



Western Australia

## **Enzootic Diseases Regulations 1970**

Compare between:

[06 Jul 2012, 06-a0-02] and [01 May 2013, 06-b0-04]





Reprinted under the  
Reprints Act 1984 as  
at 6 July 2012

Western Australia

Stock Diseases (Regulations) Act 1968

## Enzootic Diseases Regulations 1970

### Part 1 — Preliminary

#### 1. Citation

These regulations may be cited as the *Enzootic Diseases Regulations 1970*<sup>1</sup>.

[2. Deleted in Gazette 6 Jan 1998 p. 33.]

[3. Omitted under the Reprints Act 1984 s. 7(4)(f).]

#### 4. Terms used

- (1) In these regulations unless the context requires otherwise —
- abattoir*** includes a pet food processing plant;
- animal product*** means any uncooked edible product, and any unwrought inedible product derived from animals or the semen of any stock;
- approved*** means approved by the Chief Inspector;
- Australian vessel*** means any vessel plying between Australian ports only;
- breeding flock*** means any fowls maintained upon premises where hatching eggs are produced for sale;

**carcass** includes any portion of a carcass and the hide, skin, hair, feathers, wool or viscera of any stock;

**Chief Inspector** means the Chief Inspector of Stock appointed under the Act and includes any person who is for the time being discharging the duties of the office of Chief Inspector of Stock;

**conveyance** means a vehicle propelled by any means whatsoever and capable of being used for transportation, and includes an aircraft, a vessel, a vehicle used on a railway, and a trailer or semi-trailer drawn by a vehicle;

**corresponding authority**, in relation to another State or a Territory, means the person who has powers and functions under a law of the State or Territory corresponding to the powers and functions of the Chief Inspector;

**destroy** means to entirely consume by fire or to bury in the ground at a depth of not less than 183 cm;

**dip** means to plunge or immerse, until completely saturated, in an approved preparation for the destruction of ectoparasites, and the words **dipped** and **dipping** have corresponding meanings;

**disease** means a disease that is specified in Schedule 1 or a disease that is not identified but appears not to be an exotic disease, and a reference to disease includes a reference to —

- (a) the presence of signs of disease; and
- (b) the presence of the causative agent of disease; and
- (c) test results consistent with the presence of disease or the presence of the causative agent of disease; and
- (d) other evidence of disease,

and **diseased** has a corresponding meaning;

**disinfect** means to expose to a disinfectant;

**disinfectant** means an approved agent or preparation capable of destroying pathogenic organisms;

**ectoparasites** means ticks, lice, or buffalo flies;

**embryo** means an embryo of any stock;

**export**, in relation to stock, means to export live stock overseas;

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

**form** means a form set out in Schedule 3;

**hatchery** means premises on or in which chickens or turkeys are produced for sale, and includes poultry, incubators, plant, equipment and fittings used in, about, or in connection with, the production of chickens or turkeys;

**holding yard** means a non-farming property except a saleyard, abattoir or export depot;

**horse** includes a mule and a donkey;

**lairage** means the area within an abattoir where stock are held immediately prior to slaughter;

**litter** means any straw or other bedding, or any manure or other excreta with which stock has been in direct or indirect contact;

**NLIS database** means the electronic database maintained under regulation 4B;

**NLIS device** has the meaning given in regulation 77;

**non-farming property** means a property where stock is kept by a person to whom section 13 of the *Stock (Identification and Movement) Act 1970* does not apply;

**operator**, in relation to a property includes —

- (a) a person who is the agent of the operator; or
- (b) any other person who is in possession or in charge of stock, or otherwise has control or management of stock, on the property;

**owner**, in relation to stock, includes a person who is the agent of an owner, consignee (whether joint or sole) or a person who is in possession or in charge of stock or otherwise has the control or management of the stock;

**PIC**, in relation to a property, means —

- (a) a property identification code specified in the register in respect of the property; or

- (b) an identification code issued under regulation 4A in respect of the property;

**port** means a place proclaimed to be a port under the *Shipping and Pilotage Act 1967*;

**poultry** means all fowls and includes bantams, ducks, geese, turkeys, Guinea fowl, pheasants, chickens, eggs for hatching purposes, poultry products and the carcass of any poultry;

**property** means any land or collection of lands constituting or worked as one parcel of land —

- (a) that is a run as defined in section 5 of the *Stock (Identification and Movement) Act 1970*; or
- (b) on which stock is otherwise kept;

**quarantine area** means an area which, by these regulations or by a notice published in the *Government Gazette*, is declared to be a quarantine area;

**quarantined animal** means an animal that is the subject of an order under regulation 11;

**register** means the register of brands and earmarks kept under section 20 of the *Stock (Identification and Movement) Act 1970*;

**registered** means entered in the register;

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

- (a) on which animals are kept; or
- (b) from which animals are moved; or
- (c) to which animals are delivered,

means a PIC relating to the person keeping, moving, or accepting delivery of, the animals on, from or to the property, as the case may be;

**saleyard** means a property where stock is sold by public auction;

**sell** means to sell by wholesale or retail and includes to barter or to otherwise dispose of, offer for sale, have in possession for sale, expose for sale, send forward or deliver for sale, cause or

suffer or allow to be sold, offered or exposed for sale; and the words *sale* and *sold* have corresponding meanings;

*semen* means semen of any stock;

*shower spray* means a power operated shower spray of an approved type;

*spray* means to thoroughly saturate by shower spray with an approved preparation for the destruction of ectoparasites; and the words *sprayed* and *spraying* have corresponding meanings;

*travelling stock* means all stock, including working stock, that is not on the land on which the stock is ordinarily kept or de-pastured;

*update the NLIS database*, in relation to an NLIS device, means to update information on the database in relation to that device in accordance with regulation 4B(5);

*vessel* includes any ship, boat, barge, punt, pontoon, lighter or other vessel used in navigation, however propelled.

- (2) For the purposes of these regulations, an animal is moved from one property to another if it is moved between places that have different PICs.

*[Regulation 4 amended in Gazette 20 May 1971 p. 1721; 18 Feb 1977 p. 531; 8 Aug 1986 p. 2871; 4 Mar 1997 p. 1356; 13 Nov 1998 p. 6201; 10 Dec 2002 p. 5744; 14 Jun 2005 p. 2587 and 2597-8; 19 Sep 2006 p. 3731-2; 15 Apr 2011 p. 1399.]*

#### **4A. Non-farming property, identification code for**

- (1) A person operating, or intending to operate, a non-farming property may apply to the Chief Inspector to issue an identification code in respect of that property.
- (2) On an application under subregulation (1), the Chief Inspector may issue an identification code in respect of the property.

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- (3) The Chief Inspector is to keep a register of the identification codes issued under subregulation (2) and publish the register on a website maintained by or for the Chief Inspector.

*[Regulation 4A inserted in Gazette 19 Sep 2006 p. 3733.]*

**4B. NLIS database, content of etc.**

- (1) The Chief Inspector is to ensure that an electronic database is maintained in accordance with this regulation by an approved person.
- (2) The 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 device is not applied.
- (3) The information on the database in respect of an NLIS device is to include the following —
- (a) the identification numbers of the device;
  - (b) if the device is not applied to an animal — the relevant PIC of the property in relation to which the device was issued;
  - (c) if the device is applied to an animal —
    - (i) the relevant PIC of the property on which the animal is kept for the time being by its owner; and
    - (ii) any slaughter or death in other circumstances of the animal, or export of the animal;
  - (d) any other approved information.



- (4) The information recorded in the database is to be made accessible on a website 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 for the purposes of administering the Act; and
  - (d) persons whose access to the database is approved by the Chief Inspector.
- (5) A person may update the database by —
  - (a) accessing the website; or
  - (b) sending the updated information to an approved person electronically or in another approved manner.
- (6) A person must not enter false or misleading information into the database.  
Penalty: a fine of \$5 000.
- (7) A copy or print-out of an entry in the 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.
- (8) The Chief Inspector or an approved person may update the database to correct any errors.

*[Regulation 4B inserted in Gazette 15 Apr 2011 p. 1400-1.]*

## **Part 2 — General provisions for the eradication and control of enzootic diseases**

### **5.        Infected stock, duties of owner of**

- (1) Subject to subregulation (2), a person who owns in any part of the State stock that is infected by or is suspected by him to be infected by any disease specified in Schedule 1 Division 1, 2, 3 or 4 shall —
  - (a) within the period of 24 hours from the time he first discovers the stock to be so affected or he first suspects the stock to be so affected, notify, by the quickest practicable means, the inspector who is normally located nearest to the place where the affected stock is kept, and give to the inspector, a description of the stock, the number thereof and the place where the stock may be located; and
  - (b) forthwith on his discovering that the stock is so affected or on his suspecting that the stock is affected or suspected to be affected take all such steps that are necessary so as to prevent the stock from coming into contact with stock belonging to other persons,

and any owner of stock who fails to carry out the provisions of this regulation is guilty of an offence.

Penalty: a fine of \$1 000, but the minimum penalty is a fine of \$100.

- (2) Subregulation (1) does not apply to or in relation to the existence of a disease specified in Schedule 1 Division 3 in any part of the State declared to be an infected area under regulation 41.

*[Regulation 5 inserted in Gazette 18 Feb 1977 p. 531-2; amended in Gazette 19 Dec 1986 p. 4941; 7 Aug 1987 p. 3126; 16 Oct 1987 p. 3924; 4 Mar 1997 p. 1356; 14 Jun 2005 p. 2588; 23 May 2008 p. 1990.]*

**6. Infected stock, duty of others to notify inspector of**

A person who is consulted regarding stock, or who examines any stock and from that consultation or examination believes or suspects the stock to be affected by a disease specified in Schedule 1 Division 1, 2, 3 or 4, shall take such steps to comply with regulation 5(1)(a) as if he were the owner of that stock.

*[Regulation 6 inserted in Gazette 3 Oct 1975 p. 3813; amended in Gazette 18 Feb 1977 p. 532; 4 Mar 1997 p. 1356-7; 14 Jun 2005 p. 2588.]*

**6A. Entry to premises to find potential carrier, inspector's power as to**

Where an inspector has reasonable grounds to suspect that a potential carrier of any disease is present in or on any premises, he may enter those premises, at all reasonable hours, in order to ascertain whether or not such a potential carrier is so present and is infected.

*[Regulation 6A inserted in Gazette 20 Aug 1982 p. 3362.]*

**6B. Potential carrier, inspection etc. of**

- (1) Where an inspector has reasonable grounds to suspect that any potential carrier is infected by disease he may request the owner or person in charge of that potential carrier to submit it for inspection or testing, or for both, by him or by another inspector.
- (2) A person to whom such a request is made shall comply with it.  
Penalty: a fine of \$1 000.

*[Regulation 6B inserted in Gazette 20 Aug 1982 p. 3362; amended in Gazette 7 Aug 1987 p. 3126; 23 May 2008 p. 1990.]*

**7. Information, inspector's power to obtain**

- (1) An inspector may, on receiving a notification pursuant to regulation 5 or 6, or on having other reasonable grounds to suspect that disease exists or has existed in relation to stock in

any place within the State, require persons concerned in or having the charge, control or management of the stock so affected to give him such information as is within their knowledge relating to that stock as he considers necessary.

- (2) A person who refuses or neglects to supply to an inspector, information as required by these regulations, or who knowingly furnishes information which is false, is liable to a fine not exceeding \$400.

**8. Mustering for inspection etc.**

- (1) An inspector who wishes to inspect or test any stock may require the owner of the stock to muster the stock in a place, yard or crush, as he directs for that purpose or those purposes.
- (2) An owner, when so required by an inspector pursuant to subregulation (1), shall forthwith —
  - (a) muster his stock in such place, yard or crush as directed by the inspector; and
  - (b) provide such facilities for the mustering, inspection or testing of his stock as the inspector may require.
- (3) Where an owner refuses or fails to comply with subregulation (2), or where the inspector is not satisfied that all of the stock required by him to be mustered has been so mustered, the inspector may arrange for the stock to be mustered, and for that purpose he may employ such assistance and provide such facilities as he thinks necessary.

**9. Duty to obey etc. inspector's requests etc.**

- (1) Any person receiving a request or direction from an inspector given under these regulations shall, with due despatch, give effect to and carry out the request or direction.
- (2) Where any person fails or neglects to give effect to or carry out any request so made, or any direction so given, by an inspector, that requisition or direction may be given effect to and carried out by the inspector at the owner's expense, and the expense

incurred may be recovered in any competent court by and in the name of the inspector.

- (3) Where information or documents in the possession or power of any person is required by an inspector under these regulations and asked for by him, the information or document shall without delay be given by that person to the inspector.

**10. Quarantine etc. areas, constituting etc.**

The Minister may, by notice in the *Government Gazette*, constitute and declare any portion of the State to be a quarantine area, infected area, protected area or free area for the purposes of these regulations and by subsequent notice in the *Government Gazette* alter and revoke those areas.

**11. Stock etc. in quarantine, inspector's powers to declare etc.**

- (1) Subject to this regulation, an inspector has power, with respect to stock or land not then declared to be in quarantine —
- (a) where the stock is not travelling stock, to serve on the owner of the stock or on the owner of the land on which the stock is situated, a notice in the form of Form No. 1 declaring the stock and the land specified in the notice to be in quarantine; or
  - (b) where the stock is travelling stock, to serve on the person who appears to be in charge of the stock a notice declaring the stock to be in quarantine and directing that person either to hold the stock or move the stock directly to a place of quarantine nominated by the inspector and there to hold the stock until it is released from quarantine or until he is subsequently directed otherwise by an inspector,

and where an inspector serves a notice under paragraph (a) or (b), he shall forthwith give notice thereof to the Chief Inspector.

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- (1a) An inspector —
- (a) shall exercise the power in subregulation (1) if he is of the opinion, whether because of his own examination or because of a report by another inspector, a veterinary surgeon or any other person who has been consulted regarding the stock or land in question, that a disease specified in Schedule 1 Division 1, 2 or 3 exists among that stock or on that land; and
  - (b) may exercise the power in subregulation (1) if he is of the opinion, whether because of his own examination or because of a report from any source, whether a person consulted regarding the stock or land in question or otherwise, that a disease specified in Schedule 1 Division 1, 2 or 3 may exist, or a disease specified in Schedule 1 Division 4 or 5 does exist, among that stock or on that land; and
  - (c) may, with the prior approval of the Chief Inspector, exercise the power in subregulation (1) in relation to a disease that —
    - (i) affects the stock in question or is suspected by the inspector of affecting that stock or of existing on the land in question; and
    - (ii) having been investigated by a veterinary surgeon, is not identified but appears not to be an exotic disease.
- (1b) An inspector shall not exercise the power in subregulation (1) in relation to the existence or suspected existence, as the case may require, of a disease specified in Schedule 1 Division 3 among any stock, or on any land, in any part of the State declared to be an infected area under regulation 41.
- (2) The Chief Inspector may, on receipt of a notice of a declaration under subregulation (1)(a) or (b), cause particulars of the declaration to be published in the *Government Gazette* and in any newspaper circulating in the district in which stock or land affected by the declaration is kept or situated.

- (2a) The Chief Inspector may, for the purpose of assisting the eradication or control of disease, disclose the disease status of stock and whether or not a property is under quarantine.
- (3) An inspector may, at any time he considers it is safe to do so, having regard to the control of disease within the State, release from quarantine any stock or land and thereupon he shall give notice of the release to the owner thereof in the form of Form No. 2.
- (4) Any stock, howsoever coming upon land during the period that the land is declared to be in quarantine, shall thereupon be subject to these regulations as if that stock were the subject of a declaration under subregulation (1) or (1a).

*[Regulation 11 amended in Gazette 3 Oct 1975 p. 3813-4;  
18 Feb 1977 p. 532; 22 Aug 1986 p. 3009; 19 Dec 1986  
p. 4942; 16 Oct 1987 p. 3924; 4 Mar 1997 p. 1357;  
14 Jun 2005 p. 2588.]*

**11AA. Pearl oysters, application of quarantine provisions to**

- (1) For the purpose of applying regulations 11 to 15 in relation to pearl oysters —
  - (a) a reference in any of those regulations to land is to be read as including a reference to an area of water; and
  - (b) a reference in any of those regulations to the owner of land is to be read as a reference to —
    - (i) in the case of an area of water that is part of a pearl oyster farm, the holder of the farm lease; or
    - (ii) in the case of an area of water that is a holding site or dump, to the licensee or permit holder using the holding site or dump.

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- (2) In subregulation (1) the following words have the meanings they have under the *Pearling Act 1990* —

<i>dump</i>	<i>pearl oyster</i>
<i>farm lease</i>	<i>pearl oyster farm</i>
<i>holding site</i>	<i>permit holder.</i>
<i>licensee</i>	

*[Regulation 11AA inserted in Gazette 17 Dec 1999 p. 6177.]*

**11A. Quarantined stock, directions by inspector as to**

- (1) The owner of any stock which is the subject of a declaration given under regulation 11 may be directed by an inspector —
- (a) to muster, keep confined and present for treatment in a manner specified in the direction, any animals which the inspector believes, on reasonable grounds —
    - (i) are or may be potential carriers or in contact with a potential carrier; or
    - (ii) have been or may have been in contact with a potential carrier;
  - and
  - (b) to treat the animals in a manner specified in the direction; and
  - (c) to allow the animals to be so treated by a person authorised in writing by the inspector; and
  - (d) not to treat the animals in any manner, or in a manner specified in the direction, that may conceal any sign of disease in the animals; and
  - (e) to provide such facilities as the inspector reasonably considers necessary in connection with the treatment of the animals.



- (2) An inspector who gives a direction under subregulation (1) may require the person given the direction to provide to the inspector —
- (a) any information specified by the inspector as to the treatment of the animals; and
  - (b) within 7 days after the animals have been treated, a written and signed statement as to the matters specified in the direction.
- (3) Where an owner of stock refuses or fails to comply with a direction given to him by an inspector under subregulation (1), or where the inspector is not satisfied that such a direction has been complied with, or fully complied with, the inspector may arrange for the animals to which the direction applies to be mustered and treated in compliance with the direction, and for that purpose he may employ any assistance and provide any facilities he believes are necessary.

*[Regulation 11A inserted in Gazette 4 Mar 1997 p. 1357-8.]*

**11B. Quarantined stock, directions by inspector as to movement of etc.**

An inspector may direct the owner of any quarantined animal that is a potential carrier to do any or all of the following —

- (a) to move the animal from any part of the land where it is located to any other part of the land;
- (b) to move the animal from the land where it is located to other land nominated by the inspector;
- (c) to keep the animal separate from any other animal;
- (d) to keep the animal from entering any land nominated by the inspector.

*[Regulation 11B inserted in Gazette 13 Nov 1998 p. 6201-2.]*

**12. Isolating infected stock, directions by inspector as to**

- (1) The owner of any stock which is the subject of a declaration given under regulation 11 may be directed by an inspector to draft and isolate from that stock all animals which are infected or which the inspector believes, on reasonable grounds, are infected with a disease of a type which would empower the inspector to make a declaration under regulation 11 and to keep those animals isolated from all other stock by confining them to an area or place to which other stock are unable to enter or stray —
- (a) specified by the inspector; or
  - (b) where the inspector has not specified the area or place, an area or place chosen by the owner on the land declared to be in quarantine or in the place of quarantine specified in the declaration,

until they are released from quarantine under regulation 11(3).

- (1a) Where an owner refuses or fails to comply with a direction given to him by an inspector under subregulation (1), or where the inspector is not satisfied that such a direction has been complied with, or fully complied with, the inspector may arrange for the animals to be mustered and moved to an area or place in compliance with the direction and for that purpose he may employ any assistance and provide any facilities he believes are necessary.
- (2) An inspector may prohibit the use of any product obtained from diseased stock.

*[Regulation 12 amended in Gazette 16 Oct 1987 p. 3923-4.]*

**13. Removing stock etc. from quarantine, offence**

- (1) A person shall not remove any stock or any animal product from any land that, at the time of removal, is declared to be in quarantine unless he is the holder of a permit in the form of

Form No. 3 issued by an inspector in relation to that stock or animal product.

Penalty: a fine of \$1 000, but the minimum penalty is a fine of \$100.

- (2) A permit issued pursuant to subregulation (1) may, at any time before the removal of the stock or animal product, be cancelled or suspended by the Chief Inspector who shall thereupon serve notice of the cancellation or suspension upon the permittee.

*[Regulation 13 amended in Gazette 7 Aug 1987 p. 3127;  
23 May 2008 p. 1990.]*

**14. Quarantined stock not to be touched etc.**

A person shall not handle, touch, or otherwise come into contact with, stock that is in quarantine, without the express permission of an inspector, and then only to the extent specified or authorised by the inspector or Chief Inspector.

**15. No compensation for stock loss due to regulations etc.**

- (1) Subject to any Act relating to the payment of compensation for the loss or destruction of stock, any loss sustained in respect of any stock whilst being in quarantine whether by accident or sickness arising from natural causes or contracted from other stock, or by the destruction or detention or quarantine of such stock to prevent the spread of disease, shall be borne by the owner of such stock and the owner shall have no claim whatever for compensation for any such loss nor for any loss sustained by him through the carrying out or enforcement of these regulations.
- (2) An inspector shall not be liable for any loss or damage occasioned to any owner by any act of that inspector, unless the damage is occasioned by his wilful neglect or fault.

**16. Owner to pay expenses of inspection etc.**

- (1) The owner of any stock shall pay all expenses connected with the inspection, transporting, quarantining, housing, sustenance, disinfecting, shearing, dipping, spraying, dressing or veterinary or other treatment of such stock pursuant to these regulations, until they are as the case may be, released from detention or quarantine, transhipped, or destroyed and the expenses for transit, inspection, dipping and spraying shall be calculated on the whole number of stock, and where there are more owners than one, each owner shall pay a proportionate share thereof.
- (2) Any expenses referred to in subregulation (1) may be recovered by an inspector or the Chief Inspector in a court of competent jurisdiction as a debt due to the inspector or Chief Inspector.

**17. Sale or exhibition of stock, Chief Inspector's powers to prohibit etc.**

Where the Chief Inspector, at any time, considers it necessary for the prevention or control of the spread of disease in the State, he may —

- (a) prohibit, in any district or place, the holding of any exhibition or sale of stock; or
- (b) specify conditions under which the holding of any exhibition or sale of stock may take place; or
- (c) require any stock that is being sold for slaughter in any abattoir to carry a mark or tag of a kind that he may specify designating the property of origin of the stock.

**18. Destruction of stock, Chief Inspector may direct etc.**

- (1) The Chief Inspector may, in respect of stock that is suffering from disease or that has been in contact with stock so suffering, direct, by notice in writing in the form of Form No. 4 served upon the owner, that the stock specified in the notice shall be destroyed and the carcass dealt with as so specified.

- (2) Stock that is directed to be destroyed shall be destroyed in the manner specified in the notice or as an inspector may personally direct.
- (3) The carcasses of stock directed to be destroyed on account of infestation with cutaneous myiasis (infestation with the larvae of maggot flies) shall be destroyed by burning or burying.

**19. Branding infected stock**

Where an inspector suspects any stock to be suffering from a disease, he may brand the stock on the rump with a broad arrow, either by a fire brand or a paint brand.

**20. Sale or exhibition of diseased stock, inspector's powers as to**

- (1) In this regulation —  
*diseased stock* means stock, or an animal product, which, in the opinion of the inspector concerned, is or may be affected by an enzootic disease, whether or not the disease is specified in Schedule 1.
- (2) If an inspector considers that it is necessary for the prevention or control of disease in stock, the inspector may —
  - (a) prohibit the sale of diseased stock or require compliance with any condition imposed by the inspector in relation to the sale of diseased stock; or
  - (b) direct diseased stock to be withdrawn from sale; or
  - (c) direct that diseased stock that is for sale be moved to a place specified in the direction; or
  - (d) mark, or require the marking of, diseased stock that is for sale; or
  - (e) where diseased stock intended for slaughter is for sale, require the immediate slaughter of the stock.

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- (3) An owner of stock who refuses, neglects or fails to comply with a prohibition, direction or requirement that applies to the stock under subregulation (2) commits an offence.

Penalty: a fine of \$1 000.

*[Regulation 20 inserted in Gazette 4 Mar 1997 p. 1358; amended in Gazette 14 Jun 2005 p. 2588; 23 May 2008 p. 1990.]*

**21. Disinfection etc. of premises etc., inspector may require**

An inspector may require an owner of any premises, shed, yard, conveyance, vehicle, vessel or thing in, or on which, any stock that is affected by disease, or is suspected to be so affected, has been, or is, kept or with which that stock may have come into contact, to thoroughly cleanse and disinfect, under the supervision or to the satisfaction of the inspector, any such premises, shed, yard, conveyance, vehicle, vessel or thing.

**22. Inoculations, restrictions on use of**

- (1) A person shall not inoculate or cause to be inoculated, any animal with any preparation containing live disease producing organisms without the prior consent of the Chief Inspector.
- (2) The Chief Inspector may, at any time he considers it necessary in the interests of the control of disease, prohibit any person from inoculating any animal with sera or vaccines.

**23. Wilful communication of diseases**

- (1) Subject to subregulation (2), a person shall not wilfully communicate, or cause to be communicated, any disease to any stock.
- (2) The provisions of subregulation (1) do not apply to a person who communicates disease to stock for scientific purposes, if he has first obtained the written consent of the Chief Inspector thereto.

**24. Testing with biological products**

A person who is not a veterinary surgeon registered under the *Veterinary Surgeons Act 1960*, shall not submit any stock to any test involving the use of a biological product.

[25. Deleted in Gazette 30 Jun 1989 p. 1994.]

**26. Laboratories testing for disease, restrictions on etc.**

(1) In subregulations (2) and (3) —

**laboratory** means —

- (a) an establishment which is not under the control of a veterinary surgeon registered under the *Veterinary Surgeons Act 1960*, but which is routinely engaged in the examination of sick or dead animals for the purposes of making diagnoses and prescribing treatment or in the processing of animal pathological specimens; or
- (b) an establishment under the control of a veterinary surgeon registered under the *Veterinary Surgeons Act 1960*, which uses laboratory technology methods outside of accepted clinical means for the precise diagnosis of disease.

(2) A person shall not, without the consent in writing of the Chief Inspector, establish a laboratory or use or permit the use of a laboratory under his control, for the purpose of testing or examining any stock in order to diagnose a disease by which stock might be infected.

(3) No pathological material or specimens originating from stock shall be forwarded to a laboratory located in any other State or part of the Commonwealth except with the prior written permission of the Chief Inspector.

**27. Animals in abattoir not to be removed, offence**

A person must not move stock, or permit stock to be moved from an abattoir, or from the lairage or holding yard of an

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abattoir, to any other place, unless the person has a permit issued by an inspector to move the stock.

Penalty: a fine of \$1 000.

*[Regulation 27 inserted in Gazette 14 Jun 2005 p. 2588-9; amended in Gazette 23 May 2008 p. 1990.]*

**27A. Anthrax vaccinated stock, movement of**

A person shall not move or cause or permit to be moved any stock which have been vaccinated against anthrax, during the period of 42 days following the date of vaccination unless that person has first obtained the written consent of an inspector to do so.

*[Regulation 27A inserted in Gazette 3 Feb 1984 p. 330.]*

**27B. Stock in feedlots, inspector's powers as to**

- (1) In this regulation *feedlot* means an area (which may be subdivided) where stock from one, or more than one, source are assembled and fed.
- (2) Notwithstanding these regulations, stock —
  - (a) in the same feedlot but assembled for export; or
  - (b) in the same feedlot but assembled for reasons other than export, where that assembly is likely in the opinion of an inspector, to contribute to the spread of disease,

shall be subject to quarantine under this regulation.

- (3) An inspector may require the person in charge of stock which is the subject of quarantine under this regulation to comply with directions in writing relating to movements of the stock on the premises where they are assembled and movement from those premises to some other area.
- (4) An inspector may require the person in charge of stock which is the subject of quarantine under this regulation to comply with



directions relating to segregation and treatment of the stock  
within the premises where they are assembled.

*[Regulation 27B inserted in Gazette 15 Nov 1985 p. 4345.]*

### **Part 3 — Issue of health certificates, etc., for stock for export**

**28. Health certificate, issue of etc.**

- (1) Any stock intended for exportation to any place which requires imported stock to be accompanied by a health certificate may, on payment of the charge prescribed in Schedule 4 by the consignor, be examined by an inspector within 7 days of the date of export and the inspector may issue a certificate of health relating to the stock to the exporter of the stock.
- (1a) Notwithstanding subregulation (1), payment of a charge prescribed in Schedule 4 for inspection of stock is not required where stock are being exported overseas and an inspection charge is payable by the consignor to the Commonwealth Government.
- (2) The charges payable in any case where —
  - (a) diagnostic or biological tests are performed in respect of animals intended for export; or
  - (b) cattle intended for export are vaccinated,

are those prescribed in Schedule 4, or, where no charge is specified, a charge reflecting the cost of providing the service.

*[Regulation 28 amended in Gazette 20 Jul 1984 p. 2197; 22 Jun 1999 p. 2672-3; 14 Jun 2005 p. 2589.]*

## **Part 4 — Introduction of stock from other parts of the Commonwealth**

### **29. Movement of stock etc. into WA, restrictions on (Sch. 2)**

- (1) The conditions, restrictions and prohibitions set out in Schedule 2 apply to and in relation to the movement of stock, semen or embryos into the State.
- (2) Stock, semen or embryos shall not be moved into the State contrary to the provisions set out in Schedule 2.
- (2a) Notwithstanding subregulations (1) and (2) the conditions, restrictions and prohibitions set out in Schedule 2 may be varied or substituted by the Chief Inspector, in writing.
- (3) Stock shall not be moved into the State unless a certificate in the approved form relating to stock of that kind has been —
  - (a) completed in accordance with the requirements set out in the certificate; and
  - (b) furnished to an inspector at the inspection post through which the stock are moved into the State.

*[Regulation 29 inserted in Gazette 2 Nov 1984 p. 3552-3; amended in Gazette 1 Aug 1986 p. 2772; 13 Nov 1998 p. 6202; 14 Jun 2005 p. 2589.]*

### **30. Stock etc. entering etc. WA, inspector's powers to detain etc.**

- (1) An inspector may detain, prevent the movement of, or impound stock, semen or embryos being brought into the State or that has recently been brought into the State where the bringing in of the stock, semen or embryos was not in compliance with these regulations and he may so detain, prevent the movement of, or impound the stock, semen or embryos until he is satisfied that all steps have been taken, subsequently, to comply with these regulations as far as is practicable, or until he is otherwise ordered by the Chief Inspector.

- (2) An inspector may seize any stock that stray across the border into this State.
- (3) The Chief Inspector may, at any time, instruct an inspector not to authorise the bringing into the State of stock and may, where an authority is issued contrary to his instruction, revoke the authority and seize the stock that may have been brought in under the authority.

*[Regulation 30 inserted in Gazette 2 Nov 1984 p. 3553;  
amended in Gazette 13 Nov 1998 p. 6202.]*

**31. Stock entering WA to be inspected**

- (1) An owner of stock that is brought into the State from any other part of the Commonwealth shall forthwith after the stock is so brought in, present the stock or cause the stock to be presented for examination by an inspector at an inspection post, that is —
  - (a) in the case of stock brought in by sea, at the port at which the stock was so brought in;
  - (b) in the case of stock brought in by air, at the airport or in the vicinity of the airport at which the stock was so brought in;
  - (c) in the case of stock brought in by land —
    - (i) into the Kimberley Division of the State, at either Halls Creek or Kununurra;
    - (ii) along the Eyre Highway, at Norseman or if another place has been nominated by the Minister by a notice displayed at the point on the border of the State at which the stock was so brought in, at that other place;
    - (iii) by rail, at Parkeston.
- (2) A person shall not move any stock from an inspection place at which it has been presented pursuant to subregulation (1) unless an authority in the form of Form No. 5 has been issued by an inspector authorising the moving of the stock.

- (3) Except in the case of stock brought into the Kimberley Division of the State from the Northern Territory for the purpose of immediate slaughter, an owner of stock is liable to pay the charges prescribed in Schedule 4 in relation to the stock with respect to matters specified therein.
- (4) An inspector shall not issue an authority in the form of Form No. 5 with respect to any stock unless he is satisfied that all the laws of the State relating to the bringing into the State of the stock have been complied with.
- (5) A person acting in contravention of subregulation (1) or subregulation (2) commits an offence.  
Penalty: a fine of \$1 000, but the minimum penalty is a fine of \$100.

*[Regulation 31 inserted in Gazette 2 Nov 1984 p. 3553; amended in Gazette 7 Aug 1987 p. 3127; 22 Jun 1999 p. 2673; 14 Jun 2005 p. 2589; 23 May 2008 p. 1990.]*

### **32. Quarantining stock etc. entering WA**

The Chief Inspector may order any stock, semen or embryos that is in the course of being brought into the State to be placed in quarantine for such time and at such place as he specifies.

*[Regulation 32 inserted in Gazette 2 Nov 1984 p. 3552; amended in Gazette 13 Nov 1998 p. 6202.]*

### **33. Stock on WA land adjoining SA or NT**

Notwithstanding anything in these regulations, where an owner of land in Western Australia is also the owner of adjoining land in South Australia or the Northern Territory, the Chief Inspector may, in writing, authorise stock kept or depasturing on the adjoining land to be brought into the State for such period, not exceeding 6 months, as he specifies, but such stock shall not be allowed into the State beyond the boundaries of the land specified in the above mentioned authority unless all the

requirements of these regulations relating to the bringing into the State of stock are complied with.

*[Regulation 33 inserted in Gazette 2 Nov 1984 p. 3553.]*

**34. False or misleading certificates etc.**

A person shall not make a statement in a certificate or other document given for the purposes of this Part that is false or misleading in a material particular.

*[Regulation 34 inserted in Gazette 13 Nov 1998 p. 6202.]*

## **Part 5 — Intrastate movement of stock**

*[Heading inserted in Gazette 4 Feb 1977 p. 363.]*

### **Division 1 — General**

*[Heading inserted in Gazette 4 Feb 1977 p. 363.]*

#### **34A. Interstate movements, restrictions on (Sch. 5)**

- (1) In this regulation —  
*cattle* includes buffalo; and  
*column* means a column of the Table in Schedule 5.
- (2) Schedule 5 sets out the prohibitions and conditions (if any) applicable in relation to the intrastate movement of stock.
- (3) A person who moves or introduces stock from —
  - (a) a portion of the State of the kind specified in column 1;  
or
  - (b) a herd of cattle of the kind specified in column 1;into —
  - (c) a portion of the State of the kind specified in column 2;  
or
  - (d) a herd of cattle of the kind specified in column 2,opposite and corresponding to that portion of the State or that herd of cattle, as the case may be, otherwise than in accordance with the prohibitions or the conditions (if any) numbered in column 3 opposite and corresponding to the portion of the State specified in column 2 or the herd of cattle specified in that column, as the case may be, and set out below the Table in Schedule 5 commits an offence.
- (4) In the Table of Schedule 5 the provisions —
  - (a) of Division 1 Subdivision 2 apply in relation to cattle not intended for immediate slaughter; and

- (b) of Division 1 Subdivision 3 apply in relation to cattle intended for immediate slaughter; and
  - (c) of Division 1 Subdivision 4 apply in relation to the movement of sheep; and
  - (d) of Division 1 Subdivision 5 apply in relation to the movement of horses, mules, donkeys, camels and deer.
- (5) The conditions imposed by Schedule 5 may be varied or substituted by the Chief Inspector, in writing.

*[Regulation 34A inserted in Gazette 4 Feb 1977 p. 363; amended in Gazette 4 Dec 1981 p. 5036; 25 Jul 1986 p. 2488-9; 14 Jun 2005 p. 2589; 29 Apr 2008 p. 1571-2.]*

**Division 2 — Intrastate movement of stock by sea**

*[Heading inserted in Gazette 4 Feb 1977 p. 363.]*

**35. Vessel to be certified as suitable**

- (1) A person shall not move stock by sea from one part of the State to another part of the State unless the vessel to be used for the movement of the stock is then certified by the Chief Inspector to be suitable for the purpose.
- (2) The Chief Inspector may certify under his hand that a vessel is suitable for the purpose of intrastate movement of stock, but he shall not so certify a vessel that has, during the preceding 3 months, been used for the carriage of any stock, carcasses, animal products, second hand bags or stock fodder of other than Australian origin or loaded at any port outside Australia, unless he is satisfied that the vessel was cleared of the stock, carcasses, animal products, second hand bags or fodder before its departure from its last port of call outside Australia and that immediately after its departure from that port, all fittings used in connection with such stock, carcasses, animal products, second hand bags or fodder were thoroughly cleansed and disinfected.
- (3) A certificate issued under subregulation (2) may, at any time, be revoked by the Chief Inspector.



- (4) The provisions of subregulation (1) do not apply in respect of —
- (a) dressed carcasses that are of Australian origin and are intended for use as ships' stores; or
  - (b) fodder, shipped at Fremantle and intended (after being carried to some port outside Australia) to be used for the purpose of feeding cattle on a voyage to Fremantle from any port in the State north of Fremantle if —
    - (i) it is so stowed on the vessel that it is separate from, and will not come into contact with, other cargo during the voyage; and
    - (ii) prior to the vessel's departure from Fremantle it is sealed by an inspector and remains so sealed until the seal is broken, on the vessel's return to the State, by, or in the presence of, an inspector or some person authorised for that purpose by the Chief Inspector; and
    - (iii) it is used solely for the purpose of feeding the cattle that are being moved intrastate and when being used for that purpose it does not, at any time, come into contact with any other cargo being brought from overseas; and
    - (iv) it is not, after shipment, landed at any port in the State.

**36. Parts of vessel in contact with stock, cleansing etc. of**

The master of any vessel, at any port in the State, shall, when required by an inspector or a person authorised in writing by the Chief Inspector, cause all fittings and parts of the vessel that have come into contact with stock or have been used in connection with the transport of stock, to be thoroughly cleansed and disinfected.

**37. Movement of stock etc. between vessels restricted**

A person shall not, without the permission of an inspector, remove or cause to be removed, stock, fodder or fittings used or

to be used in connection with stock, from one vessel to another vessel while either of the vessels is within the boundaries of a port.

**38. Vessel with tick-infested stock arriving at Fremantle, cleansing etc. of**

Where any shipment of cattle is found on arrival at Fremantle to be tick-infested, the vessel bringing the cattle shall, where required by the Chief Inspector, be thoroughly cleansed and disinfected to the satisfaction of an inspector, before leaving the port of Fremantle.

**39. Disinfecting etc. costs, liability for**

All expenses incurred in connection with the disinfection or treatment of a vessel pursuant to this Part shall be borne by the owner of the vessel or his agent.

**39A. Cattle from inside and outside tick-infected area not to be shipped together**

Except with the written permission of the Chief Inspector, stock from parts of the State within a cattle tick free area shall not be shipped in a vessel that is also carrying cattle from a cattle tick infected area.

*[Regulation 39A inserted in Gazette 4 Feb 1977 p. 363.]*

**40. Contravening this Part, offence**

A person who, by act or omission, contravenes any of the provisions of the regulations in this Part, or is a party or is privy to any such contravention, commits an offence.

Penalty: a fine of \$1 000.

*[Regulation 40 amended in Gazette 7 Aug 1987 p. 3127; 23 May 2008 p. 1990.]*

## Part 6 — Cattle tick

### 41. Cattle tick areas, declaring etc.

- (1) For the purposes of these regulations the Minister may by notice published in the *Government Gazette* declare any part of the State to be a cattle tick free area or a cattle tick infected area.
- (2) A declaration made pursuant to subregulation (1) may be varied or cancelled by the Minister by a subsequent notice published in the *Government Gazette*.

*[Regulation 41 inserted in Gazette 4 Feb 1977 p. 364.]*

### 42. Owner liable for expense of treatment

All treatment carried out on stock for the purposes of the prevention or eradication of cattle tick pursuant to these regulations shall be paid for by the owner of the stock and shall be in accordance with the appropriate charge prescribed in Schedule 4 or, where no charge is specified, shall be a charge reflecting the cost of providing the treatment.

*[Regulation 42 inserted in Gazette 4 Feb 1977 p. 364; amended in Gazette 22 Jun 1999 p. 2673; 14 Jun 2005 p. 2589.]*

### 43. Conveyances moving from tick infected area, restrictions on

A person shall not move, out of a cattle tick infected area, any conveyance that has, within 6 months prior to such movement, been used to transport stock within the cattle tick infected area, unless the conveyance is first treated to the satisfaction of an inspector for the destruction of cattle tick and buffalo fly.

*[Regulation 43 inserted in Gazette 4 Feb 1977 p. 364; amended in Gazette 25 Jul 1986 p. 2489.]*

*[44-48. Deleted in Gazette 4 Feb 1977 p. 363.]*

**49. Contravening this Part, offence**

A person who by act or omission contravenes any of the provisions of the regulations in this Part of these regulations, commits an offence.

Penalty: a fine of \$1 000, but the minimum penalty is a fine of \$100.

*[Regulation 49 inserted in Gazette 10 Nov 1972 p. 4363;  
amended in Gazette 23 May 2008 p. 1990.]*

*[Part 6A (r. 50-54) deleted in Gazette 10 May 1974 p. 1538.]*

## Part 7 — Tuberculosis of cattle

### 55. Terms used

For the purposes of these regulations —

***tuberculosis free area, tuberculosis provisionally free area, tuberculosis eradication area, tuberculosis control area*** means an area of the State declared pursuant to regulation 56 to be a free area, provisionally free area, eradication area or control area, as the case requires, in relation to tuberculosis of cattle.

*[Regulation 55 inserted in Gazette 4 Feb 1977 p. 364.]*

### 56. Tuberculosis areas, declaring etc.

- (1) The Minister may from time to time by notice published in the *Government Gazette* declare any part of the State to be a tuberculosis free area, a tuberculosis provisionally free area, a tuberculosis eradication area, or a tuberculosis control area and apply to any area so declared a designation for the purposes of these regulations.
- (2) A declaration made pursuant to subregulation (1) may be varied or cancelled by the Minister by a subsequent notice published in the *Government Gazette*.

*[Regulation 56 inserted in Gazette 4 Feb 1977 p. 364.]*

### 57. Accredited tuberculosis free herd, declaring

- (1) For the purposes —
  - (a) of this regulation, ***cattle*** includes buffalo; and
  - (b) of these regulations, a reference to an “accredited tuberculosis free herd” is a reference to a herd of cattle declared pursuant to subregulation (2) to be an accredited tuberculosis free herd.

- (2) Where the Chief Inspector is satisfied in relation to a herd of cattle that —
- (a) the herd is held under management and facilities that are of such a standard as would maintain that herd free from tuberculosis; and
  - (b) all cattle in the herd are individually identified in an approved manner; and
  - (c) all cattle in the herd that are more than 12 months of age have passed not less than 12 tuberculin tests at not less than 8 and not more than 16 weeks apart with negative results; and
  - (d) all cattle in the herd over the age of 12 months have given negative results to a tuberculin test carried out on them not more than 60 days after the date of the expiry of a period not exceeding 36 months since the last tuberculin test previously carried out on the herd,

he may by written notice declare the herd to be an accredited tuberculosis free herd.

- (3) A declaration made under subregulation (2) in relation to a herd remains in force until revoked by the Chief Inspector.

*[Regulation 57 inserted in Gazette 4 Feb 1977 p. 364; amended in Gazette 25 Jul 1986 p. 2489.]*

**58.      Tuberculin tests, restrictions on carrying out**

- (1) Subject to subregulation (1a), a person shall not carry out a tuberculin test on stock for the purposes of these regulations unless —
- (a) he is a veterinary surgeon registered under the *Veterinary Surgeons Act 1960*; and
  - (b) the Chief Inspector has approved of him as a person who may carry out such a test.
- (1a) The Chief Inspector may approve of an inspector carrying out a tuberculin test on stock for such of the purposes of these regulations as he thinks fit.

- (2) An approval given by the Chief Inspector to a person to carry out tuberculin tests may be revoked by the Chief Inspector at any time.

*[Regulation 58 inserted in Gazette 4 Feb 1977 p. 364; amended in Gazette 21 Aug 1981 p. 3430; 25 Jul 1986 p. 2489.]*

**59. Positive reaction to tuberculosis test, tester's duties on**

Where stock on being tested for the diagnosis of tuberculosis give a positive reaction to the test the person giving the test —

- (a) shall forthwith notify the Chief Inspector of that fact and give to him such particulars relating to the stock as the Chief Inspector may require; and
- (b) shall cause the stock to be branded for the purpose of identification in such manner approved by the Chief Inspector.

*[Regulation 59 inserted in Gazette 25 Jul 1986 p. 2489.]*

**60. Tuberculin tests, charges for**

- (1) Subject to subregulation (2), where an officer of the Department of Agriculture<sup>2</sup> carries out a tuberculin test on stock pursuant to these regulations no charge shall be payable.
- (2) Where an officer of the Department of Agriculture<sup>2</sup> carries out a tuberculin test on stock —
  - (a) on request; or
  - (b) for the purpose of supplying a health certificate for stock being exported,

the owner or person having charge of the stock shall on demand pay the cost of the test as prescribed in Schedule 4.

*[Regulation 60 inserted in Gazette 7 Dec 1984 p. 4082; amended in Gazette 25 Jul 1986 p. 2489; 14 Jun 2005 p. 2589.]*

*[61-64. Deleted in Gazette 4 Feb 1977 p. 364.]*

## **Part 8 — Brucellosis of cattle**

### **65. Terms used**

For the purposes of these regulations —

***accredited brucellosis free herd*** means a herd declared to be an accredited brucellosis free herd pursuant to regulation 68;

***brucellosis controlled herd*** means a herd declared to be a brucellosis controlled herd pursuant to regulation 70;

***brucellosis free area, brucellosis provisionally free area, brucellosis eradication area***, means an area of the State declared pursuant to regulation 66 to be a free area, a provisionally free area or an eradication area in relation to brucellosis in cattle;

***certified brucellosis free herd*** means a herd declared to be a certified brucellosis free herd pursuant to regulation 69;

***compulsory vaccination area*** means an area of the State declared to be a compulsory vaccination area pursuant to regulation 72.

*[Regulation 65 inserted in Gazette 4 Feb 1977 p. 365.]*

### **66. Brucellosis areas, declaring etc.**

- (1) For the purposes of these regulations, the Minister may from time to time by notice published in the *Government Gazette* declare any part of the State to be a brucellosis free area, a brucellosis provisionally free area or a brucellosis eradication area, and apply to any area so declared a designation for the purposes of these regulations.
- (2) A declaration made under subregulation (1) may be varied or cancelled by the Minister by a subsequent notice published in the *Government Gazette*.

*[Regulation 66 inserted in Gazette 4 Feb 1977 p. 365.]*



**67. Bovine animal aborting etc., owner's duties in case of**

- (1) The owner of any herd situated within a brucellosis free area, a brucellosis provisionally free area, or a brucellosis eradication area shall notify the nearest inspector if he knows or suspects that a bovine animal has aborted or calved prematurely.
- (2) The owner of such animals known or suspected to have aborted or calved prematurely, shall, where possible, keep the affected animals in isolation and separated from the rest of the herd until otherwise allowed by an inspector.

*[Regulation 67 inserted in Gazette 4 Feb 1977 p. 365.]*

**68. Accredited brucellosis free herd, declaring**

- (1) Where the Chief Inspector is satisfied in relation to a herd of cattle that —
  - (a) the herd is not known to be or is not suspected of being affected with brucellosis and all breeding animals in the herd over the age of 6 months have completed 2 approved tests for brucellosis at intervals of not less than 6 months and have shown no evidence of the disease; and
  - (b) all breeding cattle in the herd have been identified in an approved manner; and
  - (c) the herd is held under such conditions that it is not at risk to the introduction of brucellosis,

he may by written notice declare the herd to be an accredited brucellosis free herd.

- (2) Notwithstanding anything in subregulation (1)(a) but subject to paragraphs (b) and (c) of that subregulation the Chief Inspector may make a declaration pursuant to that subregulation in relation to a herd that has been known to have been infected with brucellosis before the making of the declaration if he is satisfied that all breeding animals in the herd over the age of 6 months have before the making of the declaration completed

not less than 3 approved tests for brucellosis over a period of 12 months immediately preceding the date of the making of the declaration and have shown no evidence of the disease.

- (3) A declaration made pursuant to this regulation ceases to have effect in relation to a herd unless an approved brucellosis test is conducted on all breeding animals in the herd over the age of 6 months not later than 60 days after every anniversary of the last such test.

*[Regulation 68 inserted in Gazette 4 Feb 1977 p. 365-6.]*

**69. Certified brucellosis free herd, declaring**

- (1) Where the Chief Inspector is satisfied in relation to a herd of cattle that —
- (a) the herd is not known to be or is not suspected of being infected with brucellosis, and all breeding animals in the herd over the age of 6 months have completed 2 approved tests for brucellosis at intervals of not less than 6 months and have shown no evidence of the disease; and
  - (b) all breeding animals in the herd have been identified in an approved manner; and
  - (c) the herd is held under such conditions that it is not at risk to the introduction of brucellosis,

he may by written notice declare the herd to be a certified brucellosis free herd.

- (2) Notwithstanding subregulation (1)(a) but subject to paragraphs (b) and (c) of that subregulation, the Chief Inspector may make a declaration pursuant to that subregulation in relation to a herd of cattle that has been known to have been infected with brucellosis before the making of the declaration if he is satisfied that all breeding cattle in the herd that are over the age of 6 months have completed not less than 3 approved brucellosis tests over a period of 12 months immediately

preceding the date of the making of the declaration and have shown no evidence of the disease.

- (3) A declaration made under this regulation in relation to a herd of cattle ceases to have effect in relation to the herd unless an approved brucellosis test of all breeding animals in the herd is carried out not later than 60 days after the third anniversary of the last such test.

*[Regulation 69 inserted in Gazette 4 Feb 1977 p. 366.]*

**70. Brucellosis controlled herd, declaring**

- (1) Where a herd of cattle in a brucellosis eradication area is not held under quarantine conditions and —
  - (a) has a herd test for brucellosis conducted on all breeding animals in the herd with negative results; or
  - (b) has had a test of such numbers of breeding cattle that a 99% probability of the prevalence of infection from brucellosis not exceeding 0.5% is revealed,

the Chief Inspector may declare the herd to be a brucellosis controlled herd.

*[Regulation 70 inserted in Gazette 4 Feb 1977 p. 366.]*

**71. Revoking declarations under r. 68, 69 or 70**

The Chief Inspector may at any time revoke any declaration made pursuant to regulation 68, 69 or 70.

*[Regulation 71 inserted in Gazette 4 Feb 1977 p. 366.]*

**72. Compulsory brucellosis vaccination area, declaring**

- (1) The Minister may by notice published in the *Government Gazette* declare any part of the State to be a “compulsory brucellosis vaccination area” and may by subsequent notice vary or revoke that declaration.

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- (2) Where a part of the State has been declared to be a compulsory brucellosis vaccination area pursuant to subregulation (1) the owner of any cattle in that area shall upon being requested by the Chief Inspector so to do submit such cattle as are required by the Chief Inspector or an inspector for inoculation by an inspector or veterinary surgeon with a brucella vaccine approved by the Chief Inspector.
- (3) Inoculation of cattle carried out pursuant to this regulation shall be carried out free of charge.

*[Regulation 72 inserted in Gazette 4 Feb 1977 p. 366.]*

**73. Vaccinations against brucellosis, restrictions on giving**

- (1) A person shall not vaccinate any cattle against brucellosis unless he is an inspector, or a veterinary surgeon registered under the provisions of the *Veterinary Surgeons Act 1960*, and has been approved for that purpose by the Chief Inspector.
- (2) An approval granted by the Chief Inspector under subregulation (1) may be revoked by him at any time by notice in writing.

*[Regulation 73 inserted in Gazette 4 Feb 1977 p. 366.]*

**74. Strain 19 vaccine, restriction on using on cattle and horses**

A person shall not inoculate cattle or horses with Strain 19 vaccine without the prior approval of the Chief Inspector.

*[Regulation 74 inserted in Gazette 4 Feb 1977 p. 367.]*

**75. Vaccinated cattle to be identified**

- (1) An inspector or veterinary surgeon who vaccinates any cattle with a brucella vaccine shall cause the cattle to be marked for identification with an earmark of a type approved by the Chief Inspector for the purpose.

- (2) The earmark required by subregulation (1) shall be placed in that ear of the cattle not already marked with the owner's registered earmark.
- (3) Notwithstanding the provisions of subregulation (1), where the cattle vaccinated are of stud stock the inspector or veterinary surgeon administering the inoculation may issue a certificate instead of an earmark showing the date of the inoculation and particulars that will enable the cattle to be identified, and the owner or person in charge of the animal or animals shall produce that certificate at the request of an inspector.

*[Regulation 75 inserted in Gazette 4 Feb 1977 p. 367; amended in Gazette 14 Jun 2005 p. 2598-9.]*

## **Part 8A — Cattle or buffalo identification**

*[Heading inserted in Gazette 19 Sep 2006 p. 3733.]*

### **Division 1 — Interpretation**

*[Heading inserted in Gazette 19 Sep 2006 p. 3733.]*

#### **76. Terms used**

In this Part —

**animal** means cattle or buffalo;

**approved identification**, in relation to an animal that is being moved from a property to another, means an approved means of identification, except an NLIS device, that —

- (a) displays the PIC of the property from which the animal is being moved; and
- (b) in the case of animals being moved to an abattoir, takes the form of an eartag or tailtag; and
- (c) in the case of animals being moved to an export depot, takes the form of an eartag;

**identification number**, in relation to an NLIS device, means a number, referred to in regulation 77(2), of the device;

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

**NLIS post breeder device**, in relation to an animal, means an NLIS device that is, or is to be, applied under these regulations to the animal on a property except the animal's property of birth;

**sell** includes to supply;

**visible identification number**, in relation to an NLIS device, means the number, referred to in regulation 77(2)(b), of the device.

*[Regulation 76 inserted in Gazette 19 Sep 2006 p. 3733-4;  
amended in Gazette 15 Apr 2011 p. 1401.]*

**77. NLIS devices, requirements for**

- (1) For the purposes of these regulations an NLIS (which stands for “National Livestock Identification System”) device is an approved electronic device —
  - (a) that is able to identify an animal for the whole of its life; and
  - (b) that complies with this regulation.
- (2) An NLIS device must have —
  - (a) a unique number that is encoded in the device so that it can be read electronically; and
  - (b) a unique number that is displayed on the exterior of the device so that it is visible to the naked eye and legible.
- (3) The visible identification number must include a PIC.  
*[Regulation 77 inserted in Gazette 19 Sep 2006 p. 3735; amended in Gazette 15 Apr 2011 p. 1401; 3 Jun 2011 p. 1976.]*

**Division 2 — Manufacture and sale of NLIS devices**

*[Heading inserted in Gazette 19 Sep 2006 p. 3735.]*

**78. Manufacture and sale of NLIS devices generally**

- (1) A person must not manufacture an NLIS device unless the person is an approved manufacturer.  
Penalty: a fine of \$5 000.
- (2) A person must not sell an NLIS device unless it has been manufactured by an approved manufacturer.  
Penalty: a fine of \$5 000.  
*[Regulation 78 inserted in Gazette 19 Sep 2006 p. 3735; amended in Gazette 23 May 2008 p. 1990.]*

*[78A-78M. Deleted in Gazette 19 Sep 2006 p. 3733.]*

**79. Sale of NLIS devices by approved manufacturers restricted**

- (1) An approved manufacturer must not sell an NLIS device to a person unless —
- (a) the person has applied to the manufacturer for an NLIS device that will identify animals owned by that person or animals to which NLIS post breeder devices must be applied; and
  - (b) the person has given the manufacturer —
    - (i) his or her full name and address; and
    - (ii) the relevant PIC of the property on which the animals are kept by the person;and
  - (c) the manufacturer has confirmed that the PIC is a relevant PIC relating to a property where the person keeps the animals —
    - (i) by sighting the code in an original certificate of registration of a brand under section 23 of the *Stock (Identification and Movement) Act 1970* in relation to a brand registered for those animals; or
    - (ii) by application to the Chief Inspector; or
    - (iii) by reference to the internet website maintained under regulation 81(3) of these regulations or regulation 12(4) of the *Stock (Identification and Movement) Regulations 1972*;and
  - (d) the manufacturer has kept a written or electronic record of that confirmation; and
  - (e) the NLIS device includes that PIC in its visible identification number.

Penalty: a fine of \$5 000.



- (2) The Chief Inspector may request an approved manufacturer to make available to an approved person any record of confirmation kept under subregulation (1)(d).
- (3) An approved manufacturer must comply with a request under subregulation (2) as soon as practicable after the request is made.  
Penalty: a fine of \$5 000.
- (4) An approved manufacturer who sells an NLIS device must, after the sale but before giving the device to the purchaser —
- (a) encode in the device a number referred to in regulation 77(2)(a); and
  - (b) display on the device a visual identification number that includes the relevant PIC of the property of the purchaser; and
  - (c) update the NLIS database in relation to that device by recording the numbers referred to in paragraphs (a) and (b) and the date on which the device is to be given to the purchaser.
- Penalty: a fine of \$5 000.
- (5) If an approved manufacturer gives an NLIS device to a purchaser on a date that is different to a date recorded under subregulation (4)(c), the approved manufacturer must, as soon as practicable after the device is given to the purchaser, update the database by recording the correct date.

Penalty: a fine of \$5 000.

*[Regulation 79 inserted in Gazette 19 Sep 2006 p. 3735-7;  
amended in Gazette 23 May 2008 p. 1990.]*

**80. Sale of NLIS devices by persons except approved manufacturers restricted**

- (1) A person except an approved manufacturer must not sell an unused NLIS device unless the sale is approved in writing by the Chief Inspector or another inspector.

Penalty: a fine of \$5 000.

- (2) If an approval is given under subregulation (1), the Chief Inspector or other inspector is to update the NLIS database in relation to the device by recording the relevant PIC of the property on which the purchaser keeps any animal to which the device is applied.
- (3) A person except an approved manufacturer must not sell a used NLIS device unless the device is sold to an approved manufacturer.

Penalty: a fine of \$5 000.

*[Regulation 80 inserted in Gazette 19 Sep 2006 p. 3737-8;  
amended in Gazette 23 May 2008 p. 1990.]*

*[Division 3 (r. 81) deleted in Gazette 15 Apr 2011 p. 1401.]*

**Division 4 — Offences relating to the use of NLIS devices and approved identification**

*[Heading inserted in Gazette 19 Sep 2006 p. 3739.]*

**82. Application of NLIS devices to animals restricted**

- (1) 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, the owner of the animal or is otherwise required or enabled by these regulations to apply the device; and
  - (b) the animal is on the property in relation to which the device was issued and the visible identification number of the device includes the relevant PIC of that property; and
  - (c) in the case of an NLIS device other than a NLIS post breeder device, the animal is on the animal's property of birth; and
  - (d) in the case of an NLIS post breeder device, the animal is not on the animal's property of birth; and

(e) the device is applied in the approved manner.

Penalty: a fine of \$5 000.

- (2) A person must not apply more than one NLIS device to an animal at any one time.

Penalty: a fine of \$5 000.

- (3) A person must not apply an NLIS device to an animal if an NLIS device is already applied to the animal.

Penalty: a fine of \$5 000.

*[Regulation 82 inserted in Gazette 19 Sep 2006 p. 3739-40;  
amended in Gazette 23 May 2008 p. 1990-1.]*

**83. Unapplied NLIS devices to be returned or given up**

If a person possesses an NLIS device that is not applied to an animal and —

- (a) the device does not include in its visible identification number the relevant PIC of a property on which animals are kept, sold, slaughtered or exported by the person; or
- (b) the person does not possess the device with the approval of a person who is lawfully entitled to the possession,

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

Penalty: a fine of \$5 000.

*[Regulation 83 inserted in Gazette 19 Sep 2006 p. 3740-1;  
amended in Gazette 23 May 2008 p. 1990-1.]*

**84. Removal, damage and replacement of NLIS devices**

- (1) A person must not remove an NLIS device or other approved identification from an animal unless it is done —

- (a) after the animal has been slaughtered in an abattoir; or

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- (b) after the animal is slaughtered or otherwise dies on any other property, by the operator of the property; or
- (c) in the case of an NLIS device, after the device ceases functioning, by the operator of the property on which the animal is kept; or
- (d) by an approved person.

Penalty: a fine of \$5 000.

- (2) A person must not damage or deface an NLIS device except by disposing of it in accordance with subregulation (3).

Penalty: a fine of \$5 000.

- (3) A person must not dispose of an NLIS device unless —
  - (a) the person has removed it in accordance with subregulation (1); and
  - (b) it is disposed of in an approved manner.

Penalty: a fine of \$5 000.

- (4) If an NLIS device is removed from a live animal under subregulation (1)(c), the operator of the property on which the animal is kept may apply a replacement NLIS device to the animal.
- (5) If a replacement NLIS device is applied to an animal after it has been moved from the property where the original device was applied, the operator must update the database by recording —
  - (a) the visible identification number of the replacement device; and
  - (b) if possible, the visible identification number of the original device.

Penalty: a fine of \$5 000.

*[Regulation 84 inserted in Gazette 19 Sep 2006 p. 3741-2;  
amended in Gazette 23 May 2008 p. 1990-1.]*

**84A. False representation that thing is NLIS device, offence**

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

Penalty: a fine of \$5 000.

*[Regulation 84A inserted in Gazette 19 Sep 2006 p. 3742;  
amended in Gazette 23 May 2008 p. 1990-1.]*

**Division 5 — Responsibilities of owners**

*[Heading inserted in Gazette 19 Sep 2006 p. 3742.]*

**84B. Moving animal to different property restricted**

- (1) Except as provided in subregulation (2), an owner of an animal must not move the animal, or permit the animal to be moved, from one property to another unless —
  - (a) the animal has an NLIS device applied to it at the time it is moved; and
  - (b) the PIC recorded on the NLIS database in relation to the device is the relevant PIC of the property from which the animal is to be moved.
- Penalty: a fine of \$5 000.
- (2) Subject to regulation 84C, subregulation (1) does not apply if —
  - (a) the animal is being moved directly to an export depot or an abattoir from the animal's property of birth; or
  - (b) the animal is being moved to a saleyard, an export depot or an abattoir from a property that is contiguous with the animal's property of birth and that is not in an area referred to in section 30(1)(a) of the *Stock (Identification and Movement) Act 1970*; or
  - (c) the Chief Inspector approves the movement of the animal without an NLIS device being applied to it.

*[Regulation 84B inserted in Gazette 19 Sep 2006 p. 3742-3;  
amended in Gazette 23 May 2008 p. 1990-1; 15 Apr 2011  
p. 1401.]*

**84C. Exemptions in r. 84B(2), restrictions on**

- (1) The owner cannot rely upon the exemption in regulation 84B(2)(a) or (b) unless approved identification is applied to the animal.
- (2) The owner cannot rely upon the exemption in regulation 84B(2)(a) or (b) unless the owner has furnished to the drover or carrier of the animal a waybill or other document prescribed under section 46 of the *Stock (Identification and Movement) Act 1970* that applies to all the animals moved under that subregulation at that time and no other animals.
- (3) The owner cannot rely upon the exemption in regulation 84B(2)(b) unless the owner has furnished to the drover or carrier of the animal a waybill or other document prescribed under section 46 of the *Stock (Identification and Movement) Act 1970* that displays the relevant PIC of the property of birth of the animal.
- (4) The owner cannot rely upon the exemption in regulation 84B(2) unless the owner has taken all practicable measures to ensure that while the animal is being moved it is kept separate from —
  - (a) animals to which NLIS devices have been applied; and
  - (b) animals being moved from another property.

*[Regulation 84C inserted in Gazette 19 Sep 2006 p. 3743-4.]*

**84D. After moving animals to another property, owner to update NLIS database**

- (1) Except as provided in subregulation (3), if an owner of an animal to which an NLIS device is applied moves the animal to a property with a different PIC from that recorded on the database, the owner must, within the period specified in subregulation (2), update the NLIS database in relation to the device by recording —
  - (a) the relevant PIC of the property to which the animal has been moved; and

- (b) the serial number of the waybill or other document prescribed under section 46 of the *Stock (Identification and Movement) Act 1970* relating to the movement of the animal; and
- (c) the date the animal was moved.

Penalty: a fine of \$5 000.

- (2) The owner must comply with the requirements of subregulation (1) within 48 hours after the animal has been moved.
- (3) Subregulation (1) does not apply if —
  - (a) the owner moves the animal to a holding yard; or
  - (b) the owner moves the animal to a saleyard; or
  - (c) the owner moves the animal from a saleyard after purchasing the animal there; or
  - (d) the owner moves the animal directly to an abattoir for slaughter; or
  - (e) the owner moves the animal directly to an export depot for export; or
  - (f) an inspector has, in a particular case, given written approval for the owner to move the animal to another property without updating the database.

*[Regulation 84D inserted in Gazette 19 Sep 2006 p. 3744-5; amended in Gazette 23 May 2008 p. 1990-1.]*

## **Division 6 — Responsibilities of drovers, carriers or purchasers**

*[Heading inserted in Gazette 19 Sep 2006 p. 3745.]*

### **84E. Drover or carrier moving animal, duties of**

- (1) In this regulation —  
***transport document*** means —
  - (a) a waybill; or

- (b) a document prescribed under section 46 of the *Stock (Identification and Movement) Act 1970*; or
  - (c) a note referred to in section 50(3) of the *Stock (Identification and Movement) Act 1970*.
- (2) A drover or carrier moving animals from a property to a holding yard must, as soon as practicable after arriving at the holding yard, endorse on the transport document —
  - (a) the relevant PIC of the holding yard; and
  - (b) the relevant PIC of the property to which the animals are to be taken from the holding yard.

Penalty: a fine of \$5 000.

- (3) A drover or carrier moving animals from one property to another must, as soon as practicable after arriving there, give a copy of any transport document relating to the animals to the operator of the property.  
Penalty: a fine of \$5 000.
- (4) If a drover or carrier moves animals from a property and the animals have approved identification applied to them, the drover or carrier must keep the animals separate from —
  - (a) animals to which NLIS devices have been applied; and
  - (b) animals being moved from another property.

Penalty: a fine of \$5 000.

*[Regulation 84E inserted in Gazette 19 Sep 2006 p. 3745-6; amended in Gazette 23 May 2008 p. 1990-1.]*

**84F. Purchaser of animal, duties of**

- (1) If an animal at a saleyard has an NLIS device applied to it, a purchaser of the animal must, when requested by the saleyard operator, provide the relevant PIC of the property on which the animal is to be kept or slaughtered, or from which the animal is to be exported, by the purchaser.

Penalty: a fine of \$5 000.



- (2) If animals are sold to a person, the person must not take possession of the animals unless they are moved in accordance with this Part.

Penalty: a fine of \$5 000.

*[Regulation 84F inserted in Gazette 19 Sep 2006 p. 3746;  
amended in Gazette 23 May 2008 p. 1990-1.]*

## **Division 7 — Responsibilities of property operators**

*[Heading inserted in Gazette 19 Sep 2006 p. 3746.]*

### **Subdivision 1 — General**

*[Heading inserted in Gazette 19 Sep 2006 p. 3746.]*

#### **84G. Animal not to move on to property unless it has PIC**

An operator of a property must not permit an animal to which an NLIS device has been applied to be moved to the property unless the property has a PIC.

Penalty: a fine of \$5 000.

*[Regulation 84G inserted in Gazette 19 Sep 2006 p. 3746;  
amended in Gazette 23 May 2008 p. 1990-1.]*

#### **84H. Animal dying while being moved to property, operator to update NLIS database**

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 on the database, the operator of the property to which the animal was moved must, within 48 hours after the death, update the NLIS database in relation to the device by recording the death of the animal.

Penalty: a fine of \$5 000.

*[Regulation 84H inserted in Gazette 19 Sep 2006 p. 3747;  
amended in Gazette 23 May 2008 p. 1990-1.]*

**Subdivision 2 — Holding yards**

*[Heading inserted in Gazette 19 Sep 2006 p. 3747.]*

**84I. Holding yard operator's duties as to NLIS database**

- (1) If animals are moved to a holding yard from a particular property and are to be kept there for more than 48 hours, the holding yard operator must, within 48 hours after the animals are moved to the holding yard, record in the NLIS database the following —
  - (a) the number of animals moved;
  - (b) the date the animals arrived at the holding yard;
  - (c) the relevant PIC of the property from which the animals were moved to the holding yard;
  - (d) the relevant PIC of the holding yard;
  - (e) the serial number of the waybill or other document prescribed under the *Stock (Identification and Movement) Act 1970* section 46 relating to the movement of the animals to the holding yard.

Penalty: a fine of \$5 000.

- (2) If animals are moved to a holding yard from a particular property and are kept there for more than 48 hours, the holding yard operator must, within 48 hours after the animals are moved from the holding yard, record in the NLIS database the following —
  - (a) the number of animals moved;
  - (b) the date the animals were moved;
  - (c) the relevant PIC of the destination to which the animals are moved from the holding yard;
  - (d) the relevant PIC of the holding yard;

- (e) the serial number of the waybill or other document prescribed under the *Stock (Identification and Movement) Act 1970* section 46 relating to the movement of the animals from the holding yard.

Penalty: a fine of \$5 000.

*[Regulation 84I inserted in Gazette 15 Apr 2011 p. 1401-2.]*

### **Subdivision 3 — Saleyards**

*[Heading inserted in Gazette 19 Sep 2006 p. 3748.]*

#### **84J. Animal without NLIS device in saleyard, operator's duties in case of**

- (1) Unless an inspector in a particular case approves otherwise, if an animal is moved to a saleyard and an NLIS device is not applied to the animal, the saleyard operator must, within the period specified in subregulation (2) —
  - (a) apply an NLIS post breeder device to the animal; and
  - (b) update the NLIS database in relation to the device by recording —
    - (i) the relevant PIC of the property from which the animal was moved to the saleyard; and
    - (ii) the serial number of the waybill or other document prescribed under section 46 of the *Stock (Identification and Movement) Act 1970* relating to the movement of the animal; and
    - (iii) the date the animal was moved.

Penalty: a fine of \$5 000.

- (2) The saleyard operator must comply with the requirements of subregulation (1) as soon as practicable after the movement of the animal to the saleyard and before it is sold or otherwise moved from the saleyard.

- (3) If animals are moved to a saleyard and more than 10% of the animals have neither NLIS devices nor approved identification applied to them, the operator of the saleyard must —
- (a) hold the animals at the saleyard without selling them; and
  - (b) inform an inspector accordingly, and comply with any directions given to the operator by the inspector under regulation 84K.

Penalty: a fine of \$5 000.

*[Regulation 84J inserted in Gazette 19 Sep 2006 p. 3748-9; amended in Gazette 23 May 2008 p. 1990-1.]*

**84K. Compliance with r. 84J(1), directions for**

- (1) 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 84J(1) to be complied with.
- (2) A saleyard operator must comply with a direction given by an inspector under subregulation (1).

Penalty: a fine of \$5 000.

*[Regulation 84K inserted in Gazette 19 Sep 2006 p. 3749; amended in Gazette 23 May 2008 p. 1990-1.]*

**84L. Animal born at saleyard, operator's duties in case of**

If an animal is born on, 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 otherwise moved from the saleyard, apply an NLIS post breeder device to the animal; and

- (b) within 48 hours after the device is applied, update the NLIS database in relation to the device by recording —
  - (i) the relevant PIC of the property from which the mother of the animal was moved to the saleyard; and
  - (ii) the serial number of the waybill or other document prescribed under section 46 of the *Stock (Identification and Movement) Act 1970* relating to the movement of the animal's mother; and
  - (iii) the date the animal was born.

Penalty: a fine of \$5 000.

*[Regulation 84L inserted in Gazette 19 Sep 2006 p. 3749-50;  
amended in Gazette 23 May 2008 p. 1990-1.]*

**84M. Animal with NLIS device leaving saleyard, operator's duties in case of**

- (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 where it came or to another property with a PIC; and
  - (b) within 48 hours after it is moved, the saleyard operator updates the NLIS database in relation to the device by recording —
    - (i) the relevant PIC of the property to which the animal has been moved; and
    - (ii) the serial number of the waybill or other document prescribed under section 46 of the *Stock (Identification and Movement) Act 1970* relating to the movement of the animal; and

- (iii) the date the animal was moved.

Penalty: a fine of \$5 000.

- (2) If an animal to which an NLIS device is applied is moved to a saleyard, a person must not, without the approval of an inspector, sell the animal, or permit the animal to be sold, unless the device is functioning.

Penalty: a fine of \$5 000.

*[Regulation 84M inserted in Gazette 19 Sep 2006 p. 3750;  
amended in Gazette 23 May 2008 p. 1990-1.]*

**84N. Saleyard operators, other duties of as to animals with NLIS devices**

- (1) 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 has been moved 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.

- (2) If an animal at a saleyard has an NLIS device applied to it, a person must not sell the animal, or permit the animal to be sold, at the saleyard unless the person has obtained from the proposed purchaser the relevant PIC of the property on which the animal is to be kept or slaughtered, or from which the animal is to be exported, by the purchaser.

Penalty: a fine of \$5 000.

*[Regulation 84N inserted in Gazette 19 Sep 2006 p. 3751;  
amended in Gazette 23 May 2008 p. 1990-1.]*

#### **Subdivision 4 — Abattoirs**

*[Heading inserted in Gazette 19 Sep 2006 p. 3751.]*

**84O. Term used: inspector**

In this Subdivision —

**inspector** includes an officer of an agency responsible under a written law of this State or the Commonwealth for —

- (a) the inspection of animals before they are slaughtered; and
- (b) giving consent for the animals to be slaughtered after inspection,

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

*[Regulation 84O inserted in Gazette 19 Sep 2006 p. 3751.]*

**84P. Animal without NLIS device etc. in abattoir, operator's duties in case of**

- (1) Unless an inspector in a particular case approves otherwise, if an animal is moved to an abattoir and neither an NLIS device nor approved identification is applied to the animal, the abattoir operator must, within the period specified in subregulation (2) —
  - (a) apply to the animal an NLIS post breeder device; and
  - (b) update the NLIS database in relation to the device by recording —
    - (i) the relevant PIC of the property from which the animal was moved to the abattoir; and
    - (ii) the serial number of the waybill or other document prescribed under the *Stock (Identification and Movement) Act 1970* section 46 relating to the movement of the animal to the abattoir; and
    - (iii) the date the animal was moved.

Penalty: a fine of \$5 000.

- (2) The abattoir operator must comply with the requirements of subregulation (1) as soon as practicable after the movement of the animal to the abattoir and before it is slaughtered or otherwise moved from the abattoir.
- (3) If animals are moved to an abattoir and more than 10% of the animals have neither NLIS devices nor approved identification applied to them, the operator of the abattoir must —
  - (a) hold the animals at the abattoir without slaughtering them; and
  - (b) inform an inspector accordingly, and comply with any directions given to the operator by the inspector under regulation 84Q.

Penalty: a fine of \$5 000.

- (4) If an inspector approves the slaughter at an abattoir of animals to which neither an NLIS device nor approved identification is applied, the abattoir operator must record in the NLIS database —
  - (a) the number of animals slaughtered; and
  - (b) the relevant PIC of the property from which the animals were moved to the abattoir; and
  - (c) the serial number of the waybill or other document prescribed under the *Stock (Identification and Movement) Act 1970* section 46 relating to the movement of the animals to the abattoir; and
  - (d) the relevant PIC of the abattoir; and
  - (e) the date the animals were slaughtered.

Penalty: a fine of \$5 000.

- (5) The abattoir operator must comply with the requirements of subregulation (4) within 7 days after the animals are slaughtered.

*[Regulation 84P inserted in Gazette 19 Sep 2006 p. 3752-3; amended in Gazette 23 May 2008 p. 1990-1; 15 Apr 2011 p. 1402-3.]*



**84Q. Compliance with r. 84R(1), directions for**

- (1) The inspector may make 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 84R(1) to be complied with.
- (2) An abattoir operator must comply with a direction given by an inspector under subregulation (1).

Penalty: a fine of \$5 000.

*[Regulation 84Q inserted in Gazette 19 Sep 2006 p. 3753;  
amended in Gazette 23 May 2008 p. 1990-1.]*

**84R. Animal with NLIS device at abattoir, operator's duties in case of**

If an animal to which an NLIS device is applied is moved to an abattoir except from a saleyard, the abattoir operator must —

- (a) as soon as practicable after the animal has been slaughtered; or
- (b) before it is otherwise moved from the abattoir,

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: a fine of \$5 000.

*[Regulation 84R inserted in Gazette 19 Sep 2006 p. 3753;  
amended in Gazette 23 May 2008 p. 1990-1.]*

**84S. Animal with approved identification at abattoir, operator's duties in case of**

- (1) If animals to which approved identification is applied are moved to an abattoir and are slaughtered, the abattoir operator must record in the NLIS database —
  - (a) the number of animals moved; and

- (b) the relevant PIC of the property from which the animals were moved to the abattoir; and
- (c) the serial number of the waybill or other document prescribed under the *Stock (Identification and Movement) Act 1970* section 46 relating to the movement of the animals to the abattoir; and
- (d) the relevant PIC of the abattoir; and
- (e) the date the animals were slaughtered.

Penalty: a fine of \$5 000.

- (2) The abattoir operator must comply with the requirements of subregulation (1) within 7 days after the animals are slaughtered.
- (3) If an animal to which approved identification is applied is moved to an abattoir but is not slaughtered, the abattoir operator must not move the animal from the abattoir to another property unless —
  - (a) before the animal is moved, the abattoir operator applies an NLIS post breeder device to the animal; and
  - (b) as soon as practicable after the NLIS device is applied, the abattoir operator updates the NLIS database in relation to the device by recording —
    - (i) the relevant PIC of the property from which the animal was moved to the abattoir; and
    - (ii) the relevant PIC of the abattoir; and
    - (iii) the serial number of the waybill or other document prescribed under section 46 of the *Stock (Identification and Movement) Act 1970* relating to the movement of the animal to the abattoir; and
    - (iv) the date the animal was moved to the abattoir; and

- (c) within 48 hours after the animal is moved to the other property, the abattoir operator updates the NLIS database in relation to the device by recording —
  - (i) the relevant PIC of the property; and
  - (ii) the serial number of the waybill or other document prescribed under section 46 of the *Stock (Identification and Movement) Act 1970* relating to the movement of the animal; and
  - (iii) the date the animal was moved.

Penalty: a fine of \$5 000.

*[Regulation 84S inserted in Gazette 19 Sep 2006 p. 3754-5; amended in Gazette 23 May 2008 p. 1990-1; 15 Apr 2011 p. 1403.]*

**84T. Animal with NLIS device leaving abattoir, operator's duties in case of**

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 where it came or to another property with a PIC; and
- (b) within 48 hours after it is moved, the abattoir operator updates the NLIS database in relation to the device by recording —
  - (i) the relevant PIC of the property to which the animal has been moved; and
  - (ii) the serial number of the waybill or other document prescribed under section 46 of the *Stock (Identification and Movement) Act 1970* relating to the movement of the animal; and
  - (iii) the date the animal was moved.

Penalty: a fine of \$5 000.

*[Regulation 84T inserted in Gazette 19 Sep 2006 p. 3755-6; amended in Gazette 23 May 2008 p. 1990-1.]*

**84U. Animal with NLIS device slaughtered at abattoir, operator's duties in case of**

If an animal to which an NLIS device is applied is slaughtered in an abattoir, the abattoir operator must, within 7 days after the slaughter, update the NLIS database in relation to the device by recording the slaughter of the animal.

Penalty: a fine of \$5 000.

*[Regulation 84U inserted in Gazette 19 Sep 2006 p. 3756;  
amended in Gazette 23 May 2008 p. 1990-1.]*

**Subdivision 5 — Export depots**

*[Heading inserted in Gazette 19 Sep 2006 p. 3756.]*

**84V. Animal without NLIS device etc. in export depot, operator's duties in case of**

- (1) Unless an inspector in a particular case approves otherwise, if an animal is moved to an export depot and neither an NLIS device nor approved identification is applied to the animal, the export depot operator must, within the period specified in subregulation (2) —
  - (a) apply to the animal an NLIS post breeder device; and
  - (b) update the NLIS database in relation to the device by recording —
    - (i) the relevant PIC of the property from which the animal was moved to the export depot; and
    - (ii) the serial number of the waybill or other document prescribed under the *Stock (Identification and Movement) Act 1970* section 46 relating to the movement of the animal to the export depot; and
    - (iii) the date the animal was moved.

Penalty: a fine of \$5 000.

- (2) The export depot operator must comply with the requirements of subregulation (1) as soon as practicable after the movement of the animal to the export depot and before it is exported or is otherwise moved from the depot.
- (3) If animals are moved to an export depot and more than 10% of the animals have neither NLIS devices nor approved identification applied to them, the operator of the export depot must —
  - (a) hold the animals at the export depot; and
  - (b) inform an inspector accordingly, and comply with any directions given to the operator by the inspector under regulation 84W.

Penalty: a fine of \$5 000.

*[Regulation 84V inserted in Gazette 19 Sep 2006 p. 3756-7; amended in Gazette 23 May 2008 p. 1990-1; 15 Apr 2011 p. 1403-4.]*

**84W. Compliance with r. 84V(1), directions for**

- (1) The inspector may make 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 84V(1) to be complied with.
- (2) An export depot operator must comply with a direction given by an inspector under subregulation (1).

Penalty: a fine of \$5 000.

*[Regulation 84W inserted in Gazette 19 Sep 2006 p. 3757-8; amended in Gazette 23 May 2008 p. 1990-1.]*

**84X. Animal born at export depot, operator's duties in case of**

If an animal is born on, or while being moved to, an export depot the export depot operator must as soon as practicable after its birth or movement to the depot, as the case may be, and before it is sold or otherwise moved from the depot, apply an approved eartag to the animal.

Penalty: a fine of \$5 000.

*[Regulation 84X inserted in Gazette 19 Sep 2006 p. 3758;  
amended in Gazette 23 May 2008 p. 1990-1.]*

**84Y. Animal with NLIS device at export depot, operator's duties in case of**

- (1) If an animal to which an NLIS device is applied is moved to an export depot, the export depot 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 export depot.

Penalty: a fine of \$5 000.

- (2) The export depot operator must comply with the requirements of subregulation (1) within —
  - (a) 48 hours after the animal has been moved to the export depot; or
  - (b) if the animal is exported or otherwise moved from the export depot within that period, as soon as practicable after the animal has been exported or 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 export of the animal.

Penalty: 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 where it came or to another property with a PIC; and
  - (b) within 48 hours after it is moved, the export depot operator updates the NLIS database in relation to the device by recording —
    - (i) the relevant PIC of the property to which the animal has been moved; and
    - (ii) the serial number of the waybill or other document prescribed under section 46 of the *Stock (Identification and Movement) Act 1970* relating to the movement of the animal; and
    - (iii) the date the animal was moved.

Penalty: a fine of \$5 000.

*[Regulation 84Y inserted in Gazette 19 Sep 2006 p. 3758-9; amended in Gazette 23 May 2008 p. 1990-1; 15 Apr 2011 p. 1404.]*

**84Z. Animal with approved identification at export depot, operator's duties in case of**

- (1) If animals to which approved identification is applied are moved to an export depot, the export depot operator must, within 48 hours after the animals are moved to the export depot, record in the NLIS database the following —
- (a) the number of animals moved;
  - (b) the date the animals arrived at the export depot;
  - (c) the relevant PIC of the property from which the animals were moved to the export depot;
  - (d) the relevant PIC of the export depot;
  - (e) the serial number of the waybill or other document prescribed under the *Stock (Identification and*

*Movement) Act 1970* section 46 relating to the movement of the animals to the export depot.

Penalty: a fine of \$5 000.

- (2) If animals to which approved identification is applied are moved from an export depot, the export depot operator must, within 48 hours after the animals are moved, record in the NLIS database the following —
- (a) the number of animals moved;
  - (b) the date the animals were moved;
  - (c) the relevant PIC of the destination to which the animals are moved from the export depot;
  - (d) the relevant PIC of the export depot;
  - (e) the serial number of the waybill or other document prescribed under the *Stock (Identification and Movement) Act 1970* section 46 relating to the movement of the animals from the export depot.

Penalty: a fine of \$5 000.

*[Regulation 84Z inserted in Gazette 15 Apr 2011 p. 1404-5.]*

**85. Animal with approved identification leaving export depot, operator's duties in case of**

- (1) If an animal to which approved identification is applied is moved to an export depot but is not exported, the export depot operator must not move the animal from the export depot unless —
- (a) the animal is moved to an abattoir; or
  - (b) if the animal is moved to any other property, the export depot operator complies with subregulation (2).

Penalty: a fine of \$5 000.

- (2) The export depot operator must not move the animal to the other property unless —
- (a) before the animal is moved, the export depot operator applies an NLIS post breeder device to the animal; and



- (b) as soon as practicable after the NLIS device is applied, the export depot operator updates the NLIS database in relation to the device by recording —
  - (i) the relevant PIC of the property from which the animal was moved to the export depot; and
  - (ii) the serial number of the waybill or other document prescribed under section 46 of the *Stock (Identification and Movement) Act 1970* relating to the movement of the animal to the export depot; and
  - (iii) the date the animal was moved;and
- (c) within 48 hours after the animal is moved to the other property, the export depot operator updates the NLIS database by recording —
  - (i) the relevant PIC of the property; and
  - (ii) the serial number of the waybill or other document prescribed under section 46 of the *Stock (Identification and Movement) Act 1970* relating to the movement of the animal; and
  - (iii) the date the animal was moved.

*[Regulation 85 inserted in Gazette 19 Sep 2006 p. 3760-1;  
amended in Gazette 23 May 2008 p. 1990-1.]*

## **Part 9 — Sheep or goat identification**

*[Heading inserted in Gazette 19 Sep 2006 p. 3761.]*

### **Division 1 — Interpretation**

*[Heading inserted in Gazette 19 Sep 2006 p. 3761.]*

#### **85A. Terms used**

In this Part —

**animal** means sheep or goat;

**brand** has the meaning given to that term in section 5 of the *Stock (Identification and Movement) Act 1970*;

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

**NLIS post breeder tag**, in relation to an animal, means an NLIS tag that is, or is to be, applied under these regulations to the animal on a property except the animal's property of birth;

**NLIS tag** has the meaning given to that term in regulation 85B;

**sell** includes to supply.

*[Regulation 85A inserted in Gazette 19 Sep 2006 p. 3761-2.]*

#### **85B. NLIS tags, requirements for**

- (1) For the purposes of this Part an NLIS (which stands for “National Livestock Identification System”) tag is an eartag —
  - (a) that is able to identify an animal for the whole of its life; and
  - (b) that complies with this regulation.
- (2) An NLIS tag must —
  - (a) be clearly impressed with the letters and numeral of a brand or, if it is to be applied on a non-farming property, a PIC and a serial number; and
  - (b) in the case of an NLIS post breeder tag, be pink; and

- (c) in the case of any other NLIS tag, be of a colour approved for the year in which the animal was born.

*[Regulation 85B inserted in Gazette 19 Sep 2006 p. 3762.]*

## **Division 2 — Manufacture and sale of NLIS tags**

*[Heading inserted in Gazette 19 Sep 2006 p. 3762.]*

### **85C. NLIS tags, manufacture of**

A person must not manufacture an NLIS tag unless the person is approved.

Penalty: a fine of \$5 000.

*[Regulation 85C inserted in Gazette 19 Sep 2006 p. 3762; amended in Gazette 23 May 2008 p. 1990-1.]*

### **85D. NLIS tags, sale of**

- (1) A person must not sell an NLIS tag unless it has been manufactured by an approved manufacturer.

Penalty: a fine of \$5 000.

- (2) An approved manufacturer must not sell an NLIS tag unless —

- (a) a person has applied to the manufacturer for an NLIS tag that will identify animals owned or, in the case of a non-farming property, kept, slaughtered or exported by that person; and
- (b) the person has given the manufacturer —
- (i) his or her full name and postal address; and
- (ii) a copy of a brand for the animals registered in the name of the person or, if the person is the operator of a non-farming property, the relevant PIC of the property where the animals will be kept or slaughtered or from which the animals will be exported;

and

- (c) the manufacturer has confirmed that the PIC is a relevant PIC relating to a property, or that the brand relates to a property, where the person keeps the animals —
  - (i) by sighting the brand in an original certificate of registration under section 23 of the *Stock (Identification and Movement) Act 1970*; or
  - (ii) by application to the Registrar; or
  - (iii) by reference to the internet website maintained under regulation 12(4) of the *Stock (Identification and Movement) Regulations 1972*;
- and
- (d) the manufacturer has kept a written or electronic record of that confirmation; and
- (e) the NLIS tag displays the registered brand or relevant PIC, as the case may be.

Penalty: a fine of \$5 000.

- (3) An approved manufacturer who sells an NLIS tag must keep a written or electronic record of the confirmation under subregulation (2)(c) for a period of 2 years after the sale of the tag.

Penalty: a fine of \$5 000.

- (4) The Chief Inspector may request an approved manufacturer to make available to an approved person any record of confirmation kept under subregulation (3) and in that event the approved manufacturer must comply with the request as soon as practicable after the request is made.

Penalty: a fine of \$5 000.

*[Regulation 85D inserted in Gazette 19 Sep 2006 p. 3763-4; amended in Gazette 23 May 2008 p. 1990-1.]*

**Division 3 — Offences relating to the use of NLIS tags**

*[Heading inserted in Gazette 19 Sep 2006 p. 3764.]*

**85E. NLIS tags, application of to animals**

- (1) 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, the owner of the animal or is otherwise required or enabled by these regulations to apply the tag; and
  - (b) the animal is on the property in relation to which the tag was issued; and
  - (c) in the case of an NLIS tag other than a NLIS post breeder tag, the animal is on the animal's property of birth; and
  - (d) in the case of an NLIS post breeder tag, the animal is not on the animal's property of birth.

Penalty: a fine of \$5 000.

- (2) A person must not apply an NLIS tag to an animal unless the tag displays —
- (a) a brand corresponding to the relevant PIC of the property on which the animal is to be kept or slaughtered, or from which the animal is to be exported, by the person; or
  - (b) if no brand is registered in relation to the property on which the animal is to be kept or slaughtered, or from which the animal is to be exported, by the person, the relevant PIC of the property.

Penalty: a fine of \$5 000.

- (3) A person must not apply an NLIS post breeder tag to an animal unless the tag is placed in the right or off ear of a male animal and in the left or near ear of a female animal.

Penalty: a fine of \$5 000.

- (4) A person must not apply an NLIS tag, except an NLIS post breeder tag, to an animal unless the tag is placed in the left or near ear of a male animal and in the right or off ear of a female animal.

Penalty: a fine of \$5 000.

*[Regulation 85E inserted in Gazette 19 Sep 2006 p. 3764-5; amended in Gazette 23 May 2008 p. 1990-1.]*

**85F. NLIS tags, removal, damage and replacement of**

- (1) A person must not remove an NLIS tag from an animal unless it is done —
- (a) after the animal has been slaughtered in an abattoir; or
  - (b) after the animal is slaughtered or otherwise dies on any other property, by the operator of the property; or
  - (c) after the tag is damaged or defaced so that the brand or PIC, as the case may be, is no longer legible, by the operator of the property on which the animal is kept; or
  - (d) by an approved person.

Penalty: a fine of \$5 000.

- (2) A person must not damage or deface an NLIS tag except by disposing of it in accordance with subregulation (3).

Penalty: a fine of \$5 000.

- (3) A person must not dispose of an NLIS tag unless —

- (a) the person has removed it in accordance with subregulation (1); and
- (b) it is disposed of in an approved manner.

Penalty: a fine of \$5 000.

- (4) If an NLIS tag is removed from a live animal under subregulation (1)(c), the operator of the property on which the animal is kept may apply a replacement NLIS tag to the animal.

*[Regulation 85F inserted in Gazette 19 Sep 2006 p. 3766; amended in Gazette 23 May 2008 p. 1990-1.]*

**85G. False representation that thing is NLIS tag**

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

Penalty: a fine of \$5 000.

*[Regulation 85G inserted in Gazette 19 Sep 2006 p. 3767;  
amended in Gazette 23 May 2008 p. 1990-1.]*

**Division 4 — Responsibilities of owners**

*[Heading inserted in Gazette 19 Sep 2006 p. 3767.]*

**85H. Moving animal to different property restricted**

- (1) Except as provided in subregulation (3), an owner of an animal must not move the animal, or permit the animal to be moved, from a property to another unless the animal has applied to it an NLIS tag displaying —

- (a) the brand corresponding to the relevant PIC of the property from which the animal is to be moved; or
- (b) if no brand is registered in relation to the property from which the animal is to be consigned, the relevant PIC of the property.

Penalty: a fine of \$5 000.

*[(2) deleted]*

- (3) Subject to subregulation (4), subregulation (1) does not apply in respect of an animal if —

*[(a) deleted]*

- (b) the animal is a goat being moved from an area referred to in section 30(1)(a) of the *Stock (Identification and Movement) Act 1970* to a contiguous property or an abattoir; or
- (c) the Chief Inspector approves the movement of the animal without an NLIS tag being applied to it.

- (4) The owner cannot rely upon the exemption in subregulation (3) unless the owner has taken all practicable measures to ensure that while the animal is being moved it is kept separate from —
  - (a) animals to which NLIS devices have been applied; and
  - (b) animals being moved from another property.
- (5) An owner moving animals from one property to another must furnish to the drover or carrier of the animals a waybill or other document prescribed under section 46 of the *Stock (Identification and Movement) Act 1970* that applies to all of the animals being moved at that time and no other animals.

Penalty: a fine of \$5 000.

*[Regulation 85H inserted in Gazette 19 Sep 2006 p. 3767-8; amended in Gazette 23 May 2008 p. 1990-1; 15 Apr 2011 p. 1405.]*

**Division 5 — Responsibilities of drovers, carriers or purchasers**

*[Heading inserted in Gazette 19 Sep 2006 p. 3768.]*

**85I. Drover or carrier moving animal, duties of**

- (1) In this regulation —  
**transport document** means —
  - (a) a waybill; or
  - (b) a document prescribed under section 46 of the *Stock (Identification and Movement) Act 1970*; or
  - (c) a note referred to in section 50(3) of the *Stock (Identification and Movement) Act 1970*.
- (2) A drover or carrier moving animals from a property to a holding yard must, as soon as practicable after arriving at the holding yard, endorse on the transport document —
  - (a) the relevant PIC of the holding yard; and
  - (b) the relevant PIC of the property to which the animals are to be taken from the holding yard.

Penalty: a fine of \$5 000.



- (3) A drover or carrier moving animals from one property to another must, as soon as practicable after arriving there, give a copy of any transport document relating to the animals to the operator of the property.

Penalty: a fine of \$5 000.

- (4) If a drover or carrier moves animals from a property and the animals do not have NLIS tags applied to them, the drover or carrier must keep the animals separate from —

- (a) animals to which NLIS tags have been applied; and
- (b) animals being moved from another property.

Penalty: a fine of \$5 000.

*[Regulation 85I inserted in Gazette 19 Sep 2006 p. 3768-9; amended in Gazette 23 May 2008 p. 1990-1; 15 Apr 2011 p. 1405.]*

**85J. Purchaser at saleyard, duties of**

- (1) A purchaser of an animal at a saleyard must, when requested by the saleyard operator, provide details of the relevant PIC in respect of the property on which the animal is to be kept or slaughtered, or from which the animal is to be exported, by the purchaser.

Penalty: a fine of \$5 000.

- (2) A purchaser of animals at a saleyard must not take possession of the animals unless they are moved in accordance with this Part.

Penalty: a fine of \$5 000.

*[Regulation 85J inserted in Gazette 15 Apr 2011 p. 1405.]*

**85KA. Purchaser at property, duties of**

- (1) A purchaser of an animal at a property must, when requested by the operator of the property, provide details of the relevant PIC of the property on which the animal is to be kept or slaughtered, or from which the animal is to be exported, by the purchaser.

Penalty: a fine of \$5 000.

- (2) A purchaser of animals at a property must not take possession of the animals unless they are moved in accordance with this Part.

Penalty: a fine of \$5 000.

*[Regulation 85KA inserted in Gazette 15 Apr 2011 p. 1405-6.]*

## **Division 6 — Responsibilities of property operators**

*[Heading inserted in Gazette 19 Sep 2006 p. 3770.]*

### **Subdivision 1 — General**

*[Heading inserted in Gazette 19 Sep 2006 p. 3770.]*

#### **85KB. Animal not to be sold at property unless purchaser gives PIC**

A person must not sell an animal, or permit the animal to be sold, at a property unless the person has obtained from the proposed purchaser the relevant PIC of the property on which the animal is to be kept or slaughtered, or from which the animal is to be exported, by the purchaser.

Penalty: a fine of \$5 000.

*[Regulation 85KB inserted in Gazette 15 Apr 2011 p. 1406.]*

#### **85K. Animal not to move on to property unless it has PIC**

An operator of a property must not permit an animal to be moved to the property unless the property has a PIC.

Penalty: a fine of \$5 000.

*[Regulation 85K inserted in Gazette 19 Sep 2006 p. 3770; amended in Gazette 23 May 2008 p. 1990-1; 15 Apr 2011 p. 1406.]*

#### **85LA. Animal moved to property, operator's duties in case of**

- (1) If animals are moved to a property the operator of the property must, within 48 hours after the movement, record in the NLIS

database the movement of the animals to the property including the following —

- (a) the number and species of animals moved;
- (b) the relevant PIC of the property from which the animals were moved;
- (c) the relevant PIC of the property to which the animals were moved;
- (d) the date the animals were moved to the property;
- (e) the serial number of the waybill or other document prescribed under the *Stock (Identification and Movement) Act 1970* section 46 relating the movement of the animals;
- (f) the brand recorded on the movement document relating to the movement of the animals, or if no brand is recorded on the movement document, details of every NLIS tag on the animals.

Penalty: a fine of \$5 000.

- (2) Subregulation (1) does not apply in respect of the movement of animals to or from a property that is a saleyard, an abattoir or an export depot.

*[Regulation 85LA inserted in Gazette 15 Apr 2011 p. 1406-7.]*

### **Subdivision 2 — Holding yards**

*[Heading inserted in Gazette 19 Sep 2006 p. 3771.]*

#### **85L. Holding yard operator's duties as to NLIS database**

- (1) If animals are moved to a holding yard and are to be kept there for more than 48 hours, the holding yard operator must, within 48 hours after the animals are moved to the holding yard, record in the NLIS database the following —
  - (a) the number of animals moved;
  - (b) the date the animals arrived at the holding yard;

- (c) the relevant PIC of the property from which the animals were moved to the holding yard;
- (d) the serial number of the waybill or other document prescribed under the *Stock (Identification and Movement) Act 1970* section 46 relating to the movement of the animals to the holding yard;
- (e) the relevant PIC of the holding yard;
- (f) the brand recorded on the movement document relating to the movement of the animals to the holding yard, or if no brand is recorded on the movement document, details of every NLIS tag on the animals.

Penalty: a fine of \$5 000.

- (2) If animals are moved to a holding yard and are kept there for more than 48 hours, the holding yard operator must, within 48 hours after the animals are moved from the holding yard, record in the NLIS database the following —
  - (a) the number of animals moved;
  - (b) the date the animals were moved;
  - (c) the relevant PIC of the destination to which the animals are moved from the holding yard;
  - (d) the serial number of the waybill or other document prescribed under the *Stock (Identification and Movement) Act 1970* section 46 relating to the movement of the animals from the holding yard;
  - (e) the relevant PIC of the holding yard;
  - (f) the brand recorded on the movement document relating to the movement of the animals to the holding yard, or if no brand is recorded on the movement document, details of every NLIS tag on the animals.

Penalty: a fine of \$5 000.

*[Regulation 85L inserted in Gazette 15 Apr 2011 p. 1407-8.]*

### **Subdivision 3 — Saleyards**

*[Heading inserted in Gazette 19 Sep 2006 p. 3772.]*

**85M. Animal without NLIS tag at saleyard, operator's duties in case of**

- (1) In this regulation —  
**NLIS tag**, in relation to an animal that has been moved to a saleyard, means an NLIS tag relating to —
  - (a) the brand corresponding to the relevant PIC of the property from which the animal was moved to the saleyard; or
  - (b) if no brand is registered in relation to the property from which the animal was moved to the saleyard, the relevant PIC of the property.
- (2) Unless an inspector in a particular case approves otherwise, if an animal is moved to a saleyard and an NLIS tag is not applied to the animal, the saleyard operator must, within the period specified in subregulation (3) apply to the animal an NLIS post breeder tag.  
Penalty: a fine of \$5 000.
- (3) The saleyard operator must comply with the requirements of subregulation (2) as soon as practicable after the movement of the animal to the saleyard and before it is sold or otherwise moved from the saleyard.
- (4) If animals are moved to a saleyard and more than 10% of the animals do not have NLIS tags applied to them, the operator of the saleyard must —
  - (a) hold the animals at the saleyard without selling them; and

- (b) inform an inspector accordingly, and comply with any directions given to the operator by the inspector under regulation 85N.

Penalty: a fine of \$5 000.

*[Regulation 85M inserted in Gazette 19 Sep 2006 p. 3772-3;  
amended in Gazette 23 May 2008 p. 1990-1.]*

**85N. Compliance with r. 85M(1), directions for**

- (1) 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 NLIS tags, as defined in regulation 85M(1), to be applied to the animals.
- (2) A saleyard operator must comply with a direction given by an inspector under subregulation (1).

Penalty: a fine of \$5 000.

*[Regulation 85N inserted in Gazette 19 Sep 2006 p. 3773;  
amended in Gazette 23 May 2008 p. 1990-1.]*

**85O. Animal born at saleyard, operator's duties in case of**

If an animal is born on, or while being moved to, a saleyard, the saleyard operator must as soon as practicable after its birth and before it is sold or otherwise moved from the saleyard, apply an NLIS post breeder tag to the animal.

Penalty: a fine of \$5 000.

*[Regulation 85O inserted in Gazette 19 Sep 2006 p. 3773;  
amended in Gazette 23 May 2008 p. 1990-1.]*

**85P. Animal with NLIS tag moving from or at saleyard**

- (1) A saleyard operator must not move, or permit to be moved, from the saleyard an animal to which an NLIS tag is applied unless it is moved back to the property from where it came or to another property with a PIC.

Penalty: a fine of \$5 000.

- (2) If an animal to which an NLIS tag is applied is moved to a saleyard, a person must not, without the approval of an inspector, sell the animal, or permit the animal to be sold, unless the tag is legible.

Penalty: a fine of \$5 000.

- (3) If an animal is moved to a saleyard, a person must not sell the animal, or permit the animal to be sold, at the saleyard unless the person has obtained from the proposed purchaser the relevant PIC of the property on which the animal is to be kept or slaughtered, or from which the animal is to be exported, by the purchaser.

Penalty: a fine of \$5 000.

*[Regulation 85P inserted in Gazette 19 Sep 2006 p. 3773-4; amended in Gazette 23 May 2008 p. 1990-1; 15 Apr 2011 p. 1408.]*

**85Q. Saleyard operators, duties of as to NLIS database**

The operator of a saleyard must record in the NLIS database the movement of animals to the saleyard and any subsequent sale or other movement of the animals from the saleyard including the following —

- (a) the number and species of animals moved to the saleyard;
- (b) the PIC and the serial number recorded on any NLIS tag applied at the saleyard;
- (c) the relevant PIC of the property from which the animals were moved to the saleyard;

- (d) the relevant PIC of the saleyard;
- (e) the relevant PIC of the property to which the animals were moved from the saleyard;
- (f) the date the animals were moved from the saleyard;
- (g) the serial number of the waybill or other document prescribed under the *Stock (Identification and Movement) Act 1970* section 46 relating the movement of the animals to the saleyard;
- (h) the brand recorded on the movement document relating to the movement of the animals to the saleyard, or if no brand is recorded on the movement document, details of every NLIS tag on the animals.

Penalty: a fine of \$5 000.

- (2) The operator of the saleyard must comply with the requirements of subregulation (1) within 48 hours after the animal has been moved from the saleyard.

*[Regulation 85Q inserted in Gazette 15 Apr 2011 p. 1408-9.]*

#### **Subdivision 4 — Abattoirs**

*[Heading inserted in Gazette 19 Sep 2006 p. 3775.]*

#### **85R. Term used: inspector**

In this Subdivision —

***inspector*** includes an officer of an agency responsible under a written law of this State or the Commonwealth for —

- (a) the inspection of animals before they are slaughtered;  
and
- (b) giving consent for the animals to be slaughtered after inspection,

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

*[Regulation 85R inserted in Gazette 19 Sep 2006 p. 3775.]*



**85S.      Animal without NLIS tag at abattoir, operator's duties in case of**

- (1) In this regulation —  
*NLIS tag*, in relation to an animal that has been moved to an abattoir, means an NLIS tag relating to —
- (a) the brand corresponding to the relevant PIC of the property from which the animal was moved to the abattoir; or
  - (b) if no brand is registered in relation to the property from which the animal was moved to the abattoir, the relevant PIC of the property.
- (2) Unless an inspector in a particular case approves otherwise, if an animal, except an animal to which regulation 85H(3)(b) applies, is moved to an abattoir and an NLIS tag is not applied to the animal, the abattoir operator must, within the period specified in subregulation (3), apply to the animal an NLIS post breeder tag.  
Penalty: a fine of \$5 000.
- (3) The abattoir operator must comply with the requirements of subregulation (2) as soon as practicable after the movement of the animal to the abattoir and before it is slaughtered or otherwise moved from the abattoir.
- (4) If animals, except animals to which regulation 85H(3)(b) applies, are moved to an abattoir and more than 10% of the animals do not have NLIS tags applied to them, the operator of the abattoir must —
- (a) hold the animals at the abattoir without slaughtering them; and
  - (b) inform an inspector accordingly, and comply with any directions given to the operator by the inspector under regulation 85T.
- Penalty: a fine of \$5 000.

- (5) If animals to which regulation 85H(3)(b) applies are moved to an abattoir and are not slaughtered, the operator of the abattoir must —
- (a) hold the animals at the abattoir; and
  - (b) inform an inspector accordingly, and comply with any directions given to the operator by the inspector under regulation 85T.

Penalty: a fine of \$5 000.

*[Regulation 85S inserted in Gazette 19 Sep 2006 p. 3776-7; amended in Gazette 23 May 2008 p. 1990-1; 15 Apr 2011 p. 1409.]*

**85T. Compliance with r. 85S(1), directions for**

- (1) The inspector may make 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 NLIS tags, as defined in regulation 85S(1), to be applied to the animals.

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

Penalty: a fine of \$5 000.

*[Regulation 85T inserted in Gazette 19 Sep 2006 p. 3777; amended in Gazette 23 May 2008 p. 1990-1.]*

**85U. Animal born at abattoir, operator's duties in case of**

If an animal is born on, or while being moved to, an abattoir, the abattoir operator must as soon as practicable after its birth and before it is sold or otherwise moved from the abattoir, apply an NLIS post breeder tag to the animal.

Penalty: a fine of \$5 000.

*[Regulation 85U inserted in Gazette 19 Sep 2006 p. 3778;  
amended in Gazette 23 May 2008 p. 1990-1.]*

**85V. Animal moved to or from or slaughtered at abattoir,  
operator's duties in case of**

- (1) In this regulation —  
*previous property*, in relation to an animal at an abattoir,  
means —
  - (a) the last property, other than a non-farming property, at  
which the animal was kept; and
  - (b) each non-farming property at which the animal was  
kept —
    - (i) after being moved from the property referred to  
in paragraph (a); and
    - (ii) before being moved to the abattoir.
- (2) If animals are moved to an abattoir, the abattoir operator must,  
within 48 hours after the movement, record in the NLIS  
database the following —
  - (a) the number and species of animals moved to the  
abattoir;
  - (b) the date the animals arrived at the abattoir;
  - (c) the PIC and the serial number recorded on any NLIS tag  
applied at the abattoir;
  - (d) the relevant PIC of each previous property;
  - (e) the relevant PIC of the abattoir;
  - (f) the serial number of the waybill or other document  
prescribed under the *Stock (Identification and  
Movement) Act 1970* section 46 relating the movement  
of the animals;
  - (g) the brand recorded on the movement document relating  
to the movement of the animals to the abattoir, or if no

brand is recorded on the movement document, details of every NLIS tag on the animals.

Penalty: a fine of \$5 000.

- (3) If animals are slaughtered at an abattoir, the abattoir operator must, within 7 days after the slaughter, record in the NLIS database the following —
- (a) the number and species of animals slaughtered;
  - (b) the date the animals were slaughtered;
  - (c) the PIC and the serial number recorded on any NLIS tag applied at the abattoir;
  - (d) the relevant PIC of each previous property;
  - (e) the relevant PIC of the abattoir.

Penalty: a fine of \$5 000.

- (4A) If animals moved to an abattoir are not slaughtered but are moved to another property, the abattoir operator must, within 48 hours after the movement, record in the NLIS database the following —
- (a) the number and species of animals moved from the abattoir;
  - (b) the date the animals were moved from the abattoir;
  - (c) the PIC and the serial number recorded on any NLIS tag applied at the abattoir;
  - (d) the relevant PIC of the property to which the animals were moved;
  - (e) the relevant PIC of the abattoir;
  - (f) the serial number of the waybill or other document prescribed under the *Stock (Identification and Movement) Act 1970* section 46 relating the movement of the animals;
  - (g) the brand recorded on the movement document relating to the movement of the animals from the abattoir, or if

no brand is recorded on the movement document, details of every NLIS tag on the animals.

Penalty: 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 tag is applied unless it is moved back to the property from where it came or to another property with a PIC.

Penalty: a fine of \$5 000.

*[Regulation 85V inserted in Gazette 19 Sep 2006 p. 3778-9; amended in Gazette 23 May 2008 p. 1990-1; 15 Apr 2011 p. 1409-11.]*

#### **Subdivision 5 — Export depots**

*[Heading inserted in Gazette 19 Sep 2006 p. 3780.]*

#### **85W. Animal without NLIS tag at export depot, operator's duties in case of**

- (1) In this regulation —  
**NLIS tag**, in relation to an animal that has been moved to an export depot, means an NLIS tag relating to —
- (a) the brand corresponding to the relevant PIC of the property from which the animal was moved to the export depot; or
  - (b) if no brand is registered in relation to the property from which the animal was moved to the export depot, the relevant PIC of the property.
- (2) Unless an inspector in a particular case approves otherwise, if an animal is moved to an export depot and an NLIS tag is not applied to the animal, the export depot operator must, within the period specified in subregulation (3) —
- (a) apply to the animal an NLIS post breeder tag; and
  - (b) keep an approved record of the consignment in which the animal was moved to the export depot; and

- (c) make the record available for inspection by an inspector during normal business hours.

Penalty: a fine of \$5 000.

- (3) The export depot operator must comply with the requirements of subregulation (2) as soon as practicable after the movement of the animal to the export depot and before it is exported or is otherwise moved from the depot.
- (4) If animals are moved to an export depot and more than 10% of the animals do not have NLIS tags applied to them, the operator of the export depot must —
  - (a) hold the animals at the export depot; and
  - (b) inform an inspector accordingly, and comply with any directions given to the operator by the inspector under regulation 85X.

Penalty: a fine of \$5 000.

*[Regulation 85W inserted in Gazette 19 Sep 2006 p. 3780-1; amended in Gazette 23 May 2008 p. 1990-1.]*

**85X. Compliance with r. 85W(1), directions for**

- (1) The inspector may make 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 NLIS tags, as defined in regulation 85W(1), to be applied to the animals.
- (2) An export depot operator must comply with a direction given by an inspector under subregulation (1).

Penalty: a fine of \$5 000.

*[Regulation 85X inserted in Gazette 19 Sep 2006 p. 3781; amended in Gazette 23 May 2008 p. 1990-1.]*

**85Y. Animal born at export depot, operator's duties in case of**

If an animal is born on, or while being moved to, an export depot, the export depot operator must as soon as practicable after its birth or movement to the depot, as the case may be, and before it is sold or otherwise moved from the depot, apply an NLIS post breeder tag to the animal.

Penalty: a fine of \$5 000.

*[Regulation 85Y inserted in Gazette 19 Sep 2006 p. 3781;  
amended in Gazette 23 May 2008 p. 1990-1.]*

**85Z. Animal moved to or from export depot, operator's duties in case of**

(1) In this regulation —

***previous property***, in relation to an animal at an export depot, means —

- (a) the last property, other than a non-farming property, at which the animal was kept; and
- (b) each non-farming property at which the animal was kept —
  - (i) after being moved from the property referred to in paragraph (a); and
  - (ii) before being moved to the export depot.

(2) If animals are moved to an export depot, the export depot operator must, within 48 hours after the animals are moved to the export depot, record in the NLIS database the following —

- (a) the number and species of animals moved to the export depot;
- (b) the date the animals arrived at the export depot;
- (c) the PIC and serial number recorded on any NLIS tag applied at the export depot;
- (d) the relevant PIC of each previous property;
- (e) the relevant PIC of the export depot;

- (f) the serial number of the waybill or other document prescribed under the *Stock (Identification and Movement) Act 1970* section 46 relating the movement of the animals to the export depot;
- (g) the brand recorded on the movement document relating to the movement of the animals to the export depot, or if no brand is recorded on the movement document, details of every NLIS tag on the animals.

Penalty: a fine of \$5 000.

- (3) If animals are exported from an export depot, the export depot operator must, within 48 hours after the animals are exported, record in the NLIS database the following —
  - (a) the number of animals moved;
  - (b) the date the animals were moved;
  - (c) the relevant PIC of the destination to which the animals are moved from the export depot;
  - (d) the relevant PIC of the export depot;
  - (e) the serial number of the waybill or other document prescribed under the *Stock (Identification and Movement) Act 1970* section 46 relating to the movement of the animals from the export depot.

Penalty: 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 tag is applied unless it is moved back to the property from where it came or to another property with a PIC.

Penalty: a fine of \$5 000.

*[Regulation 85Z inserted in Gazette 19 Sep 2006 p. 3782-3; amended in Gazette 23 May 2008 p. 1990-1; 15 Apr 2011 p. 1411-12.]*



## Part 10 — Footrot

### 86. Sheep or goats quarantined with footrot, duties of owners of

Without limiting the operation of Part 2 the owner of sheep or goats, the subject of a declaration under regulation 11 in relation to the disease footrot, shall —

- (a) subject any of the sheep or goats to any treatment for footrot as an inspector may determine; and
- (b) move any of the sheep or goats from any part of the land on which they are located to any other part of the land when requested to do so by an inspector; and
- (c) not permit the movement of any sheep or goats on to land the subject of a declaration under regulation 11 during the period the land is in quarantine unless a permit for that movement in the form of Form No. 3 is issued by an inspector.

*[Regulation 86 inserted in Gazette 8 Aug 1986 p. 2871-2.]*

*[87. Deleted in Gazette 8 Aug 1986 p. 2872.]*

### 88. Stock or land quarantined with footrot, directions to owners of

An inspector may require the owner of stock or the owner of land, the subject of a declaration under regulation 11 in relation to the disease footrot —

- (a) to maintain cattle in isolation from any sheep or goats; and
- (b) to subject any cattle on that land to any treatment as an inspector may determine; and
- (c) to maintain any sheep or goats separate from any other sheep or goats in any part of the land on which they are located.

*[Regulation 88 inserted in Gazette 8 Aug 1986 p. 2872.]*

*[89. Deleted in Gazette 8 Aug 1986 p. 2872.]*

## **Part 11 — Lice and keds**

### **90.        Terms used (in this Part)**

In this Part unless the contrary intention appears —

*ked* means the insect known as *Melophagus Ovinus*;

*lice* means the louse *Damalinia Ovis* or any other form of lice which infest sheep.

### **91.        Terms used (in these regulations)**

In these regulations the term *infected area* or *protected area* means an area of the State declared pursuant to regulation 92 to be an infected area or protected area, as the case requires, in relation to lice or keds in sheep.

*[Regulation 91 inserted in Gazette 18 Feb 1977 p. 532;  
amended in Gazette 25 Sep 1981 p. 4158.]*

### **92.        Infected area or protected area, declaring**

- (1) The Minister may from time to time by notice in the *Government Gazette* declare any part of the State to be an infected area or a protected area in relation to lice or keds and apply to any area so declared a designation for the purposes of these regulations.
- (2) A declaration made pursuant to subregulation (1) may be varied or cancelled by the Minister by a subsequent notice published in the *Government Gazette*.

*[Regulation 92 inserted in Gazette 18 Feb 1977 p. 532;  
amended in Gazette 25 Sep 1981 p. 4158.]*

*[93-97. Deleted in Gazette 18 Feb 1977 p. 532.]*

*[98, 99. Deleted in Gazette 4 Mar 1997 p. 1361.]*

**99A. Wool, powers to inspect etc.**

- (1) An inspector may require any person who receives wool, or has forwarded wool, for testing, to forthwith notify the inspector of that fact and give to him such particulars relating to the wool and the identification of the wool as the inspector may require.
- (2) An inspector may inspect any wool referred to in subregulation (1) and may carry out such tests or arrange for such tests to be carried out as the inspector thinks fit for the purpose of determining whether the sheep from which it came were infested with lice.
- (3) A person who is required by an inspector to give information relating to wool to an inspector in accordance with subregulation (1) shall forward that information to the inspector within 7 days of acquiring that information.

*[Regulation 99A inserted in Gazette 16 Oct 1987 p. 3924.]*

## **Part 11A — Domestic chickens**

*[Heading inserted in Gazette 31 May 2005 p. 2405.]*

### **99B. Non-virulent Newcastle disease, certain chickens to be vaccinated against**

If a person who owns chickens keeps them on premises where 1000 or more domestic chickens are kept, the person must ensure that each chicken owned by the person is vaccinated in an approved manner against non-virulent Newcastle disease.

*[Regulation 99B inserted in Gazette 31 May 2005 p. 2405.]*

### **99C. Vaccinations under r. 99B, owners to record**

- (1) The owner must keep a record in an approved manner of any vaccination arranged by the owner, or any previous owner, under regulation 99B.
- (2) The owner must make —
  - (a) the record; and
  - (b) the chickens; and
  - (c) the place where the chickens are kept; and
  - (d) any vaccines stored by the owner for the purposes of complying with this regulation,

available for inspection by an inspector during normal business hours.

*[Regulation 99C inserted in Gazette 31 May 2005 p. 2405.]*

### **99D. Non-virulent Newcastle disease, testing for**

- (1) The owner must, if directed to do so by an inspector, arrange for the chickens to be tested for non-virulent Newcastle disease.
- (2) The owner must permit an inspector, or a person authorised by an inspector, to take blood samples from the chickens for the purposes of testing the samples for non-virulent Newcastle disease.

*[Regulation 99D inserted in Gazette 31 May 2005 p. 2405.]*

## Part 12 — Pearl oysters

[Heading inserted in Gazette 17 Dec 1999 p. 6177.]

### 100. Terms used

- (1) In this Part —

**approval to transport** means approval given under regulation 107A(1);

**certificate of health** means a certificate issued under regulation 106;

**Western Australian pearl oyster fishery** means the waters so defined in the *Pearling (Joint Authority Pearl Oyster Fishing) (Declaration of Zones) Notice 1992*.

- (2) In this Part the following words have the meanings they have under the *Pearling Act 1990* —

<b>batch</b>	<b>pearl oyster farm</b>
<b>farm lease</b>	<b>quarantine site</b>
<b>hatchery</b>	<b>settlement</b>
<b>hatchery licence</b>	<b>spat</b>
<b>hatchery permit</b>	<b>spat collector</b>
<b>length</b>	<b>zone.</b>
<b>pearl oyster</b>	

- (3) In this Part pearl oysters are of Western Australian origin if —
- (a) in the case of hatchery produced spat, the spat is derived from pearl oysters taken from zone 1, 2 or 3 of the Western Australian pearl oyster fishery; or
  - (b) in the case of spat collected from a spat collector, the spat collector is located in zone 1, 2 or 3 of the Western Australian pearl oyster fishery; or
  - (c) in the case of pearl oysters taken from the wild, the pearl oysters were taken from zone 1, 2 or 3 of the Western Australian pearl oyster fishery.

[Regulation 100 inserted in Gazette 17 Dec 1999 p. 6177-8; amended in Gazette 23 May 2008 p. 1988.]

**101. Import and transport of live pearl oysters and spat restricted**

- (1) A person shall not import live pearl oysters, other than spat, into the State.

Penalty: a fine of \$5 000.

- (2) A person shall not import live spat into the State unless —

- (a) the spat are of Western Australian origin; and
- (b) the importation is authorised by the Chief Inspector; and
- (c) there is a certificate of health in force in relation to the spat.

Penalty: a fine of \$5 000.

- (3) A person shall not transport live pearl oysters in the State unless —

- (a) the pearl oysters are of Western Australian origin; or
- (b) the transportation is authorised by the Chief Inspector.

Penalty: a fine of \$5 000.

- (4) A person intending to import or transport within this State live pearl oysters shall, if directed by the Chief Inspector, submit to an approved fish pathologist for genetic testing a sample of the pearl oysters taken in a manner directed by an approved fish pathologist.

*[Regulation 101 inserted in Gazette 17 Dec 1999 p. 6178-9; amended in Gazette 23 May 2008 p. 1990-1.]*

**102. Spat samples to be taken, preserved etc.**

- (1) The holder of a hatchery licence or a hatchery permit shall take a sample from each batch of spat that is settled in the hatchery —

- (a) within 4 days of the end of settlement; and
- (b) every subsequent 14th day, unless a certificate of health is in force in respect of the batch; and

- (c) not more than 24 hours before the spat is moved out of the hatchery.
- (2) A sample taken for the purposes of subregulation (1) is to be —
  - (a) a random sample of not less than —
    - (i) for a sample taken under subregulation (1)(a) or (b), 50 spat; or
    - (ii) for a sample taken under subregulation (1)(c), 150 spat each of which is 2 mm or more in length;
  - and
  - (b) preserved in a solution of between 5% and 10% of formalin in sea water; and
  - (c) stored in the manner directed by an approved fish pathologist and labelled with the date the sample was taken and the batch number; and
  - (d) retained —
    - (i) if the batch of spat is taken from the hatchery to a quarantine site, until all spat from that batch have been removed from the quarantine site; or
    - (ii) otherwise, for 6 weeks.
- (3) An inspector may supervise the taking of samples under this regulation.
- (4) A person shall not tamper with a sample taken under this regulation.

Penalty: a fine of \$5 000.

*[Regulation 102 inserted in Gazette 17 Dec 1999 p. 6179; amended in Gazette 23 May 2008 p. 1990-1.]*

### **103. Transport of pearl oysters restricted**

- (1) Except as provided in subregulation (2), a person shall not transport pearl oysters —
  - (a) out of a hatchery; or

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- (b) off a quarantine site; or
- (c) out of a zone of the Western Australian pearl oyster fishery.

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

- (a) there is a certificate of health in force in relation to the pearl oysters; or
- (b) the pearl oysters are transported in accordance with an approval to transport.

Penalty: a fine of \$5 000.

*[Regulation 103 inserted in Gazette 23 May 2008 p. 1988.]*

**104. Sampling for disease testing**

- (1) A sample of pearl oysters that is to be submitted to an approved fish pathologist for disease testing is to be —
  - (a) a random sample of as many pearl oysters as an approved fish pathologist reasonably requires for testing; and
  - (b) treated and preserved in the manner directed by an approved fish pathologist.
- (2) A person shall not submit a sample of hatchery produced spat for disease testing unless the sample was taken —
  - (a) at least 40 days after the completion of settlement of that batch; and
  - (b) when the majority of the spat in the batch are 2 mm or more in length.
- (3) An inspector may supervise the taking of samples under this regulation.
- (4) A person shall not tamper with a sample taken under this regulation.

Penalty: a fine of \$5 000.



- (5) A person submitting a sample for disease testing shall also provide to the approved fish pathologist —
  - (a) a copy of the relevant Notice of Settlement of Spat or Notice of Pearling or Hatchery Activity lodged under the *Pearling (General) Regulations 1991*; and
  - (b) either —
    - (i) particulars in writing of any unexplained mortality, or clinical disease, of pearl oysters; or
    - (ii) a declaration, in the form of Form No. 11, that no such mortality has occurred, and no signs of clinical disease have been seen,  
at the hatchery, quarantine site or other place where the pearl oysters are being held, during the previous 12 months.
- (6) An approved fish pathologist may require a person submitting a sample for disease testing to —
  - (a) produce for inspection logbooks and other records kept by the holder of the relevant hatchery licence or hatchery permit; and
  - (b) provide any other information relating to the health standards of the hatchery, quarantine site, or place where the pearl oysters are being held, that the pathologist considers relevant; and
  - (c) provide such further samples of pearl oysters as are required for further testing.
- (7) A person submitting a sample for disease testing must comply with a requirement under subregulation (6).

Penalty: a fine of \$5 000.

*[Regulation 104 inserted in Gazette 17 Dec 1999 p. 6180-1; amended in Gazette 23 May 2008 p. 1988 and 1990-1.]*

**105. Genetic testing**

An approved fish pathologist shall carry out such genetic tests as the pathologist considers appropriate —

- (a) when a sample of pearl oysters is submitted for genetic testing under regulation 101(4); or
- (b) if directed by the Chief Inspector to do so in respect of a sample of pearl oysters submitted for disease testing.

*[Regulation 105 inserted in Gazette 17 Dec 1999 p. 6181.]*

**106. Certificates of health for pearl oysters**

- (1) An approved fish pathologist may issue a certificate of health in relation to pearl oysters if the pathologist has tested, in accordance with regulation 107, a sample of those pearl oysters and is satisfied that —
  - (a) the sampled pearl oysters are in good health; and
  - (b) there is no evidence of an unacceptable level of unexplained mortalities or clinical disease among pearl oysters at that hatchery, quarantine site or other place where the pearl oysters are being held, in the preceding 12 months.
- (2) For the purposes of subregulation (1) a sample of pearl oysters is in good health if there is no evidence, among the sampled pearl oysters, of —
  - (a) any —
    - (i) virus; or
    - (ii) protozoan (other than symbiotic or opportunistic protozoa); or
    - (iii) metazoan parasites; or
    - (iv) fungal infection; or
    - (v) bacteria; or
    - (vi) rickettsiales,that is —
    - (vii) associated with lesions, necrosis or inflammation of pearl oysters; or

- (viii) known or suspected to be pathogenic to pearl oysters;
  - or
  - (b) unexplained lesions; or
  - (c) an unacceptable level of unexplained mortalities.
- (3) A certificate of health remains in force for 2 weeks from the day on which it is issued unless, before then, it ceases to be in force under regulation 110.
- (4) A certificate of health is to be in the form of Form No. 12.
- [Regulation 106 inserted in Gazette 17 Dec 1999 p. 6181-2.]*

**107. Disease testing for r. 106(1), method of**

The tests required by regulation 106(1) to be carried out on a sample of pearl oysters are —

- (a) a culture of as many pearl oysters as an approved fish pathologist reasonably requires for testing in Ray's medium (Ray, S.M., 1966 Proceedings of the National Shellfisheries Association 54, 55-66); and
- (b) a histological examination of as many formalin-seawater fixed pearl oysters as an approved fish pathologist reasonably requires for testing using haematoxylin and eosin stained longitudinal sections of paraffin embedded tissue; and
- (c) any other test that the pathologist considers appropriate.

*[Regulation 107 inserted in Gazette 17 Dec 1999 p. 6182; amended in Gazette 23 May 2008 p. 1988-9.]*

**107A. Transport of pearl oysters, approval for**

- (1) The Chief Inspector may, in writing, approve the transport of pearl oysters if —
  - (a) an approved fish pathologist has tested, in accordance with regulation 107, a sample of those pearl oysters; and

- (b) the fish pathologist —
  - (i) is not satisfied of the matters referred to in regulation 106(1)(a) because of the presence of oyster oedema disease in the sample; or
  - (ii) is not satisfied of the matters referred to in regulation 106(1)(b) because of the presence of oyster oedema disease among pearl oysters at the hatchery, quarantine site or other place where the pearl oysters are being held, in the preceding 12 months.
- (2) An approval to transport remains in force for 2 weeks from the day on which it was given unless, before then, it ceases to be in force under regulation 110.

*[Regulation 107A inserted in Gazette 23 May 2008 p. 1989.]*

**108. Consequences if certificate of health not issued**

- (1) Where a sample of pearl oysters is submitted for disease testing but the approved fish pathologist is not satisfied of the matters referred to in regulation 106(1)(a) and (b) the pathologist is to give written notice to the person who submitted the sample —
  - (a) stating that a certificate of health will not be issued in relation to the pearl oysters; and
  - (b) setting out the reasons why not; and
  - (c) advising the person that if the reason for not issuing the certificate of health is the presence of oyster oedema disease in the sample, he or she may apply to the Chief Inspector for an approval to transport the pearl oysters —
    - (i) out of a hatchery; or
    - (ii) off a quarantine site; or
    - (iii) out of a zone of the Western Australian pearl oyster fishery.

- (2) Unless otherwise authorised by the Chief Inspector a person given a notice under subregulation (1) shall —
  - (a) within 24 hours of receiving the notice destroy, under the supervision of an inspector and in a manner approved by the Chief Inspector —
    - (i) all pearl oysters being held in the hatchery, quarantine site or other place from which the sample was taken; and
    - (ii) such other pearl oysters as the Chief Inspector directs;
  - and
  - (b) clean, disinfect and treat all equipment used in relation to the pearl oysters, in a manner approved by the Chief Inspector; and
  - (c) where the pearl oysters are in a hatchery, clean, disinfect and treat all water used in the hatchery, in a manner approved by the Chief Inspector.
- (3) An inspector may give such additional directions as the inspector considers appropriate in relation to —
  - (a) the destruction of the pearl oysters; and
  - (b) the cleaning, disinfecting or treatment of water and equipment; and
  - (c) the prevention or containment of disease.

*[Regulation 108 inserted in Gazette 17 Dec 1999 p. 6182-3; amended in Gazette 23 May 2008 p. 1989-90.]*

**109. Pathologist to notify inspector as to certificate of health**

An approved fish pathologist to whom a sample of pearl oysters is submitted for disease testing is to notify an inspector as defined in the *Pearling Act 1990* in Broome within 24 hours of —

- (a) issuing a certificate of health; or

- (b) determining that the pathologist is not prepared to issue a certificate of health,

in respect of the pearl oysters.

*[Regulation 109 inserted in Gazette 17 Dec 1999 p. 6183; amended in Gazette 23 May 2008 p. 1990.]*

**109A. Chief Inspector to notify approval to transport**

Within 24 hours after giving an approval to transport pearl oysters, the Chief Inspector is to give notice of that approval to —

- (a) an inspector as defined in the *Pearling Act 1990*; and
- (b) the fish pathologist who tested the sample of pearl oysters to which the approval relates.

*[Regulation 109A inserted in Gazette 23 May 2008 p. 1990.]*

**110. More than one batch of spat at quarantine site, consequences of**

- (1) If a batch of spat is moved to a quarantine site at which there is already a batch of spat, any certificate of health or approval to transport in force in respect of that existing batch ceases to be in force.
- (2) If 2 or more batches of spat are kept on a quarantine site at the same time the holder of the farm lease for the pearl oyster farm on which the quarantine site is located —
  - (a) shall keep the batches separate in an approved manner; and
  - (b) shall sample all of the batches simultaneously; and
  - (c) must not submit a sample for disease testing unless it was taken at least 6 weeks after the arrival of the most recent batch.

- (3) If an approved fish pathologist is not satisfied of the matters referred to in regulation 106(1)(a) and (b) in relation to a sample from one batch held on a quarantine site —
- (a) the pathologist is not to issue a certificate of health in respect of any of the other batches held on the quarantine site; and
  - (b) is to give a notice under regulation 108(1) in respect of each of those other batches, even if the pathologist has not tested them.

*[Regulation 110 inserted in Gazette 17 Dec 1999 p. 6183-4; amended in Gazette 23 May 2008 p. 1990.]*

#### **111. Removal of spat from quarantine site**

The holder of the farm lease for a pearl oyster farm on which a quarantine site is located is to remove all spat in a batch from the quarantine site —

- (a) by the next 31 December after the batch is moved to the quarantine site; or
- (b) within 3 months of the batch being moved to the quarantine site,

whichever occurs first.

*[Regulation 111 inserted in Gazette 17 Dec 1999 p. 6184.]*

**[112-114. Deleted in Gazette 18 Sep 1992 p. 4665.]**

## **Part 13 — Offences**

### **115. General offence and penalty**

- (1) Any person who contravenes or fails to comply with —
- (a) any provision of these regulations except regulations 78B(2), 78C(1) and 78I(3); or
  - (b) any provision of a condition imposed by or under these regulations,
- commits an offence.
- (2) Any person who is guilty of an offence against these regulations is liable on conviction to the penalty expressly mentioned as the penalty for the offence, or if no other penalty is expressly mentioned, to a penalty not exceeding \$1 000.

*[Regulation 115 amended in Gazette 7 Aug 1987 p. 3127;  
14 Jun 2005 p. 2608.]*

### **116. False statement or hindering etc. inspector**

Any person who makes a false statement in any form given for the purposes of these regulations or who hinders or obstructs an inspector in the exercise or performance of any power or duty under these regulations commits an offence and is liable to a penalty of not less than \$100 and not more than \$1 000.

*[Regulation 116 amended in Gazette 20 Aug 1982 p. 3362;  
2 Nov 1984 p. 3553; 7 Aug 1987 p. 3127.]*

### **117. Interfering with marks, notices, fences etc.**

Any person who removes, destroys or damages, or in any way interferes with any marks, notices, gates or fences made, posted or erected as being necessary for the better administration of these regulations, is liable on conviction to a penalty not exceeding \$100.

*[Regulation 117 amended in Gazette 7 Aug 1987 p. 3127.]*



**Schedule 1 — Enzootic diseases**

[r. 4, 5, 6, 11 and 20]

*[Heading inserted in Gazette 22 Jul 2011 p. 3007.]*

**Division 1 — Diseases foreign to Australia that, if identified, are  
subject to control measures**

*[Heading inserted in Gazette 22 Jul 2011 p. 3007.]*

**Subdivision 1 — Animal diseases**

*[Heading inserted in Gazette 22 Jul 2011 p. 3007.]*

African horse sickness

Aujeszky's disease

Borna disease

Bovine brucellosis (*Brucella abortus*)

Bovine virus diarrhoea Type 2

Camelpox

Caprine brucellosis (*Brucella melitensis*)

Chagas' disease (*Trypanosoma cruzi*)

Chronic wasting disease of deer

Contagious agalactia in sheep

Contagious bovine pleuropneumonia

Contagious caprine pleuropneumonia

Contagious equine metritis

Crimean Congo haemorrhagic fever

Dourine (*Trypanosoma equiperdum*)

Duck virus enteritis (Duck plague)

Duck virus hepatitis

***Enzootic Diseases Regulations 1970***

**Schedule 1**      Enzootic diseases

**Division 1**      Diseases foreign to Australia that, if identified, are subject to control measures

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East Coast fever (*Theileria parva*) and Mediterranean Theileriosis (*Theileria annulata*)

Encephalitides (tick borne)

Enzootic abortion of ewes

Epizootic haemorrhagic disease (clinical disease)

Epizootic lymphangitis

Equine encephalomyelitis (Eastern, Western and Venezuelan)

Equine encephalosis

Equine influenza

Equine piroplasmiasis (*Babesia caballi* and *Theileria equi*)

Equine viral arteritis

Fowl typhoid

Getah virus infection

Glanders

Goat pox

Haemorrhagic septicaemia

Heartwater

Infectious bursal disease (hypervirulent form)

Japanese encephalitis

Jembrana disease

Louping Ill

Lumpy skin disease

Maedi-visna

Malignant catarrhal fever (wildebeest associated)

Nairobi sheep disease

Nipah virus infection

Peste des petits ruminants

Porcine cysticercosis (*Cysticercus cellulosae*)

Porcine enterovirus encephalomyelitis (Teschen disease)

Porcine reproductive and respiratory syndrome

Post weaning multisystemic wasting syndrome

Potomac fever

Pulmonary adenomatosis (Jaagsiekte)

Rift Valley fever

Scrapie

Sheep pox

Sheep scab

Surra (*Trypanosoma evansi*)

Swine influenza

Transmissible gastroenteritis

Transmissible spongiform encephalopathy

Trichinellosis

Trypanosomosis (tsetse fly associated)

Tuberculosis (*Mycobacterium bovis*)

Tularaemia

Turkey rhinotracheitis (avian metapneumovirus)

Warble fly infestation

Wesselsbron disease

West Nile fever

**Enzootic Diseases Regulations 1970**

**Schedule 1**      Enzootic diseases

**Division 1**      Diseases foreign to Australia that, if identified, are subject to control measures

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**Subdivision 2 — Crustacean diseases**

*[Heading inserted in Gazette 22 Jul 2011 p. 3009.]*

Crayfish plague

Infectious myonecrosis

Milky haemolymph diseases of spiny lobster (*Panulirus* spp.)

Monodon slow growth syndrome

Necrotising hepatopancreatitis

Taura syndrome

White spot disease

Yellowhead disease

**Subdivision 3 — Fish diseases**

*[Heading inserted in Gazette 22 Jul 2011 p. 3010.]*

*Aeromonas salmonicida* infection (Furunculosis)

Bacterial kidney disease (*Renibacterium salmoninarum*)

Channel catfish virus disease

Enteric septicaemia of catfish (*Edwardsiella ictaluri*)

Epizootic haematopoietic necrosis - European catfish virus

European sheatfish virus

Grouper iridoviral disease

Gyrodactylosis (*Gyrodactylus salaris*)

Herpesvirus infection of Koi carp

Infectious haematopoietic necrosis

Infectious pancreatic necrosis

Infectious salmon anaemia

Piscirickettsiosis

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Red sea bream iridoviral disease  
Spring viraemia of carp  
Viral haemorrhagic septicaemia  
Whirling disease of salmonids

**Subdivision 4 — Mollusc diseases**

*[Heading inserted in Gazette 22 Jul 2011 p. 3010.]*

Abalone viral mortality  
Acute viral necrosis in scallops  
Akoya oyster disease  
Infection with *Bonamia ostreae*  
Infection with *Bonamia exitiosa*  
Infection with *Marteilia refringens*  
Infection with *Perkinsus marinus*  
Iridovirus  
Withering syndrome of abalone

*[Division 1 inserted in Gazette 22 Jul 2011 p. 3007-10.]*

**Division 2 — Diseases not foreign to Australia that, if identified, are  
subject to control measures**

*[Heading inserted in Gazette 22 Jul 2011 p. 3011.]*

**Subdivision 1 — Animal diseases**

*[Heading inserted in Gazette 22 Jul 2011 p. 3011.]*

Anthrax  
Bovine Johne's disease  
Equine infectious anaemia  
Liver fluke

**Enzootic Diseases Regulations 1970**

**Schedule 1**      Enzootic diseases

**Division 3**      Diseases that, if identified outside a cattle tick infected area,  
are subject to control measures

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Menangle virus infection

Porcine brucellosis (*Brucella suis*)

Virulent footrot (infection with protease thermostable strains of *Dichelobacter nodosus*) in sheep and goats

**Subdivision 2 — Crustacean diseases**

*[Heading inserted in Gazette 22 Jul 2011 p. 3011.]*

GAV/LOV virus of prawns

Infectious hypodermal and haemopoietic necrosis virus

**Subdivision 3 — Fish diseases**

*[Heading inserted in Gazette 22 Jul 2011 p. 3011.]*

Enteric redmouth disease (*Yersinia ruckeri*)

Epizootic haemopoietic necrosis (Redfin virus)

**Subdivision 4 — Mollusc diseases**

*[Heading inserted in Gazette 22 Jul 2011 p. 3011.]*

Abalone viral ganglioneuritis

Infection with *Marteilioides chungmuensis*

*[Division 2 inserted in Gazette 22 Jul 2011 p. 3011.]*

**Division 3 — Diseases that, if identified outside a cattle tick infected  
area, are subject to control measures**

*[Heading inserted in Gazette 22 Jul 2011 p. 3011.]*

Anaplasmosis

Babesiosis

Cattle tick infestation

*[Division 3 inserted in Gazette 22 Jul 2011 p. 3011.]*

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**Division 4 — Diseases not foreign to Australia that, if identified,  
might be subject to control measures**

*[Heading inserted in Gazette 22 Jul 2011 p. 3011.]*

**Subdivision 1 — Animal diseases**

*[Heading inserted in Gazette 22 Jul 2011 p. 3011.]*

Australian bat lyssavirus infection

Avian tuberculosis

Cysticercus bovis (Taenia saginata)

Devil facial tumour disease

Enzootic bovine leucosis

Equine herpes virus 1 infection (abortogenic and neurological strains)

Footrot in sheep and goats (U5 protease thermo-unstable strain of Dichelobacter nodosus)

Hendra virus infection

Non virulent Newcastle disease

Ovine Johne's disease

Porcine myocarditis (Bungowannah virus infection)

Pullorum disease (Salmonella pullorum) in poultry

Salmonella abortus equi infection in horses

Salmonella abortus ovis infection in sheep

Salmonella enteritidis infection in poultry

Virulent footrot (infection with protease thermostable strains of Dichelobacter nodosus) in ruminants other than sheep and goats

**Enzootic Diseases Regulations 1970**

**Schedule 1**      Enzootic diseases

**Division 5**      Diseases that are subject to control measures in extreme cases

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**Subdivision 2 — Crustacean diseases**

*[Heading inserted in Gazette 22 Jul 2011 p. 3012.]*

Microsporidiosis

White tail disease

**Subdivision 3 — Fish diseases**

*[Heading inserted in Gazette 22 Jul 2011 p. 3012.]*

Aeromonas salmonicida infection (Goldfish ulcer disease)

Epizootic ulcerative syndrome

Viral encephalopathy and retinopathy

**Subdivision 4 — Mollusc diseases**

*[Heading inserted in Gazette 22 Jul 2011 p. 3012.]*

Bonamiosis

Haplosporidiosis

Marteiliosis

Mikrocytosis (Mykryctoiois mackini)

Oyster oedema disease

Perkinsosis

*[Division 4 inserted in Gazette 22 Jul 2011 p. 3011-12.]*

**Division 5 — Diseases that are subject to control measures in extreme cases**

*[Heading inserted in Gazette 22 Jul 2011 p. 3012.]*

Ked infestation of sheep

Lice infestation of sheep

*[Division 5 inserted in Gazette 22 Jul 2011 p. 3012.]*



## **Schedule 2 — Restrictions on introduction of stock from other parts of the Commonwealth**

[r. 29]

*[Heading inserted in Gazette 14 Jun 2005 p. 2594.]*

### **Division 1 — General**

*[Heading inserted in Gazette 14 Jun 2005 p. 2594.]*

**1. Expected time of arrival to be notified**

Notification not less than 3 days before the expected date and time of arrival shall be given of the expected date and time of the arrival of the stock to an inspector at the inspection post through which the stock are to be moved into the State.

*[Clause 1 inserted in Gazette 2 Nov 1984 p. 3554.]*

**1A. Term used: stock**

In clauses 1, 2, 3, 4, 5, 6 and 7, **stock** excludes poultry.

*[Clause 1A inserted in Gazette 18 Sep 1992 p. 4665; amended in Gazette 29 Apr 2008 p. 1572.]*

**2. Stock not to be moved unless inspected etc.**

Stock shall not be moved into the State unless the stock —

- (a) have been inspected by a qualified government veterinary officer or inspector not more than 7 days prior to movement for the purposes of ensuring that the stock conform to such of the requirements of the Schedule as apply in relation to the stock; and
- (b) have been isolated from other stock not of the same health status prior to movement into the State; and
- (c) have been certified according to the certification requirements of these regulations that apply in relation to the stock by a government veterinary surgeon of the State or Territory in which the property of origin of the stock is situate.

*[Clause 2 inserted in Gazette 2 Nov 1984 p. 3554.]*

**Enzootic Diseases Regulations 1970**

**Schedule 2**      Restrictions on introduction of stock from other parts of the Commonwealth

**Division 2**      Cattle not for immediate slaughter

**cl. 3**

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**3.      Stopping en route to WA to be at approved places**

Stock shall not be allowed to stop en route to the State except at approved stopping places.

*[Clause 3 inserted in Gazette 2 Nov 1984 p. 3554.]*

**4.      Vehicle to be clean**

Any vehicle that is used for transporting stock shall be clean.

*[Clause 4 inserted in Gazette 2 Nov 1984 p. 3554.]*

**5.      Stock to be separate from stock of lesser health status**

Stock shall not be moved in such a way that they have contact with any stock of lesser health status.

*[Clause 5 inserted in Gazette 2 Nov 1984 p. 3554.]*

**6.      Stock to be in general good health**

In addition to the particular requirements set out in this Schedule stock shall be in a good general state of health.

*[Clause 6 inserted in Gazette 2 Nov 1984 p. 3554.]*

**7.      Certificate to be furnished to inspector**

- (1) A certificate in the approved form stating that the stock conform to the requirements of this Schedule shall be completed in accordance with the directions given on the form and shall be furnished to an inspector at the inspection post through which the stock are being moved into the State.

*[(2) deleted]*

*[Clause 7 inserted in Gazette 2 Nov 1984 p. 3554; amended in Gazette 18 Sep 1992 p. 4666.]*

**Division 2 — Cattle not for immediate slaughter**

*[Heading inserted in Gazette 14 Jun 2005 p. 2594.]*

**8.      Liver fluke treatment etc. required for some cattle**

Cattle shall not be moved into any portion of the State other than the Kimberley Area of the State unless the cattle have been treated with

an approved anthelmintic for liver fluke on a date within 14 days of their movement and the date and type of treatment shall be certified by a government veterinary surgeon in the State or Territory in which the property of origin is situate.

*[Clause 8 inserted in Gazette 2 Nov 1984 p. 3554.]*

**9. Liver fluke, other requirements to prevent**

- (1) Cattle shall not be brought into any portion of the State that is within the district of any of the following local authorities, namely —

The cities of Nedlands, Perth, Subiaco, Stirling, Cockburn, Fremantle, Melville, Canning, Gosnells and South Perth; the towns of Claremont, Cottesloe, Mosman Park, Bassendean, Armadale<sup>3</sup>, Bayswater<sup>3</sup>, Belmont<sup>3</sup>, Cambridge, Joondalup<sup>3</sup>, Rockingham<sup>3</sup>, Swan<sup>3</sup>, Victoria Park, Vincent<sup>3</sup>, Wanneroo<sup>3</sup> and East Fremantle; and the town of Kwinana; and the shires of Kalamunda, Mundaring, Serpentine-Jarrahdale,

The shires of Murray, Waroona, Harvey, Dardanup, Collie, Capel, Busselton<sup>3</sup>, Donnybrook-Balingup, Augusta-Margaret River, Manjimup, Nannup; and the Cities of Bunbury and Mandurah,

unless, prior to the movement of the cattle, the property of destination —

- (a) has been approved as being free from the liver fluke vector snail; and
  - (b) has approved facilities for the holding of the cattle and their treatment for liver fluke.
- (2) Cattle entering any portion of the State except the Kimberley Division, shall be subjected to 2 further treatments of an approved anthelmintic under the supervision of an inspector as follows —
- (a) the first treatment shall be administered not earlier than 19 days and not later than 22 days after the treatment administered prior to movement of the stock into the State;
  - (b) the second treatment shall be administered not earlier than 56 and not later than 63 days after the treatment administered prior to movement of the stock into the State.

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**Schedule 2**      Restrictions on introduction of stock from other parts of the Commonwealth

**Division 2**      Cattle not for immediate slaughter

**cl. 9A**

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- (3) Where an approved anthelmintic is supplied by the Department of Agriculture<sup>2</sup> for the purposes of a treatment referred to in subclause (2), the owner of the cattle so treated shall pay to that Department the cost of the supply of that anthelmintic.

*[Clause 9 inserted in Gazette 2 Nov 1984 p. 3554; amended in Gazette 7 Feb 1986 p. 462; 1 Aug 1986 p. 2772; 29 Apr 2008 p. 1572; 26 Jun 2009 p. 2614.]*

**9A.      Enzootic bovine leucosis, requirements as to for dairy cattle**

- (1) Dairy cattle must not be moved into the State unless the cattle are certified as having a status, in relation to enzootic bovine leucosis, of or equivalent to Accredited Free, Bulk Milk Test Negative, Certified Free, Monitored Negative or Tested Negative.

- (2) In this clause —

**Bulk Milk Test Negative** has the same meaning as in the National Guidelines;

**certified**, in relation to cattle, means certified by a person authorised by the corresponding authority of the State or Territory from which the cattle are to be moved;

**Certified Free** has the same meaning as in the National Guidelines;

**Monitored Negative** has the same meaning as in the National Guidelines;

**National Guidelines** means the *National Guidelines for Control and Eradication of Enzootic Bovine Leucosis in Dairy Cattle* published by the Commonwealth Department of Primary Industry and Energy;

**Tested Negative** has the same meaning as in the National Guidelines.

*[Clause 9A inserted in Gazette 13 Nov 1998 p. 6204; amended in Gazette 29 Apr 2008 p. 1572.]*

**10.      Ephemeral fever, restriction on cattle moving from property with**

Cattle shall not be moved to the State from a property on which there has been a case of ephemeral fever within 30 days prior to the movement.

*[Clause 10 inserted in Gazette 2 Nov 1984 p. 3554.]*

**11. Trichomoniasis, restriction on moving cattle from property with**

Cattle shall not be moved to the State from a property on which Trichomoniasis has been known to exist or is suspected to have existed at any time within 5 years prior to movement.

*[Clause 11 inserted in Gazette 2 Nov 1984 p. 3555.]*

**12. Johne's Disease, restriction on moving cattle from property with**

Cattle shall not be moved to the State if Johne's Disease exists or is known or suspected to have existed on the property of birth of each animal or on any other property on which each animal has grazed in the 5 years immediately prior to the date of that birth or grazing history.

*[Clause 12 inserted in Gazette 2 Nov 1984 p. 3555.]*

**13. Tuberculosis status, certificate as to required**

- (1) Cattle shall be certified by a government veterinary surgeon of the State or Territory in which the property of origin is situate, as coming from a herd having one of the following statuses (whichever applies) in relation to tuberculosis, namely —
  - (a) tuberculosis accredited free;
  - (b) tuberculosis confirmed free;
  - (c) tuberculosis tested negative;
  - (d) tuberculosis monitored negative.
- (2) Where cattle are certified as being tuberculosis monitored negative the cattle shall not be introduced into the State unless the cattle have been tuberculin tested within 30 days prior to movement with negative results.

*[Clause 13 inserted in Gazette 2 Nov 1984 p. 3555.]*

**14. Brucellosis, restrictions on moving breeding cattle to prevent**

- (1) In this clause —
  - (a) the description of a herd by the term *accredited free, confirmed free, tested negative, monitored negative, provisionally clear, non-assessed, suspect, infected* or

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**cl. 14**

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*restricted* is a description of the herd by reference to its status in relation to the disease brucellosis;

- (b) the description of an area by the term *free*, *provisionally free*, *eradication*, or *control* is a description of the area by reference to its status in relation to the disease brucellosis;
- (c) *certified* means certified by a government veterinary officer of the State or Territory from which the cattle the subject of the certificate originate.

(2) A certificate shall not be given for the purposes of this clause unless the cattle the subject of the certificate have been on the property of origin for a period of not less than 12 months but individual animals that have not been on the property for that period may be included in the certificate if those animals had, at the time of introduction to the herd, the same or higher status in relation to brucellosis as the other cattle the subject of the certificate.

(3) Breeding cattle that are certified as coming from —

- (a) a herd having a status specified in column 1 of the Table to this subclause; and
- (b) a property of origin situate in an area having a status specified in column 2 of the Table to this subclause opposite and corresponding to the herd specified in column 1,

may be moved to a portion of the State specified in column 3 of the table to this subclause opposite and corresponding to the kind of herd and property of origin without restriction except that any pregnant female in a consignment of cattle, other than a pregnant female from an accredited free herd or confirmed free herd in a free area, shall be isolated on introduction into the State and re-tested by the complement fixation test not less than 15 and not more than 45 days after calving.

**Table 1**

<b>Column 1</b> <b>Brucellosis status of</b> <b>herd from which</b> <b>cattle originate</b>	<b>Column 2</b> <b>Brucellosis status of area</b> <b>of property of origin</b>	<b>Column 3</b> <b>Area of State to</b> <b>which cattle are to be</b> <b>moved</b>
Accredited Free Confirmed Free	Free Area	Kimberley Free Area Southern Free Area

(4) Breeding cattle that are certified as coming from —

- (a) a herd having a status specified in column 1 of the Table to this subclause; and
- (b) a property of origin situate in an area having a status specified in column 2 of the Table to this subclause opposite and corresponding to the herd specified in column 1,

shall not be moved to a portion of the State specified in column 3 of the Table to this subclause opposite and corresponding to the herd specified in column 1 and the area specified in column 2 unless each breeding animal among the cattle being moved has been —

- (c) held in isolation not less than 30 days prior to movement; and
- (d) tested by the complement fixation test with negative results,

and any pregnant female in the consignment of cattle shall be isolated on introduction to the State and re-tested by the complement fixation test not less than 15 and not more than 45 days after calving.

**Table 2**

<b>Column 1</b> <b>Brucellosis status of</b> <b>herd from which</b> <b>cattle originate</b>	<b>Column 2</b> <b>Brucellosis status of area</b> <b>of property of origin</b>	<b>Column 3</b> <b>Area of State to</b> <b>which cattle are to be</b> <b>moved</b>
Accredited Free Confirmed Free	Provisionally Area	Kimberley Free Area Southern Free Area
Tested Negative Monitored Negative	Free Area	

(5) Breeding cattle that are certified as coming from —

- (a) a herd having a status specified in column 1 of the Table to this subclause; and
- (b) a property of origin situated in an area having a status specified in column 2 of the Table to this subclause opposite and corresponding to the herd specified in column 1,

shall not be moved into a portion of the State specified in column 3 of the Table to this subclause opposite and corresponding to the herd specified in column 1 and the area specified in column 2 unless —

- (c) the cattle consist only of bulls; and

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**cl. 14**

- (d) each entire male animal among the cattle being moved has been held in isolation and tested by the complement fixation test on 2 occasions with an interval of 60 to 90 days between each test with negative results, the second of such tests having been conducted within 14 days of the movement; and
- (e) each animal has been examined clinically and shown no evidence of disease.

**Table 3**

<b>Column 1</b> <b>Brucellosis status of</b> <b>herd from which</b> <b>cattle originate</b>	<b>Column 2</b> <b>Brucellosis status of</b> <b>area of property of</b> <b>origin</b>	<b>Column 3</b> <b>Area of State to</b> <b>which cattle are to be</b> <b>moved</b>
Tested Negative Herd Monitored Negative Herd	Provisionally Free Area	Kimberley Free Area Southern Free Area

(6) Breeding cattle that come from —

- (a) a herd having a status specified in column 1 of the Table to this subclause; and
- (b) a property of origin situated in an area having a status specified in column 2 of the Table to this subclause opposite and corresponding to the herd specified in column 1,

shall not be moved into a portion of the State specified in column 3 of the Table opposite and corresponding to the herd specified in column 1 and the area specified in column 2.

**Table 4**

<b>Column 1</b> <b>Brucellosis status of</b> <b>herd from which</b> <b>cattle originate</b>	<b>Column 2</b> <b>Brucellosis status of</b> <b>area of property</b> <b>of origin</b>	<b>Column 3</b> <b>Area of State to</b> <b>which cattle are to be</b> <b>moved</b>
Provisionally Clear Herd Non-assessed Herd Suspect Herd Infected Herd Restricted Herd	Provisionally Free Area Free Area	Kimberley Free Area Southern Free Area

*[Clause 14 inserted in Gazette 2 Nov 1984 p. 3554-7; amended in Gazette 31 May 1985 p. 1905-6 (erratum in Gazette 9 Aug 1985 p. 2890); 1 Aug 1986 p. 2772.]*



**15. Animals to be identified**

Each animal in a consignment shall be identified by an NLIS device or approved identification, as those terms are defined in regulation 76.

*[Clause 15 inserted in Gazette 2 Nov 1984 p. 3557; amended in Gazette 14 Jun 2005 p. 2608 and 2619; 19 Sep 2006 p. 3783.]*

**16. Pregnant cattle, prior approval required for**

Separate prior approval shall be obtained for each pregnant animal.

*[Clause 16 inserted in Gazette 2 Nov 1984 p. 3557.]*

**17. Ticks, cattle to be free from etc.**

- (1) Cattle shall be free from ticks.
- (2) Where the cattle are being moved from Queensland or the Northern Territory the cattle shall be sprayed or dipped with an approved insecticide immediately before movement unless in the period of 35 days immediately before movement the cattle were held on an area not known or suspected to be infected with cattle tick.

*[Clause 17 inserted in Gazette 2 Nov 1984 p. 3557.]*

**Division 3 — Sheep and goats not for immediate slaughter**

*[Heading inserted in Gazette 14 Jun 2005 p. 2594.]*

**18. Residence requirements on property of origin before transfer to WA**

- (1) Sheep or goats shall not be moved into the State unless the sheep or goats have been born and bred on the property from which they are to be moved to the State or have been on the property for a period of not less than 1 year except for periods of temporary removal for the purposes of an agricultural show or for sale.
- (2) Where sheep or goats have been moved for the purpose of an agricultural show or sale, movement of the sheep or goats to the State is prohibited unless effective precautions against contamination with footrot have been taken during the period of their absence from the property of origin.

*[Clause 18 inserted in Gazette 2 Nov 1984 p. 3557.]*

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**Division 3**      Sheep and goats not for immediate slaughter

**cl. 19**

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**19.      No transfer to WA from property with footrot in past 2 years**

Sheep or goats shall not be moved into the State if any sheep or goats on the property from which they originate have been infected or are suspected to have been infected with footrot within a period of 2 years prior to the movement of the sheep or goats.

*[Clause 19 inserted in Gazette 2 Nov 1984 p. 3557.]*

**19A.      Footrot treatment required for some sheep and goats**

Except in the case of sheep or goats from South Australia, sheep or goats shall not be moved into the State unless they have been subjected to an approved treatment providing precautions against contamination with footrot within 14 days prior to movement and the date and type of treatment have been certified by a government veterinary surgeon in the State or Territory in which the property is situated.

*[Clause 19A inserted in Gazette 1 Aug 1986 p. 2772.]*

**20.      Footrot, other restrictions to prevent**

Sheep or goats shall not be moved into the State if the sheep or goats —

- (a)    have been vaccinated against footrot; or
- (b)    have been in contact with any sheep or goats that are or have been affected by footrot in the period of 12 months immediately preceding movement.

*[Clause 20 inserted in Gazette 2 Nov 1984 p. 3557.]*

**21.      Liver fluke treatment required etc.**

- (1)    Sheep or goats shall not be moved into the State unless they have been treated with an approved anthelmintic within 14 days prior to movement and the date and type of treatment have been certified by a government veterinary surgeon in the State or Territory in which the property is situate.
- (2)    Sheep or goats shall not be brought into any portion of the State that is within the district of any of the following local authorities, namely —
  - The cities of Nedlands, Perth, Subiaco, Stirling, Cockburn, Fremantle, Melville, Canning, Gosnells and South Perth; the

towns of Claremont, Cottesloe, Mosman Park, Bassendean, Armadale<sup>3</sup>, Bayswater<sup>3</sup>, Belmont<sup>3</sup>, Cambridge, Joondalup<sup>3</sup>, Rockingham<sup>3</sup>, Swan<sup>3</sup>, Victoria Park, Vincent<sup>3</sup>, Wanneroo<sup>3</sup> and East Fremantle; and the town of Kwinana; and the shires of Kalamunda, Mundaring, Serpentine-Jarrahdale,

The shires of Murray, Waroona, Harvey, Dardanup, Collie, Capel, Busselton<sup>3</sup>, Donnybrook-Balingup, Augusta-Margaret River, Manjimup, Nannup; and the Cities of Bunbury and Mandurah,

unless, prior to the movement of the animals, the property of destination —

- (a) has been approved as being free from the liver fluke vector snail; and
  - (b) has approved facilities for the holding of the sheep or goats and their treatment for liver fluke.
- (3) Sheep or goats entering any portion of the State except the Kimberley Division, shall be subjected to 2 further treatments of an approved anthelmintic under the supervision of an inspector as follows —
- (a) the first treatment shall be administered not earlier than 19 days and not later than 22 days after the treatment administered prior to the movement of the stock into the State; and
  - (b) the second treatment shall be administered not earlier than 56 and not later than 63 days after the treatment administered prior to the movement of the stock into the State.
- (4) Where an approved anthelmintic is supplied by the Department of Agriculture<sup>2</sup> for the purposes of a treatment referred to in subclause (3), the owner of the sheep or goats so treated shall pay to that Department the cost of the supply of that anthelmintic.

*[Clause 21 inserted in Gazette 2 Nov 1984 p. 3557-8; amended in Gazette 7 Feb 1986 p. 462; 1 Aug 1986 p. 2772; 29 Apr 2008 p. 1572-3; 26 Jun 2009 p. 2614.]*

## **22. Lice and keds, sheep to be free from**

Sheep shall not be moved into the State unless they are free from lice and keds.

*[Clause 22 inserted in Gazette 2 Nov 1984 p. 3558.]*

**Enzootic Diseases Regulations 1970**

**Schedule 2**      Restrictions on introduction of stock from other parts of the Commonwealth

**Division 3**      Sheep and goats not for immediate slaughter

**cl. 23**

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**23.      Ovine brucellosis, restrictions on rams to prevent**

Rams shall not be moved into the State unless they —

- (a)    originate from an ovine brucellosis accredited free flock; or
- (b)    within 90 days preceding movement, have been subjected to the complement fixation test for ovine brucellosis with negative results.

*[Clause 23 inserted in Gazette 2 Nov 1984 p. 3558; amended in Gazette 8 Jul 1988 p. 2418.]*

**24.      Johne's Disease, restriction on moving sheep and goats from property with**

Sheep or goats shall not be moved into the State unless the herd from which they are derived is on a property in which Johne's Disease has not been known to exist or suspected to have existed during the period of 5 years immediately prior to movement.

*[Clause 24 inserted in Gazette 2 Nov 1984 p. 3558.]*

**24A.    Johne's Disease, goats to be tested negative for**

Goats shall not be moved into the State unless they have proven negative to an approved test for Johne's Disease within 14 days prior to movement.

*[Clause 24A inserted in Gazette 1 Aug 1986 p. 2772.]*

**24B.    Caprine arthritis-encephalitis, goats to be certified free of**

Goats shall not be moved into the State unless they have been examined by a government veterinary surgeon in the State or Territory from which they originate and have been certified by that veterinary surgeon to be free of clinical arthritis-encephalitis.

*[Clause 24B inserted in Gazette 3 Apr 1987 p. 1265.]*

**25.      Sheep and goats to be identified**

Sheep and goats shall not be moved into the State unless they can be identified to their property of origin by means of an NLIS tag as defined in regulation 85A.

*[Clause 25 inserted in Gazette 2 Nov 1984 p. 3558; amended in Gazette 19 Sep 2006 p. 3783.]*

#### **Division 4 — Cattle and sheep for immediate slaughter**

*[Heading inserted in Gazette 14 Jun 2005 p. 2594.]*

**26.      Brucellosis, restrictions on some cattle movements to prevent**

Breeding cattle shall not be moved to the State for the purposes of immediate slaughter at an abattoir in the Kimberley Division of the State unless each animal, including spayed females but not including bulls, from a brucellosis non-assessed herd, a brucellosis provisionally clear herd, a brucellosis infected herd, or a brucellosis restricted herd has been subjected to a serological test for brucellosis with negative results at least 30 days immediately before movement.

*[Clause 26 inserted in Gazette 2 Nov 1984 p. 3558.]*

**27.      Tuberculosis status, certificate as to required for some cattle**

Cattle shall not be moved to the State for the purposes of immediate slaughter at an abattoir outside the Kimberley Division unless the cattle are certified by a government veterinary officer or Inspector of Stock of the State in which the property of origin is situate as coming from a herd having one of the following statuses (whichever applies in relation to the cattle) — namely —

- (a) tuberculosis accredited free; or
- (b) tuberculosis confirmed free; or
- (c) tuberculosis tested negative; or
- (d) tuberculosis monitored negative,

and unless each breeding animal including spayed females is certified by a government veterinary officer as coming from a herd having one of the following statuses, namely —

- (e) brucellosis accredited free;
- (f) brucellosis confirmed free;
- (g) brucellosis tested negative;
- (h) brucellosis monitored negative.

*[Clause 27 inserted in Gazette 2 Nov 1984 p. 3558.]*

**28.      Liver fluke treatment required for some sheep and cattle**

Sheep and cattle shall not be moved to the State for the purposes of immediate slaughter at an abattoir outside the Kimberley Division of the State unless each animal being moved has been treated for liver fluke with an approved anthelmintic not more than 14 days prior to movement.

*[Clause 28 inserted in Gazette 2 Nov 1984 p. 3558; amended in Gazette 1 Aug 1986 p. 2772.]*

**29.      Cattle and sheep to be identified**

- (1) Cattle or sheep shall not be moved to the State for the purpose of immediate slaughter at an abattoir outside the Kimberley Division of the State unless each animal being moved is identified by a paint or wool brand as the case requires, and each animal is identified to the property from which it was moved —
  - (a) in the case of cattle, by an NLIS device or approved identification, as those terms are defined in regulation 76; and
  - (b) in the case of sheep, by an NLIS tag as defined in regulation 85A.
- (2) Cattle shall not be moved to the State for the purpose of slaughter at an abattoir inside the Kimberley Division unless each animal being moved is identified by an NLIS device and in addition cattle derived from tuberculosis infected premises shall be marked by a paint mark along the animal's back.

*[Clause 29 inserted in Gazette 2 Nov 1984 p. 3559; amended in Gazette 14 Jun 2005 p. 2609 and 2619; 19 Sep 2006 p. 3784.]*

**Division 5 — Swine**

*[Heading inserted in Gazette 14 Jun 2005 p. 2594.]*

**30.      Swine brucellosis, restrictions on moving swine to prevent**

Swine shall not be moved to the State from Queensland or any part of the Northern Territory that is north of the Tropic of Capricorn unless the swine are derived from —

- (a) a herd that is a brucellosis accredited free herd; or
- (b) a herd in which swine brucellosis is not known to exist and each animal being moved has been subjected to a blood test

for swine brucellosis with negative results within 30 days  
before movement.

*[Clause 30 inserted in Gazette 2 Nov 1984 p. 3559.]*

*[Heading deleted in Gazette 18 Sep 1992 p. 4666.]*

*[31, 32. Deleted in Gazette 18 Sep 1992 p. 4666.]*

### **Division 6 — Deer**

*[Heading inserted in Gazette 14 Jun 2005 p. 2594.]*

#### **33. Liver fluke treatment required etc.**

- (1) Deer shall not be moved to the State unless they have been treated with an approved anthelmintic within 14 days prior to movement and the date and type of treatment shall be certified by a government veterinary surgeon in the State or Territory in which the property of origin is situate.
- (2) Deer shall not be brought into any portion of the State that is within the district of any of the following local authorities, namely —

The cities of Nedlands, Perth, Subiaco, Stirling, Cockburn, Fremantle, Melville, Canning, Gosnells and South Perth; the towns of Claremont, Cottesloe, Mosman Park, Bassendean, Armadale<sup>3</sup>, Bayswater<sup>3</sup>, Belmont<sup>3</sup>, Cambridge, Joondalup<sup>3</sup>, Rockingham<sup>3</sup>, Swan<sup>3</sup>, Victoria Park, Vincent<sup>3</sup>, Wanneroo<sup>3</sup> and East Fremantle; and the town of Kwinana; and the shires of Kalamunda, Mundaring, Serpentine-Jarrahdale,

The shires of Murray, Waroona, Harvey, Dardanup, Collie, Capel, Busselton<sup>3</sup>, Donnybrook-Balingup, Augusta-Margaret River, Manjimup, Nannup; and the Cities of Bunbury and Mandurah, unless, prior to the movement of the deer, the property of destination —

- (a) has been approved as being free from the liver fluke vector snail; and

**Enzootic Diseases Regulations 1970**

**Schedule 2**      Restrictions on introduction of stock from other parts of the Commonwealth

**Division 7**      Pearl oysters

**cl. 34**

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- (b) has approved facilities for the holding of the deer and their treatment for liver fluke.
- (3) Deer entering any portion of the State except the Kimberley Division, shall be subjected to 2 further treatments of an approved anthelmintic under the supervision of an inspector as follows —
  - (a) the first treatment shall be administered not earlier than 19 days and not later than 22 days after the treatment administered prior to movement of the stock into the State;
  - (b) the second treatment shall be administered not earlier than 56 and not later than 63 days after the treatment administered prior to movement of the stock into the State.
- (4) Where an approved anthelmintic is supplied by the Department of Agriculture<sup>2</sup> for the purposes of a treatment referred to in subclause (3), the owner of the deer so treated shall pay to that Department the cost of the supply of that anthelmintic.

*[Clause 33 inserted in Gazette 2 Nov 1984 p. 3559-60; amended in Gazette 7 Feb 1986 p. 462; 1 Aug 1986 p. 2772; 29 Apr 2008 p. 1573; 26 Jun 2009 p. 2614.]*

**34. Tuberculosis and brucellosis, deer to be tested negative for**

Deer shall not be moved to the State from any State or Territory, other than Tasmania, unless they have been subjected to intradermal tests for tuberculosis and serological tests for brucellosis with negative results within 30 days before movement.

*[Clause 34 inserted in Gazette 2 Nov 1984 p. 3560.]*

**Division 7 — Pearl oysters**

*[Heading inserted in Gazette 14 Jun 2005 p. 2595.]*

**35. Pearl oysters not to be brought into WA**

Pearl oysters (*Pinctada maxima*) shall not be brought into the State.

*[Clause 35 inserted in Gazette 15 Dec 1992 p. 6016.]*



### Division 8 — Semen and embryos

[Heading inserted in Gazette 14 Jun 2005 p. 2595.]

#### 36. Semen, restrictions on moving into WA

- (1) Semen collected from camelids, cattle, deer, goats or sheep must not be moved into the State unless —
- (a) the collection and handling of the semen meets the standards set down in the *Minimum Health Standards for Stock Standing at Licensed or Approved Artificial Breeding Centres in Australia*, published by the Commonwealth Department of Primary Industry and Energy; or
  - (b) a person authorised by the corresponding authority in the State or Territory in which the semen was collected has certified that the animal from which the semen was collected —
    - (i) had, at the time of collection of the semen, a status in relation to Johne's disease of or equivalent to Monitored Negative; or
    - (ii) was derived from a herd or flock in which Johne's disease was not known to exist, and was, within the period beginning 30 days before the collection of the semen and ending when the semen is moved into the State, subjected to an approved test for Johne's disease with negative results.
- (2) In subclause 1 —
- Monitored Negative**, in relation to a species of stock, has the same meaning as in the *Rules and Guidelines of the Australian Johne's Disease Market Assurance Program* published by the Australian Animal Health Council Ltd for that species.

[Clause 36 inserted in Gazette 13 Nov 1998 p. 6204-5; amended in Gazette 29 Apr 2008 p. 1572.]

#### 37. Embryos, restrictions on moving into WA

Embryos must not be moved into the State unless the collection and handling of the embryos meets the standards for the collection and

**Enzootic Diseases Regulations 1970**

**Schedule 2**      Restrictions on introduction of stock from other parts of the  
Commonwealth

**Division 9**      Abalone

**cl. 38**

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handling of embryos published by the Australian Embryo Transfer  
Society in conjunction with the Australian Veterinary Association.

*[Clause 37 inserted in Gazette 13 Nov 1998 p. 6205.]*

**Division 9 — Abalone**

*[Heading inserted in Gazette 23 Jun 2009 p. 2429.]*

**38.      Abalone not to be moved into WA**

Live abalone (*Haliotis* spp.) must not be moved into the State.

*[Clause 38 inserted in Gazette 23 Jun 2009 p. 2429.]*

**Schedule 3 — Forms**

[r. 4]

*[Heading inserted in Gazette 14 Jun 2005 p. 2595.]***Form No. 1***Stock Diseases (Regulations) Act 1968*

[Reg. 11]

**QUARANTINE ORDER**

To .....

I hereby order into quarantine the animal(s) more particularly described below, of which you are or appear to be the owner or person in charge, (and which are at present depasturing on property situated at ..... in the Shire of ..... and I hereby quarantine that property and also any animal that may enter that property subsequently to this order).

DELETE WORDS IN BRACKETS IF NOT APPLICABLE

Kind of Animal	Number	Sex	Description	Brands	Disease

Signed .....

Inspector of Stock

Address .....

Date .....

NOTE. — This order must be retained and produced when the animals are released from quarantine.

**Form No. 2**

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**Form No. 2**

*Stock Diseases (Regulations) Act 1968*

[Reg. 11]

**RELEASE FROM QUARANTINE**

To .....

I hereby release from quarantine the animal(s) more particularly described below (which are at present depasturing on property situated at ..... in the Shire of ..... and I also hereby release from quarantine that property).

DELETE WORDS IN BRACKETS IF NOT APPLICABLE

Kind of Animal	Number	Sex	Description	Brands	Remarks

Signed .....

Inspector of Stock

Address .....

Date .....

Quarantine Order No. ....

..... 20.....

**Form No. 3***Stock Diseases (Regulations) Act 1968*

[Regs. 13, 34A, 86, 101]

**PERMIT TO MOVE STOCK/ANIMAL PRODUCTS**

I hereby permit .....

(Name of Consignor)

of ..... to consign

(Address of Consignor)

the undermentioned stock/animal products from .....

to ..... for the purpose of .....

and subject to the following conditions:

.....

.....

.....

DESCRIPTION	BRANDS/ EARMARKS	TAG NO.	DATES/RESULTS OF BIOLOGICAL TESTS/DIPPINGS

Name and Address of Consignee .....

Name and Address of Person

in charge of stock in transit .....

Date of Movement .....

Type of Transport .....

Name of Stock Agent .....

The stock are/are not under quarantine restrictions. (Quarantine  
Order No. ....)

Inspector..... Address .....

Date.....

*[Form 3 inserted in Gazette 4 Dec 1981 p. 5036; amended in Gazette  
8 Aug 1986 p. 2872; 14 Jun 2005 p. 2609.]*

**Form No. 4**

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**Form No. 4**

*Stock Diseases (Regulations) Act 1968*

[Reg. 18]

**DESTRUCTION ORDER — STOCK**

To .....

The animal(s) more particularly described below are affected with .....  
 (mention disease), and you are hereby required to (a) destroy such animal(s), or  
 (b) isolate and deliver such animal(s) to ..... for conveyance  
 per .....  
 ..... to the abattoirs at .....  
 on or before ..... day of ..... 20....., for  
 the purpose of immediate slaughter.

No.	Description	Sex	Brands	Name and Address of Owner	Location of Stock

Signed .....

Inspector of Stock.

Address .....

Date .....

**Form No. 5***Stock Diseases (Regulations) Act 1968*

[Reg. 32]

**PERMIT TO ENTER (STOCK)**

To the \*Owner/Agent/Person in Charge .....

The animal(s) more particularly described below, which arrived at .....

on the ..... 20..... per ..... has/have  
been inspected and is/are permitted to enter Western Australia.

No.	Description	Brands	State of Origin	Name and Address of Owner	Name and Address of Consignee

Inspector of Stock .....

Date .....

Address .....

\* Strike out where not applicable.

*[Forms 6, 6A, 6B, 6C deleted in Gazette 2 Nov 1984 p. 3560.]**[Forms 7, 8 and 9 deleted in Gazette 4 Feb 1977 p. 375.]*

**Form No. 10**

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**Form No. 10**

*Stock Diseases (Regulations) Act 1968*

[Reg. 52]

**PERMIT TO ENTER ANIMAL PRODUCTS**

To the \*Owner/Agent/Person-in-Charge .....

The animal products more particularly described below, which arrived at .....

..... on the ..... 20..... per .....

are permitted to enter Western Australia.

No.	Description	Brands or Marks	State of Origin	Name and Address of Consignor	Name and Address of Consignee

Inspector of Stock .....

Address .....

Date .....

\* Strike out where not applicable.



**Form No. 11**

*Stock Diseases (Regulations) Act 1968*

**DECLARATION REGARDING  
MORTALITY AND DISEASE OF PEARL OYSTERS**

[r. 104(5)(b)(ii)]

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone no: \_\_\_\_\_

I declare that:

1.    The sample of pearl oysters with which this declaration is submitted was taken on \_\_\_\_\_ from pearl oysters being held at  
      (*location of hatchery, quarantine site etc.*)  
      \_\_\_\_\_  
      \_\_\_\_\_
2.    No unexplained mortalities have occurred, and no signs of clinical disease have been seen, in the last 12 months among pearl oysters being held at that place.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

*[Form 11 inserted in Gazette 17 Dec 1999 p. 6184-5.]*

**Form No. 12**

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**Form No. 12**  
*Stock Diseases (Regulations) Act 1968*  
**CERTIFICATE OF HEALTH — PEARL OYSTERS**

[r. 106(4)]

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone no: \_\_\_\_\_

I am an approved fish pathologist and certify that:

1.     This certificate has been issued in respect of a sample of pearl oysters marked \_\_\_\_\_ which was taken from pearl oysters being held at (*location of hatchery, quarantine site etc.*) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

The sample was delivered to me for disease testing on \_\_\_\_\_ by \_\_\_\_\_

2.     I have no reason to doubt the information given as to the origins of the pearl oysters or the levels of mortality or clinical disease in the hatchery, quarantine site or other place where the pearl oysters are being held.
3.     The following tests were carried out for clinical disease or significant pathogens

Test	Number tested	Date	Result

4.     No clinical disease or significant pathogen was detected in the sample.

- 5.\*   The following genetic tests were carried out \_\_\_\_\_

with the following results \_\_\_\_\_

\_\_\_\_\_

and no genetic components not of Western Australian origin were detected.

\* Delete if inapplicable.

Signature: \_\_\_\_\_

Approved fish pathologist

Date: \_\_\_\_\_

**OFFICE USE ONLY**

1. AHL No: \_\_\_\_\_
2. Name of Licensee or Permit Holder \_\_\_\_\_

*[Form 12 inserted in Gazette 17 Dec 1999 p. 6185-6.]*

*[Forms 13, 14 deleted in Gazette 4 Mar 1997 p. 1365.]*

*[Forms 15, 16, 17 and 18 deleted in Gazette 18 Sep 1992 p. 4666.]*

## **Schedule 4 — Charges**

[r. 28, 31, 42 and 60]

*[Heading inserted in Gazette 26 Jun 2009 p. 2614.]*

### **1. Charges**

- (1) The charges set out in the Table are payable for the matters listed in the Table.
- (2) For the purposes of this Schedule —
  - (a) normal hours are from 6 a.m. to 6 p.m. on week days; and
  - (b) an inspection charge is payable for each 15 minutes or part of 15 minutes taken to undertake the inspection; and
  - (c) travel charges are payable in respect of each 25 km or part of 25 km travelled from headquarters.

**Table**

	<b>Description</b>	<b>Fee (\$)</b>
1.	Inspection of stock being imported or exported (r. 28 and 31)	
	(a) on a weekday during normal hours	
	(i) inspection .....	45.75
	(ii) travel .....	45.75
	(b) on a weekday outside normal hours	
	(i) inspection .....	58.00
	(ii) travel .....	58.00
	(c) on Saturday, Sunday or public holiday	
	(i) inspection .....	69.00
	(ii) travel .....	69.00
	with minimum charge .....	600.00

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	<b>Description</b>	<b>Fee (\$)</b>
2.	Charges for supply of Triclabendazole (per kg body weight of each animal)	
	(a) up to 35 kg .....	0.75
	(b) 36 — 100 kg .....	2.25
	(c) 101 — 300 kg .....	5.00
	(d) 301 — 600 kg .....	10.10
	(e) more than 600 kg .....	12.90
	with minimum charge per session (regardless of number of animals) .....	27.00

*[Clause 1 inserted in Gazette 26 Jun 2009 p. 2614-15; amended in  
Gazette 30 Jun 2010 p. 3112-13; 30 Jun 2011 p. 2684-5; 19 Jun 2012  
p. 2635-6.]*

**Schedule 5 — Prohibitions and conditions relating to the intrastate movement of stock**

[r. 34A]

*[Heading inserted in Gazette 14 Jun 2005 p. 2595.]*

**Division 1 — Preliminary**

*[Heading inserted in Gazette 14 Jun 2005 p. 2595.]*

**Subdivision 1 — Interpretation**

*[Heading inserted in Gazette 14 Jun 2005 p. 2595.]*

In this Schedule unless the contrary intention appears —

**cattle** includes buffalo;

**confirmed free** in relation to tuberculosis has the meaning given to **accredited tuberculosis free herd** in regulation 57;

**infected herd** means a herd that has shown unequivocal evidence of infection with —

- (a) in the case of brucellosis, *Brucella abortus*; and
- (b) in the case of tuberculosis, *Mycobacterium bovis*,

using approved testing procedures;

**Kimberley Tuberculosis Eradication Area** means an area of the Kimberley Land Division declared to be a tuberculosis eradication area under regulation 56;

**Kimberley Tuberculosis Provisionally Free Area** means an area of the Kimberley Land Division declared to be a tuberculosis provisionally free area under regulation 56;

**monitored negative herd** means a herd in which monitoring information or survey testing indicates that the herd is free of brucellosis or tuberculosis as the case may be, but a whole herd test has not been carried out;

**not assessed herd** means a herd that has not been tested and for which insufficient information is available for it to be classified otherwise;

**provisionally clear herd** means a previously infected or suspect herd that has qualified for removal of restrictions on the movement of cattle on and

off the property, and which has not yet completed all the confirmatory tests necessary to become confirmed free;

**restricted herd** means a previously infected or suspect herd that has had one negative herd test without subsequent evidence of infection;

**suspect herd** means, a herd —

- (a) in which monitoring information suggests that the herd is infected, but further evidence is required to classify the herd as infected or otherwise; or
- (b) in which the field situation suggests that the herd has a high risk of becoming infected;

**tested negative herd** means a herd not previously classified as infected that has had at least one negative herd test without subsequent evidence of infection.

*[Subdivision 1, formerly Fifth Schedule, inserted in Gazette 31 Mar 1989 p. 875; amended in Gazette 14 Jun 2005 p. 2609.]*

### Subdivision 2 — Cattle not for immediate slaughter

*[Heading inserted in Gazette 14 Jun 2005 p. 2595.]*

Column 1		Column 2	Column 3
From		To	Prohibitions and Conditions
Southern Brucellosis Free Area	Confirmed free or tested negative or monitored negative herd	Kimberley Brucellosis Free Area	Nil
	Infected restricted, suspect or provisionally clear herd		1
Kimberley Brucellosis Free Area	Confirmed free or tested negative or monitored negative herd	Southern Brucellosis Free Area	Nil
	Infected, restricted, suspect or provisionally clear herd		1
Southern Tuberculosis Provisionally Free Area	Confirmed free, tested negative, monitored negative herd	Southern Tuberculosis Provisionally Free Area	Nil
	Infected, restricted, suspect or provisionally clear herd		1

**Enzootic Diseases Regulations 1970****Schedule 5** Prohibitions and conditions relating to the intrastate movement of stock**Division 1** Preliminary

Column 1		Column 2	Column 3
From		To	Prohibitions and Conditions
Southern Tuberculosis Provisionally Free Area	Confirmed free, tested negative, monitored negative herd	Kimberley Tuberculosis Provisionally Free Area	Nil
	Infected, restricted, suspect or provisionally clear herd		1
Southern Tuberculosis Provisionally Free Area	Confirmed free, tested negative, monitored negative herd	West Kimberley Tuberculosis Eradication Area	Nil
	Infected, restricted, suspect or provisionally clear herd		1
Kimberley Tuberculosis Provisionally Free Area	Confirmed free, tested negative or monitored negative herd	Southern Tuberculosis Provisionally Free Area	2
	Provisionally clear herd		2, 10, 12, 17
	Infected, restricted, suspect or not assessed herd		2, 3, 11, 12, 13, 18
Kimberley Tuberculosis Provisionally Free Area	Confirmed free, tested negative or monitored negative herd	Kimberley Tuberculosis Provisionally Free Area	12
	Provisionally clear herd		10, 12
	Infected, restricted, suspect or not assessed herd		2, 3, 11, 12, 13
Kimberley Tuberculosis Provisionally Free Area	Confirmed free, tested negative or monitored negative herd	West Kimberley Tuberculosis Eradication Area	12
	Provisionally clear herd		10, 12
	Infected, restricted, suspect or not assessed herd		2, 3, 11, 12, 13
West Kimberley Tuberculosis Eradication Area	Confirmed free, tested negative, monitored negative or provisionally clear herd	Southern Tuberculosis Provisionally Free Area	2, 10, 12, 17
	Infected, restricted, suspect or not assessed herd		2, 3, 11, 12, 13, 18
West Kimberley Tuberculosis Eradication Area	Confirmed free, tested negative or provisionally clear herd	Kimberley Tuberculosis Provisionally Free Area	2, 10, 12
	Infected, restricted, suspect or not assessed herd		2, 3, 11, 12, 13



Column 1		Column 2	Column 3
From		To	Prohibitions and Conditions
West Kimberley Tuberculosis Eradication Area	Confirmed free, tested negative, monitored negative or provisionally clear herd	West Kimberley Tuberculosis Eradication Area	2, 10, 12
	Infected, restricted, suspect or not assessed herd		2, 3, 11, 12, 13
Cattle Tick Infected Area		Cattle Tick Free Area	2, 19

*[Subdivision 2, formerly Fifth Schedule, inserted in Gazette 31 Mar 1989 p. 875-6.]*

**Subdivision 3 — Cattle for immediate slaughter**

*[Heading inserted in Gazette 14 Jun 2005 p. 2596.]*

Column 1		Column 2	Column 3
From		To	Prohibitions and Conditions
Brucellosis confirmed free, tested negative, monitored negative or provisionally clear herd	Brucellosis restricted, infected or suspect herd	Any area	Nil
		Any area	2
Kimberley Tuberculosis Provisionally Free Area	Confirmed free, tested negative or monitored negative herd	Southern Tuberculosis Provisionally Free Area	2
	Provisionally clear herd		2, 14
	Infected, restricted, suspect or not assessed herd		2, 9, 14
West Kimberley Tuberculosis Eradication Area	Confirmed free, tested negative, monitored negative or provisionally clear herd	Southern Tuberculosis Provisionally Free Area	2, 14
	Infected, suspect or not assessed herd		2, 9, 14
Cattle Tick Infected Area		Cattle Tick Free Area	2, 20

*[Subdivision 3, formerly Fifth Schedule, inserted in Gazette 31 Mar 1989 p. 876-7.]*

## **Enzootic Diseases Regulations 1970**

**Schedule 5** Prohibitions and conditions relating to the intrastate movement of stock

**Division 2** Conditions

### **Subdivision 4 — Sheep**

*[Heading inserted in Gazette 14 Jun 2005 p. 2596.]*

Column 1	Column 2	Column 3
From	To	Prohibitions and Conditions
Lice and Keds Infected Area	Lice and Keds Southwest Protected Area	2, 22, 23

*[Subdivision 4, formerly Fifth Schedule, inserted in Gazette 31 Mar 1989 p. 877.]*

### **Subdivision 5 — Horses, mules, donkeys, camels, deer**

*[Heading inserted in Gazette 14 Jun 2005 p. 2596.]*

Column 1	Column 2	Column 3
From	To	Prohibitions and Conditions
Cattle Tick Infected Area	Cattle Tick Free Area	2, 21

*[Subdivision 5, formerly Fifth Schedule, inserted in Gazette 31 Mar 1989 p. 877.]*

## **Division 2 — Conditions**

*[Heading inserted in Gazette 14 Jun 2005 p. 2596.]*

### **Subdivision 1 — Interpretation**

*[Heading inserted in Gazette 14 Jun 2005 p. 2596.]*

In these conditions —

***approved feedlot*** means a fenced area approved to hold and feed cattle until the cattle are delivered for immediate slaughter;

***brucellosis test*** means a Rose Bengal Plate Test and Complement Fixation Test;

***contact sale*** means an approved sale for slaughter only held in an approved saleyard;

***quarantine sale*** means an approved sale for slaughter only held in an approved quarantine area;

**tuberculin test** means a single intradermal caudal fold test using Bovine PPD tuberculin read at 72 hours.

*[Subdivision 1, formerly Fifth Schedule, inserted in Gazette 31 Mar 1989 p. 877.]*

### **Subdivision 2 — General**

*[Heading inserted in Gazette 14 Jun 2005 p. 2596.]*

1. Movement prohibited.
2. Permit in the form of Form 3 issued by an inspector.
3. Movement shall be direct and any off-loading into areas or premises of lower status shall be only into approved yards or premises.
- 4A. When moving stock under condition 11 the consignee shall —
  - (a) notify the nearest inspector within 14 days of the date of introduction of the stock; and
  - (b) isolate and keep isolated from the herd, any stock introduced on to the property, unless and until otherwise directed by an inspector; and
  - (c) submit any introduced stock to such tests as an inspector may direct.

*[Subdivision 2, formerly Fifth Schedule, inserted in Gazette 31 Mar 1989 p. 877; amended in Gazette 29 Apr 2008 p. 1573-4; 26 Jun 2009 p. 2616.]*

### **Subdivision 3 — Brucellosis**

*[Heading inserted in Gazette 14 Jun 2005 p. 2596.]*

4. A brucellosis test of breeding cattle shall be carried out not earlier than 30 days prior to movement, with negative results. Cattle shall be held in isolation during that period.
5. Breeding cattle shall have been resident on the property of origin for not less than 90 days prior to testing for movement.
6. Pregnant females shall be isolated on the property of introduction. Animals shall be held in isolation until a brucellosis test is conducted

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**Schedule 5** Prohibitions and conditions relating to the intrastate movement of stock

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on them with negative results not earlier than 15 days and not later than 45 days after calving.

7. Bulls only are permitted to move and the bulls must be held in isolation and tested on 2 occasions with an interval of 60-90 days between each test with negative results, with the last test within 14 days of movement. Each bull must be examined clinically and show no evidence of disease.

*[Subdivision 3, formerly Fifth Schedule, inserted in Gazette 31 Mar 1989 p. 877-8.]*

**Subdivision 4 — Tuberculosis**

*[Heading inserted in Gazette 14 Jun 2005 p. 2596.]*

8. Cattle may only be moved into the area for contact sale, quarantine sale or to an abattoir and where it is for —
- (a) contact sale, conditions 2, 10 and 14 apply; and
  - (b) quarantine sale or abattoir, conditions 2 and 14 apply.
9. Cattle shall carry an approved paint mark along the backline.
10. Every animal in the group to be moved shall be subject to a tuberculin test with negative results.
11. (1) Every animal in the group to be moved shall be subjected to 2 tuberculin tests not less than 60 days apart with negative results. Animals shall be held in isolation from the time of commencement of the first test. In the case of animals moving to properties in the Southern Pastoral Area both tests must be done on the property of origin while for animals moving to a property in a Kimberley Tuberculosis Eradication Area or to the Southern Agricultural Area the second test may be done on an approved property of destination.
- (2) A check test 6 to 12 months later, on the approved property of destination is also required.
12. Cattle to be identified with an approved, unique, numbered ear tag.
13. Where the second tuberculin test is completed on the property of destination cattle may move if identified with approved tags.

14. Cattle to be identified with approved tags.
15. (1) Every animal in the group intended to be moved shall be subject to a tuberculin test.  
  
(2) Any animal which reacts to the tuberculin test is prohibited from being moved.
16. Cattle shall be marked with an approved earmark.
17. For cattle being moved to an approved feedlot —
  - (a) conditions 9, 14 and 16 apply; and
  - (b) condition 10 does not apply.
18. For cattle being moved to an approved feedlot —
  - (a) conditions 9, 14, 15 and 16 apply; and
  - (b) condition 10 does not apply.

*[Subdivision 4, formerly Fifth Schedule, inserted in Gazette 31 Mar 1989 p. 878; amended in Gazette 14 Jun 2005 p. 2609.]*

#### **Subdivision 5 — Cattle tick**

*[Heading inserted in Gazette 14 Jun 2005 p. 2596.]*

19. Cattle —
  - (a) shall be —
    - (i) subjected to an approved regime of treatment; or
    - (ii) consigned directly from a property on which the cattle have been depastured for at least 6 months and on which cattle tick is not known or suspected to exist; and
  - (b) shall be presented free of tick, and —
    - (i) shall be treated with an approved veterinary preparation lethal to cattle tick and treated with an approved veterinary preparation lethal to buffalo fly, under the supervision of an inspector;
    - (ii) shall be moved out of the infected area within 72 hours of being treated, by clean road transport, sea vessel or aircraft.

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20. Cattle consigned directly for slaughter —
- (a) shall be —
    - (i) subjected to an approved regime of treatment; or
    - (ii) consigned directly from a property on which the cattle have been depastured for at least 6 months and on which cattle tick is not known or suspected to exist;
  - and
  - (b) shall be presented free of tick, and —
    - (i) shall be treated with an approved veterinary preparation lethal to cattle tick and treated with an approved veterinary preparation lethal to buffalo fly, under the supervision of an inspector; and
    - (ii) shall be moved out of the infected area within 72 hours of being treated; and
    - (iii) shall not be unloaded anywhere *en route* to the destination endorsed on the permit, without the permission of an inspector.
21. Where the stock consists of a horse, mule, donkey, camel or deer, every animal to be moved shall be treated with an approved veterinary preparation under the supervision of an inspector at a place that has been approved and within 24 hours prior to movement.
- [Subdivision 5, formerly Fifth Schedule, inserted in Gazette 31 Mar 1989 p. 878.]*

**Subdivision 6 — Lice and keds**

*[Heading inserted in Gazette 14 Jun 2005 p. 2597.]*

22. The owner of sheep located within an area declared to be an infected area shall not travel those sheep or any of them to any other property within that infected area without the prior consent of an inspector.
23. (1) Subject to sub-condition (2) the owner of sheep located within an area declared to be an infected area shall not travel those sheep or any of them to any property within an area declared to be a protected area unless —
- (a) he sends or delivers to an inspector a notice in the form of Form 13 stating that the sheep are, to the best of his

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knowledge and belief free from lice or keds, or both, as the case requires; and

(b) he obtains from an inspector a permit in the form of Form 3.

(2) Notwithstanding the provisions of sub-condition (1) an inspector may authorise the movement of sheep from an infected area to a protected area where —

(a) the sheep are affected by drought and the property to which they are travelling is placed under quarantine in accordance with these regulations; or

(b) the sheep are consigned to an abattoir for immediate slaughter.

*[Subdivision 6, formerly Fifth Schedule, inserted in Gazette 31 Mar 1989 p. 878-9.]*

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## Notes

- <sup>1</sup> This ~~reprint~~ is a compilation ~~as at 6 July 2012~~ of the *Enzootic Diseases Regulations 1970* and includes the amendments made by the other written laws referred to in the following table<sup>4</sup>. The table also contains information about any reprint.

### Compilation table

Citation	Gazettal	Commencement
<i>Enzootic Diseases Regulations 1970</i>	24 Jun 1970 p. 1784-819	24 Jun 1970
Untitled regulations	31 Mar 1971 p. 1063-5	31 Mar 1971
Untitled regulations	20 May 1971 p. 1721-3	20 May 1971
Untitled regulations	18 Aug 1971 p. 3063	18 Aug 1971
Untitled regulations	10 Nov 1972 p. 4362-5	10 Nov 1972
Untitled regulations	2 Mar 1973 p. 637	2 Mar 1973
Untitled regulations	13 Apr 1973 p. 997	13 Apr 1973
Untitled regulations	6 Jul 1973 p. 2637	6 Jul 1973
Untitled regulations	14 Sep 1973 p. 3481-3	14 Sep 1973
<b>Reprint of the <i>Enzootic Diseases Regulations 1970</i> dated 25 Feb 1974</b> published in <i>Gazette</i> 6 Mar 1974 p. 693-731 (includes amendments listed above)		
Untitled regulations	10 May 1974 p. 1538	10 May 1974
Untitled regulations	1 Aug 1975 p. 2828 (corrigendum 5 Sep 1975 p. 3266)	1 Aug 1975
Untitled regulations	3 Oct 1975 p. 3813-14	3 Oct 1975
Untitled regulations	1 Oct 1976 p. 3611-12	1 Oct 1976



<b>Citation</b>	<b>Gazettal</b>	<b>Commencement</b>
Untitled regulations	4 Feb 1977 p. 363-79	4 Feb 1977
Untitled regulations	18 Feb 1977 p. 531-2	18 Feb 1977
Untitled regulations	20 May 1977 p. 1544	20 May 1977
Untitled regulations	28 Oct 1977 p. 3835	28 Oct 1977
Untitled regulations	9 Dec 1977 p. 4589	9 Dec 1977
Untitled regulations	30 Jun 1978 p. 2178	30 Jun 1978
Untitled regulations	25 Aug 1978 p. 3169	25 Aug 1978
Untitled regulations	8 Jun 1979 p. 1533	8 Jun 1979
Untitled regulations	8 Feb 1980 p. 429-31	8 Feb 1980
<i>Enzootic Diseases Amendment Regulations 1980</i>	24 Oct 1980 p. 3667-8	24 Oct 1980
<i>Enzootic Diseases Amendment Regulations 1981</i>	30 Jan 1981 p. 510	30 Jan 1981
<i>Enzootic Diseases Amendment Regulations (No. 2) 1981</i>	13 Feb 1981 p. 645	13 Feb 1981
<i>Enzootic Diseases Amendment Regulations (No. 4) 1981</i>	21 Aug 1981 p. 3430	21 Aug 1981
<i>Enzootic Diseases Amendment Regulations (No. 3) 1981</i>	25 Sep 1981 p. 4158-60	25 Sep 1981
<i>Enzootic Diseases Amendment Regulations (No. 5) 1981</i>	9 Oct 1981 p. 4311-12	1 Nov 1981 (see r. 2)
<i>Enzootic Diseases Amendment Regulations (No. 6) 1981</i>	23 Oct 1981 p. 4437	23 Oct 1981
<i>Enzootic Diseases Amendment Regulations (No. 7) 1981</i>	4 Dec 1981 p. 5036-7	4 Dec 1981
<i>Enzootic Diseases Amendment Regulations (No. 8) 1981</i>	31 Dec 1981 p. 5410	1 Jan 1982 (see r. 2)
<i>Enzootic Diseases Amendment Regulations 1982</i>	4 Jun 1982 p. 1851	11 Jun 1982 (see r. 2)

<b>Citation</b>	<b>Gazettal</b>	<b>Commencement</b>
<i>Enzootic Diseases Amendment Regulations (No. 2) 1982</i>	20 Aug 1982 p. 3362	20 Aug 1982
<i>Enzootic Diseases Amendment Regulations (No. 3) 1982</i>	3 Dec 1982 p. 4757	3 Dec 1982
<i>Enzootic Diseases Amendment Regulations 1983</i>	12 Aug 1983 p. 2957-8	1 Nov 1983 (see r. 2)
<i>Enzootic Diseases Amendment Regulations (No. 2) 1984</i>	20 Jan 1984 p. 180	20 Jan 1984
<i>Enzootic Diseases Amendment Regulations 1984</i>	3 Feb 1984 p. 330	3 Feb 1984
<i>Enzootic Diseases Amendment Regulations (No. 3) 1984</i>	6 Jul 1984 p. 2056	6 Jul 1984
<i>Enzootic Diseases Amendment Regulations (No. 4) 1984</i>	20 Jul 1984 p. 2197	20 Jul 1984
<i>Enzootic Diseases Amendment Regulations (No. 5) 1984</i>	2 Nov 1984 p. 3552-60	2 Dec 1984 (see r. 2)
<i>Enzootic Diseases Amendment Regulations (No. 6) 1984</i>	2 Nov 1984 p. 3560	2 Nov 1984
<i>Enzootic Diseases Amendment Regulations (No. 7) 1984</i>	7 Dec 1984 p. 4082	7 Dec 1984
<i>Enzootic Diseases Amendment Regulations (No. 2) 1985</i>	31 May 1985 p. 1905-6	31 May 1985 (see r. 2 and <i>Gazette</i> 31 May 1985 p. 1906)
<i>Enzootic Diseases Amendment Regulations 1985</i>	28 Jun 1985 p. 2370-1 (erratum 9 Aug 1985 p. 2890)	1 Jul 1985 (see r. 2)
<i>Enzootic Diseases Amendment Regulations (No. 4) 1985</i>	15 Nov 1985 p. 4345	15 Nov 1985
<i>Enzootic Diseases Amendment Regulations (No. 3) 1985</i>	29 Nov 1985 p. 4504	29 Nov 1985
<i>Enzootic Diseases Amendment Regulations (No. 5) 1985</i>	29 Nov 1985 p. 4504	29 Nov 1985
<i>Enzootic Diseases Amendment Regulations 1986</i>	7 Feb 1986 p. 462	7 Feb 1986
<i>Enzootic Diseases Amendment Regulations (No. 4) 1986</i>	27 Jun 1986 p. 2222-3	1 Jul 1986 (see r. 2)
<i>Enzootic Diseases Amendment Regulations (No. 3) 1986</i>	25 Jul 1986 p. 2488-93	25 Jul 1986

Citation	Gazettal	Commencement
<i>Enzootic Diseases Amendment Regulations (No. 2) 1986</i>	1 Aug 1986 p. 2771-2 (erratum 8 Aug 1986 p. 2872)	1 Aug 1986
<i>Enzootic Diseases Amendment Regulations (No. 5) 1986</i>	8 Aug 1986 p. 2871-2	8 Aug 1986
<i>Enzootic Diseases Amendment Regulations (No. 6) 1986</i>	22 Aug 1986 p. 3009	22 Aug 1986
<i>Enzootic Diseases Amendment Regulations (No. 7) 1986</i>	31 Oct 1986 p. 4103-4	31 Oct 1986
<i>Enzootic Diseases Amendment Regulations (No. 8) 1986</i>	19 Dec 1986 p. 4941-2	19 Dec 1986
<i>Enzootic Diseases Amendment Regulations 1987</i>	3 Apr 1987 p. 1265	3 Apr 1987
<i>Enzootic Diseases Amendment Regulations (No. 3) 1987</i>	7 Aug 1987 p. 3126-7	7 Aug 1987
<i>Enzootic Diseases Amendment Regulations (No. 2) 1987</i>	16 Oct 1987 p. 3923-4	16 Oct 1987
<i>Enzootic Diseases Amendment Regulations (No. 4) 1987</i>	16 Oct 1987 p. 3924	16 Oct 1987
<i>Enzootic Diseases Amendment Regulations (No. 5) 1987</i>	30 Oct 1987 p. 4051-2	1 Nov 1987 (see r. 2)
<i>Enzootic Diseases Amendment Regulations 1988</i>	8 Jul 1988 p. 2418	8 Jul 1988
<i>Enzootic Diseases Amendment Regulations (No. 2) 1988</i>	14 Oct 1988 p. 4206-8	14 Oct 1988
<i>Enzootic Diseases Amendment Regulations 1989</i>	31 Mar 1989 p. 875-9	31 Mar 1989
<b>Reprint of the <i>Enzootic Diseases Regulations 1970</i> as at 21 Mar 1989</b> published in <i>Gazette</i> 7 Apr 1989 p. 945-1012 (includes amendments listed above except those in the <i>Enzootic Diseases Amendment Regulations 1989</i> )		
<i>Enzootic Diseases Amendment Regulations (No. 2) 1989</i>	30 Jun 1989 p. 1994	1 Jul 1989 (see r. 2)
<i>Enzootic Diseases Amendment Regulations (No. 3) 1989</i>	20 Oct 1989 p. 3868	20 Oct 1989
<i>Enzootic Diseases Amendment Regulations 1990</i>	22 Jun 1990 p. 3028	22 Jun 1990

<b>Citation</b>	<b>Gazettal</b>	<b>Commencement</b>
<i>Stock Diseases Amendment Regulations 1990 Pt. 2</i>	3 Aug 1990 p. 3670-1	3 Aug 1990
<i>Enzootic Diseases Amendment Regulations (No. 2) 1990</i>	21 Dec 1990 p. 6218	21 Dec 1990
<i>Enzootic Diseases Amendment Regulations 1991</i>	20 Sep 1991 p. 4857	20 Sep 1991
<i>Stock Diseases Amendment Regulations 1991 Pt. 2</i>	18 Oct 1991 p. 5312-14	18 Oct 1991
<i>Stock Diseases Amendment Regulations 1992 Pt. 2</i>	24 Jul 1992 p. 3604-6	24 Jul 1992
<i>Enzootic Diseases Amendment Regulations 1992</i>	18 Sep 1992 p. 4665-6	18 Sep 1992
<i>Enzootic Diseases Amendment Regulations (No. 3) 1992</i>	15 Dec 1992 p. 6016	15 Dec 1992
<i>Stock Diseases Amendment Regulations 1993 Pt. 2</i>	17 Sep 1993 p. 5048-50	17 Sep 1993
<i>Enzootic Diseases Amendment Regulations 1994</i>	24 Jun 1994 p. 2834-5	1 Jul 1994 (see r. 2)
<i>Enzootic Diseases Amendment Regulations (No. 3) 1994</i>	2 Sep 1994 p. 4519-21	2 Sep 1994
<i>Enzootic Diseases Amendment Regulations 1995</i>	21 Jul 1995 p. 3064-5	21 Jul 1995
<i>Enzootic Diseases Amendment Regulations 1996</i>	3 Sep 1996 p. 4377-8	4 Sep 1996 (see r. 2)
<i>Enzootic Diseases Amendment Regulations (No. 2) 1996</i>	10 Dec 1996 p. 6873-5	10 Dec 1996
<i>Enzootic Diseases Amendment Regulations 1997</i>	4 Mar 1997 p. 1356-65	4 Mar 1997
<i>Enzootic Diseases Amendment Regulations (No. 2) 1997</i>	19 Aug 1997 p. 4718-19	19 Aug 1997
<i>Miscellaneous Amendments Regulations 1997 r. 2</i>	6 Jan 1998 p. 33	6 Jan 1998
<i>Enzootic Diseases Amendment Regulations 1998</i>	23 Jun 1998 p. 3311-13	1 Jul 1998 (see r. 2)
<i>Enzootic Diseases Amendment Regulations (No. 2) 1998</i>	13 Nov 1998 p. 6201-5	13 Nov 1998
<i>Enzootic Diseases Amendment Regulations (No. 2) 1999</i>	22 Jun 1999 p. 2672-4	1 Jul 1999 (see r. 2)

<b>Citation</b>	<b>Gazettal</b>	<b>Commencement</b>
<b>Reprint of the <i>Enzootic Diseases Regulations 1970</i> as at 13 Aug 1999</b> (includes amendments listed above)		
<i>Enzootic Diseases Amendment Regulations 1999</i>	17 Dec 1999 p. 6176-86	1 Jan 2000 (see r. 2 and <i>Gazette</i> 17 Dec 1999 p. 6199)
<i>Enzootic Diseases Amendment Regulations 2000</i>	20 Jun 2000 p. 3002-4	1 Jul 2000 (see r. 2)
<i>Enzootic Diseases Amendment Regulations (No. 2) 2002</i>	28 Jun 2002 p. 3048-50	1 Jul 2002 (see r. 2)
<i>Enzootic Diseases Amendment Regulations (No. 3) 2002</i>	10 Dec 2002 p. 5743-7	10 Dec 2002
<i>Enzootic Diseases Amendment Regulations 2003</i>	17 Jun 2003 p. 2206-8	1 Jul 2003 (see r. 2)
<i>Enzootic Diseases Amendment Regulations 2004</i>	18 May 2004 p. 1567-9	1 Jul 2004 (see r. 2)
<i>Enzootic Diseases Amendment Regulations (No. 4) 2005</i>	31 May 2005 p. 2401-3	1 Jul 2005 (see r. 2)
<i>Enzootic Diseases Amendment Regulations 2005</i>	31 May 2005 p. 2404-6	31 May 2005
<i>Enzootic Diseases Amendment Regulations (No. 6) 2005</i>	14 Jun 2005 p. 2587-97	14 Jun 2005
<i>Enzootic Diseases Amendment Regulations (No. 2) 2005</i>	14 Jun 2005 p. 2597-609	14 Jun 2005
<i>Enzootic Diseases Amendment Regulations (No. 3) 2005</i>	14 Jun 2005 p. 2609-19	1 Jul 2005 (see r. 2)
<b>Reprint 4: The <i>Enzootic Diseases Regulations 1970</i> as at 28 Oct 2005</b> (includes amendments listed above)		
<i>Enzootic Diseases Amendment Regulations (No. 2) 2006</i>	16 Jun 2006 p. 2114-15	1 Jul 2006 (see r. 2)
<i>Enzootic Diseases Amendment Regulations 2006</i>	19 Sep 2006 p. 3725-84	19 Sep 2006
<i>Enzootic Diseases Amendment Regulations 2007</i>	15 Jun 2007 p. 2759-61	r. 1 and 2: 15 Jun 2007 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2007 (see r. 2(b))
<i>Enzootic Diseases Amendment Regulations 2008</i>	11 Mar 2008 p. 815	r. 1 and 2: 11 Mar 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 12 Mar 2008 (see r. 2(b))

<b>Citation</b>	<b>Gazettal</b>	<b>Commencement</b>
<i>Enzootic Diseases Amendment Regulations (No. 2) 2008</i>	29 Apr 2008 p. 1571-4	r. 1 and 2: 29 Apr 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 30 Apr 2008 (see r. 2(b))
<i>Enzootic Diseases Amendment Regulations (No. 4) 2008</i>	20 May 2008 p. 1937-8	r. 1 and 2: 20 May 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2008 (see r. 2(b))
<i>Enzootic Diseases Amendment Regulations (No. 3) 2008</i>	23 May 2008 p. 1987-91	r. 1 and 2: 23 May 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 24 May 2008 (see r. 2(b))
<b>Reprint 5: The Enzootic Diseases Regulations 1970 as at 15 Aug 2008</b> (includes amendments listed above)		
<i>Enzootic Diseases Amendment Regulations 2009</i>	23 Jun 2009 p. 2424-9	r. 1 and 2: 23 Jun 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 24 Jun 2009 (see r. 2(b))
<i>Enzootic Diseases Amendment Regulations (No. 2) 2009</i>	26 Jun 2009 p. 2613-16	r. 1 and 2: 26 Jun 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2009 (see r. 2(b))
<i>Enzootic Diseases Amendment Regulations 2010</i>	30 Jun 2010 p. 3111-13	r. 1 and 2: 30 Jun 2010 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2010 (see r. 2(b))
<i>Enzootic Diseases Amendment Regulations 2011</i>	15 Apr 2011 p. 1399-1412	r. 1 and 2: 15 Apr 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 16 Apr 2011 (see r. 2(b))
<i>Enzootic Diseases Amendment Regulations (No. 2) 2011</i>	3 Jun 2011 p. 1975-6	r. 1 and 2: 3 Jun 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 4 Jun 2011 (see r. 2(b))
<i>Enzootic Diseases Amendment Regulations (No. 3) 2011</i>	30 Jun 2011 p. 2683-5	r. 1 and 2: 30 Jun 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2011 (see r. 2(b))
<i>Enzootic Diseases Amendment Regulations (No. 4) 2011</i>	22 Jul 2011 p. 3007-12	r. 1 and 2: 22 Jul 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 23 Jul 2011 (see r. 2(b))

Citation	Gazettal	Commencement
<i>Enzootic Diseases Amendment Regulations 2012</i>	19 Jun 2012 p. 2635-6	r. 1 and 2: 19 Jun 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2012 (see r. 2(b))

**Reprint 6: The Enzootic Diseases Regulations 1970 as at 6 Jul 2012** (includes amendments listed above)

[These regulations were repealed by the Biosecurity and Agriculture Management \(Identification and Movement of Stock and Apiaries\) Regulations 2013 r. 213\(b\) as at 1 May 2013 \(see r. 2\(b\) and Gazette 5 Feb 2013 p. 823\)](#)

- <sup>2</sup> Under the *Alteration of Statutory Designations Order 2006* a reference in any law to the Department of Agriculture is, unless the contrary is intended, to be read and construed as a reference to the Department of Agriculture and Food.
- <sup>3</sup> Now a city.
- <sup>4</sup> [The Biosecurity and Agriculture Management \(Identification and Movement of Stock and Apiaries\) Regulations 2013 Pt. 11 Div. 2 reads as follows:](#)

## **Part 11 — Repeal of regulations and transitional provisions**

### **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.



