir operator must, within 48 hours after the sheep or goat arrives there, record in the NLIS database the following —

- (a) the relevant PIC of the previous property;
- (b) the relevant PIC of the abattoir;
- (c) the serial number of the transport document relating to the movement of the sheep or goat to the abattoir;
- (d) the date the sheep or goat arrived at the abattoir.

Penalty: a fine of \$5 000.

164ZL. Responsibility of abattoir operator after sheep or goat slaughtered

If an NLIS identified sheep or goat is moved to an abattoir and is slaughtered there, the abattoir operator must, within 48 hours after the slaughter, record in the NLIS database the following —

- (a) the relevant PIC of the previous property;
- (b) the relevant PIC of the abattoir;
- (c) the date of slaughter.

Penalty: a fine of \$5 000.

164ZM. Responsibilities of abattoir operator if live sheep or goat moved from abattoir

- (1) Unless an inspector in a particular case approves otherwise, an abattoir operator must not move, or permit to be moved, from the abattoir a live sheep or goat unless —
 - (a) the sheep or goat is to be moved back to the property from which it came or to another property with a relevant PIC; and
 - (b) the abattoir operator has obtained from the person to whom the sheep or goat is sold or otherwise supplied the relevant PIC of the property to which the sheep or goat is to be moved; and
 - (c) the sheep or goat has an NLIS device applied to it.

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

- (2) If a live sheep or goat to which an NLIS post breeder device is applied is moved from an abattoir, the abattoir operator must, within 48 hours after the sheep

or goat is moved from the abattoir, record in the NLIS database the following —

- (a) the relevant PIC of the abattoir;
- (b) the relevant PIC of the property to which the sheep or goat has been moved;
- (c) the serial number of the transport document relating to the movement of the sheep or goat from the abattoir;
- (d) the date the sheep or goat was moved from the abattoir.

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

- (3) If a live sheep or goat to which an NLIS device, but not an NLIS post breeder device, is applied is moved from an abattoir, the abattoir operator must, within 48 hours after the sheep or goat is moved from the abattoir, record in the NLIS database the following —

- (a) the relevant PIC of the abattoir;
- (b) the relevant PIC of the property to which the sheep or goat has been moved;
- (c) the serial number of the transport document relating to the movement of the sheep or goat from the abattoir;
- (d) the date the sheep or goat was moved from the abattoir.

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

164ZN. Slaughtered sheep and goats moved to pet food processing plants

If a slaughtered NLIS identified sheep or goat is moved to a pet food processing plant, the operator of the pet food processing plant must, within 48 hours after the

sheep or goat arrives there, record in the NLIS database the following —

- (a) the relevant PIC of the previous property;
- (b) the relevant PIC of the pet food processing plant;
- (c) the serial number of the transport document relating to the movement of the sheep or goat to the pet food processing plant;
- (d) the date the sheep or goat arrived at the pet food processing plant.

Penalty: a fine of \$5 000.

Subdivision 6 — Export depots

164ZO. Responsibilities of export depot operator if no NLIS device applied to sheep or goat

- (1) Unless an inspector in a particular case approves otherwise, if a sheep or goat other than an NLIS identified sheep or goat is moved to an export depot, the export depot operator must, within the period specified in subregulation (2) apply, or cause to be applied, to the sheep or goat an NLIS post breeder device.

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

- (2) The export depot operator must comply with subregulation (1) as soon as practicable after the sheep or goat arrives at the export depot and before it is exported or otherwise moved from the export depot.
- (3) If a consignment of sheep or goats is moved to an export depot and more than 10% of the animals in the consignment are not NLIS identified sheep or goats, the export depot operator must —
 - (a) hold the sheep or goats at the export depot; and

(b) inform an inspector accordingly.

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

- (4) For the purposes of this regulation, a sheep or goat that is moved to an export depot is taken not to be an NLIS identified sheep or goat unless the relevant PIC of the property from which the sheep or goat was moved is recorded in the database.

164ZP. Directions by inspectors

- (1) An inspector who receives information about a consignment of sheep or goats from an export depot operator under regulation 164ZO(3)(b) may give any necessary or convenient direction to the export depot operator in relation to the sheep or goats, including —
- (a) to hold the sheep or goats at the export depot; and
 - (b) to move them to, and hold them at, another place specified by the inspector; and
 - (c) to arrange for regulation 164ZO(1) to be complied with.
- (2) The export depot operator must comply with a direction given by an inspector under subregulation (1).
- Penalty for this subregulation: a fine of \$5 000.

164ZQ. Responsibility of export depot operator if sheep or goat born at or while being moved to export depot

If a sheep or goat is born at, or while being moved to, an export depot, the export depot operator must, as soon as practicable after its birth and before it is moved from the export depot, apply, or cause to be applied, to the sheep or goat an NLIS post breeder device.

Penalty: a fine of \$5 000.

164ZR. Responsibility of export depot operator if sheep or goat moved to export depot

If a sheep or goat is moved to an export depot, the export depot operator must, within 48 hours after the sheep or goat arrives there, record in the NLIS database the following —

- (a) the relevant PIC of the previous property;
- (b) the relevant PIC of the export depot;
- (c) the serial number of the transport document relating to the movement of the sheep or goat to the export depot;
- (d) the date the sheep or goat arrived at the export depot.

Penalty: a fine of \$5 000.

164ZS. Responsibilities of export depot operator if sheep or goat exported or otherwise moved from export depot

- (1) If a sheep or goat is moved from an export depot for export, the export depot operator must, within 48 hours after the sheep or goat is moved, record in the NLIS database the following —
 - (a) the relevant PIC of the export depot;
 - (b) the relevant PIC of the port to which the sheep or goat has been moved;
 - (c) the serial number of the transport document relating to the movement of the sheep or goat from the export depot;
 - (d) the date the sheep or goat was moved from the export depot.

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

- (2) Unless an inspector in a particular case approves otherwise, an export depot operator must not, except by export, move or permit to be moved from the export depot an NLIS identified sheep or goat unless —
- (a) it is to be moved back to the property from which it came or to another property with a relevant PIC; and
 - (b) the export depot operator has obtained from the person to whom the sheep or goat is sold or otherwise supplied the relevant PIC of the property to which the sheep or goat is to be moved.

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

- (3) Unless an inspector in a particular case approves otherwise, if a sheep or goat is moved from an export depot, except by export, the export depot operator must, within 48 hours after the sheep or goat is moved, record in the NLIS database the following —
- (a) the relevant PIC of the export depot;
 - (b) the relevant PIC of the property to which the sheep or goat has been moved;
 - (c) the serial number of the waybill relating to the movement of the sheep or goat from the export depot;
 - (d) the date the sheep or goat was moved from the export depot.

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

Division 4 — Carriers of sheep and goats

164ZT. Responsibilities of carriers

- (1) A carrier moving a sheep or goat from a property to a holding yard must, as soon as practicable after arriving

there, endorse on the transport document relating to the sheep or goat —

- (a) the relevant PIC of the holding yard; and
- (b) the relevant PIC of the property to which the sheep or goat is to be taken from the holding yard.

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

- (2) If a carrier moves from a property a sheep or goat to which an NLIS device is not applied, the carrier must keep the sheep or goat separate from —

- (a) any NLIS identified sheep or goat; and
- (b) any sheep or goat being moved from another property.

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

Division 5 — Other NLIS requirements for sheep and goats

164ZU. Imported sheep and goats

A person must not take possession or control of an imported sheep or goat unless it has an NLIS device applied to it.

Penalty: a fine of \$5 000.

164ZV. Sheep and goats from pound

A person must not take possession or control of a sheep or goat from a pound unless it has an NLIS device applied to it.

Penalty: a fine of \$5 000.

164ZW. Dead stray sheep and goats

- (1) In this regulation —
designated person means —
 - (a) a ranger appointed by a local government; or
 - (b) a person authorised by a local government to impound animals.
- (2) Subregulation (3) applies if a designated person finds a dead NLIS identified sheep or goat, or destroys an NLIS identified sheep or goat, on —
 - (a) a street, way or place mentioned in the *Local Government (Miscellaneous Provisions) Act 1960* section 447; or
 - (b) vacant Crown land.
- (3) If this subregulation applies, the local government that appointed or authorised the designated person (as the case requires) must, within 48 hours after the NLIS identified sheep or goat is found dead or is destroyed, record in the NLIS database the following —
 - (a) the PIC of the pound operated by the local government;
 - (b) the date the sheep or goat was found dead or was destroyed.

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

r. 12

12. Part 11 Division 3 inserted

At the end of Part 11 insert:

Division 3 — Transitional provisions for the *Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Amendment Regulations 2024*

217A. Terms used

In this Division —

amending regulations means the *Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Amendment Regulations 2024*;

commencement day means 1 January 2025;

former regulations means the *Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013* as in force immediately before commencement day.

217B. Sheep or goats born before commencement day

(1) In this regulation —

amended regulation 48 means regulation 48 as amended by regulation 4 of the amending regulations.

(2) The former regulations, other than regulation 48, continue to apply during the period commencing on commencement day and ending on 30 June 2026 in respect of a sheep, or a goat, born before commencement day.

(3) Amended regulation 48 applies in relation to a sheep or a goat, whether born before, on, or after commencement day.

217C. Amendments related to saleyards and abattoirs

- (1) In this regulation —
transitional period means the period commencing on commencement day and ending on 30 June 2025.
- (2) Despite the amendments made by regulations 11 and 13 of the amending regulations, during the transitional period —
 - (a) Part 6A Division 3 Subdivisions 4 and 5 have no effect; and
 - (b) Part 6 Division 3 Subdivisions 6 and 7 of the former regulations continue to apply.
- (3) For the purposes of subregulation (2)(b), during the transitional period —
 - (a) the reference in regulation 147 of the former regulations to regulations 142 to 146 is taken to be a reference to regulations 142 to 146 of the former regulations; and
 - (b) the reference in regulation 153(2) of the former regulations to regulation 129(1) or 129B(1) is taken to be a reference to regulation 164K(1)(b) as inserted by the amending regulations.

13. Other provisions amended

Amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Pt. 6 heading	sheep, goats and	

Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Amendment Regulations 2024

r. 13

Provision	Delete	Insert
Pt. 6 Div. 2 heading	sheep, goats or	
Pt. 6 Div. 2 Subdiv. 3 heading	sheep, goats and	
r. 130(1) r. 147	sheep, goat or (each occurrence)	
r. 130(1) and (3) r. 135(3) and (5) r. 137(2) r. 141(2) r. 142(4) r. 143(1) r. 146(1) r. 148(4) and (5) r. 149(1) r. 152(1) r. 153(1) def. of <i>abattoir inspector</i> par. (b)(i) and (ii) r. 153(5) r. 154(1) r. 156(1) r. 157(1) r. 158(2) r. 159(1)	animals (each occurrence)	pigs

Provision	Delete	Insert
r. 160(4) r. 161(1) r. 163(1) r. 164(1) and (5)		
r. 130(1)	animal (1 st occurrence)	pig
r. 130(2) and (3) r. 131 r. 133(2) and (3) r. 134(1)(b), (2)(a) and (b) r. 135(2)(a), (4) and (6) r. 137(2)(c), (d) and (f) and (3) r. 138(4) r. 140(1)(b) and (c) and (2) r. 141(1)(b), (2)(e), (3)(a), (b) and (c) r. 142(1) def. of NLIS tag par. (a) and (b) r. 142(3) r. 145(2)(b) and (c)	animal (each occurrence)	pig

r. 13

Provision	Delete	Insert
r. 146(1)(e) and (g) and (2) r. 148(1) def. of NLIS tag par. (a) and (b) r. 148(3) r. 151(1)(a) and (b) r. 152(1)(f) and (h) and (2) r. 153(1) def. of NLIS tag par. (a) and (b) r. 153(4) r. 156(1)(e) and (g) and (2) r. 157(1)(e) and (2) r. 158(1) and (2)(e), (3) and (4) r. 159(2) r. 160(1) def. of NLIS tag par. (a) and (b) r. 160(3) r. 163(1)(e) and (g) and (2) r. 164(2), (3)(b) and (c), (5)(e) and (6)		

Provision	Delete	Insert
Pt. 6 Div. 3 heading	sheep, goats and	
Pt. 6 Div. 3 Subdiv. 1 heading	animals (each occurrence)	pigs
r. 132 r. 134(1) and (2) r. 135(1) and (7) r. 138(2) r. 139 r. 141(3) r. 142(1) def. of <i>NLIS device</i> r. 142(2) r. 144 r. 148(1) def. of <i>NLIS device</i> r. 148(2) r. 150 r. 153(1) def. of <i>NLIS device</i> r. 153(3) r. 155 r. 160(1) def. of <i>NLIS device</i> r. 160(2) r. 162	animal (2 nd occurrence)	pig

Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Amendment Regulations 2024

r. 13

Provision	Delete	Insert
r. 164(4)		
r. 132 r. 133(1) def. of <i>NLIS identified animal</i> r. 134(1) and (2) r. 135(1), (2) and (7) r. 136 r. 137(1) r. 138(1), (2) and (3) r. 139 r. 140(1) r. 141(1) and (3) r. 142(1) def. of <i>NLIS device</i> r. 142(1) def. of <i>NLIS tag</i> r. 142(2) r. 144 r. 145(1) r. 148(1) def. of <i>NLIS device</i> r. 148(1) def. of <i>NLIS tag</i> r. 148(2)	an animal	a pig

Provision	Delete	Insert
r. 150 r. 151(1) and (2) r. 153(1) def. of <i>NLIS device</i> r. 153(1) def. of <i>NLIS tag</i> r. 153(2) and (3) r. 155 r. 160(1) def. of <i>NLIS device</i> r. 160(1) def. of <i>NLIS tag</i> r. 160(2) r. 162 r. 164(3) and (4)		
r. 133(1) def. <i>NLIS identified animal</i>	<i>animal</i>	<i>pig</i>
r. 133(3)	animal's	pig's
r. 138(3) r. 145(1)	animal (2 nd and 3 rd occurrences)	pig

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

Table

Amended provision	Regulation heading
r. 130	Responsibilities of owner after moving pig
r. 131	Imported pigs
r. 132	Pigs from pound
r. 133	Dead stray pigs
r. 136	Pigs not to be delivered to property without relevant PIC
r. 137	Responsibilities of property operator if pig dies on or while being moved to property
r. 138	Responsibilities of pound operator if no NLIS device applied to pig
r. 139	Responsibilities of pound operator if pig born at or while being moved to pound
r. 140	Responsibilities of pound operator if NLIS device applied to pig
r. 141	Responsibilities of pound operator if pig moved from pound
r. 142	Responsibility of holding yard operator if no NLIS identifier applied to pig
r. 144	Responsibilities of holding yard operator if pig born at or while being moved to holding yard
r. 145	Responsibilities of holding yard operator if pig held at holding yard for more than 48 hours or moved from holding yard in different consignment
r. 148	Responsibilities of saleyard operator if no NLIS identifier applied to pig
r. 150	Responsibilities of saleyard operator if pig born at or while being moved to saleyard
r. 151	Responsibilities of saleyard operator if pig moved from saleyard
r. 153	Responsibilities of abattoir operator if no NLIS identifier applied to pig

Amended provision	Regulation heading
r. 155	Responsibilities of abattoir operator if pig born at or while being moved to abattoir
r. 156	Responsibilities of abattoir operator if pig moved to abattoir
r. 157	Responsibilities of abattoir operator after pig slaughtered
r. 158	Responsibilities of abattoir operator if live pig moved from abattoir
r. 159	Slaughtered pigs moved to pet food processing plants
r. 160	Responsibilities of export depot operator if no NLIS identifier applied to pig
r. 162	Responsibilities of export depot operator if pig born at or while being moved to export depot
r. 163	Responsibilities of export depot operator if pig moved to export depot
r. 164	Responsibilities of export depot operator if pig exported or otherwise moved from export depot

K. COLLERAN, Clerk of the Executive Council