Western Australia

Biosecurity and Agriculture Management Act 2007

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

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Western Australia

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

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## Defined terms

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

## Part 1 — Preliminary

### 1. Citation

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

### 2. Commencement

These regulations come into operation as follows —

(a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;

(b) the rest of the regulations — on the day on which the *Biosecurity and Agriculture Management (Repeal and Consequential Provisions) Act 2007* section 79 comes into operation.

### 3. Terms used

In these regulations, unless the contrary intention appears —

***abattoir*** includes a pet food processing plant;

***accredited device*** means a device that is accredited by ISC Ltd for use as an NLIS device;

***accredited tag*** means a tag that is accredited by ISC Ltd for use as an NLIS tag;

***allotted*** means allotted under these regulations by the Director General;

***apiary*** means a hive standing alone or 2 or more hives standing in a group;

***appropriate fee***, in relation to an application made under these regulations, means the appropriate fee for the application determined under the *Biosecurity and Agriculture Management Regulations 2013*;

***approved*** means approved by the Director General;

***approved database*** has the meaning given in regulation 43(3);

***approved device*** has the meaning given in regulation 59(1);

***approved identification equipment*** has the meaning given in regulation 59(1);

***approved identifier*** has the meaning given in regulation 43(1);

***approved manufacturer*** has the meaning given in regulation 60(1);

***beekeeper*** has the meaning given in the *Biosecurity and Agriculture Management Regulations 2013* regulation 3;

***BIC***, in relation to a person, means a buyer identification code allotted to the person;

***buffalo*** includes a buffalo cattle hybrid;

***carrier*** means a person driving, carrying or otherwise in possession or control of an animal that is being moved from one place to another place;

***cattle*** includes a cattle buffalo hybrid;

***certificate of registration*** means a certificate of registration issued under regulation 20;

***corresponding PIC*** has the meaning given in regulation 16(2)(a)(v);

***deer*** includes a deer hybrid;

***donkey*** includes a donkey hybrid;

***electronic number*** has the meaning given in regulation 47(1)(c);

***export depot*** means a non-farming property where stock is kept for export;

***farming property*** means any land or premises —

(a) operated by a person who is an owner of stock; and

(b) at which the person's stock is ordinarily kept;

***holding yard*** means a non-farming property other than —

(a) an abattoir;

(b) an export depot;

(c) a pound;

(d) a saleyard;

***horse*** includes a horse hybrid;

***identification equipment*** means any thing capable of being used to apply an identifier for stock to an animal;

***identification exemption certificate*** means a certificate issued under regulation 70;

***identifier*** —

(a) for hives — means a marking used to identify a hive; and

(b) for stock — means a brand, stencil, eartag, earmark, electronic device or other device or marking used to identify stock;

***impound***, in relation to an animal or stock, means to impound the animal, or stock, under the *Local Government (Miscellaneous Provisions) Act 1960* Part XX;

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

***legible*** means capable of being read and accurately interpreted by an inspector;

***mortgage*** has the meaning given in regulation 28(1);

***movement permit*** means a movement permit granted under regulation 196;

***NLIS database*** has the meaning given in regulation 58;

***NLIS device*** has the meaning given in regulation 47;

***NLIS identifier*** means an NLIS device or an NLIS tag;

***NLIS number*** has the meaning given in regulation 65(5)(b);

***NLIS post breeder device*** means an NLIS device for identifying an animal that is not on its property of birth;

***NLIS post breeder tag*** means an NLIS tag for identifying an animal that is not on its property of birth;

***NLIS tag*** has the meaning given in regulation 51;

***non-farming property*** means any land or premises where stock is kept, other than a farming property, and includes —

(a) an abattoir;

(b) an export depot;

(c) a holding yard;

(d) a pound;

(e) a saleyard;

***operator*** —

(a) in relation to a pound — means a local government having the care, control and management of the pound; and

(b) in relation to any other property — means a person who is in possession or in charge of the property, or otherwise has control or management of the property and includes a person who is the agent of that person;

***PIC*** means —

(a) in relation to a farming property — a property identification code for the farming property allotted to an owner of stock who operates, and keeps stock on, the property; and

(b) in relation to a non-farming property — a property identification code for the non-farming property allotted to the operator of the non-farming property;

***port*** has the meaning given in the *Shipping and Pilotage Act 1967* section 3;

***poultry*** means a bird of a species (including a hybrid of a species) that is set out in the *Biosecurity and Agriculture Management Regulations 2013* Schedule 1 item 11 column 3;

***pound*** means a public pound within the meaning of the *Local Government (Miscellaneous Provisions) Act 1960* Part XX;

***previous property***, in relation to an animal at a property, means the last property at which the animal was kept before being moved to the property;

***property*** means a farming property or a non-farming property;

***purchaser***, of stock, includes a person acting as the agent of a purchaser of stock;

***ranger*** means a ranger appointed under the *Local Government (Miscellaneous Provisions) Act 1960* section 449;

***register*** means the register kept under regulation 16(1);

***registered beekeeper*** means a person who is registered as a beekeeper under regulation 13(7);

***registered identifier*** —

(a) for hives — means an identifier for hives allotted to a person for identifying the person's hives; and

(b) for stock — means an identifier for stock allotted to a person for identifying the person's stock;

***registered non-farming property operator*** means a person who is registered as a non-farming property operator under regulation 10(4);

***registered owner*** means —

(a) in relation to an identifier for hives — a person to whom the identifier for hives is allotted; and

(b) in relation to an identifier for stock — a person to whom the identifier for stock is allotted; and

(c) in relation to a PIC for a farming property — a person to whom the PIC for the farming property is allotted; and

(d) in relation to a PIC for a non-farming property — means a person to whom the PIC for the non-farming property is allotted;

***registered owner of stock*** means a person who is registered as an owner of stock under regulation 7(4);

***relevant PIC*** in respect of a property —

(a) on which an animal is kept; or

(b) from which an animal is moved; or

(c) to which an animal is delivered,

means a PIC for the property that is allotted to the person keeping, moving or accepting delivery of the animal on, from or to the property, as the case may be;

***saleyard*** means a property, other than a pound, where stock is sold by public auction;

***south-west of the State*** means the area of the State —

(a) within the South-west Division described in the *Land Administration Act 1997* Schedule 1; or

(b) otherwise within the local government districts of —

(i) Dundas; or

(ii) Esperance; or

(iii) Merredin; or

(iv) Ravensthorpe; or

(v) Westonia;

***transport document*** means —

(a) a waybill; or

(b) a document referred to in regulation 190(4)(b); or

(c) a movement notice, permit or approval referred to in regulation 195(b); or

(d) a stock health certificate referred to in regulation 195(c); or

(e) a movement permit;

***update the NLIS database***, in relation to an NLIS device, means to update information on the database in relation to the device in accordance with regulation 58(5);

***waybill*** means a waybill that meets the requirements of Part 8.

*[Regulation 3 amended: Gazette 27 Jun 2019 p. 2408 and 2450-1; SL 2022/17 r. 4.]*

## 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;

(ea) an emu;

(f) a goat;

(g) a horse;

(h) an ostrich;

(i) a pig;

(ia) poultry;

(j) a sheep;

(k) a South American camelid.

*[Regulation 4 inserted: Gazette 27 Jun 2019 p. 2408-9; amended: SL 2022/17 r. 5.]*

## 5. Meaning of consignment

For the purposes of these regulations —

(a) a consignment of one or more animals moved from a property — means one or more animals of the same owner that are moved from the property on the same day for delivery to the same destination; and

(b) a consignment of one or more animals moved to a property (other than a pound) — means one or more animals of the same owner that arrive at the property on the same day and were moved to the property from the same place; and

(c) a consignment of one or more animals moved to a pound — means one or more animals (regardless of owner) that arrive at the pound on the same day and were moved to the pound from the same place.

## 6. Meaning of owner of stock

(1) A local government or any other person in possession or control of stock for the purpose of impounding it, is not, for the purposes of these regulations, to be regarded as the owner of that stock.

(2) The operator of a non-farming property in possession or control of stock on the non-farming property is not, for the purposes of these regulations, to be regarded as the owner of that stock.

# Part 2 — Registration

## Division 1 — Owners and purchasers of stock

### 7. Owners and purchasers of stock to be registered

(1) A person must not own or purchase stock unless the person is a registered owner of stock.

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

(2) Subregulation (1) does not apply to a person who owns or purchases emus, ostriches or poultry if —

(a) the person owns —

(i) fewer than 50 poultry; and

(ii) fewer than 10 emus and ostriches (in any combination);

and

(b) the person is not an owner or purchaser of any other species of stock.

(3) A person may apply, in the approved form accompanied by the appropriate fee, to the Director General for registration as an owner of stock.

(4) If a person makes an application under subregulation (3), the Director General may register, or refuse to register, the person as an owner of stock.

*[Regulation 7 amended: SL 2021/204 r. 14; SL 2022/17 r. 6.]*

### 8. Director General may allot identifiers, PICs and BICs as required

(1) The Director General may —

(a) as and when the Director General thinks appropriate; or

(b) upon application by a registered owner of stock made in the approved form accompanied by the appropriate fee,

allot to the registered owner of stock all or any of the following —

(c) one or more identifiers for stock for use as a registered identifier for the person's stock;

(d) one or more property identification codes for the farming properties on which the person's stock are, or will be, kept;

(e) a buyer identification code.

(2) The Director General may, as and when the Director General thinks appropriate, cancel the allotment of a PIC for a farming property to an owner of stock by giving written notice of the cancellation to the owner of stock.

### 9. Review

A person aggrieved by a decision of the Director General to —

(a) refuse to register the person as an owner of stock; or

(b) cancel the allotment of a PIC under regulation 8(2),

may apply to the State Administrative Tribunal for a review of the decision.

## Division 2 — Non-farming property operators

### 10. Non-farming property operators to be registered

(1) A person must not be the operator of a non-farming property unless the person is —

(a) a registered non-farming property operator; and

(b) the registered owner of a PIC for the non-farming property.

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

(2) A person may apply to the Director General for registration as a non-farming property operator.

(3) An application under subregulation (2) must —

(a) be in the approved form accompanied by the appropriate fee; and

(b) specify each non-farming property operated by the applicant.

(4) If a person makes an application under subregulation (2), the Director General may register, or refuse to register, the person as a non-farming property operator.

*[Regulation 10 amended: SL 2021/204 r. 14.]*

## 11. Director General may allot PICs as required

(1) The Director General may —

(a) as and when the Director General thinks appropriate; or

(b) upon application by a registered non-farming property operator made in the approved form accompanied by the appropriate fee,

allot to the registered non-farming property operator a PIC for a non-farming property operated by that person.

(2) The Director General may, as and when the Director General thinks appropriate, cancel the allotment of a PIC for a non-farming property to a non-farming property operator by giving written notice of the cancellation to the non-farming property operator.

## 12. Review

A person aggrieved by a decision of the Director General to —

(a) refuse to register the person as a non-farming property operator; or

(b) cancel the allotment of a PIC under regulation 11(2),

may apply to the State Administrative Tribunal for a review of the decision.

## Division 3 — Beekeepers

### 13. Beekeepers to be registered

(1) A person must not be or become a beekeeper unless the person is a registered beekeeper.

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

*[(2)-(5) deleted]*

(6) A person may apply, in the approved form accompanied by the appropriate fee, to the Director General for registration as a beekeeper.

(7) If a person makes an application under subregulation (6), the Director General may register, or refuse to register, the person as a beekeeper.

*[Regulation 13 amended: SL 2021/204 r. 14; SL 2025/133 r. 4.]*

### 14. Director General may allot identifiers as required

(1) The Director General may, as and when the Director General thinks appropriate, allot to a registered beekeeper an identifier for hives for use as a registered identifier for the beekeeper's hives.

(2) A registered identifier for hives is to consist of a combination of one or more letters and one or more numerals as allotted.

### 15. Review

A person aggrieved by a decision of the Director General to refuse to register a person as a beekeeper may apply to the State Administrative Tribunal for a review of the decision.

## Division 4 — The register

### 16. Register to be kept

(1) The Director General is to keep a register of —

(a) registered owners of stock; and

(b) registered non-farming property operators; and

(c) registered beekeepers; and

(d) any other details required under these regulations to be recorded in the register.

(2) The register is to contain the following particulars —

(a) in relation to each registered owner of stock —

(i) a registration number;

(ii) the person's name, trading name (if any) and postal address;

(iii) the date the person first became a registered owner of stock;

(iv) the date the person's registration is due to expire under regulation 22;

(v) each identifier for stock (if any) allotted to the person, or approved under regulation 34(1), for use as a registered identifier together with the PIC (***corresponding PIC***) of each farming property on which the registered identifier may be used to identify stock;

(vi) each PIC (if any) allotted to the person for the farming property or farming properties on which the person's stock is kept, together with a description of the land and its location;

(vii) the BIC (if any) allotted to the person;

(b) in relation to each registered non-farming property operator —

(i) a registration number;

(ii) the person's name, trading name (if any) and postal address;

(iii) the date the person first became a registered non-farming property operator;

(iv) the date the person's registration is due to expire under regulation 22;

(v) each PIC allotted to the person for a non-farming property together with —

(I) a description of the land and its location; and

(II) the date the PIC was first allotted;

(c) in relation to each registered beekeeper —

(i) a registration number;

(ii) the person's name, trading name (if any) and postal address;

(iii) the street address of the person's place of residence or business;

(iv) the date the person first became a registered beekeeper;

(v) the date the person's registration is due to expire under regulation 22;

(vi) the identifier for hives allotted to the person.

(3) Details must be recorded in the register so that they —

(a) remain in the register for not less than 10 years after being recorded; and

(b) are capable of being reproduced at any time in writing.

(4) In addition to the details that must be recorded in the register under these regulations, the Director General may record in the register such other details the Director General thinks appropriate.

(5) The Director General may amend, add to or correct the register in any manner that the Director General considers necessary to make the register an accurate record of the details it records.

### 17. Access to register

(1) The register —

(a) is to be published on, or made accessible through, the department's electronic site; and

(b) may be published on, or made accessible through, any other approved public electronic system.

(2) If a person applies to the Director General in the approved form, the Director General must give the person details recorded in, or an extract from, the register.

(3) Despite subregulations (1) and (2), the Director General must not publish on, or make accessible through, the department's electronic site or any other public electronic system, or otherwise provide or make accessible to the public —

(a) details recorded in the register under regulation 16(4); or

(b) details of any mortgage recorded in the register under regulation 28(5).

### 18. Director General to be notified if owner moves stock to a farming property without relevant PIC

If —

(a) an owner of stock moves stock to a farming property; and

(b) the owner of stock is not the registered owner of a relevant PIC for the property,

the owner of stock must, within 48 hours of moving the stock to the property, give written notice to the Director General of the movement of the stock to the property.

Penalty: a fine of $2 000.

### 19. Director General to be notified of change of address

(1) A registered owner of stock, registered non-farming property operator or registered beekeeper must, within 7 days of changing his or her postal address from that recorded in the register, give written notice to the Director General of the change.

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

(2) A registered beekeeper must, within 7 days of changing his or her place of residence or business from that recorded in the register, give written notice to the Director General of the change.

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

*[Regulation 19 amended: SL 2021/204 r. 14.]*

## Division 5 — Certificates of registration

### 20. Certificates of registration

(1) Upon a person's registration or renewal of registration as an owner of stock, a non-farming property operator or a beekeeper, the Director General must issue to the person a certificate of registration.

(2) A certificate of registration must be in an approved form.

(3) A certificate of registration of an owner of stock must specify —

(a) each identifier for stock (if any) of which the person is the registered owner together with a corresponding PIC for the identifier; and

(b) if the person is a registered owner of an identifier for application as an earmark to cattle or buffalo — the ear to which it must be applied; and

(c) if the person is the registered owner of an identifier for application as a brand or earmark to deer — the ear to which it must be applied; and

(d) the person's BIC (if any).

(4) If more than one PIC is allotted to a person who is an owner of stock or a non-farming property operator, the Director General must issue to that person a separate certificate of registration in respect of each allotted PIC.

(5) The Director General may, as the Director General thinks necessary, issue a fresh certificate of registration to a person.

(6) A registered owner of stock, non-farming property operator or beekeeper may apply, in the approved form, for a duplicate certificate of registration.

(7) If an application is made under subregulation (6), the Director General must issue the duplicate certificate of registration.

## Division 6 — Term of registration, renewals and cancellations

### 21. Term used: registration

In this Division —

***registration*** means a registration as —

(a) an owner of stock; or

(b) a non-farming property operator; or

(c) a beekeeper.

### 22. Term of registration

Unless cancelled under regulation 24, a registration expires 3 years after the day on which it is granted or renewed under these regulations.

### 23. Renewal of registration

(1) At least 21 days before a person's registration expires, the person may apply to the Director General to renew the registration.

(2) An application under subregulation (1) must be in the approved form accompanied by the appropriate fee.

(3) If a person makes an application under subregulation (1) to renew a registration, the Director General may renew, or refuse to renew, the registration.

### 24. Cancellation of registration

(1) The Director General may cancel a registration if —

(a) the registered person applies in the approved form to the Director General for cancellation of the registration; or

(b) the Director General —

(i) gives the registered person written notice that the registration will be cancelled unless, within 30 days after the notice is given, the person shows cause in writing to the Director General why the registration should not be cancelled; and

(ii) within that period, the Director General does not receive a response to the notice or receives a response claiming to show cause for reasons that the Director General regards as unsatisfactory.

(2) If 2 or more persons are jointly registered as an owner of stock, a non-farming property operator or a beekeeper, an application to cancel the registration under subregulation (1)(a) must be —

(a) signed by each of them; or

(b) accompanied by a statutory declaration made by each of them who have not signed the application that verifies his or her agreement to the cancellation.

(3) A notice given under subregulation (1)(b) in relation to the cancellation of a joint registration of 2 or more persons as an owner of stock, a non-farming property operator or a beekeeper must be given to each of those persons.

### 25. Effect of expiry or cancellation of registration

If a person's registration —

(a) expires under regulation 22, not having been renewed under regulation 23; or

(b) is cancelled under regulation 24,

any identifier, PIC or BIC that was, immediately before the registration expired or was cancelled, allotted to the person in relation to the cancelled registration ceases to be allotted to the person.

### 26. Review

A person aggrieved by a decision of the Director General to —

(a) refuse to renew a registration; or

(b) cancel a registration under regulation 24(1)(b),

may apply to the State Administrative Tribunal for a review of the decision.

## Division 7 — Transfer of registered identifiers and PICs

### 27. Transfer of registered identifiers and PICs

(1) In this regulation —

***authorised person*** means a person before whom a statutory declaration can be made under the *Oaths, Affidavits and Statutory Declarations Act 2005*.

(2) The registered owner of an identifier or PIC (the ***transferor***) who wishes to transfer ownership of the identifier or PIC to another person (the ***transferee***), may apply, with that person, to the Director General for that purpose.

(3) An application made under subregulation (2) must be —

(a) in the approved form accompanied by the appropriate fee; and

(b) signed by the transferor in the presence of an authorised person, who must also sign the application.

(4) In addition to the requirements in subregulation (3), if 2 or more persons are registered owners of an identifier or PIC, an application to transfer ownership of the identifier or PIC must be —

(a) signed by each of them in the presence of an authorised person, who must also sign the application; or

(b) accompanied by a statutory declaration made by each of them who have not signed the application that verifies his or her agreement to the transfer.

(5) If —

(a) an application is made under subregulation (2); and

(b) the Director General is satisfied that —

(i) in the case of a transfer of an identifier for stock or a PIC for a farming property — the transferee is a registered owner of stock; and

(ii) in the case of a transfer of a PIC for a non-farming property — the transferee is a registered non-farming property operator; and

(iii) in the case of a transfer of an identifier for hives — the transferee is a registered beekeeper,

the Director General must, as the case requires —

(c) cancel the allotment of the identifier or PIC to the transferor; and

(d) allot the identifier or PIC to the transferee; and

(e) amend the register accordingly.

## 28. Mortgagee's right to use and transfer registered identifiers

(1) In this regulation —

***mortgage*** means any deed, memorandum or other instrument under which security for payment of money is granted over any stock or apiary, and all charges and liens given or created by any statute as a security for payment of money;

***stock*** includes the progeny of stock.

(2) A registered owner of stock or a registered beekeeper may give notice to the Director General of a mortgage over his or her stock or his or her apiary.

(3) A notice of a mortgage given under subregulation (2) —

(a) must be in the approved form accompanied by the appropriate fee; and

(b) must specify the period (of not more than 3 years) for which the notice is to have effect; and

(c) unless it is withdrawn or renewed, has effect, commencing when the notice is given, for the period specified in the notice.

(4) A person who gives a notice of a mortgage under subregulation (2) may, before the notice ceases to have effect, withdraw or renew the notice (for a further period of not more than 3 years) by giving further notice, in the approved form accompanied by the appropriate fee, to the Director General.

(5) If an owner of stock or a beekeeper gives notice of a mortgage or renews a notice of a mortgage under this regulation, the Director General must record in the register notice of the mortgage in relation to the owner of stock or beekeeper.

(6) While a notice of a mortgage has effect —

(a) no transfer of ownership of a registered identifier relating to the stock or apiary over which the mortgage

is granted may be given effect to or registered without the prior consent of the mortgagee; and

(b) the mortgagee may, upon such terms and conditions as set out in the mortgage —

(i) transfer, under regulation 27, ownership of a registered identifier relating to the stock or apiary over which the mortgage is granted; and

(ii) use a registered identifier relating to the stock or apiary over which the mortgage is granted,

as if the mortgagee were the owner of the registered identifier.

(7) If, under regulation 27, a mortgagee transfers ownership of a registered identifier to another person, such transfer will, for all purposes and as against all persons, except between the mortgagor and the mortgagee, be conclusive as to the right of the mortgagee to transfer ownership of the registered identifier to the other person.

# Part 3 — Identifiers for stock

## Division 1 — Registered identifiers for stock

### 29. Term used: certificate of registration

In this Division —

***certificate of registration*** means a certificate of registration as an owner of stock.

### 30. Registered identifiers for application as brand

(1) A registered identifier for application as a brand to stock, except a pig, must consist of an arrangement of 2 letters and a numeral as allotted.

(2) A registered identifier for application as a brand to a pig must consist of an arrangement of 5 numerals as allotted.

### 31. Registered identifiers for application as earmark

A registered identifier for application as an earmark to stock must consist of 2 symbols as allotted.

### 32. Limit of one brand and one earmark for each relevant PIC

(1) The Director General must not allot to an owner of stock —

(a) more than one registered identifier for application as a brand; and

(b) more than one registered identifier for application as an earmark,

for stock kept by the owner on one or more farming properties with the same relevant PIC.

(2) If 2 or more registered identifiers for application as a brand are allotted to an owner of stock for stock kept by the owner on one or more farming properties with the same relevant PIC, the Director General must, after giving written notice to the owner

of stock, cancel the allotment of all but one of the registered identifiers.

(3) If 2 or more registered identifiers for application as an earmark are allotted to an owner of stock for stock kept by the owner on one or more farming properties with the same relevant PIC, the Director General must, after giving written notice to the owner of stock, cancel the allotment of all but one of the registered identifiers.

### 33. Confusing or misleading identifiers

(1) The Director General must not allot an identifier for stock to an owner of stock if, in the Director General's opinion, the identifier is likely to cause confusion or mislead.

(2) If the Director General is of the opinion that a registered identifier for stock is likely to cause confusion or mislead, the Director General may, by written notice to the registered owner of the identifier, cancel the allotment of the identifier.

(3) No fee may be charged in respect of the cancellation of the allotment of an identifier under subregulation (2) or the allotment of another identifier in its place.

### 34. Cross-border farming properties

(1) If an owner of stock keeps stock on a farming property that is partly in the State and partly in South Australia or the Northern Territory, the Director General may, on such conditions as the Director General thinks appropriate, approve any South Australian or Northern Territory identifier for use as a registered identifier for identifying the owner's stock on that property.

(2) The Director General must not approve an identifier under subregulation (1) if, in the Director General's opinion, the identifier is likely to cause confusion or mislead.

### 35. Special identifiers

(1) The Director General may record in the register certain identifiers for stock that may be used by persons referred to in subregulation (2) in the circumstances referred to in subregulation (3).

(2) The persons who may use an identifier for stock recorded in the register under subregulation (1) are —

(a) inspectors;

(b) veterinary officers employed by the department;

(c) approved persons.

(3) A person referred to in subregulation (2) may use an identifier recorded in the register under subregulation (1) to identify stock —

(a) in any circumstances relating to the monitoring, control or eradication of disease; and

(b) any circumstances relating to the conduct of research programmes in respect of stock.

(4) The Director General may, by written notice given to a person referred to in subregulation (2)(c), cancel the person's approval under that subregulation.

(5) A person, not being a person referred to in subregulation (2), must not apply to an animal an identifier recorded in the register under subregulation (1).

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

*[Regulation 35 amended: SL 2021/204 r. 14.]*

### 36. Exclusive use of registered identifiers

A person must not apply a registered identifier to an animal unless the person is, or is acting on behalf of, a person who is —

(a) the registered owner of the identifier; and

(b) required or empowered by these regulations to identify the animal, or cause the animal to be identified, with the registered identifier.

Penalty: a fine of $20 000.

### 37. Registered identifiers to be used to identify stock on property with corresponding PIC

(1) A person must not apply a registered identifier to an animal unless —

(a) the animal is on a farming property with the registered identifier's corresponding PIC; and

(b) the person is, or is acting on behalf of, the registered owner of that corresponding PIC.

Penalty for this subregulation: a fine of $20 000.

(2) A person does not commit an offence under subregulation (1) if the person applies the registered identifier to the animal in accordance with a permit granted under regulation 38.

*[Regulation 37 amended: SL 2021/204 r. 14.]*

### 38. Permit to use registered identifier to identify stock on property without corresponding PIC

(1) In this regulation —

***permit holder*** means the person to whom a permit is granted under this regulation;

***specified*** means specified in a permit granted under this regulation.

(2) The registered owner of an identifier for stock may apply, in the approved form, to an inspector for a permit to use the registered identifier to identify stock on a property with a PIC, other than the registered identifier's corresponding PIC.

(3) An inspector to whom an application is made under subregulation (2) may grant the applicant a permit.

(4) The inspector may grant the permit subject to any conditions the inspector thinks appropriate.

(5) A permit granted under subregulation (2) must —

(a) be in the approved form; and

(b) specify any conditions imposed by the inspector.

(6) Unless it is cancelled under subregulation (7), a permit —

(a) authorises the permit holder to use the specified registered identifier to identify the specified stock on the specified property; and

(b) expires on the specified date.

(7) If an inspector is of the opinion that the continuance in force of a permit may lead to the spread of disease or may otherwise defeat or impede the achievement of the objects and purposes of the Act, the inspector may, at any time and whether or not the permit was granted by him or her, cancel it by giving written notice of the cancellation to the permit holder.

(8) A permit holder must —

(a) comply with any specified conditions; and

(b) carry the permit when identifying stock on the specified property or transporting any identifier or identification equipment for the purposes of identifying stock on the specified property; and

(c) retain the permit for not less than 7 years after it is granted.

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

*[Regulation 38 amended: Gazette 27 Jun 2019 p. 2409; SL 2021/204 r. 14.]*

### 39. When unused identifiers and identification equipment to be given to inspector

If, under these regulations, a registered identifier ceases to be allotted to a person, the person must, as soon as it is practicable to do so, give to an inspector any unused identifier or identification equipment in the person's possession or control that is capable of identifying stock with the registered identifier.

Penalty: a fine of $5 000.

*[Regulation 39 amended: Gazette 27 Jun 2019 p. 2409.]*

### 40. Possession of identifiers and identification equipment

(1) A person must not have in the person's possession an identifier or identification equipment capable of identifying stock with a registered identifier unless the person is, or is acting on behalf of, the owner of the registered identifier.

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

(2) A person must not have on any property an identifier or identification equipment capable of identifying stock with a registered identifier unless —

(a) the property is a farming property with the registered identifier's corresponding PIC; and

(b) the person is, or is acting on behalf of, the registered owner of that corresponding PIC.

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

(3) A person does not commit an offence under subregulation (1) or (2) if the person is in possession of the identifier or identification equipment solely for the purposes of —

(a) identifying stock on a property in accordance with a permit granted under regulation 38; or

(b) manufacturing or supplying it in accordance with these regulations; or

(c) delivering it to the owner of the registered identifier.

(4) A person must not remove an identifier or identification equipment capable of identifying stock with a registered identifier from a property with the registered identifier's corresponding PIC unless the identifier or identification equipment —

(a) is being moved directly to another property with the corresponding PIC and the person is in possession of a certificate of registration of the owner of the registered identifier, or a true copy; or

(b) is being moved directly to a property on which the registered identifier may be used to identify stock under a permit granted under regulation 38.

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

*[Regulation 40 amended: Gazette 27 Jun 2019 p. 2410-11; SL 2021/204 r. 14.]*

### 41. False representations relating to registered identifiers

A person must not falsely represent that something is a registered identifier for stock.

Penalty: a fine of $5 000.

### 42. Unauthorised removal of registered identifier from live animal

Unless an inspector in a particular case approves otherwise, a person must not, without lawful excuse, remove a registered identifier from a live animal.

Penalty: a fine of $20 000.

## Division 2 — Approved identification systems

### 43. Approved identifiers and databases

(1) The Director General may approve, for the purposes of identifying stock under these regulations, a type of identifier (an

***approved identifier***) recognised by a particular body, including a breed society, as an identifier for stock.

(2) An identifier may be approved under subregulation (1) generally or in respect of particular stock.

(3) The Director General must not approve an identifier under subregulation (1) unless the Director General is satisfied that the identifier, together with adequate details of the owner of the stock to whom it is issued, are recorded on a database or other recording system (an ***approved database***) that is readily accessible by an inspector.

(4) The Director General is to publish on, or make accessible through, the department's electronic site a list of all types of identifiers that are approved identifiers.

(5) The Director General may, by notice published on the department's electronic site, amend or revoke the approval of an identifier given under subregulation (1).

### 44. Use of approved identifiers

(1) A person must not apply an approved identifier to an animal unless the person is, or is acting on behalf of, a person who is —

(a) recorded in the relevant approved database as the person to whom the approved identifier is issued; and

(b) required or empowered by these regulations to identify the animal, or cause the animal to be identified, with the approved identifier.

Penalty for this subregulation: a fine of $20 000.

(2) A person must not apply an approved identifier to an animal unless the animal is on a farming property and the person is, or is acting on behalf of, the registered owner of a relevant PIC for the property.

Penalty for this subregulation: a fine of $20 000.

(3) A person must not apply an approved identifier to an animal unless it is applied in the approved manner.

Penalty for this subregulation: a fine of $20 000.

*[Regulation 44 amended: SL 2021/204 r. 14]*

### 45. False representations relating to approved identifiers

A person must not falsely represent that something is an approved identifier.

Penalty: a fine of $5 000.

### 46. Unauthorised removal of approved identifier from live animal

Unless an inspector in a particular case approves otherwise, a person must not, without lawful excuse, remove an approved identifier from a live animal.

Penalty: a fine of $20 000.

## Division 3 — NLIS identifiers

### Subdivision 1 — NLIS devices

### 47. Meaning of NLIS device

(1) For the purposes of these regulations, an NLIS device is an electronic device that —

(a) is an approved device or an accredited device; and

(b) is capable of identifying an animal for the whole of its life; and

(c) has encoded in it a unique number (the ***electronic number***) that can be read electronically; and

(d) if the device is to be applied to an animal so that it is visible externally — has the NLIS number of the device displayed on its exterior so that it is visible to the naked eye and legible.

(2) In addition to the requirements in subregulation (1) —

(a) an NLIS device for cattle or buffalo must —

(i) if it is an NLIS post breeder device — be orange; and

(ii) in each other case — be white;

and

(b) an NLIS device for sheep or goats must —

(i) if it is an NLIS post breeder device — be pink; and

(ii) in each other case — be of a colour approved for the year that the animal was born;

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.

*[Regulation 47 amended: Gazette 27 Jun 2019 p. 2411.]*

## 48. Applying NLIS devices to stock

(1) Unless otherwise provided by these regulations, a person must not, without the written approval of an inspector, apply an NLIS device to an animal unless —

(a) the person is, or is acting on behalf of, its owner or is otherwise required or empowered by these regulations to apply the device, or cause it to be applied, to the animal; and

(b) the animal is on a property with the relevant PIC that is included in the NLIS number of the device; and

(c) in the case of an NLIS device (except an NLIS post breeder device) — the animal is on its property of birth; and

(d) in the case of an NLIS post breeder device — the animal is not on its property of birth; and

(e) it is applied in the approved manner.

Penalty for this subregulation: a fine of $20 000.

(2) A person must not apply an NLIS device to cattle or buffalo other than in the right ear of the animal.

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

(3) A person must not apply an NLIS device to a sheep other than —

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

(b) in the right ear of a female sheep.

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

(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.

(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.

(5) A person must not apply —

(a) more than one NLIS device to an animal at any one time; or

(b) an NLIS device to an animal if an NLIS device is already applied to the animal.

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

*[Regulation 48 amended: Gazette 27 Jun 2019 p. 2412; SL 2024/264 r. 4.]*

### 49. When unused NLIS devices to be given to inspector

(1) If a person is in possession of an NLIS device that is not applied to an animal and —

(a) the person is not the registered owner of the relevant PIC that is included in the NLIS number of the device; or

(b) the person does not possess the device with the approval of the registered owner of that relevant PIC,

the person must, as soon as practicable after coming into possession of the device, give it to an inspector.

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

(2) If a person gives an NLIS device to an inspector under subregulation (1), the inspector may return the device to the person or give it to another person.

(3) If an inspector returns or gives an NLIS device to a person under subregulation (2), the inspector may give the person written approval to apply the device to the person's stock on a property with the PIC specified in the approval.

(4) If an inspector gives an approval under subregulation (2), the inspector must update the NLIS database in relation to the NLIS device by recording the PIC specified in the approval.

*[Regulation 49 amended: SL 2021/204 r. 14]*

### 50. False representations relating to NLIS devices

A person must not falsely represent that something is an NLIS device.

Penalty: a fine of $5 000.

### Subdivision 2 — NLIS tags

## 51. Meaning of NLIS tag

(1) For the purposes of these regulations, an NLIS tag is an eartag that —

(a) is an approved device or an accredited tag; and

(b) is capable of identifying an animal for the whole of its life; and

(c) if it is to be applied to an animal on a farming property — is clearly impressed with a registered identifier for stock or the relevant PIC of the property; and

(d) if it is to be applied to an animal on a non-farming property — is clearly impressed with a serial number and the relevant PIC of the property.

(2) In addition to the requirements in subregulation (1), an NLIS tag for an animal other than a pig must —

(a) if it is an NLIS post breeder tag — be pink; and

(b) in each other case — be of a colour approved for the year that the animal to which it will be applied was born.

(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.

*[Regulation 51 amended: Gazette 27 Jun 2019 p. 2412-13.]*

## 52. Applying NLIS tags to stock

(1) Unless otherwise provided by these regulations, a person must not, without the written approval of an inspector, apply an NLIS tag to an animal unless —

(a) the person is, or is acting on behalf of, its owner or is otherwise required or empowered by these regulations to

apply the NLIS tag, or cause it to be applied, to the animal; and

(b) if a relevant PIC is impressed on the NLIS tag — it is applied to the animal on a property with that PIC; and

(c) if a registered identifier is impressed on the NLIS tag — it is applied to the animal on a property with the registered identifier's corresponding PIC; and

(d) in the case of an NLIS tag (except an NLIS post breeder tag) — the animal is on its property of birth; and

(e) in the case of an NLIS post breeder tag — the animal is not on its property of birth; and

(f) it is applied in the approved manner.

Penalty for this subregulation: a fine of $20 000.

*[(2), (3) deleted]*

(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.

*[Regulation 52 amended: Gazette 27 Jun 2019 p. 2413-14; SL 2024/264 r. 5.]*

### 53. False representations relating to NLIS tags

A person must not falsely represent that something is an NLIS tag.

Penalty: a fine of $5 000.

### Subdivision 3 — Removal and disposal of NLIS identifiers

#### 54. Removal of NLIS identifiers

(1) A person must not remove an NLIS device from an animal unless —

(a) the animal has been slaughtered at an abattoir; or

(b) the animal has been slaughtered at or has died on a property and the person is, or is acting on behalf of, the operator of the property; or

(c) the device has ceased to function and the person is, or is acting on behalf of, the operator of the property on which the animal is kept; or

(d) the person is an approved person.

Penalty for this subregulation: a fine of $20 000.

(2) A person must not remove an NLIS tag from an animal unless —

(a) the animal has been slaughtered at an abattoir; or

(b) the animal has been slaughtered at or has died on a property and the person is, or is acting on behalf of, the operator of the property; or

(c) the animal is on its property of birth and the person is, or is acting on behalf of, the operator of the property; or

(d) the person is an approved person.

Penalty for this subregulation: a fine of $20 000.

*[Regulation 54 amended: SL 2021/204 r. 14]*

#### 55. Replacing NLIS identifiers

(1) If an NLIS device is removed from a live animal under regulation 54(1)(c), the operator of the property must apply, or cause to be applied, to the animal a replacement NLIS device.

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

(2) If a replacement NLIS device is applied to an animal under subregulation (1), the operator of the property must update the NLIS database by recording —

(a) the electronic number or NLIS number of the replacement device; and

(b) the NLIS number of the NLIS device removed from the animal.

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

(3) If an NLIS tag is removed from a live animal under regulation 54(2)(c), the operator of the property may, if the animal is on its property of birth, apply, or caused to be applied, to the animal a replacement NLIS tag.

*[Regulation 55 amended: SL 2021/204 r. 14]*

### 56. Disposal of NLIS identifiers

A person must not dispose of an NLIS identifier unless —

(a) it has been removed from an animal under regulation 54; and

(b) it is disposed of in an approved manner.

Penalty: a fine of $2 000.

### 57. NLIS identifiers not to be damaged or defaced

A person must not damage or deface an NLIS identifier except by disposing of it under regulation 56.

Penalty: a fine of $5 000.

## Subdivision 4 — The NLIS database

### 58. The NLIS database

(1) The Director General is to ensure that an electronic database (the ***NLIS database***) that meets the requirements of this Subdivision is maintained by an approved person.

(2) The NLIS database is to contain the following —

(a) information prescribed under subregulation (3) in respect of each NLIS device;

(b) information required by these regulations in respect of the movement of animals to which an NLIS device is applied;

(c) information required by these regulations in respect of the movement of animals to which an NLIS tag is applied.

(3) The information on the NLIS database in respect of an NLIS device is to include the following —

(a) the electronic number and NLIS number of the device;

(b) if the NLIS device is not applied to an animal — the relevant PIC of the property in relation to which the device was issued;

(c) if the NLIS device is applied to an animal —

(i) the date the animal was moved to a property other than its property of birth; and

(ii) the relevant PIC of the property on which the animal is kept for the time being by its owner; and

(iii) the date of the slaughter, or death in other circumstances, or export of the animal;

(d) any other approved information.

(4) The NLIS database is to be made accessible to —

(a) persons who are required by these regulations to update the database; and

(b) persons who are required by these regulations to record information in the database; and

(c) inspectors; and

(d) persons whose access to the database is approved.

(5) For the purpose of these regulations, a person may update, or record information in, the NLIS database by —

(a) accessing the NLIS database; or

(b) sending the updated information to an approved person electronically or in another approved manner.

(6) A copy or print-out of an entry in the NLIS database is evidence of the facts stated in the copy or print-out and, in the absence of evidence to the contrary, is proof of those facts.

(7) An inspector or an approved person may update the NLIS database to correct any errors.

## Division 4 — Manufacture and supply of identifiers

### Subdivision 1 — Approved devices, approved identification equipment and approved manufacturers

### 59. Approved devices and approved identification equipment

(1) The Director General may approve for use in identifying stock under these regulations —

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

(b) identification equipment (***approved identification equipment***).

(2) The Director General must publish on, or make accessible through, the department's electronic site a list of all identifiers that are approved devices and all identification equipment that is approved identification equipment.

(3) The Director General may, by notice published on the department's electronic site, amend or revoke an approval of an identifier or identification equipment given under subregulation (1).

*[Regulation 59 amended: Gazette 27 Jun 2019 p. 2414.]*

### 60. Approved manufacturers

(1) The Director General may approve a person (an ***approved manufacturer***) as a manufacturer of approved devices and approved identification equipment.

(2) The Director General is to publish on, or make accessible through, the department's electronic site a list of all persons who are approved manufacturers.

(3) The Director General may amend or revoke an approval under subregulation (1) if —

(a) the Director General gives the approved person written notice that the approval will be amended or revoked (as the case requires) unless, within 30 days after the notice is given, the person shows cause in writing to the Director General why the approval should be not be amended or revoked; and

(b) within that period, the Director General does not receive a response to the notice or receives a response claiming to show cause for reasons that the Director General regards as unsatisfactory.

### 61. Review

A person aggrieved by a decision of the Director General to amend or revoke an approval under regulation 60(3) may apply to the State Administrative Tribunal for a review of the decision.

## Subdivision 2 — Registered identifiers

### 62. Manufacture and supply of identifiers and identification equipment for registered identifiers

(1) A person must not manufacture —

(a) an identifier; or

(b) identification equipment,

that is capable of identifying stock with a registered identifier unless the person is an approved manufacturer.

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

(2) A person must not supply —

(a) an identifier; or

(b) identification equipment,

that is capable of identifying stock with a registered identifier unless the person is an approved manufacturer.

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

(3) An approved manufacturer must not supply —

(a) an identifier; or

(b) identification equipment,

that is capable of identifying stock with a registered identifier unless —

(c) in the case of an identifier — it is an approved device; or

(d) in the case of identification equipment — it is approved identification equipment.

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

(4) An approved manufacturer must not supply to a person —

(a) an identifier; or

(b) identification equipment,

that is capable of identifying stock with a registered identifier unless —

(c) the person has given the approved manufacturer the person's name and postal address; and

(d) the approved manufacturer has confirmed, by reference to the register, that the person is the owner of the registered identifier; and

(e) the manufacturer has made a written record of that confirmation.

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

(5) An approved manufacturer must retain a record made under subregulation (4)(e) for not less than 7 years after it is made.

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

(6) An inspector may direct a person to give a record made under subregulation (4)(e) to an approved person.

(7) A person must comply with a direction given under subregulation (6) as soon as practicable after the direction is given.

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

*[Regulation 62 amended: Gazette 27 Jun 2019 p. 2414-15; SL 2021/204 r. 14.]*

## Subdivision 3 — NLIS identifiers

### 63. Term used: manufacture

In this Subdivision —

***manufacture***, in relation to an NLIS device, includes to recycle the NLIS device.

### 64. Manufacture of NLIS devices

(1) A person must not manufacture an NLIS device, except an accredited device, unless the person is an approved manufacturer.

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

(2) A person must not manufacture an accredited device unless the person is recognised by ISC Ltd as a manufacturer of the accredited device.

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

(3) A person must not supply an NLIS device unless it is —

(a) an approved device manufactured by an approved manufacturer; or

(b) an accredited device manufactured by a person who is recognised by ISC Ltd as a manufacturer of the accredited device.

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

*[Regulation 64 amended: Gazette 27 Jun 2019 p. 2450-1; SL 2021/204 r. 14.]*

### 65. Supply of NLIS devices by manufacturers

(1) A manufacturer of an NLIS device must not supply the device to a person unless —

(a) the person has given the manufacturer —

(i) the person's name and postal address; and

(ii) the relevant PIC of the property on which the person keeps stock that will be identified with the NLIS device;

and

(b) the manufacturer has —

(i) confirmed, by reference to the register, that the person is the registered owner of the relevant PIC; and

(ii) made a written record of that confirmation.

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

(2) A manufacturer must retain a record made under subregulation (1)(b)(ii) for not less than 7 years after it is made.

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

(3) An inspector may direct a person to give a record made under subregulation (1)(b)(ii) to an approved person.

(4) A person must comply with a direction given under subregulation (3) as soon as practicable after the direction is given.

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

(5) A manufacturer who supplies an NLIS device to a person must, before giving the device to the person —

(a) encode in the device an electronic number; and

(b) update the NLIS database in relation to the device by recording the following —

(i) the electronic number of the device;

(ii) a unique number (an ***NLIS number***) for the device that must include the relevant PIC given to the manufacturer under subregulation (1)(a);

(iii) the date that the device is to be given to the person;

and

(c) if the device is intended to be applied to an animal so that it is visible externally — display on the exterior of the device the NLIS number of the device; and

(d) if the device is intended to be applied to an animal so that it is not visible externally — place the device in packaging that legibly displays on its exterior the relevant PIC given to the manufacturer under subregulation (1)(a).

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

(6) If a manufacturer gives an NLIS device to a person on a date that is different to the date recorded in the NLIS database under subregulation (5)(b)(iii), the manufacturer must, as soon as practicable after giving the device to the person, update the database by recording the correct date.

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

*[Regulation 65 amended: SL 2021/204 r. 14.]*

### 66. Supply of NLIS devices by persons other than manufacturers

(1) In this regulation —

***manufacturer*** means —

(a) an approved manufacturer; or

(b) a person recognised by ISC Ltd as a manufacturer of an accredited device.

(2) A person, except a manufacturer, must not supply an unused NLIS device to another person unless the supply is approved in writing by an inspector.

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

(3) If an inspector approves the supply of an NLIS device to a person under subregulation (2), the inspector must update the NLIS database in relation to the device by recording the relevant PIC of the property on which the person keeps any animal to which the device is, or will be, applied.

(4) A person, except a manufacturer, must not supply a used NLIS device unless the device is supplied to a manufacturer.

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

*[Regulation 66 amended: Gazette 27 Jun 2019 p. 2450-1; SL 2021/204 r. 14.]*

### 67. Manufacture of NLIS tags

(1) A person must not manufacture an NLIS tag, except an accredited tag, unless the person is an approved manufacturer.

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

(2) A person must not manufacture an accredited tag unless the person is recognised by ISC Ltd as a manufacturer of the accredited tag.

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

(3) A person must not supply an NLIS tag unless it is —

(a) an approved device manufactured by an approved manufacturer; or

(b) an accredited tag manufactured by a person who is recognised by ISC Ltd as a manufacturer of the accredited tag.

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

(4) A manufacturer of an NLIS tag must not supply the tag to a person unless —

(a) the person has given to the manufacturer the person's name and postal address; and

(b) the person has given to the manufacturer —

(i) the relevant PIC of the property on which the person keeps stock that will be identified with the NLIS tag; or

(ii) the person's registered identifier (for application as a brand) for the stock that will be identified with the NLIS tag;

and

(c) the manufacturer has —

(i) confirmed, by reference to the register, that the person is the registered owner of the relevant PIC or registered identifier, as the case may be; and

(ii) the manufacturer has made a written record of that confirmation;

and

(d) the NLIS tag displays the relevant PIC or registered identifier for stock, as the case may be.

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

(5) A manufacturer must retain a record made under subregulation (4)(c)(ii) for not less than 7 years after the record is made.

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

(6) An inspector may direct a person to give a record made under subregulation (4)(c)(ii) to an approved person.

(7) A person must comply with a direction given under subregulation (6) as soon as practicable after the direction is given.

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

*[Regulation 67 amended: Gazette 27 Jun 2019 p. 2450-1; SL 2021/204 r. 14.]*

# Part 4 — General provisions for identifying stock

## 68. Term used: identifier

In this Part —

***identifier*** means —

(a) an approved identifier; or

(b) an NLIS identifier; or

(c) a registered identifier.

## 69. Director General may exempt stock from identification requirements

(1) In this regulation —

***specified*** means specified in a notice published under subregulation (2).

(2) In connection with the control of disease or the conduct of research programmes, the Director General may, by notice published in the *Gazette*, exempt specified stock, or the stock of a specified owner of stock, from the requirement to be identified in accordance with these regulations —

(a) for a specified period; or

(b) until the notice is revoked.

(3) The Director General may, by further notice published in the *Gazette*, amend or revoke a notice under subregulation (2).

## 70. Identification exemption certificates

(1) In this regulation —

***certificate holder*** means the person to whom an identification exemption certificate is issued;

***specified*** means specified in an identification exemption certificate.

(2) An owner of stock may apply, in the approved form, to an inspector for an identification exemption certificate.

(3) An inspector to whom an application is made under subregulation (2) may issue the applicant an identification exemption certificate if the inspector is satisfied that it is justified —

(a) on the grounds that the stock are to be exported; or

(b) for reasons of animal welfare; or

(c) for any other reason the inspector thinks is relevant.

(4) An identification exemption certificate must be in the approved form.

(5) Unless cancelled under subregulation (6), an identification exemption certificate —

(a) exempts the certificate holder from the requirement to identify the specified stock in accordance with these regulations while the stock is on the property on which it is kept; and

(b) expires on the specified date.

(6) If an inspector is of the opinion that the continuance in force of an identification exemption certificate may lead to the spread of disease or may otherwise defeat or impede the achievement of the objects and purposes of the Act, the inspector may, at any time and whether or not the certificate was issued by him or her, cancel the certificate by giving written notice of the cancellation to the certificate holder.

(7) A person to whom an identification exemption certificate is issued must retain the certificate for not less than 7 years after it is issued.

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

*[Regulation 70 amended: SL 2021/204 r. 14.]*

### 71. When stock not properly identified

If an identifier is applied to an animal other than —

(a) where it is required to appear under these regulations; or

(b) in the manner required by these regulations,

the animal is to be regarded as not identified with the identifier in accordance with these regulations.

### 72. Altered or damaged identifiers

(1) A person must not slice, crop, blotch, deface, alter or otherwise render illegible any identifier applied to an animal.

Penalty for this subregulation: a fine of $20 000.

(2) Any animal bearing an identifier that is sliced, cropped, blotched, defaced, altered or otherwise rendered illegible is to be regarded as not identified with the identifier in accordance with these regulations.

*[Regulation 72 amended: SL 2021/204 r. 14.]*

### 73. Possession of unidentified stock

(1) A person must not, without lawful excuse, be in possession or control of a live animal unless the animal is identified in accordance with these regulations.

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

(2) A person does not commit an offence under subregulation (1) if the person is in possession or control of a live animal for the purpose of impounding it.

*[Regulation 73 amended: SL 2021/204 r. 14.]*

### 74. Things that may be confused with identifiers

A person must not apply or otherwise use upon an animal any thing that is intended or likely to be, or capable of being, confused with an identifier.

Penalty: a fine of $5 000.

# Part 5 — Identifying cattle and buffalo

## Division 1 — Terms used

### 75. Terms used

In this Part, unless the contrary intention appears —

***animal*** means cattle or buffalo;

***certificate of registration*** means a certificate of registration as an owner of stock.

## Division 2 — Owners of cattle or buffalo

### Subdivision 1 — Registered identifiers and approved identifiers

### 76. Owners must identify cattle and buffalo

(1) An owner of cattle or buffalo kept on a property in the south-west of the State must identify each animal, or cause it to be identified, with an NLIS device —

(a) if the animal 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) An owner of cattle or buffalo, other than cattle or buffalo kept on a property in the south-west of the State, must identify each animal, or cause it to be identified, with an NLIS device —

(a) if the animal is moved from the property on which it is kept before it reaches 18 months of age 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.

(3) Nothing in these regulations prevents an owner of cattle or buffalo from applying to each animal, in addition to an NLIS device —

(a) either one or both of the following identifiers —

(i) a brand in accordance with regulation 78;

(ii) an earmark in accordance with regulation 79;

or

(b) an approved identifier for cattle or buffalo.

*[Regulation 76 inserted: SL 2021/204 r. 4.]*

## 77. Exemption for unweaned animals

It is not necessary for an unweaned animal to be identified in accordance with regulation 76(1)(a) 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.

*[Regulation 77 inserted: SL 2021/204 r. 4.]*

## 78. Requirements for brands

For the purposes of regulation 76(3)(a)(i), 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 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.

*[Regulation 78 inserted: Gazette 27 Jun 2019 p. 2416-17; amended: SL 2021/204 r. 5.]*

### 79. Requirements for earmarks

For the purposes of regulation 76(3)(a)(ii), 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.

*[Regulation 79 inserted: Gazette 27 Jun 2019 p. 2417; amended: SL 2021/204 r. 6.]*

### 80. Age marks, cullmarks and other markings

A person must not apply an age mark, cullmark or other marking to an animal unless —

(a) if it is applied to the ear — it is not in the ear specified in the owner's certificate of registration for the purpose of applying an earmark to the 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 76.

Penalty: a fine of $2 000.

*[Regulation 80 amended: SL 2021/204 r. 7.]*

### 81. Spayed female animals must be marked

(1) An owner of a spayed female animal must, in addition to identifying the animal under regulation 76, mark the animal, or cause it to be marked, by making a hole within its ear in accordance with subregulation (2).

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

(2) A hole made to the ear of an animal under subregulation (1) must —

(a) be circular and completely within the ear; and

(b) be not less than 20 mm and not more than 40 mm in diameter; and

(c) not be applied to the ear of the animal specified in the owner's certificate of registration for the purpose of applying an earmark to cattle or buffalo, as the case may be.

*[Regulation 81 amended: SL 2021/204 r. 8 and 14.]*

## Subdivision 2 — NLIS requirements for cattle and buffalo

*[Heading amended: Gazette 27 Jun 2019 p. 2418.]*

### 82. Responsibilities of owner before moving cattle or buffalo

Except as provided in regulation 83, an owner of cattle or buffalo must not cause or permit any of the cattle or buffalo to be moved from the farming property on which they are kept unless —

(a) each animal being moved has an NLIS device applied to it; and

(b) the PIC recorded on the NLIS database in relation to each animal's NLIS device is the relevant PIC of the property from which the animal is to be moved.

Penalty: a fine of $5 000.

### 83. Exemptions from NLIS identification

(1) Regulation 82 does not apply if —

(a) an animal is being moved with its mother from the property on which it is kept to another property with the same relevant PIC; or

(b) an animal is being moved to a saleyard, abattoir or export depot from a property that —

(i) is contiguous with the animal's property of birth; and

(ii) is outside the south-west of the State;

or

(c) an inspector approves the movement of an animal without an NLIS device being applied to it.

(2) A person cannot rely upon an exemption in subregulation (1)(b) or (c) unless —

(a) an identifier, approved by an inspector for the purposes of this regulation, is applied to the animal before it is moved; and

(b) the person has given the carrier of the animal a waybill that —

(i) relates to the animal and to no other animals, unless all of them are being moved under the exemption; and

(ii) if the animal is being moved under the exemption in subregulation (1)(b) — contains the PIC of the property of the animal's birth and the PIC of the property from which the animal is being moved; and

(iii) if the animal is being moved under the exemption in subregulation (1)(c) — contains the relevant PIC of the property from which the animal is being moved;

and

(c) the person has taken all practicable measures to ensure that the animal, while it is being moved, is kept separate from —

(i) any animal to which an NLIS device is applied; and

(ii) any animal being moved from another property.

### 84. Responsibilities of owner after moving animal

(1) Except as provided in subregulation (2), if an owner of an animal to which an NLIS device is applied causes or permits the animal to be moved to a property with a different PIC from that recorded in the NLIS database in relation to the device, the owner must, within 48 hours after the animal is moved from the property, update the database in relation to the device by recording the following —

(a) the relevant PIC of the property from which the animal has been moved;

(b) the relevant PIC of the property to which the animal has been moved;

(c) the serial number of the transport document relating to the movement of the animal;

(d) the date the animal was moved.

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

(2) Subregulation (1) does not apply if —

(a) the animal is moved to a holding yard; or

(b) the animal is moved to a saleyard; or

(c) the animal is moved from a saleyard after purchasing the animal there; or

(d) the animal is moved directly to an abattoir for slaughter; or

(e) the animal is moved directly to an export depot for export; or

(f) an inspector has, in a particular case, given written approval for the animal to be moved to another property without updating the NLIS database.

*[Regulation 84 amended: Gazette 27 Jun 2019 p. 2418; SL 2021/204 r. 14.]*

## Division 3 — NLIS requirements for cattle and buffalo

*[Heading amended: Gazette 27 Jun 2019 p. 2418.]*

### Subdivision 1 — Imported animals, animals from a pound and dead stray animals

#### 85. Imported cattle and buffalo

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

Penalty: a fine of $5 000.

#### 86. Cattle and buffalo from a pound

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

Penalty: a fine of $5 000.

#### 87. Dead stray cattle and buffalo

(1) In this regulation —

***NLIS identified animal*** means an animal to which an NLIS device is applied.

(2) This regulation applies if a ranger appointed by a local government, or an employee of, or other person authorised to impound animals by, a local government, finds a dead NLIS identified animal or destroys an NLIS identified animal upon —

(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 regulation applies, the local government must, within 48 hours after the NLIS identified animal is found dead or is destroyed, update the NLIS database in relation to the animal's NLIS device by recording the following —

(a) the PIC of the pound operated by the local government;

(b) the date the animal was found dead or was destroyed.

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

*[Regulation 87 amended: SL 2021/204 r. 14.]*

### Subdivision 2 — Carriers and purchasers

### 88. Responsibilities of carriers

(1) A carrier moving an animal from a property to a holding yard must, as soon as practicable after arriving there, endorse on the transport document relating to the movement of the animal —

(a) the relevant PIC of the holding yard; and

(b) the relevant PIC of the property to which the animal is to be taken from the holding yard.

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

(2) If a carrier moves an animal from a property and the animal does not have an NLIS device applied to it, the carrier must keep the animal separate from —

(a) any animal to which an NLIS device is applied; and

(b) any animal being moved from another property.

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

*[Regulation 88 amended: SL 2021/204 r. 14.]*

## 89. Responsibilities of purchasers

(1) A purchaser of an animal at a property, other than a saleyard, must, when requested by the property operator, give the relevant PIC of the property to which the animal is to be moved.

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

(2) A purchaser of an animal 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 animal is to be moved; or

(b) the purchaser's BIC.

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

(3) If, in relation to the purchase of an animal at a saleyard, a purchaser does not give the saleyard operator a relevant PIC under subregulation (2), the purchaser must, within 24 hours after the animal is moved from the saleyard —

(a) check, and if necessary update, the NLIS database to ensure that the BIC of the purchaser of the animal is recorded in relation to the animal's NLIS device; and

(b) update the NLIS database in relation to the animal's NLIS device by recording the following —

(i) the relevant PIC of the property to which the animal has been moved;

(ii) the serial number of the transport document relating to the movement of the animal from the saleyard;

(iii) the date the animal was moved from the saleyard.

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

(4) A purchaser of an animal at a property must not take possession or control of the animal unless it is moved in accordance with this Part.

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

*[Regulation 89 amended: Gazette 27 Jun 2019 p. 2419; SL 2021/204 r. 14.]*

### Subdivision 3 — General provisions relating to property operators

#### 90. Cattle or buffalo not to be delivered to property without relevant PIC

The operator of a property must not cause or permit an animal 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.

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

(1) This regulation does not apply to an animal that dies at, or while being moved to, a pound.

(2) If an animal to which an NLIS device is applied dies (except by slaughter) on, or while being moved to, a property with a different PIC from that recorded in the NLIS database in relation to the device, the property operator must, within 48 hours after the death, update the database in relation to the device by recording the following —

(a) the relevant PIC of the last property at which the animal was kept;

(b) the relevant PIC of the property on which the animal died or to which it was being moved;

(c) the serial number of the transport document relating to the movement of the animal to the property;

(d) the date of death.

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

*[Regulation 91 amended: Gazette 27 Jun 2019 p. 2419-20; SL 2021/204 r. 14.]*

### Subdivision 4 — Pounds

### 92. Responsibilities of pound operator if no NLIS device applied to animal

(1) The operator of a pound may, before an animal is moved to the pound, apply, or cause to be applied, to the animal an NLIS post breeder device.

(2) Unless an inspector in a particular case approves otherwise, if an animal to which an NLIS device is not applied is moved to a pound, the pound operator must, within the period specified in subregulation (3), apply, or cause to be applied, to the animal an NLIS post breeder device.

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

(3) The pound operator must comply with subregulation (2) as soon as practicable after the animal arrives at the pound and before it is moved from the pound.

*[Regulation 92 amended: Gazette 27 Jun 2019 p. 2420; SL 2021/204 r. 14.]*

### 93. Responsibilities of pound operator if animal born at or while being moved to pound

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

Penalty: a fine of $2 000.

### 94. Responsibilities of pound operator if NLIS device applied to animal

(1) If an animal to which an NLIS device is applied is moved to a pound, the pound operator must, within the period specified in subregulation (2), update the NLIS database in relation to the device by recording following —

(a) the relevant PIC of the pound;

(b) the serial number of the transport document relating to the movement of the animal to the pound;

(c) the date the animal 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 animal arrives at the pound and before it is moved from the pound.

*[Regulation 94 amended: SL 2021/204 r. 14.]*

### 95. Responsibilities of pound operator if animal moved from pound

(1) A pound operator must not move, or permit to be moved, from the pound an animal to which an NLIS device is applied unless —

(a) it is 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 animal is sold or otherwise supplied the relevant PIC of the property to which the animal is to be moved.

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

(2) If an animal to which an NLIS device is applied is moved from a pound, the pound operator must, within 48 hours after the

animal is moved, update the NLIS database in relation to the device by recording the following —

(a) the relevant PIC of the property to which the animal has been moved;

(b) the serial number of the waybill relating to the movement of the animal from the pound;

(c) the date the animal was moved from the pound.

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

(3) A pound operator must not, without the approval of an inspector, move or permit to be moved from the pound an animal to which an NLIS device is applied unless the device is functioning.

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

*[Regulation 95 amended: Gazette 27 Jun 2019 p. 2420; SL 2021/204 r. 14.]*

**96. Responsibilities of pound operator if animal dies on or while being moved to pound**

If an animal to which an NLIS device is applied dies at, or while being moved to, a pound, the pound operator must, within 48 hours of the death, update the NLIS database in relation to the device by recording the following —

(a) the PIC of the pound;

(b) the serial number of the transport document relating to the movement of the animal to the pound;

(c) the date of death.

Penalty: a fine of $2 000.

## Subdivision 5 — Holding yards

### 97. Responsibilities of holding yard operator if no NLIS device applied to animal

(1) Unless an inspector in a particular case approves otherwise, if an animal to which an NLIS device is not applied is moved to a holding yard, the holding yard operator must, within the period specified in subregulation (2) —

(a) apply, or cause to be applied, to the animal an NLIS post breeder device; and

(b) update the NLIS database in relation to the device by recording the following —

(i) the relevant PIC of the previous property;

(ii) the serial number of the transport document relating to the movement of the animal to the holding yard;

(iii) the date the animal arrived at the holding yard.

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 animal arrives at the holding yard and before it is moved from the holding yard.

(3) If a consignment of animals is moved to a holding yard and more than 10% of the animals do not have an NLIS device applied to them, the holding yard operator must —

(a) hold the animals at the holding yard; and

(b) inform an inspector accordingly.

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

*[Regulation 97 amended: Gazette 27 Jun 2019 p. 2420; SL 2021/204 r. 14.]*

### 98. Directions by inspectors

(1) For the purposes of regulation 97(3)(b), the inspector may give any necessary or convenient direction in relation to the animals including —

(a) to hold the animals 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 97(1) to be complied with.

(2) A holding yard operator must comply with a direction given by an inspector under subregulation (1).

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

*[Regulation 98 amended: SL 2021/204 r. 14.]*

### 99. Responsibilities of holding yard operator if animal born at or while being moved to holding yard

If an animal is born at, or while being moved to, a holding yard, the holding yard operator must —

(a) as soon as practicable after its birth apply, or cause to be applied, to the animal an NLIS post breeder device; and

(b) within 48 hours after the device is applied and before the animal is moved from the holding yard, update the NLIS database in relation to the device by recording the following —

(i) the relevant PIC of the property from which the animal's mother was moved to the holding yard;

(ii) the serial number of the transport document relating to the movement of the animal's mother to the holding yard;

(iii) the date the animal was born.

Penalty: a fine of $2 000.

### 100. Responsibilities of holding yard operator if consignment held for less than 48 hours and moved from holding yard in a single consignment

(1) This regulation applies if —

(a) a consignment of one or more animals to which an NLIS device is applied is moved to a holding yard; and

(b) within 48 hours of arriving there, the consignment is moved from the holding yard in a single consignment.

(2) If this regulation applies, the holding yard operator must, within 48 hours after the consignment is moved from the holding yard, update the NLIS database in relation to the NLIS device of each animal in the consignment by recording the following —

(a) the relevant PIC of the holding yard;

(b) the date the animal arrived at the holding yard.

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

*[Regulation 100 amended: SL 2021/204 r. 14.]*

### 101. Responsibilities of holding yard operator if animal held for less than 48 hours and moved from holding yard in different consignment

(1) This regulation applies if —

(a) a consignment of one or more animals to which an NLIS device is applied is moved to a holding yard; and

(b) within 48 hours of arriving there, the animal or animals are moved from the holding yard but not in the same consignment.

(2) If this regulation applies, the holding yard operator must, within 48 hours after each consignment is moved from the holding yard, update the NLIS database in relation to the NLIS device of each animal in the consignment by recording 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 animal to the holding yard;

(d) the date the animal arrived at the holding yard.

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

*[Regulation 101 amended: SL 2021/204 r. 14.]*

### 102. Responsibilities of holding yard operator if animal held for more than 48 hours

If an animal to which an NLIS device is applied 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 animal arrives at the holding yard, update the NLIS database in relation to the device by recording 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 animal to the holding yard;

(d) the date the animal arrived at the holding yard.

Penalty: a fine of $2 000.

## Subdivision 6 — Saleyards

### 103. When saleyard to be treated as holding yard

If cattle or buffalo are moved to a saleyard for purposes other than for sale, and while the cattle or buffalo are kept at the saleyard no other species of animal —

(a) is kept there for the purposes of sale; or

(b) is kept there after having been sold at the saleyard,

regulations 97 to 99 apply, with any necessary modifications, to the movement of the cattle or buffalo as if the saleyard were a holding yard.

### 104. Responsibilities of saleyard operator if no NLIS device applied to animal

(1) Unless an inspector in a particular case approves otherwise, if an animal to which an NLIS device is not applied is moved to a saleyard, the saleyard operator must, within the period specified in subregulation (2) —

(a) apply, or cause to be applied, to the animal an NLIS post breeder device; and

(b) update the NLIS database in relation to the device by recording the following —

(i) the relevant PIC of the previous property;

(ii) the serial number of the transport document relating to the movement of the animal to the saleyard;

(iii) the date the animal arrived at the saleyard.

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

(2) The saleyard operator must comply with subregulation (1) as soon as practicable after the animal arrives at the saleyard and before it is moved from the saleyard.

(3) Except as provided in subregulation (4), if a consignment of animals is moved to a saleyard and more than 10% of the animals do not have an NLIS device applied to them, the saleyard operator must —

(a) hold the animals at the saleyard without causing or permitting them to be sold; 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 animals to which an NLIS device is not applied that is moved to a saleyard under an exemption in regulation 83(1).

*[Regulation 104 amended: Gazette 27 Jun 2019 p. 2421; SL 2021/204 r. 14.]*

### 105. Directions by inspectors

(1) For the purposes of regulation 104(3)(b), the inspector may make any necessary or convenient direction in relation to the animals including —

(a) to hold the animals 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 104(1) to be complied with.

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

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

*[Regulation 105 amended: SL 2021/204 r. 14.]*

### 106. Responsibilities of saleyard operator if animal born at or while being moved to saleyard

If an animal is born at, or while being moved to, a saleyard the saleyard operator must —

(a) 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 animal an NLIS post breeder device; and

(b) within 48 hours after the device is applied and before the animal is moved from the saleyard, update the NLIS database in relation to the device by recording the following —

(i) the relevant PIC of the property from which the animal's mother was moved to the saleyard;

(ii) the serial number of the transport document relating to the movement of the animal's mother to the saleyard;

(iii) the date the animal was born.

Penalty: a fine of $5 000.

### 107. Responsibilities of saleyard operator if NLIS device applied to animal

Unless an inspector in a particular case approves otherwise, if an animal to which an NLIS device is applied is moved to a saleyard, the saleyard operator must, as soon as practicable after the animal arrives there, check, and if necessary update, the NLIS database to ensure that the PIC recorded in relation to the device is the relevant PIC of the property on which the owner of the animal kept it before it was moved to the saleyard.

Penalty: a fine of $5 000.

### 108. Responsibilities of saleyard operator if animal moved from saleyard

(1) A saleyard operator must not move, or permit to be moved, from the saleyard an animal to which an NLIS device is applied unless —

(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.

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

(2) If an animal to which an NLIS device is applied is moved from a saleyard, the saleyard operator must, within 48 hours after the

animal is moved, update the NLIS database in relation to the device by recording the following —

(a) the PIC of the property to which the animal has been moved or, if applicable, the BIC of the purchaser;

(b) the serial number of the transport document relating to the movement of the animal from the saleyard;

(c) the date the animal was moved from the saleyard.

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

(3) A saleyard operator must not, without the approval of an inspector, cause or permit an animal to which an NLIS device is applied to be sold or moved from the saleyard unless the device is functioning.

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

*[Regulation 108 amended: Gazette 27 Jun 2019 p. 2421; SL 2021/204 r. 14.]*

### Subdivision 7 — Abattoirs

### 109. Responsibilities of abattoir operator if no NLIS device is applied to animal

(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 —

(i) the inspection of animals before they are slaughtered; and

(ii) giving consent for the animals to be slaughtered after inspection,

who is authorised by that agency to exercise the functions of an abattoir inspector under this regulation.

(2) This regulation does not apply to a consignment of one or more animals to which an NLIS device is not applied that is moved to an abattoir under an exemption in regulation 83(1).

(3) Unless an abattoir inspector in a particular case approves otherwise, if an animal to which an NLIS device is not applied is moved to an abattoir, the abattoir operator must, within the period specified in subregulation (4) —

(a) apply, or cause to be applied, to the animal an NLIS post breeder device; and

(b) update the NLIS database in relation to the device by recording the following —

(i) the relevant PIC of the previous property or, if applicable, the BIC of the owner of the animal;

(ii) the serial number of the transport document relating to the movement of the animal to the abattoir;

(iii) the date the animal arrived at the abattoir.

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

(4) The abattoir operator must comply with subregulation (3) as soon as practicable after the animal arrives at the abattoir and before it is slaughtered or otherwise moved from the abattoir.

(5) If a consignment of animals is moved to an abattoir and more than 10% of the animals do not have an NLIS device applied to them, the abattoir operator must —

(a) hold the animals at the abattoir without slaughtering them; and

(b) inform an inspector accordingly.

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

(6) If —

(a) a consignment of one or more animals to which an NLIS device is not applied is moved to an abattoir; and

(b) an abattoir inspector approves the slaughter of the consignment at the abattoir without subregulation (3) being complied with,

the abattoir operator must, within 48 hours after the slaughter, update the NLIS database by recording the following —

(c) the species of animal;

(d) the number of animals in the consignment;

(e) the relevant PIC of the previous property or, if applicable, the BIC of the owner of the consignment;

(f) the relevant PIC of the abattoir;

(g) the serial number of the transport document relating to the movement of the consignment to the abattoir;

(h) the date of slaughter.

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

*[Regulation 109 amended: Gazette 27 Jun 2019 p. 2422; SL 2021/204 r. 14.]*

### 110. Directions by inspectors

(1) For the purposes of regulation 109(5)(b), the inspector may give any necessary or convenient direction in relation to the animals including —

(a) to hold the animals 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 109(3) to be complied with.

(2) An abattoir operator must comply with a direction given by an inspector under subregulation (1).

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

*[Regulation 110 amended: SL 2021/204 r. 14.]*

### 111. Responsibilities of abattoir operator if animal born at or while being moved to abattoir

If an animal is born at, or while being moved to, an abattoir the abattoir operator must —

(a) 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 animal an NLIS post breeder device; and

(b) within 48 hours after the device is applied and before the animal is moved from the abattoir, update the NLIS database in relation to the device by recording the following —

(i) the relevant PIC of the property from which the animal's mother was moved to the abattoir;

(ii) the serial number of the transport document relating to the movement of the animal's mother to the abattoir;

(iii) the date the animal was born.

Penalty: a fine of $5 000.

### 112. Responsibilities of abattoir operator if NLIS device applied to animal

(1) If an animal to which an NLIS device is applied is moved to an abattoir, except from a saleyard, the abattoir operator must, within the period specified in subregulation (2), check, and if necessary update, the NLIS database to ensure that the PIC recorded in relation to the device is the relevant PIC of the property on which the owner of the animal kept it before it was moved to the abattoir.

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

(2) The abattoir operator must comply with subregulation (1) as soon as practicable after the animal is moved to the abattoir and, if it is moved from the abattoir without slaughter, before it is moved.

(3) If an animal to which an NLIS device is applied is slaughtered at an abattoir, the abattoir operator must, within 48 hours after the slaughter, update the NLIS database in relation to the device by recording the following —

(a) the relevant PIC of the previous property or, if applicable, the BIC of the owner of the animal;

(b) the relevant PIC of the abattoir;

(c) the body number assigned to the carcase by the abattoir;

(d) the date of slaughter.

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

(4) An abattoir operator must not move, or permit to be moved, from the abattoir a live animal to which an NLIS device is applied unless —

(a) it is 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 animal is sold or otherwise supplied the relevant PIC of the property to which the animal is to be moved.

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

(5) If a live animal to which an NLIS device is applied is moved from an abattoir, the abattoir operator must, within 48 hours after it is moved, update the NLIS database in relation to the device by recording the following —

(a) the relevant PIC of the abattoir;

(b) the relevant PIC of the property to which the animal has been moved;

(c) the serial number of the transport document relating to the movement of the animal from the abattoir;

(d) the date the animal was moved from the abattoir.

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

*[Regulation 112 amended: Gazette 27 Jun 2019 p. 2422; SL 2021/204 r. 14.]*

### 113. Responsibilities of abattoir operator if animal exempt from NLIS identification

(1) If —

(a) a consignment of one or more animals to which an NLIS device is not applied is moved to an abattoir under an exemption in regulation 83(1); and

(b) the consignment is slaughtered at the abattoir,

the abattoir operator must, within 48 hours after the slaughter, record in the NLIS database the following —

(c) the species of animal;

(d) the number of animals in the consignment;

(e) the relevant PIC of the previous property or, if applicable, the BIC of the owner of the consignment;

(f) the relevant PIC of the abattoir;

(g) the serial number of the transport document relating to the movement of the consignment to the abattoir;

(h) the date of slaughter.

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

(2) If an animal to which an NLIS device is not applied is moved to an abattoir under an exemption in regulation 83(1) but is not slaughtered there, the abattoir operator must not cause or permit the animal to be moved from the abattoir unless —

(a) it is moved back to the property from which it came or to another property with a relevant PIC; and

(b) before the animal is moved, the abattoir operator applies, or causes to be applied, to the animal an NLIS post breeder device; and

(c) as soon as practicable after applying the device the abattoir operator updates the NLIS database in relation to the device by recording the following —

(i) the relevant PIC of the previous property or, if applicable, the BIC of the owner of the animal;

(ii) the relevant PIC of the abattoir;

(iii) the serial number of the transport document relating to the movement of the animal to the abattoir;

(iv) the date the animal arrived at the abattoir;

and

(d) within 48 hours after the animal is moved from the abattoir, the abattoir operator updates the NLIS database in relation to the device by recording the following —

(i) the relevant PIC of the property to which the animal has been moved;

(ii) the serial number of the transport document relating to the movement of the animal from the abattoir;

(iii) the date the animal was moved from the abattoir.

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

*[Regulation 113 amended: Gazette 27 Jun 2019 p. 2422; SL 2021/204 r. 14.]*

### 114. Slaughtered animals moved to pet food processing plants

(1) If a slaughtered animal to which an NLIS device is applied is moved to a pet food processing plant, the operator of the pet food processing plant must, within 48 hours after the animal arrives there, update the NLIS database in relation to the device by recording 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 animal to the pet food processing plant;

(d) the date the animal arrived at the pet food processing plant.

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

(2) If a consignment of one or more slaughtered animals to which an NLIS device is not applied is moved to a pet food processing plant, the operator of the pet food processing plant must, within 48 hours after the consignment arrives there, record in the NLIS database the following —

(a) the species of animal;

(b) the number of animals in the consignment;

(c) the relevant PIC of the previous property;

(d) the relevant PIC of the pet food processing plant;

(e) the serial number of the transport document relating to the movement of the consignment to the pet food processing plant;

(f) the date the consignment arrived at the pet food processing plant.

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

*[Regulation 114 amended: Gazette 27 Jun 2019 p. 2423; SL 2021/204 r. 14.]*

## Subdivision 8 — Export depots

### 115. Responsibilities of export depot operator if no NLIS device applied to animal

(1) Unless an inspector in a particular case approves otherwise, if an animal to which an NLIS device is not applied is moved to an

export depot, the export depot operator must, within the period specified in subregulation (2) —

(a) apply, or cause to be applied, to the animal an NLIS post breeder device; and

(b) update the NLIS database in relation to the device by recording the following —

(i) if the animal was moved to the export depot directly from the farming property on which it was kept by its owner — the relevant PIC of that property;

(ii) if the animal was moved to the export depot from a saleyard —

(I) the relevant PIC of the last property on which the animal was kept by its previous owner before it was moved to the saleyard; and

(II) the BIC of the owner of the animal;

(iii) the serial number of the transport document relating to the movement of the animal to the export depot;

(iv) the date the animal arrived at the export depot.

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 animal arrives at the export depot and before it is exported or otherwise moved from the export depot.

(3) Except as provided in subregulation (4), if a consignment of animals is moved to an export depot and more than 10% of the animals do not have an NLIS device applied to them, the export depot operator must —

(a) hold the animals at the export depot; 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 animals to which an NLIS device is not applied that is moved to an export depot under an exemption in regulation 83(1).

*[Regulation 115 amended: Gazette 27 Jun 2019 p. 2423; SL 2021/204 r. 14.]*

### 116. Directions by inspectors

(1) For the purposes of regulation 115(3)(b), the inspector may give any necessary or convenient direction in relation to the animals including —

(a) to hold the animals 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 115(1) to be complied with.

(2) An export depot operator must comply with a direction given by an inspector under subregulation (1).

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

*[Regulation 116 amended: SL 2021/204 r. 14.]*

### 117. Responsibilities of export depot operator if animal born at or while being moved to export depot

If an animal is born at, or while being moved to, an export depot the export depot operator must —

(a) as soon as practicable after its birth and before it is moved from the export depot, apply, or cause to be applied, to the animal an NLIS post breeder device; and

(b) within 48 hours after applying the device, update the NLIS database in relation to it by recording the following —

(i) the relevant PIC of the property from which the animal's mother was moved to the export depot;

(ii) the serial number of the transport document relating to the movement of the animal's mother to the export depot;

(iii) the date the animal was born.

Penalty: a fine of $5 000.

### 118. Other responsibilities of export depot operators

(1) If an animal to which an NLIS device is applied is moved to an export depot from a property, other than a saleyard, the export depot operator must, within the period specified in subregulation (2), update the NLIS database in relation to the device by recording 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 animal to the export depot;

(d) the date the animal arrived at the export depot.

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

(2) The export depot operator must comply with subregulation (1) —

(a) within 48 hours after the animal arrives at the export depot; or

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

(3) If an animal to which an NLIS device is applied is exported from an export depot, the export depot operator must, within 48 hours after the export, update the NLIS database in relation to the device by recording the following —

(a) the relevant PIC of the export depot;

(b) the relevant PIC of the port to which the animal has been moved;

(c) the serial number of the transport document relating to the movement of the animal from the export depot;

(d) the date the animal was moved from the export depot.

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

(4) An export depot operator must not, except by export, move or permit to be moved from the export depot an animal to which an NLIS device is applied unless —

(a) it is 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 animal is sold or otherwise supplied the relevant PIC of the property to which the animal is to be moved.

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

(5) If an animal to which an NLIS device is applied is moved from an export depot, except by export, the export depot operator must, within 48 hours after it is moved, update the NLIS database in relation to the device by recording the following —

(a) the relevant PIC of the export depot;

(b) the relevant PIC of the property to which the animal has been moved;

(c) the serial number of the transport document relating to the movement of the animal from the export depot;

(d) the date the animal was moved from the export depot.

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

(6) An export depot operator must not, without the approval of an inspector, move or permit to be moved from the export depot an

animal to which an NLIS device is applied unless the device is functioning.

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

*[Regulation 118 amended: Gazette 27 Jun 2019 p. 2423; SL 2021/204 r. 14.]*

# Part 6 — Identifying pigs

*[Heading amended: Gazette 27 Jun 2019 p. 2424; SL 2024/264 r. 13.]*

*[Division 1 (r. 119) deleted: SL 2024/264 r. 6.]*

## Division 2 — Owners of pigs

*[Heading amended: Gazette 27 Jun 2019 p. 2424; SL 2024/264 r. 13.]*

*[Subdivisions 1 (r. 120-123) and 2 (r. 124-127) deleted: SL 2024/264 r. 7.]*

### Subdivision 2A — Identifiers for pigs

*[Heading inserted: Gazette 27 Jun 2019 p. 2428.]*

#### 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.

*[Regulation 127A inserted: Gazette 27 Jun 2019 p. 2428.]*

### 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.

*[Regulation 127B inserted: Gazette 27 Jun 2019 p. 2428.]*

### 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.

*[Regulation 127C inserted: Gazette 27 Jun 2019 p. 2429.]*

### Subdivision 3 — NLIS requirements for pigs

*[Heading inserted: Gazette 27 Jun 2019 p. 2429; amended: SL 2024/264 r. 13.]*

*[**128, 129.** Deleted: SL 2024/264 r. 8.]*

### 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

(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.

*[Regulation 129A inserted: Gazette 27 Jun 2019 p. 2430-1.]*

### 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.

*[Regulation 129B inserted: Gazette 27 Jun 2019 p. 2431.]*

### 130. Responsibilities of owner after moving pig

(1) Except as provided in subregulation (3), if an owner of a pig causes or permits a consignment of one or more pigs to be moved from a property on which the pig is, or pigs are, kept to a property without the same relevant PIC, the owner must, within

48 hours after the consignment is moved, record in the NLIS database the following —

(a) the species of animal;

(b) the number of pigs in the consignment;

(c) the relevant PIC of the property from which the consignment has been moved;

(d) the relevant PIC of the property to which the consignment has been moved;

(e) the serial number of the transport document relating to the movement of the consignment;

(f) the date the consignment was moved.

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

(2) It is sufficient compliance with subregulation (1), in relation to any pig in a consignment to which an NLIS device is applied, if the owner, within 48 hours after the pig is moved, updates the NLIS database in relation to the device by recording the information referred to in subregulation (1)(c) to (f).

(3) Subregulation (1) does not apply if —

(a) the consignment is moved to a holding yard; or

(b) the consignment is moved to a saleyard; or

(c) the consignment is moved from a saleyard after purchasing the pig or pigs there; or

(d) the consignment is moved directly to an abattoir for slaughter; or

(e) the consignment is moved directly to an export depot for export; or

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

*[Regulation 130 amended: Gazette 27 Jun 2019 p. 2432; SL 2021/204 r. 14; amended: SL 2024/264 r. 13.]*

## Division 3 — Other NLIS requirements for pigs

*[Heading inserted: Gazette 27 Jun 2019 p. 2432; amended: SL 2024/264 r. 13.]*

### Subdivision 1 — Imported pigs, pigs from a pound and dead stray pigs

*[Heading amended: SL 2024/264 r. 13.]*

#### 131. Imported pigs

A person must not take possession or control of an imported pig unless the pig has an NLIS identifier applied to it.

Penalty: a fine of $5 000.

*[Regulation 131 amended: SL 2024/264 r. 13.]*

#### 132. Pigs from pound

A person must not take possession or control of a pig from a pound unless the pig has an NLIS identifier applied to it.

Penalty: a fine of $5 000.

*[Regulation 132 amended: SL 2024/264 r. 13.]*

#### 133. Dead stray pigs

(1) In this regulation —

***NLIS identified pig*** means a pig to which an NLIS device is applied.

(2) This regulation applies if a ranger appointed by a local government, or an employee of, or other person authorised to impound animals by, a local government, finds a dead NLIS identified pig or destroys an NLIS identified pig upon —

(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 regulation applies, the local government must, within 48 hours after the NLIS identified pig is found dead or is destroyed, update the NLIS database in relation to the pig's NLIS device by recording the following —

(a) the PIC of the pound operated by the local government;

(b) the date the pig was found dead or was destroyed.

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

*[Regulation 133 amended: SL 2021/204 r. 14; SL 2024/264 r. 13.]*

### Subdivision 2 — Carriers and purchasers

### 134. Responsibilities of carriers

(1) A carrier moving a pig from a property to a holding yard must, as soon as practicable after arriving there, endorse on the transport document relating to the pig —

(a) the relevant PIC of the holding yard; and

(b) the relevant PIC of the property to which the pig 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 pig to which an NLIS identifier is not applied, the carrier must keep the pig separate from —

(a) any pig to which an NLIS identifier is applied; and

(b) any pig being moved from another property.

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

*[Regulation 134 amended: SL 2021/204 r. 14; SL 2024/264 r. 13.]*

### 135. Responsibilities of purchasers

(1) A purchaser of a pig at a property, other than a saleyard, must, when requested by the property operator, give the relevant PIC of the property to which the pig is to be moved.

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

(2) A purchaser of a pig 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 pig is to be moved; or

(b) the purchaser's BIC.

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

(3) A purchaser of a consignment of one or more pigs at a property, other than a saleyard, must, within 48 hours after the consignment is moved from the property, update the NLIS database by recording the following —

(a) the species of animal;

(b) the number of pigs in the consignment;

(c) the relevant PIC of the property from which the consignment has been moved;

(d) the relevant PIC of the property to which the consignment has been moved;

(e) the serial number of the transport document relating to the movement of the consignment from the property;

(f) the date the consignment was moved from the property.

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

(4) It is sufficient compliance with subregulation (3), in relation to any pig in a consignment to which an NLIS device is applied, if, within 48 hours after the pig is moved from the property, the purchaser updates the NLIS database in relation to the device by recording the information referred to in subregulation (3)(c) to (f).

(5) If, in relation to the purchase of a consignment of one or more pigs from a saleyard, a purchaser does not give the saleyard operator a relevant PIC under subregulation (2), the purchaser must, within 24 hours after the consignment is moved from the saleyard, update the NLIS database by recording the following —

(a) the species of animal;

(b) the number of pigs in the consignment;

(c) the purchaser's BIC;

(d) the relevant PIC of the property to which the consignment has been moved;

(e) the serial number of the transport document relating to the movement of the consignment from the saleyard;

(f) the date the consignment was moved from the saleyard.

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

(6) It is sufficient compliance with subregulation (5), in relation to any pig in a consignment to which an NLIS device is applied, if, within 24 hours after the pig is moved from the saleyard, the purchaser updates the NLIS database in relation to the device by recording the information referred to in subregulation (5)(c) to (f).

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

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

*[Regulation 135 amended: Gazette 27 Jun 2019 p. 2433-4; SL 2021/204 r. 14; SL 2024/264 r. 13.]*

### Subdivision 3 — General provisions relating to property operators

#### 136. Pigs not to be delivered to property without relevant PIC

The operator of a property must not cause or permit a pig 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.

*[Regulation 136 amended: SL 2024/264 r. 13.]*

#### 137. Responsibilities of property operator if pig dies on or while being moved to property

(1) This regulation does not apply to a pig that dies on the farming property on which it is kept or while being moved from a property to another property with the same relevant PIC.

(2) If one or more pigs in a consignment die (except by slaughter) on, or while being moved to, a property, the property operator must, within 48 hours after the death, update the NLIS database by recording the following —

(a) the species of animal;

(b) the number of pigs that died;

(c) the relevant PIC of the last property at which the pig was kept;

(d) the relevant PIC of the property on which the pig or pigs died or to which the consignment was being moved;

(e) the serial number of the transport document relating to the movement of the consignment;

(f) the date of death for each pig.

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

(3) It is sufficient compliance with subregulation (2), in relation to any pig in a consignment to which an NLIS device is applied, if within 48 hours after the death of the pig, the property operator

updates the NLIS database in relation to the device by recording the information referred to in subregulation (2)(c) to (f).

*[Regulation 137 amended: Gazette 27 Jun 2019 p. 2434-5; SL 2021/204 r. 14; SL 2024/264 r. 13.]*

### Subdivision 4 — Pounds

### 138. Responsibilities of pound operator if no NLIS device applied to pig

(1) This regulation does not apply to a pig to which an NLIS device is applied.

(2) The operator of a pound may, before a pig is moved to the pound, apply, or cause to be applied, to the pig an NLIS post breeder tag.

(3) Unless an inspector in a particular case approves otherwise, if a pig is moved to a pound before the pound operator has applied, or caused to be applied, to the pig an NLIS post breeder tag, the pound operator must, within the period specified in subregulation (4), apply, or cause to be applied, to the pig an NLIS post breeder tag.

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

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

*[Regulation 138 amended: Gazette 27 Jun 2019 p. 2435; SL 2021/204 r. 14; SL 2024/264 r. 13.]*

### 139. Responsibilities of pound operator if pig born at or while being moved to pound

If a pig 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 pig an NLIS post breeder tag.

Penalty: a fine of $2 000.

*[Regulation 139 amended: SL 2024/264 r. 13.]*

### 140. Responsibilities of pound operator if NLIS device applied to pig

(1) If a pig to which an NLIS device is applied is moved to a pound, the pound operator must, within the period specified in subregulation (2), update the NLIS database in relation to the device by recording the following —

(a) the relevant PIC of the pound;

(b) the serial number of the transport document relating to the movement of the pig to the pound;

(c) the date the pig 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 pig is moved to the pound and before it is moved from the pound.

*[Regulation 140 amended: SL 2021/204 r. 14; SL 2024/264 r. 13.]*

### 141. Responsibilities of pound operator if pig moved from pound

(1) A pound operator must not move, or permit to be moved, from the pound a pig unless —

(a) it is 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 pig is sold or otherwise supplied the relevant PIC of the property to which the pig is to be moved.

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

(2) If a consignment of one or more pigs, to which an NLIS device is not applied, is moved from a pound, the pound operator must,

within 48 hours after the consignment is moved, record in the NLIS database the following —

(a) the relevant PIC of the pound;

(b) the species of animal;

(c) the number of pigs in the consignment;

(d) the relevant PIC of the property to which the consignment has been moved;

(e) the serial number of each NLIS post breeder tag applied to the pig or pigs at the pound;

(f) the serial number of the transport document relating to the movement of the consignment from the pound;

(g) the date the consignment was moved from the pound.

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

(3) If a pig to which an NLIS device is applied is moved from a pound, the pound operator must, within 48 hours after the pig is moved, update the NLIS database in relation to the device by recording the following —

(a) the relevant PIC of the property to which the pig has been moved;

(b) the serial number of the transport document relating to the movement of the pig from the pound;

(c) the date the pig was moved from the pound.

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

*[Regulation 141 amended: Gazette 27 Jun 2019 p. 2436; SL 2021/204 r. 14; SL 2024/264 r. 13.]*

## Subdivision 5 — Holding yards

### 142. Responsibility of holding yard operator if no NLIS identifier applied to pig

(1) In this regulation —

***NLIS device***, in relation to a pig moved to a holding yard, means an NLIS device in relation to which the NLIS database has been updated with the relevant PIC of the property from which the pig was moved to the holding yard;

***NLIS tag***, in relation to a pig moved to a holding yard, means an NLIS tag that displays —

(a) the relevant PIC of the property from which the pig was moved to the holding yard; or

(b) a registered identifier for which the corresponding PIC is the relevant PIC of the property from which the pig was moved to the holding yard.

(2) Unless an inspector in a particular case approves otherwise, if a pig to which neither an NLIS tag nor an NLIS device is applied is moved to a holding yard, the holding yard operator must, within the period specified in subregulation (3), apply, or cause to be applied, to the pig an NLIS post breeder tag.

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

(3) The holding yard operator must comply with subregulation (2) as soon as practicable after the pig arrives at the holding yard and before it is moved from the holding yard.

(4) If a consignment of pigs is moved to a holding yard and more than 10% of the pigs have neither an NLIS tag nor an NLIS device applied to them, the holding yard operator must —

(a) hold the pigs at the holding yard; and

(b) inform an inspector accordingly.

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

*[Regulation 142 amended: Gazette 27 Jun 2019 p. 2436; SL 2021/204 r. 14; SL 2024/264 r. 13.]*

### 143. Directions by inspectors

(1) For the purposes of regulation 142(4)(b), the inspector may give any necessary or convenient direction in relation to the pigs including —

(a) to hold the pigs 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 142(2) to be complied with.

(2) A holding yard operator must comply with a direction given by an inspector under subregulation (1).

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

*[Regulation 143 amended: SL 2021/204 r. 14; SL 2024/264 r. 13.]*

### 144. Responsibilities of holding yard operator if pig born at or while being moved to holding yard

If a pig 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 pig an NLIS post breeder tag.

Penalty: a fine of $2 000.

*[Regulation 144 amended: SL 2024/264 r. 13.]*

### 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

(1) If a pig moved to a holding yard —

(a) is held there for more than 48 hours; or

(b) is to be moved from the holding yard other than in the same consignment in which it arrived,

the holding yard operator must, before the pig is moved from the holding yard, apply, or cause to be applied, to the pig an NLIS post breeder tag.

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

(2) A holding yard operator does not commit an offence under subregulation (1) if —

(a) the holding yard operator does not comply with subregulation (1) with the approval of an inspector in the particular case; or

(b) the holding yard operator has already applied, or caused to be applied, to the pig an NLIS post breeder tag; or

(c) the pig has an NLIS device applied to it and the holding yard operator has updated the NLIS database in relation to the device by recording the information referred to in regulation 146(2)(a) to (d).

*[Regulation 145 amended: SL 2021/204 r. 14; SL 2024/264 r. 13.]*

### 146. Other responsibilities of holding yard operators

(1) Unless an inspector in a particular case approves otherwise, if a consignment of one or more pigs is moved to a holding yard, the holding yard operator must, before the consignment is moved from the holding yard, record in the NLIS database the following —

(a) the species of animal;

(b) the number of pigs in the consignment;

(c) the relevant PIC of the previous property or, if applicable, the BIC of the owner of the consignment;

(d) the relevant PIC of the holding yard;

(e) the serial number displayed on any NLIS post breeder tag applied to the pig or pigs at the holding yard;

(f) the serial number of the transport document relating to the movement of the consignment to the holding yard;

(g) the identifier or identifiers recorded on the transport document or, if no identifier is recorded, the details of each NLIS tag applied to the pig or pigs;

(h) the date the consignment arrived at the holding yard.

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

(2) It is sufficient compliance with subregulation (1), in relation to any pig in a consignment to which an NLIS device is applied, if the holding yard operator, before the pig is moved from the holding yard, updates the NLIS database in relation to the device by recording the information referred to in subregulation (1)(c), (d), (f) and (h).

*[Regulation 146 amended: Gazette 27 Jun 2019 p. 2436; SL 2021/204 r. 14; SL 2024/264 r. 13.]*

## Subdivision 6 — Saleyards

### 147. When saleyard to be treated as holding yard

If a pig is moved to a saleyard for purposes other than for sale, and while the pig is kept at the saleyard no other species of animal —

(a) is kept there for the purposes of sale; or

(b) is kept there after having been sold at the property,

regulations 142 to 146 apply, with any necessary modifications, to the movement of the pig as if the saleyard were a holding yard.

*[Regulation 147 amended: Gazette 27 Jun 2019 p. 2436-7; SL 2024/264 r. 13.]*

### 148. Responsibilities of saleyard operator if no NLIS identifier applied to pig

(1) In this regulation —

***NLIS device***, in relation to a pig moved to a saleyard, means an NLIS device in relation to which the NLIS database has been updated with the relevant PIC of the property from which the pig was moved to the saleyard;

***NLIS tag***, in relation to a pig moved to a saleyard, means an NLIS tag that displays —

(a) the relevant PIC of the property from which the pig was moved to the saleyard; or

(b) a registered identifier for which the corresponding PIC is the relevant PIC of the property from which the pig was moved to the saleyard.

(2) Unless an inspector in a particular case approves otherwise, if a pig to which neither an NLIS tag nor an NLIS device is applied is moved to a saleyard, the saleyard operator must, within the period specified in subregulation (3), apply, or cause to be applied, to the pig an NLIS post breeder tag.

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

(3) The saleyard operator must comply with subregulation (2) as soon as practicable after the pig arrives at the saleyard and before it is sold or moved from the saleyard.

(4) Except as provided in subregulation (5), if a consignment of pigs is moved to a saleyard and more than 10% of the pigs have neither an NLIS tag nor an NLIS device applied to them, the operator of the saleyard must —

(a) hold the pigs at the saleyard without selling them; and

(b) inform an inspector accordingly.

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

(5) Subregulation (4) does not apply to a consignment of pigs to which an NLIS identifier is not applied that is moved to a saleyard under the exemption in regulation 129B(1)(b).

*[Regulation 148 amended: Gazette 27 Jun 2019 p. 2437; SL 2021/204 r. 14; SL 2024/264 r. 9 and 13.]*

### 149. Directions by inspectors

(1) For the purposes of regulation 148(4)(b), the inspector may give any necessary or convenient direction in relation to the pigs including —

(a) to hold the pigs 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 148(2) to be complied with.

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

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

*[Regulation 149 amended: SL 2021/204 r. 14; SL 2024/264 r. 13.]*

### 150. Responsibilities of saleyard operator if pig born at or while being moved to saleyard

If a pig 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 pig an NLIS post breeder tag.

Penalty: a fine of $5 000.

*[Regulation 150 amended: SL 2024/264 r. 13.]*

### 151. Responsibilities of saleyard operator if pig moved from saleyard

(1) A saleyard operator must not move, or permit to be moved, from the saleyard a pig to which an NLIS identifier is applied unless —

(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 pig is sold or otherwise supplied the relevant PIC of the property to which the pig is to be moved; or

(b) the saleyard operator has obtained from the person to whom the pig is sold or otherwise supplied the person's BIC.

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

(2) A saleyard operator must not, without the approval of an inspector, cause or permit a pig to which an NLIS tag is applied to be sold or moved from the saleyard unless the tag is legible.

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

*[Regulation 151 amended: Gazette 27 Jun 2019 p. 2437; SL 2021/204 r. 14; SL 2024/264 r. 13.]*

### 152. Other responsibilities of saleyard operators

(1) The operator of a saleyard must, within the period specified in subregulation (3), record in the NLIS database the movement of a consignment of pigs to the saleyard, and any subsequent sale or other movement of a consignment of pigs from the saleyard, including the following (as applicable) —

(a) the species of animal;

(b) the number of pigs in the consignment;

(c) the relevant PIC of the previous property;

(d) the relevant PIC of the saleyard;

(e) the serial number of the transport document relating to the movement of the consignment to the saleyard;

(f) the identifier recorded on the transport document relating to the movement of the consignment to the saleyard or, if no identifier is recorded, the details of each NLIS tag applied to the pig or pigs;

(g) the relevant PIC of the property to which the consignment was moved from the saleyard or, if applicable, the BIC of the purchaser of the consignment;

(h) the serial number displayed of any NLIS post breeder tag applied to the pig or pigs at the saleyard;

(i) the date the consignment was sold at, or otherwise moved from, the saleyard.

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

(2) It is sufficient compliance with subregulation (1), in relation to any pig in a consignment to which an NLIS device is applied, if the saleyard operator, within the period specified in subregulation (3), updates the NLIS database in relation to the device by recording the following (as applicable) —

(a) the date the pig arrived at the saleyard;

(b) the information referred to in subregulation (1)(c), (d), (e), (g) and (i).

*[(c)-(f) deleted]*

(3) The saleyard operator must comply with the requirements of subregulation (1) or (2) within 48 hours after the consignment is moved from the saleyard.

*[Regulation 152 amended: Gazette 27 Jun 2019 p. 2438; SL 2021/204 r. 14; SL 2024/264 r. 13.]*

## Subdivision 7 — Abattoirs

### 153. Responsibilities of abattoir operator if no NLIS identifier applied to pig

(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 —

(i) the inspection of pigs before they are slaughtered; and

(ii) giving consent for pigs to be slaughtered after inspection,

who is authorised by that agency to exercise the functions of an abattoir inspector under this regulation;

***NLIS device***, in relation to a pig moved to an abattoir, means an NLIS device in relation to which the NLIS database has been updated with the relevant PIC of the property from which the pig was moved to the abattoir;

***NLIS tag***, in relation to a pig moved to an abattoir, means an NLIS tag that displays —

(a) the relevant PIC of the property from which the pig was moved to the abattoir; or

(b) a registered identifier for which the corresponding PIC is the relevant PIC of the property from which the pig was moved to the abattoir.

(2) This regulation does not apply to a pig to which an NLIS identifier is not applied that is moved to an abattoir under an exemption in regulation 129B(1).

(3) Unless an abattoir inspector in a particular case approves otherwise, if a pig is moved to an abattoir with neither an NLIS tag nor an NLIS device applied to it, the abattoir operator must,

within the period specified in subregulation (4), apply, or cause to be applied, to the pig an NLIS post breeder tag.

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

(4) The abattoir operator must comply with subregulation (3) as soon as practicable after the pig arrives at the abattoir and before it is slaughtered or otherwise moved from the abattoir.

(5) If a consignment of pigs is moved to an abattoir and more than 10% of the pigs have neither an NLIS tag nor an NLIS device applied to them, the operator of the abattoir must —

(a) hold the pigs at the abattoir without slaughtering them; and

(b) inform an inspector accordingly.

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

*[Regulation 153 amended: Gazette 27 Jun 2019 p. 2438-9; SL 2021/204 r. 14; SL 2024/264 r. 10 and 13.]*

### 154. Directions by inspectors

(1) For the purposes of regulation 153(5)(b), an inspector may give any necessary or convenient direction in relation to the pigs including —

(a) to hold the pigs 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 153(3) 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.

*[Regulation 154 amended: SL 2021/204 r. 14; SL 2024/264 r. 13.]*

### 155. Responsibilities of abattoir operator if pig born at or while being moved to abattoir

Unless an inspector in a particular case approves otherwise, if a pig 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 pig an NLIS post breeder tag.

Penalty: a fine of $5 000.

*[Regulation 155 amended: SL 2024/264 r. 13.]*

### 156. Responsibilities of abattoir operator if pig moved to abattoir

(1) If a consignment of one or more pigs is moved to an abattoir, the abattoir operator must, within 48 hours after the consignment arrives there, record in the NLIS database the following —

(a) the species of animal;

(b) the number of pigs in the consignment;

(c) the relevant PIC of the previous property;

(d) the relevant PIC of the abattoir;

(e) the serial number displayed on any NLIS post breeder tag applied to the pig or pigs at the abattoir;

(f) the serial number of the transport document relating to the movement of the consignment to the abattoir;

(g) if the consignment was moved to the abattoir from a property other than a saleyard — the identifier recorded on the transport document relating to the movement of the consignment to the abattoir or, if no identifier is recorded, the details of each NLIS tag applied to the pig or pigs;

(h) the date the consignment arrived at the abattoir.

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

(2) It is sufficient compliance with subregulation (1), in relation to any pig in a consignment to which an NLIS device is applied, if the abattoir operator, within 48 hours after the pig arrives at the abattoir, updates the NLIS database in relation to the device by recording the information referred to in subregulation (1)(c), (d), (f) and (h).

*[Regulation 156 amended: Gazette 27 Jun 2019 p. 2439; SL 2021/204 r. 14; SL 2024/264 r. 13.]*

### 157. Responsibilities of abattoir operator after pig slaughtered

(1) If a consignment of one or more pigs 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 species of animal;

(b) the number of pigs in the consignment;

(c) the PIC of the previous property;

(d) the PIC of the abattoir;

(e) the PIC and the serial number displayed on any NLIS tag applied to the pig or pigs at the abattoir;

(f) the date of slaughter.

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

(2) It is sufficient compliance with subregulation (1), in relation to any pig in a consignment to which an NLIS device is applied, if the abattoir operator, within 48 hours after the pig is slaughtered, updates the NLIS database in relation to the NLIS device by recording the information referred to in subregulation (1)(c), (d) and (f).

*[Regulation 157 amended: Gazette 27 Jun 2019 p. 2439; SL 2021/204 r. 14; SL 2024/264 r. 13.]*

### 158. Responsibilities of abattoir operator if live pig 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 pig unless —

(a) the pig is 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 pig is sold or otherwise supplied the relevant PIC of the property to which the pig is to be moved; and

(c) the pig has —

(i) an NLIS post breeder tag applied to it at the abattoir; or

(ii) an NLIS device applied to it.

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

(2) If a consignment of one or more live pigs to which an NLIS post breeder tag is applied is moved from an abattoir, the abattoir operator must, within 48 hours after the consignment is moved from the abattoir, record in the NLIS database the following —

(a) the species of animal;

(b) the number of pigs in the consignment;

(c) the relevant PIC of the abattoir;

(d) the relevant PIC of the property to which the consignment has been moved;

(e) the serial number displayed on any NLIS tag applied to the pig or pigs at the abattoir;

(f) the serial number of the transport document relating to the movement of the consignment from the abattoir;

(g) the date the consignment was moved from the abattoir.

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

(3) It is sufficient compliance with subregulation (2), in relation to any pig in a consignment to which an NLIS device is applied, if the abattoir operator, within 48 hours after the pig is moved from the abattoir, updates the NLIS database in relation to the device by recording the information referred to in subregulation (2)(c), (d), (f) and (g).

(4) If a live pig to which an NLIS device, but not an NLIS post breeder tag, is applied is moved from an abattoir, the abattoir operator must, within 48 hours after the pig is moved from the abattoir, update the NLIS database in relation to the device by recording the following —

(a) the relevant PIC of the abattoir;

(b) the relevant PIC of the property to which the pig has been moved;

(c) the serial number of the transport document relating to the movement of the pig from the abattoir;

(d) the date the pig was moved from the abattoir.

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

*[Regulation 158 amended: Gazette 27 Jun 2019 p. 2440; SL 2021/204 r. 14; SL 2024/264 r. 13.]*

### 159. Slaughtered pigs moved to pet food processing plants

(1) If a consignment of one or more slaughtered pigs to which an NLIS identifier is applied is moved to a pet food processing plant, the operator of the pet food processing plant must, within 48 hours after the consignment arrives there, record in the NLIS database the following —

(a) the species of animal;

(b) the number of pigs in the consignment;

(c) the relevant PIC of the previous property;

(d) the relevant PIC of the pet food processing plant;

(e) the serial number of the transport document relating to the movement of the consignment to the pet food processing plant;

(f) the date the consignment arrived at the pet food processing plant.

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

(2) It is sufficient compliance with subregulation (1), in relation to any pig in a consignment to which an NLIS device is applied, if the operator of the pet food processing plant, within 48 hours after the pig arrives there, updates the NLIS database in relation to the device by recording the information referred to in subregulation (1)(c) to (f).

*[Regulation 159 amended: Gazette 27 Jun 2019 p. 2440; SL 2021/204 r. 14; SL 2024/264 r. 13.]*

### Subdivision 8 — Export depots

### 160. Responsibilities of export depot operator if no NLIS identifier applied to pig

(1) In this regulation —

***NLIS device***, in relation to a pig moved to an export depot, means an NLIS device in relation to which the NLIS database has been updated with the relevant PIC of the property from which the pig was moved to the export depot;

***NLIS tag***, in relation to a pig moved to an export depot, means an NLIS tag that displays —

(a) the relevant PIC of the property from which the pig was moved to the export depot; or

(b) a registered identifier for which the corresponding PIC is the relevant PIC of the property from which the pig was moved to the export depot.

(2) Unless an inspector in a particular case approves otherwise, if a pig to which neither an NLIS tag nor an NLIS device is applied

is moved to an export depot, the export depot operator must, within the period specified in subregulation (3) apply, or cause to be applied, to the pig an NLIS post breeder tag.

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

(3) The export depot operator must comply with subregulation (2) as soon as practicable after the pig arrives at the export depot and before it is exported or otherwise moved from the export depot.

(4) If a consignment of pigs is moved to an export depot and more than 10% of the pigs have neither an NLIS tag nor an NLIS device applied to them, the export depot operator must —

(a) hold the pigs at the export depot; and

(b) inform an inspector accordingly.

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

*[Regulation 160 amended: Gazette 27 Jun 2019 p. 2441; SL 2021/204 r. 14; SL 2024/264 r. 13.]*

### 161. Directions by inspectors

(1) For the purposes of regulation 160(4)(b), the inspector may give any necessary or convenient direction in relation to the pigs including —

(a) to hold the pigs 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 160(2) to be complied with.

(2) An export depot operator must comply with a direction given by an inspector under subregulation (1).

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

*[Regulation 161 amended: SL 2021/204 r. 14; SL 2024/264 r. 13.]*

### 162. Responsibilities of export depot operator if pig born at or while being moved to export depot

If a pig 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 pig an NLIS post breeder tag.

Penalty: a fine of $5 000.

*[Regulation 162 amended: SL 2024/264 r. 13.]*

### 163. Responsibilities of export depot operator if pig moved to export depot

(1) If a consignment of one or more pigs is moved to an export depot, the export depot operator must, within 48 hours after the consignment arrives there, record in the NLIS database the following —

(a) the species of animal;

(b) the number of pigs in the consignment;

(c) the relevant PIC of the previous property;

(d) the relevant PIC of the export depot;

(e) the serial number recorded on any NLIS post breeder tag applied to the pig or pigs at the export depot;

(f) the serial number of the transport document relating to the movement of the consignment to the export depot;

(g) the identifier recorded on the transport document or, if no identifier is recorded, the details of each NLIS tag applied to the pig or pigs;

(h) the date the consignment arrived at the export depot.

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

(2) It is sufficient compliance with subregulation (1), in relation to any pig in a consignment to which an NLIS device is applied, if the export depot operator, within 48 hours after the pig arrives at the export depot, updates the NLIS database in relation to the

device by recording the information referred to in subregulation (1)(c), (d), (f) and (h).

*[Regulation 163 amended: Gazette 27 Jun 2019 p. 2441; SL 2021/204 r. 14; SL 2024/264 r. 13.]*

### 164. Responsibilities of export depot operator if pig exported or otherwise moved from export depot

(1) If a consignment of one or more pigs is moved from an export depot for export, the export depot operator must, within 48 hours after the consignment is moved, record in the NLIS database the following —

(a) the species of animal;

(b) the number of pigs in the consignment;

(c) the relevant PIC of the export depot;

(d) the relevant PIC of the port to which the consignment has been moved;

(e) the serial number of the transport document relating to the movement of the consignment from the export depot;

(f) the date the consignment was moved from the export depot.

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

(2) It is sufficient compliance with subregulation (1), in relation to any pig in a consignment to which an NLIS device is applied, if the export depot operator, within 48 hours after the pig is moved, updates the NLIS database in relation to the device by recording the information referred to in subregulation (1)(c) to (f).

(3) 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 a pig to which an NLIS identifier is applied unless —

(a) it is 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 pig is sold or otherwise supplied the relevant PIC of the property to which the pig is to be moved; and

(c) the export depot operator has applied, or caused to be applied, to the pig an NLIS post breeder tag.

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

(4) It is not necessary to apply an NLIS post breeder tag to a pig under subregulation (3)(c) if the pig is being moved directly to an abattoir.

(5) Unless an inspector in a particular case approves otherwise, if a consignment of one or more pigs is moved from an export depot, except by export, the export depot operator must, within 48 hours after the consignment is moved, update the NLIS database by recording the following —

(a) the species of animal;

(b) the number of pigs in the consignment;

(c) the relevant PIC of the export depot;

(d) the relevant PIC of the property to which the consignment has been moved;

(e) the serial number displayed on any NLIS post breeder tag applied to the pig or pigs at the export depot;

(f) the serial number of the waybill relating to the movement of the consignment from the export depot;

(g) the date the consignment was moved from the export depot.

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

(6) It is sufficient compliance with subregulation (5), in relation to any pig in a consignment to which an NLIS device is applied, if the export depot operator, within 48 hours after the pig is moved, updates the NLIS database in relation to the device by recording the information referred to in subregulation (5)(c), (d), (f) and (g).

*[Regulation 164 amended: Gazette 27 Jun 2019 p. 2441-2; SL 2021/204 r. 14; SL 2024/264 r. 13.]*

# Part 6A — Identifying sheep and goats

*[Heading inserted: SL 2024/264 r. 11.]*

## Division 1 — Preliminary

*[Heading inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164 inserted: SL 2024/264 r. 11.]*

## Division 2 — Owners and purchasers of sheep and goats

*[Heading inserted: SL 2024/264 r. 11.]*

### Subdivision 1 — Identifiers for sheep

*[Heading inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164B inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164C inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164D inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164E inserted: SL 2024/264 r. 11.]*

### Subdivision 2 — Identifiers for goats

*[Heading inserted: SL 2024/264 r. 11.]*

#### 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.

*[Regulation 164F inserted: SL 2024/264 r. 11.]*

#### 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.

*[Regulation 164H inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164I inserted: SL 2024/264 r. 11.]*

## Subdivision 3 — Owner responsibilities when sheep and goats moved

*[Heading inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164J inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164K inserted: SL 2024/264 r. 11.]*

### 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

*[Regulation 164L inserted: SL 2024/264 r. 11.]*

### 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).

*[Regulation 164M inserted: SL 2024/264 r. 11.]*

### Subdivision 4 — Owner responsibilities if sheep or goat dies

*[Heading inserted: SL 2024/264 r. 11.]*

#### 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.

*[Regulation 164N inserted: SL 2024/264 r. 11.]*

### Subdivision 5 — Purchasers of sheep and goats

*[Heading inserted: SL 2024/264 r. 11.]*

#### 164O. 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.

*[Regulation 164O inserted: SL 2024/264 r. 11.]*

## Division 3 — Property operators

*[Heading inserted: SL 2024/264 r. 11.]*

### Subdivision 1 — General provisions relating to property operators

*[Heading inserted: SL 2024/264 r. 11.]*

#### 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.

*[Regulation 164P inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164Q inserted: SL 2024/264 r. 11.]*

## Subdivision 2 — Pounds

*[Heading inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164R inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164S inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164T inserted: SL 2024/264 r. 11.]*

### 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;

(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.

*[Regulation 164U inserted: SL 2024/264 r. 11.]*

### Subdivision 3 — Holding yards

*[Heading inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164V inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164W inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164X inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164Y inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164Z inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164ZA inserted: SL 2024/264 r. 11.]*

## Subdivision 4 — Saleyards

*[Heading inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164ZB inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164ZC inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164ZD inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164ZE inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164ZF inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164ZG inserted: SL 2024/264 r. 11.]*

## Subdivision 5 — Abattoirs

*[Heading inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164ZH inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164ZI inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164ZJ inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164ZK inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164ZL inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164ZM inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164ZN inserted: SL 2024/264 r. 11.]*

## Subdivision 6 — Export depots

*[Heading inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164ZO inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164ZP inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164ZQ inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164ZR inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164ZS inserted: SL 2024/264 r. 11.]*

## Division 4 — Carriers of sheep and goats

*[Heading inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164ZT inserted: SL 2024/264 r. 11.]*

## Division 5 — Other NLIS requirements for sheep and goats

*[Heading inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164ZU inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164ZV inserted: SL 2024/264 r. 11.]*

### 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.

*[Regulation 164ZW inserted: SL 2024/264 r. 11.]*

# Part 7 — Identifying other species of stock

## Division 1 — Deer

### 165. Owners to identify deer

(1) An owner of a deer, other than an imported deer or a deer from a pound, must identify the deer, or cause it to be identified, in accordance with this regulation —

(a) if it is first mustered before it reaches 12 months of age and before it is identified in accordance with this regulation — when it is first mustered; or

(b) if it is moved from the property on which it is kept before it reaches 12 months of age and before it is identified in accordance with this regulation — before it is moved; or

(c) otherwise — before it reaches 12 months of age.

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

(2) An owner of an imported deer must identify the deer, or cause it to be identified, in accordance with this regulation —

(a) if the deer is moved from the property on which it is kept within 14 days of it being imported 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.

(3) An owner of a deer from a pound must identify the deer, or cause it to be identified, in accordance with this regulation —

(a) if the deer is moved from the property on which it is kept within 14 days of the owner taking possession of it from the pound 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.

(4) A deer 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 168;

(b) a registered identifier applied as an earmark in accordance with regulation 169;

(c) an approved identifier for deer.

*[Regulation 165 amended: Gazette 27 Jun 2019 p. 2442; SL 2021/204 r. 14.]*

### 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.

*[Regulation 166 inserted: Gazette 27 Jun 2019 p. 2442.]*

### 167. Deer identified by previous owner

It is not necessary for the current owner of a deer to identify the deer, or cause it be identified, in accordance with regulation 165 if —

(a) the deer is identified with the registered identifier or an approved identifier of a previous owner; and

(b) the current owner has in his or her possession or control documentary evidence of his or her right to possess the deer.

### 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.

*[Regulation 168 inserted: Gazette 27 Jun 2019 p. 2443.]*

### 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.

*[Regulation 169 inserted: Gazette 27 Jun 2019 p. 2443.]*

## Division 2 — Horses and donkeys

*[Heading inserted: Gazette 27 Jun 2019 p. 2444.]*

### 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.

(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.

*[Regulation 170 inserted: Gazette 27 Jun 2019 p. 2444-5.]*

### 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.

*[Regulation 171 inserted: Gazette 27 Jun 2019 p. 2445.]*

### 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.

*[Regulation 172 inserted: Gazette 27 Jun 2019 p. 2446.]*

### 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.

*[Regulation 173 inserted: Gazette 27 Jun 2019 p. 2446.]*

*[Div. 3 (r.174-177) deleted: SL 2022/17 r. 7.]*

*[Div. 4 (r.178-180) deleted: Gazette 27 Jun 2019 p. 2447.]*

## Division 5 — South American camelids

### 181. Owners to identify South American camelids

(1) An owner of a South American camelid, other than an imported South American camelid or a South American camelid from a pound, must identify the South American camelid, or cause it to be identified, in accordance with this regulation —

(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) An owner of an imported South American camelid must identify the South American camelid, or cause it to be identified, in accordance with this regulation —

(a) if it is moved from the property on which it is kept within 14 days of it being imported 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.

(3) An owner of a South American camelid from a pound must identify the South American camelid, or cause it to be identified, in accordance with this regulation —

(a) if it is moved from the property on which it is kept within 14 days of the owner taking possession of it from the pound 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.

(4) A South American camelid 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 184;

(b) a registered identifier applied as an earmark in accordance with regulation 185;

(c) an approved identifier for South American camelids.

*[Regulation 181 amended: Gazette 27 Jun 2019 p. 2447; SL 2021/204 r. 14.]*

### 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.

*[Regulation 182 inserted: Gazette 27 Jun 2019 p. 2447.]*

### 183. South American camelids identified by previous owner

It is not necessary for the current owner of a South American camelid to identify the South American camelid, or cause it to be identified, in accordance with regulation 181 if —

(a) the South American camelid is identified with the registered identifier or an approved identifier of a previous owner; and

(b) the current owner has in his or her possession or control documentary evidence of his or her right to possess the South American camelid.

### 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.

*[Regulation 184 inserted: Gazette 27 Jun 2019 p. 2448.]*

### 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.

*[Regulation 185 inserted: Gazette 27 Jun 2019 p. 2448.]*

### 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

(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.

*[Regulation 186 inserted: Gazette 27 Jun 2019 p. 2448-9.]*

# Part 8 — Movement of animals

## 187. Terms used

In this Part —

***identifier*** means —

(a) an approved identifier; or

(b) an NLIS identifier; or

(c) a registered identifier for stock;

***number plate*** means a number plate, identification tablet, special plate or name plate within the meaning of the *Road Traffic (Licensing) Regulations 1975* or a corresponding written law of another State or a Territory;

***trading name***, in relation to a person, means the trading name recorded in the register in relation to the person.

## 188. Application of Part

This Part does not apply to the movement of —

(a) a horse, donkey or camel unless it is being moved to an abattoir for slaughter for human consumption; or

(b) an emu or ostrich, or poultry; or

(c) a slaughtered animal being moved from an abattoir.

*[Regulation 188 amended: Gazette 27 Jun 2019 p. 2449; SL 2022/17 r. 8.]*

## 189. When waybill is required

Unless these regulations provide otherwise —

(a) an operator of a farming property at which an animal is kept; or

(b) an operator of a non-farming property at which an animal is kept; or

(c) a person impounding an animal found wandering, straying, lying or trespassing on land,

must not cause or permit the animal, whether live or dead, to be moved from the property or land, without first giving the carrier of the animal a waybill in accordance with this Part.

Penalty: a fine of $5 000.

### 190. General requirements for waybills

(1) A waybill must —

(a) if it is given for the movement of a consignment of one animal — relate to that animal and to no other animals; and

(b) if it is given for the movement of a consignment of 2 or more animals — relate to all of those animals and to no other animals.

(2) Unless these regulations provide otherwise, a waybill must be in the form of a legible document that contains the following —

(a) a serial number;

(b) the name and signature of the person providing the waybill;

(c) the name and signature of the carrier;

(d) the details of the number plate of each vehicle in which the consignment is to be carried;

(e) the name, or trading name, of the owner of the animal or animals in the consignment (whether or not that person is providing the waybill) or, if the consignment is being moved to a pound and the owner is not known, words to the effect that the owner is not known;

(f) the name of the person to whom the animal is, or animals are, consigned;

(g) the species, breed, sex and age of the animal or animals in the consignment;

(h) the number of animals in the consignment;

(i) if the animal is, or animals are, being moved from a property other than a saleyard — the relevant PIC and street address of the property from which the animal is, or animals are, being moved;

(j) if the animal is, or animals are, being moved from a saleyard —

(i) the relevant PIC of the property on which the animal was, or animals were, last kept by the vendor of the animal or animals before being moved to the saleyard; and

(ii) the name and relevant PIC of the saleyard;

(k) the relevant PIC and street address of the property that is the destination of the consignment;

(l) the details required under regulation 194 relating to identifiers;

(m) if the animal is, or animals are, being moved without identification under the authority of a movement permit — the serial number of the movement permit and the date it was granted;

(n) the date of the movement of the consignment from the property.

(3) Unless these regulations provide otherwise, a person who is required to give a waybill for the movement of a consignment of one or more animals must, before it is moved, give the carrier of the consignment the original and one copy of the waybill.

(4) A person who gives a waybill relating to the movement of a consignment of animals from a property in more than one vehicle may —

(a) give the driver of the first vehicle the original and one copy of the waybill; and

(b) give the driver of each other vehicle a legible document that contains the following —

(i) the details of the number plate of that vehicle;

(ii) the serial number of the waybill given to the driver of the first vehicle;

(iii) the name of the person to whom the animals are consigned;

(iv) the number of animals being carried in the vehicle;

(v) the relevant PIC of the property from which the consignment is being moved;

(vi) the date of the movement of the consignment from the property.

(5) A person who gives a waybill, or other transport document, to a carrier under these regulations must retain a copy of the waybill, or other transport document, for not less than 7 years after it is given.

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

*[Regulation 190 amended: SL 2021/204 r. 14.]*

**191. Movements from saleyards**

(1) If a consignment of one or more animals is to be moved from a saleyard, the saleyard operator may give the carrier of the consignment a waybill in the form of a legible document (by whatever name called) that contains the following —

(a) a serial number;

(b) the name of the carrier;

(c) the details of the number plate of the vehicle in which the consignment is to be carried;

(d) the name and relevant PIC of the saleyard;

(e) the relevant PIC of the property on which the animal was, or animals were, last kept by the vendor of the animal or animals before being moved to the saleyard;

(f) the name of the purchaser of the consignment;

(g) if the purchaser has given the saleyard operator the relevant PIC of the property to which the animal is to be moved — that relevant PIC;

(h) if the purchaser has given the saleyard operator a BIC — that BIC;

(i) the species of animal;

(j) the number of animals in the consignment;

(k) the serial number of each waybill relating to the movement of the animal or animals to the saleyard;

(l) the details of each pen in which the animal was, or animals were, kept at the saleyard;

(m) the details required under regulation 194 relating to identifiers;

(n) the date the animal was, or animals were, sold at the saleyard.

(2) It is sufficient compliance with regulation 190(3) for a saleyard operator to give the carrier one copy of a waybill that meets the requirements of subregulation (1) if, before the consignment is moved, the saleyard operator gives, by electronic means, a copy of the waybill to the operator of the property that is the destination of the consignment.

*[Regulation 191 amended: Gazette 27 Jun 2019 p. 2449.]*

### 192. When purchaser must provide waybill

(1) If a purchaser of an animal at a saleyard does not give the saleyard operator the relevant PIC of the property to which the animal is to be moved, the purchaser must, before the animal is moved from the saleyard, give the carrier of the consignment

2 copies of a waybill in the form of a legible document that contains the following —

(a) a serial number;

(b) the name and BIC of the purchaser;

(c) the serial number of the waybill given by the saleyard operator for the movement of the animal from the saleyard;

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

(e) the date of the movement of the animal from the saleyard.

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

(2) A carrier who is given a waybill by a purchaser under subregulation (1) must, before moving the animal from the saleyard, securely attach a copy of the waybill to each waybill relating to the movement of the animal given to the carrier by the saleyard operator.

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

*[Regulation 192 amended: Gazette 27 Jun 2019 p. 2449-50; SL 2021/204 r. 14.]*

### 193. Movements from export depots

If a consignment of one or more animals is to be moved from an export depot to a port for the purpose of export, the export depot operator may give the carrier of the consignment a waybill in the form of a legible document (by whatever name called) that contains the following —

(a) a serial number;

(b) the species of animal;

(c) the number of animals in the consignment;

(d) the name and signature of the carrier;

(e) the details of the number plate of the vehicle in which the consignment is to be carried;

(f) the relevant PIC of the export depot;

(g) the relevant PIC of the port;

(h) the name of the ship onto which the animal is, or animals are, to be loaded for export;

(i) the date of the movement of the consignment from the export depot.

### 194. Recording identifiers on waybills

(1) Subject to subregulation (2), for the purposes of regulations 190(2)(l), 191(1)(m) and 197(b)(x) the following details in relation to identifiers must be recorded —

(a) the type, or types, of NLIS device applied to the animal or animals;

(b) the relevant PIC or registered identifier displayed on each NLIS tag applied to the animal or animals;

(c) if no NLIS identifier is applied to the animal or animals — the details of any registered identifier applied to the animal or animals;

(d) the details of any identifier, approved by an inspector under regulation 83(2)(a), applied to the animal or animals;

(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;

(e) if no identifier is applied to the animal or animals being moved — the number of animals to which an identifier is not applied (if applicable) together with the words "not identified", or words to that effect.

(2) It is not necessary to record all of the identifiers applied to an animal except the identifier most recently applied.

*[Regulation 194 amended: Gazette 27 Jun 2019 p. 2450.]*

### 195. When waybill is not required

It is not necessary to a give a waybill for the movement of an animal if the animal —

(a) is being moved from the property on which it is kept by its owner to another property with the same relevant PIC and is accompanied for the whole of the movement by the owner's certificate of registration as an owner of stock, or a true copy; or

(b) is being moved under the authority of a movement notice or permit, or in accordance with an approval, issued or given under the *Biosecurity and Agriculture Management Regulations 2013*, and is accompanied for the whole of the movement by 2 copies of the movement notice, permit or approval; or

(c) is being exported to another State or a Territory and is accompanied for the whole of the movement by a copy of a current stock health certificate in the form required by the State or Territory where the animal is to be introduced; or

(d) is being moved, without identification, under the authority of a movement permit and is accompanied for the whole of the movement by 2 copies of the movement permit.

### 196. Movement permits

(1) In this regulation —

***permit holder*** means the person to whom a movement permit is granted;

***specified*** means specified in a movement permit.

(2) An owner of stock to whom an identification exemption certificate is granted and in force may apply, in the approved form, to an inspector for a movement permit.

(3) An inspector to whom an application is made under subregulation (2) may grant the applicant a movement permit.

(4) The inspector may grant a movement permit subject to any conditions the inspector thinks appropriate.

(5) A movement permit must —

(a) be in the approved form; and

(b) have a serial number; and

(c) specify any conditions imposed by the inspector.

(6) Unless it is cancelled under subregulation (7), a movement permit —

(a) authorises the permit holder to move the specified stock, without being identified in accordance with these regulations, to a specified property; and

(b) expires on the specified date.

(7) If an inspector is of the opinion that the continuance in force of a movement permit may lead to the spread of disease or may otherwise defeat or impede the achievement of the objects and purposes of the Act, the inspector may, at any time and whether or not the permit was granted by him or her, cancel it by giving written notice of the cancellation to the permit holder.

(8) If a movement permit is cancelled under subregulation (7), an inspector may direct a person in possession of the movement permit, or a copy of the movement permit, to give the inspector the movement permit or copy.

(9) A person must comply with a direction given under subregulation (8) as soon as practicable after the direction is given.

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

(10) If a movement permit is cancelled under subregulation (7) an inspector may at any time grant a fresh movement permit.

(11) A permit holder must —

(a) comply with any specified conditions; and

(b) unless the permit holder has given the movement permit to an inspector under subregulation (8), retain the movement permit for not less than 7 years after it is granted.

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

*[Regulation 196 amended: SL 2021/204 r. 14.]*

### 197. When carrier may make out waybill

A carrier may move a consignment of one or more animals from a property without being given a waybill for the movement of the consignment if —

(a) the carrier is directed to do so by the owner of the animal or animals, or another person having possession or control of the animal or animals; and

(b) the carrier makes out, and is in possession of the original and a copy of, a waybill in the form of a legible document (by whatever name called) that contains the following —

(i) a serial number;

(ii) the name and signature of the carrier;

(iii) the details of the number plate of the vehicle in which the consignment is being carried;

(iv) the name, or trading name, of the owner of the animal or animals;

(v) the name of the person to whom the animal is, or animals are, consigned;

(vi) the species, breed, sex and age of the animal or animals;

(vii) the number of animals in the consignment;

(viii) the relevant PIC and street address of the property from which the consignment is being moved;

(ix) the relevant PIC and street address of the property that is the destination of the consignment;

(x) the details required under regulation 194 relating to identifiers;

(xi) the date of the movement of the consignment from the property.

### 198. Movement of animals if transport documents retained by inspector

(1) This regulation applies if —

(a) an inspector directs a carrier who is moving an animal to give the inspector a transport document relating to the animal; and

(b) the inspector retains the document.

(2) If this regulation applies, the inspector must —

(a) give the carrier written authority to complete the movement of the animal without the transport document; and

(b) as soon as it is practicable to do so, give the carrier, and the operator of the property that is the destination of the animal, a copy of the retained transport document.

(3) The inspector may give a written authority under subregulation (2)(a) subject to any conditions the inspector thinks appropriate.

(4) The written authority must specify any conditions imposed by the inspector.

(5) A carrier who is given a written authority under subregulation (2)(a) must comply with any conditions specified in the written authority.

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

*[Regulation 198 amended: Gazette 27 Jun 2019 p. 2450; SL 2021/204 r. 14.]*

### 199. Transport document must accompany animal being moved

(1) A person must not be in possession or control of an animal that is being moved from one place to another place unless the person is in possession of a transport document that relates to the movement of the animal.

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

(2) A person does not commit an offence under subregulation (1) if the person is moving the animal without a transport document —

(a) in accordance with regulation 195(a); or

(b) under a written authority given under regulation 198(2)(a).

*[Regulation 199 amended: SL 2021/204 r. 14.]*

### 200. Carrier to deliver transport document to operator of destination property

(1) A carrier moving an animal to a property must, as soon as practicable after arriving there, give a copy of any transport document relating to the animal to the operator of the property.

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

(2) A carrier does not commit an offence under subregulation (1) if —

(a) the carrier moves the animal to the property without a transport document in accordance with regulation 195(a); or

(b) the carrier moves the animal to the property without a transport document under a written authority given under regulation 198(2)(a); or

(c) the carrier believes, on reasonable grounds, that the operator of the property to which the animal is moved has already been given a copy of a transport document relating to the movement of the animal to the property.

(3) A carrier who moves an animal to a property must retain a copy of the transport document relating to the movement of the animal for not less than 7 years after delivering the animal to the property.

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

*[Regulation 200 amended: SL 2021/204 r. 14.]*

### 201. Property operator to obtain transport document

(1) If an operator of a property accepts delivery of an animal to the property, the operator must, at the time the animal is delivered, require from the person who is the carrier of the animal a copy of any transport document relating to the movement of the animal to the property.

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

(2) A property operator does not commit an offence under subregulation (1) if —

(a) the animal is moved to the property without a transport document in accordance with regulation 195(a); or

(b) the carrier moved the animal to the property without a transport document under a written authority given under regulation 198(2)(a), and the property operator has sighted the written authority; or

(c) the property operator has already been given a copy of a transport document relating to the movement of the animal to the property.

(3) An operator of a property who is given a transport document relating to the movement of an animal to the property must retain a copy of the transport document for not less than 7 years after the animal was moved to the property.

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

*[Regulation 201 amended: SL 2021/204 r. 14.]*

# Part 9 — Identification and movement of apiaries

## 202. Beekeepers to identify hives

A beekeeper must identify every hive the beekeeper owns, or cause it to be identified, with the beekeeper's registered identifier for hives applied in accordance with regulation 203.

Penalty: a fine of $2 000.

## 203. Identifying hives

(1) A registered identifier must —

(a) be applied to a hive and marked in a manner approved by the Director General, as published on the department's electronic site; and

(b) meet the requirements of subregulation (2).

(2) Each letter and numeral forming part of a registered identifier for hives must be visible, legible and indelible.

(3) A beekeeper must apply the beekeeper's registered identifier to a hive within 7 days of taking possession of the hive.

*[Regulation 203 amended: SL 2025/133 r. 5.]*

## 204. Exclusive use of registered identifiers

A person must not apply a registered identifier for hives to a hive unless the person is, or is acting on behalf of a person who is —

(a) the registered owner of the identifier for hives; and

(b) required or empowered by these regulations to identify the hive, or cause it to be identified, with the registered identifier for hives.

Penalty: a fine of $5 000.

*[**205.** Deleted: SL 2025/133 r. 6.]*

### 206. Altered or defaced identifiers

(1) A person must not, except in accordance with the approved manner under regulation 203, alter, deface or otherwise render indistinguishable an identifier on a hive.

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

(2) Subject to subregulation (1), a hive bearing an identifier that is altered, defaced or otherwise rendered indistinguishable is to be regarded as not identified in accordance with these regulations.

*[Regulation 206 amended: SL 2021/204 r. 14; SL 2025/133 r. 7.]*

### 207. Possession of unidentified hives

A person must not, without lawful excuse, be in possession or control of a hive unless it is identified with a registered identifier in accordance with these regulations.

Penalty: a fine of $5 000.

### 208. Notices for apiaries

(1) A beekeeper keeping an apiary on land that the beekeeper does not own, or on land that the beekeeper does not have as his or her usual place of residence, must erect and display, or cause to be erected and displayed, in such a position as to be clearly visible to all persons approaching the apiary a notice bearing —

(a) the full name; and

(b) the telephone number; and

(c) the registered identifier for hives; and

(d) the street address of the place of residence or business,

of the beekeeper in letters of not less than 50 mm in height.

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

(2) Nothing in subregulation (1) permits the attaching of a notice to a tree contrary to the *Conservation and Land Management Regulations 2002* or any other written law.

*[Regulation 208 amended: SL 2021/204 r. 14.]*

### 209. Establishment and movement of apiaries

(1) A beekeeper who establishes a new apiary or who removes an apiary, or part of apiary, from one site to another site must, within the period specified in subregulation (2), make a written record of the establishment of the new apiary or of the removal of the apiary, or part of the apiary, to the other site.

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

(2) The beekeeper must comply with subregulation (1) as soon as practicable after the establishment of the new apiary or the removal of the apiary, or part of the apiary, to the other site.

(3) A beekeeper must retain a record made under subregulation (1) for not less than 7 years after the record is made.

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

*[Regulation 209 amended: SL 2021/204 r. 14.]*

### 210. Lease, supply or disposal of apiaries

(1) A beekeeper must not supply, lease or otherwise dispose of an apiary, or part of an apiary, to another person unless —

(a) the person has given the beekeeper the person's —

(i) name and postal address; and

(ii) registered identifier for hives;

and

(b) the beekeeper has —

(i) confirmed, by reference to the register, that the person is the registered owner of the identifier for hives; and

(ii) made a written record of that confirmation.

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

(2) A beekeeper must retain a record made under regulation 210(1)(b)(ii) for not less than 7 years after the record is made.

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

*[Regulation 210 amended: SL 2021/204 r. 14.]*

# Part 10 — Miscellaneous

## 211. False or misleading information

(1) A person must not do any of the things set out in subregulation (2) —

(a) in relation to an application under these regulations;

(b) in relation to a record required to be kept under these regulations;

(c) in relation to a requirement under these regulations to update, or record information in, the NLIS database;

(d) in relation to the compliance, or purported compliance, with any requirement under these regulations to give the Director General or an inspector advice or information.

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

(2) The things to which subregulation (1) applies are —

(a) making a statement or entry that the person knows is false or misleading in a material particular; or

(b) making a statement or entry that is false or misleading in a material particular, with reckless disregard as to whether or not the statement or entry is false or misleading in a material particular; or

(c) providing, or causing to be provided, information that the person knows is false or misleading in a material particular; or

(d) providing, or causing to be provided, information that is false or misleading in a material particular, with reckless disregard as to whether the information is false or misleading in a material particular.

*[Regulation 211 amended: SL 2021/204 r. 14.]*

### 212. Directions may be given orally or in writing

(1) A direction given by an inspector under these regulations may be given orally or in writing.

(2) A direction given orally must be confirmed in writing within 5 working days after it is given, unless within that period it is complied with or revoked.

(3) Failure to comply with subregulation (2) does not invalidate the direction.

(4) The Director General or an inspector may, by further direction, amend or revoke a direction before effect is given to it.

# Part 11 — Repeal of regulations and transitional provisions

## Division 1 — Repeals

### 213. Repeals

The following regulations are repealed —

(a) *Beekeepers Regulations 1963*;

(b) *Enzootic Diseases Regulations 1970*;

(c) *Stock (Identification and Movement) Regulations 1972*.

## Division 2 — *Enzootic Diseases Regulations 1970*: transitional provisions

### 214. Terms used

In this Division —

***commencement day*** means the day on which this Division comes into operation;

***repealed regulations*** means the *Enzootic Diseases Regulations 1970*.

### 215. Identification codes

(1) Unless subregulation (2) applies, if a person, immediately before the commencement day, held an identification code issued under the repealed regulations to the person in respect of a property —

(a) that identification code is, for the purposes of these regulations, to be taken to be a PIC for that property; and

(b) that person is, for the purposes of these regulations, to be taken to be a registered non-farming property operator and the registered owner of that PIC.

(2) If a person, immediately before the commencement day, held an identification code issued under the repealed regulations to the person, and the third and fourth letters of the identification code were "AB", "AG" or "EB" —

(a) that identification code is, for the purposes of these regulations, to be taken to be a BIC that is allotted to that person; and

(b) that person is, for the purposes of these regulations, to be taken to be a registered owner of stock.

(3) A registration referred to in subregulation (1)(b) or (2)(b), unless sooner cancelled under these regulations, expires —

(a) if the identification code referred to in subregulation (1)(a) or (2)(a) was issued under the repealed regulations more than 5 years before the commencement day — 10 years after the day on which the identification code was issued under the repealed regulations; and

(b) otherwise — 5 years and 6 months after the day on which the identification code referred to in subregulation (1)(a) or (2)(a) was issued under the repealed regulations.

(4) If the application of subregulation (3) to a particular registration as an owner of stock conflicts or is inconsistent with the application of regulation 222(2) to that registration, regulation 222(2) prevails.

### 216. Notices given under *Enzootic Diseases Regulations 1970* regulation 11(1)(a)

A notice given under regulation 11(1)(a) of the repealed regulations and of effect immediately before the commencement day has effect as if it were a quarantine notice given under the *Biosecurity and Agriculture Management Regulations 2013*.

### 217. Notices given under *Enzootic Diseases Regulations 1970* regulation 11(1)(b)

A notice given under regulation 11(1)(b) of the repealed regulations and of effect immediately before the commencement day has effect as if it were —

(a) a direction given under section 67(1)(l) of the Act; and

(b) a direction given under section 76(1)(a) of the Act; and

(c) a direction given under the *Biosecurity and Agriculture Management Regulations 2013* regulation 38(1) or (2), as the case requires.

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

*[Heading inserted: SL 2024/264 r. 12.]*

### 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.

*[Regulation 217A inserted: SL 2024/264 r. 12.]*

### 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.

*[Regulation 217B inserted: SL 2024/264 r. 12.]*

### 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.

*[Regulation 217C inserted: SL 2024/264 r. 12.]*

# Part 12 — Repealed Acts: transitional provisions

## Division 1 — *Beekeepers Act 1963*

### 218. Terms used

In this Division —

***commencement day*** means the day on which the *Biosecurity and Agriculture Management (Repeal and Consequential Provisions) Act 2007* section 52 comes into operation;

***repealed Act*** means the *Beekeepers Act 1963* repealed under the *Biosecurity and Agriculture Management (Repeal and Consequential Provisions) Act 2007* section 52.

### 219. Beekeepers

(1) If a person was, immediately before the commencement day, registered as a beekeeper under the repealed Act, that person is, for the purposes of these regulations, to be taken to be a registered beekeeper.

(2) A registration as a beekeeper referred to in subregulation (1), unless sooner cancelled under these regulations, expires on the day on which the registration would have expired under the repealed Act.

(3) Despite regulation 22 and without limiting regulation 23, if an application is made under these regulations to renew a registration referred to in subregulation (1), the Director General may —

(a) renew the registration for a term of 3 years; or

(b) if the Director General so chooses, renew the registration for a term of one or 2 years.

### 220. Brands

(1) Any hive that was, immediately before the commencement day, branded with a brand registered under the repealed Act, is, for

the purposes of these regulations, to be taken to be identified with an identifier for hives in accordance with these regulations.

(2) If a brand was, immediately before the commencement day, a registered brand of a particular beekeeper under the repealed Act —

(a) that brand is, for the purpose of these regulations, to be taken to be a registered identifier for hives; and

(b) that beekeeper is, for the purpose of these regulations, to be taken to be a registered owner of that identifier for hives.

## Division 2 — *Stock (Identification and Movement) Act 1970*

### 221. Terms used

In this Division —

***commencement day*** means the day on which the *Biosecurity and Agriculture Management (Repeal and Consequential Provisions) Act 2007* section 79 comes into operation;

***repealed Act*** means the *Stock (Identification and Movement) Act 1970* repealed under the *Biosecurity and Agriculture Management (Repeal and Consequential Provisions) Act 2007* section 79.

### 222. Owners of brands

(1) A person who was, immediately before the commencement day, the registered owner of one or more brands under the repealed Act, is, for the purposes of these regulations, to be taken to be a registered owner of stock.

(2) A person's registration as an owner of stock referred to in subregulation (1), unless sooner cancelled under these regulations, expires when the registration of ownership of all of the brands, of which the person was the owner, would have expired under the repealed Act.

(3) This regulation applies, with such modifications and adaptations as are necessary, to earmarks registered under the repealed Act.

# Notes

This is a compilation of the *Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013* and includes amendments made by other written laws. For provisions that have come into operation see the compilation table.

## Compilation table

| Citation | Published | Commencement |
|---|---|---|
| *Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013* | 5 Feb 2013 p. 593-761 | r. 1 and 2: 5 Feb 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 1 May 2013 (see r. 2(b) and *Gazette* 5 Feb 2013 p. 823) |
| *Biosecurity and Agriculture Management Regulations Amendment Regulations (No. 2) 2019* Pt. 2 | 27 Jun 2019 p. 2407-54 | 28 Jun 2019 (see r. 2(b)) |
| *Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Amendment Regulations 2021* | SL 2021/204 3 Dec 2021 | r. 1 and 2: 3 Dec 2021 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2022 (see r. 2(b)) |
| *Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Amendment Regulations 2022* | SL 2022/17 25 Feb 2022 | r. 1 and 2: 25 Feb 2022 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Apr 2022 (see r. 2(b)) |
| *Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Amendment Regulations 2024* | SL 2024/264 11 Dec 2024 | r. 1 and 2: 11 Dec 2024 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2025 (see r. 2(b)) |
| *Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Amendment Regulations 2025* | SL 2025/133 9 Jul 2025 | r. 1 and 2: 9 Jul 2025 (see r. 2(a)); Regulations other than r. 1 and 2: 10 Jul 2025 (see r. 2(b)) |

# Defined terms

*[This is a list of terms defined and the provisions where they are defined. The list is not part of the law.]*

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