



Western Australia

Artificial Breeding of Stock Act 1965

# **Artificial Breeding (Cattle) Regulations 1978**

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## Artificial Breeding (Cattle) Regulations 1978

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**Defined Terms**

## Artificial Breeding (Cattle) Regulations 1978

### Part I — Preliminary

**1. Citation**

These regulations may be cited as the *Artificial Breeding (Cattle) Regulations 1978*<sup>1</sup>.

[2. Deleted in Gazette 16 Oct 1987 p. 3925.]

**3. Terms used in these regulations**

In these regulations, unless the contrary intention appears —  
**cattle** means a bull, cow, ox, steer, heifer or calf of the bovine genus;

**collection**, in relation to semen, means a quantity collected at any one time;

**container** means —

- (a) in the case of frozen semen; straw, ampoule or pellet; and
- (b) in the case of chilled or variable temperature semen; test tube or similar vessel;

**processing**, in relation to semen, means any procedure used in the preparation of collected semen before final use in insemination;

**stock** means any goats, horses, cattle, sheep or pigs and includes poultry of all kinds and such other animals of any kind of

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species that the Governor proclaims to be stock for the purposes of the Act;

*the Act* means the *Artificial Breeding of Stock Act 1965* as amended from time to time.

*[Regulation 3 amended in Gazette 16 Oct 1987 p. 3925.]*

**3A. Prescribed stock**

Cattle are a prescribed species of stock for the purposes of —

- (a) paragraph (b) of the definition of “artificial breeding” in section 4 of the Act; and
- (b) section 5B(3) of the Act.

*[Regulation 3A inserted in Gazette 16 Oct 1987 p. 3925.]*

**4. Forms**

- (1) The several forms set out in the First Schedule are the forms prescribed for the respective purposes therein appearing.
- (2) Where a form prescribed by these regulations requires completion by the insertion of particulars or other matters referred to in the form, those particulars or other matters are prescribed as those required by these regulations.
- (3) A form prescribed by these regulations and containing any directions for its completion, shall be completed in accordance with those directions.

**5. Fees**

- (1) Every application for the issue, renewal, transfer or variation of a licence or an application for a certificate of competency shall be accompanied by the fee prescribed in subregulation (2).
- (2) The following fees are payable in respect of the matters listed below —
  - (a) for the issue or renewal of a licence for the collection and processing of semen for



- |     |  |          |
|-----|--|----------|
|     | general sale or use .....  | \$652.00 |
| (b) | for the issue or renewal of a licence for storage and sale of semen .....  | \$435.00 |
| (c) | for the issue or renewal of a licence for the transplanting of ova and processes of production, handling, fertilisation, implantation and storage of ova for general sale or use ..... | \$652.00 |
| (d) | for the transfer or variation of a licence .....   | \$109.00 |
| (e) | for an application for a certificate of competency —   |          |
|     | (i) in respect of the class of herdsman-inseminator .....  | \$66.00  |
|     | (ii) in respect of any other class .....   | \$435.00 |

*[Regulation 5 amended in Gazette 18 Jul 1980 p. 2436; 28 Aug 1981 p. 3591; 12 Aug 1983 p. 2956; 3 May 1985 p. 1590; 27 Jun 1986 p. 2221; 30 Oct 1987 p. 4050; 14 Oct 1988 p. 4205; 17 Aug 1990 p. 4067-8; 18 Oct 1991 p. 5310; 24 Jul 1992 p. 3602; 17 Sep 1993 p. 5042-3; 24 Jun 1994 p. 2831-2; 21 Jul 1995 p. 3060; 3 Sep 1996 p. 4370-1; 19 Aug 1997 p. 4715; 23 Jun 1998 p. 3316; 20 Jun 2000 p. 3008; 5 Jun 2001 p. 2844; 15 Jun 2007 p. 2753-4; 20 May 2008 p. 1935-6.]*

**6. Condition for issue of licences**

It is a condition of any licence issued pursuant to Part II which includes one or more of the following: collection, dilution, examination, chilling, freezing and processing of semen, that a veterinary surgeon or a person who is the holder of a certificate of competency for these procedures issued by the authority of the Minister be continuously employed on the premises and be responsible for the conduct of the licence in accordance with these regulations.

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**Division 1** Premises licensed for the collection and processing of semen for general sale or use

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**Part II — Licensed premises**

**Division 1 — Premises licensed for the collection and processing of semen for general sale or use**

**7. Licensed premises**

- (1) A licence for the collection and processing of semen for general sale or use shall not be issued unless the premises to which the licence applies are provided with —
  - (a) fences and gateways constructed in accordance with the provisions of subregulation (2), so as to prevent the transmission of disease to stock on the premises, and prevent the unauthorised movement of stock onto, within or out of the premises;
  - (b) a quarantine area so situated that drainage or effluent cannot flow onto or escape from that area to any other part of the premises to which stock have access; and
  - (c) a hospital area for the housing, diagnosis and treatment of intercurrent diseases of stock which have been admitted to the premises.
- (2) For the purposes of subregulation (1), licensed premises shall comprise —
  - (a) a fence surrounding the boundary of the premises;
  - (b) a fence so erected that —
    - (i) no part of it is within 3 metres of the boundary fence; and
    - (ii) it will prevent the unauthorised access of animals on the premises to the boundary fence or any gateway which is part of the boundary fence;
  - (c) a post and rail fence of not less than 1.5 metres in height surrounding the quarantine area on the premises with a gate or gates that are capable of being securely fastened; and

- (d) a fence that will prevent the unauthorised approach of any stock on the premises to within 6 metres of the quarantine area.

**8. Movement of stock into and out of licensed premises**

- (1) A person shall not, except with the approval of the Chief Veterinary Surgeon, move stock into or out of the quarantine area.
- (2) Subject to these regulations, a person shall not permit any animals, other than cattle, horses or dogs, to enter or remain upon licensed premises.

**9. Movement of horses on premises**

- (1) A person shall not permit a horse to enter, or remain upon the premises, unless the horse has, within the 30 days immediately prior to its entry, been tested for brucellosis and leptospirosis, by a veterinary surgeon and has given negative result to those tests.
- (2) A horse admitted to the premises pursuant to subregulation (1) shall, forthwith after entry, be placed in the quarantine area and a person shall not permit it to be removed therefrom until it has been tested again by a veterinary surgeon, for the diseases referred to in subregulation (1), and has given negative result to those tests.

**10. Entry of bulls on premises**

- (1) A person shall not permit a bull to enter or remain upon the premises, unless the bull has, within the 30 days immediately prior to its entry, been examined clinically and tested in isolation by a veterinary surgeon for —
  - (a) tuberculosis; using the single intradermal (caudal fold) test, with negative results;

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- (b) brucellosis; using the Complement Fixation Test, by warm fixation and doubling serum dilution from 1 in 4 to 1 in 128 inclusive, with negative results;
  - (c) leptospirosis; using the agglutination-lysis test, for *L. pomona* and *L. hardjo* with negative results;
  - (d) vibriosis; by examination of preputial scrapings by culture and immunofluorescence, with negative results;
  - (e) trichomoniasis; by examination of preputial scrapings by culture, with negative results and found to be free of trichomoniasis;
  - (f) evidence of infectious or contagious disease; and
  - (g) hereditary defects as listed in the Second Schedule, including testing for mannosidosis of bulls of susceptible breeds.
- (2) in the case of a sexually mature bull, in addition to compliance with the provisions of subregulation (1) —
- (a) a semen examination shall be performed, with satisfactory results as to sperm morphology, density, motility, and freedom from the presence of inflammatory products; and
  - (b) seminal plasma shall be subjected to a brucellosis agglutination test, with negative results.
- (3) Notwithstanding anything in subregulation (1) bulls under the age of 5 months which are sexually immature may be permitted to enter and remain upon the premises without being tested for vibriosis and trichomoniasis, but shall be subjected to those tests at the age of 10 months, and prior to the first collection of semen.
- (4) A veterinary surgeon examining a bull shall certify —
- (a) that he has found no evidence of any infectious or contagious disease, or hereditary defect as listed in the Second Schedule; and

- (b) that the results to the tests performed pursuant to subregulation (1)(a), (b), (c), (d) and (e) are negative.

**11. Tests for bulls in quarantine area**

- (1) A bull qualified to enter and remain on the premises pursuant to regulation 10 shall, forthwith after entry, be placed in the quarantine area, and shall not be removed unless it has again been tested by a veterinary surgeon for —
  - (a) tuberculosis; using the single intradermal (caudal fold) test not earlier than 8 weeks after the introductory test, with negative results;
  - (b) brucellosis; according to the procedure set out in regulation 10(1)(b) not earlier than 8 weeks after the introductory test, with negative results;
  - (c) leptospirosis; according to the procedure set out in regulation 10(1)(c) not earlier than 8 weeks after the introductory test, with negative results; and
  - (d) subject to subregulation (2), vibriosis and trichomoniasis; according to the procedures set out in paragraphs (d) and (e), respectively, of regulation 10(1) on 4 occasions at weekly intervals, with negative results.
- (2) The provisions of subregulation (1)(d) shall not apply in the case of bulls admitted in accordance with regulation 10(3).
- (3) All bulls shall be subjected to an approved course of treatment with streptomycin after the completion of the final testing for vibriosis and trichomoniasis.
- (4) Where a bull gives positive results to testing for leptospirosis, it may be accepted if additional tests after treatment with streptomycin show a stable or falling titre.
- (5) A veterinary surgeon examining a bull shall, on completion of the tests referred to in subregulation (1), certify that the results to those tests are negative.

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**12. Semen not to be collected from bulls in quarantine**

Semen shall not be collected for sale from a bull while it is being held in a quarantine area pursuant to these regulations.

**13. Entry of steers on premises**

- (1) A person shall not permit a steer to enter or remain upon the premises unless —
  - (a) the steer has been castrated before the age of 5 months; and
  - (b) within 30 days prior to entry the steer was examined by a veterinary surgeon whilst held in isolation, in accordance with the provisions of subregulation (2).
- (2) A veterinary surgeon examining a steer shall certify —
  - (a) that he has found no evidence of any infectious or contagious disease; and
  - (b) that the results to tests performed for tuberculosis, brucellosis and leptospirosis according to the provisions of regulation 10(1)(a), (b) and (c) are negative.

**14. Tests of steers in quarantine**

- (1) A steer qualified to enter premises pursuant to regulation 13 shall forthwith after entry be placed in the quarantine area and shall not be removed unless it has again been tested by a veterinary surgeon for tuberculosis, brucellosis and leptospirosis according to the provisions of regulation 11(1)(a), (b) and (c), with negative results.
- (2) A veterinary surgeon testing a steer shall on completion of the tests referred to in subregulation (1), certify that the results to those tests are negative.

**15. Entry of cows and heifers on premises**

- (1) A person shall not permit a cow or heifer to enter or remain upon the premises unless it has within the 30 days immediately

prior to its entry been clinically examined and tested in isolation by a veterinary surgeon in accordance with the provisions of subregulation (2).

- (2) A veterinary surgeon examining a cow or heifer shall certify that —
- (a) he has found no evidence of infectious or contagious disease;
  - (b) he has tested the animal for tuberculosis, brucellosis and leptospirosis according to the provisions of regulation 10(1)(a), (b) and (c) with negative results;
  - (c) vaginal mucous was collected and submitted to agglutination and cultural tests for vibriosis with negative results; and
  - (d) vaginal mucous was collected and cultured for evidence of trichomoniasis with negative results.

**16. Tests for cows and heifers in quarantine**

- (1) A cow, or heifer, that is qualified to enter premises pursuant to regulation 15 shall, forthwith after entry, be placed in the quarantine area and shall not be removed until it has again been tested by a veterinary surgeon for —
- (a) tuberculosis, brucellosis and leptospirosis; according to the provisions of regulation 11(1)(a), (b) and (c), with negative results;
  - (b) vibriosis; by examination of vaginal mucous by agglutination and culture, on 4 occasions at weekly intervals, with negative results; and
  - (c) trichomoniasis; by cultural examination of vaginal mucous, on 4 occasions at weekly intervals, with negative results.
- (2) A veterinary surgeon testing a cow or heifer shall on completion of the tests referred to in subregulation (1), certify that the results of those tests are negative.

**Artificial Breeding (Cattle) Regulations 1978****Part II** Licensed premises**Division 1** Premises licensed for the collection and processing of semen for general sale or use**r. 17****17. Testing of stock after release from quarantine area**

- (1) Any stock which have been removed from the quarantine area after completion of negative tests and are retained on the premises shall be checked for the diseases, in accordance with the procedures (if any) at such time intervals as are specified in the following table —

<b>Stock</b>	<b>Disease, procedure and result</b>	<b>Frequency</b>
1. Horses.	(a) Brucellosis with negative results.	Not less than once in every 12 months.
	(b) Leptospirosis with negative results.	Not less than once in every 12 months.
2. Bulls.	(a) Tuberculin test with negative results.	Not less than once in every 12 months.
	(b) Brucellosis — complement fixation test with negative results.	Not less than once in every 12 months.
	(c) Leptospirosis — with results satisfactory to the Chief Veterinary Surgeon.	Not less than once in every 12 months.
	(d) Examination by culture and immunofluorescence of preputial scrapings for vibriosis infection, with negative results.	Not less than once in every 12 months.
	(e) Examination by culture of preputial scrapings, for trichomoniasis infection with negative results.	Not less than once in every 12 months.
3. Steers.	(a) Tuberculin test with negative results.	Not less than once in every 12 months.
	(b) Leptospirosis — with results satisfactory to the Chief Veterinary Surgeon.	Not less than once in every 12 months.
4. Cows and heifers.	(a) Tuberculin test with negative results.	Not less than once in every 12 months.



<b>Stock</b>	<b>Disease, procedure and result</b>	<b>Frequency</b>
	(b) Brucellosis — complement fixation test, with negative results.	Not less than once in every 12 months.
	(c) Leptospirosis — with results satisfactory to the Chief Veterinary Surgeon.	Not less than once in every 12 months.
	(d) Examination by culture and mucous agglutination tests of vaginal mucous for vibriosis, with negative results.	Not less than once in every 3 months.
	(e) Examination by culture of vaginal mucous for trichomoniasis with negative results.	Not less than once in every 3 months.

- (2) Notwithstanding anything in subregulation (1), the Chief Veterinary Surgeon may require any stock referred to in subregulation (1), to be tested or treated in such manner and at such times as he may direct.

**18. Records to be kept by licensee**

- (1) The licensee of premises under this Division shall keep records on the premises with respect to every horse and head of cattle that has at any time entered the premises, containing details of —
- (a) the date or dates of the entry of the animal to, and its departure from the premises;
  - (b) the particulars and dates of any tests or treatment for disease to which the animal is, or has been, subject; and
  - (c) the identity of the animal.
- (2) Notwithstanding anything in subregulation (1), where the animal is a bull, the records shall provide details of the date or

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dates of entry, name, breed, herd book registration number, tattoo mark (if any) and the date of birth.

**19. Annual report**

The licensee shall submit to the Chief Veterinary Surgeon a report comprising of a certificate in the form of Form 11 in the First Schedule by the end of January of each year.

**20. Collection of semen**

- (1) Semen shall be collected by means of an artificial vagina or by electrical stimulation and not otherwise.
- (2) A cow or heifer shall not be used as a decoy during the process of collecting semen, unless the cow or heifer is correctly fitted with an approved appliance that will prevent the transmission of bovine venereal disease.

**21. Licensed premises to be properly equipped and maintained**

- (1) All premises licensed under this Division shall be provided with a laboratory equipped with all the necessary equipment for the examination, appraisal, dilution, chilling, freezing, processing and storage of semen.
- (2) All equipment with which semen may come into contact during collection and any procedure referred to in subregulation (1) shall —
  - (a) be effectively cleaned and sterilized before any occasion of its use for that purpose; and
  - (b) not be used on any other premises without the prior consent of the Chief Veterinary Surgeon.

**22. Samples from test bulls not to be introduced into laboratory**

Samples collected from bulls under test pursuant to regulation 10 and regulation 11 and any equipment used in the process shall not be introduced into the laboratory referred to in regulation 21.

**23. Terminal for inseminators to be outside of premises**

Where a terminal for inseminators is associated with the premises, it shall be situated outside the boundary of the licensed premises.

**24. Semen not produced on premises not to be processed thereon**

Only semen produced on premises licensed under this Division shall be processed on those premises.

**25. Vessels to be clearly identified**

- (1) Any vessel used to hold semen between the time of collection and that of storage or packing for sale shall be clearly marked so as to enable the semen it contains to be identified.
- (2) The mark referred to in subregulation (1) shall correspond to the entry in the records kept pursuant to regulation 30.

**26. Semen to be appraised after collection**

- (1) All semen shall, forthwith after collection, be appraised for the concentration, motility and morphology of its content of spermatozoa.
- (2) Semen shall not be diluted, chilled, frozen or processed, unless at the time of its appraisal —
  - (a) it contains a concentration of not less than 500 million spermatozoa per millilitre; and
  - (b) not less than 60% of spermatozoa content is actively motile and morphologically normal.

**27. Storage of semen intended for sale**

Semen found to be suitable for processing pursuant to regulation 26(2) shall, as soon as practicable after appraisal, be diluted and where the semen is intended for sale shall —

- (a) as chilled semen, be chilled to a temperature of between 1°C and 10°C;

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- (b) as frozen semen, be chilled and placed in approved containers and sealed in approved quantities and be frozen to a temperature of  $-75^{\circ}\text{C}$ , or at a lower temperature; and
- (c) as variable temperature semen, be maintained at a temperature not exceeding  $27^{\circ}\text{C}$ .

**28. Sale of frozen semen**

- (1) Semen frozen pursuant to regulation 27(b) shall not be sold unless each container holds not less than 5 million actively motile and morphologically normal spermatozoa after thawing.
- (2) The licensee shall destroy all semen collected in the same collection for freezing, where the semen tested does not comply with the requirements of subregulation (1).

**29. Containers for packing semen to be identified**

Each container in which semen is stored or packed for despatch from the premises shall be colour-coded and shall be clearly and indelibly marked —

- (a) with the date of collection;
- (b) the batch number;
- (c) the licensed premises at which it was collected; and
- (d) the identification and breed of bull from which it was collected.

**30. Licensee to keep records of collected semen**

The licensee shall cause records to be maintained on premises at all times showing —

- (a) with respect to the collection of semen —
  - (i) the identity of the bull from which the semen was collected;
  - (ii) the date of collection and the identity number assigned to such collection and batch of semen;

- (iii) the total quantity collected;
  - (iv) the results of the appraisal, with respect to the concentration, motility and morphology of spermatozoa;
  - (v) the degree to which the semen is diluted and the constituents of the diluent used;
  - (vi) whether the semen is chilled or frozen and the quantity of semen so preserved;
  - (vii) details of the despatch of the collection or any of it for sale; and
  - (viii) details of the disposal of any part of the collection, whether diluted or undiluted that is not otherwise accounted for under subparagraph (vii);
- (b) with respect to the disposal of all semen, whether by rejection, destruction, use for examination, sale or other disposition showing —
- (i) the date of despatch of semen;
  - (ii) the name of the licensed premises or person to whom it was despatched;
  - (iii) the quantities of semen despatched;
  - (iv) the markings made on containers, pursuant to regulation 29, of semen despatched or taken from the premises and, in each case whether it was chilled, or frozen semen;
  - (v) the quantities of semen returned as unused, the name of the person and date; and
  - (vi) the method, date of disposal and particulars of any semen not otherwise accounted for in the records.

**31. Certificate to be attached to despatched semen**

The licensee shall ensure that a certificate is sent with all semen despatched, certifying —

- (a) the origin of the semen;
- (b) the name and address of the premises from which it is despatched; and
- (c) that the semen to which the certificate relates corresponds to the markings identifying it on the container in which it was despatched.

**Division 2 — Premises licensed for the storage and sale of semen**

**32. Licensed premises**

A licence for the storage and sale of semen shall not be issued unless the premises to which the licence applies include —

- (a) facilities approved by the Chief Veterinary Surgeon for the holding or storage of semen; and
- (b) facilities for cleaning and sterilizing of equipment used for storage of semen.

**33. Licensee to keep records**

The licensee of premises under this Division shall keep records showing —

- (a) the date of the receipt and despatch of semen;
- (b) the name of the licensed premises from which semen was received and of the person to whom it was despatched;
- (c) the quantities of semen received and the quantities despatched;
- (d) the markings made on containers, pursuant to regulation 29, of semen received and despatched from the premises and, in each case, whether it was chilled or frozen semen;

- (e) any quantities of semen returned as unused and the name of the person and date;
- (f) the method, date of disposal and particulars of semen not otherwise accounted for in paragraphs (a) to (e) inclusive of this regulation.

**34. Licensee to issue certificate**

The licensee of premises under this Division shall cause a certificate to be sent with all semen despatched, certifying as to —

- (a) the origin of the semen;
- (b) the name and address of the premises from which it is despatched; and
- (c) the identity of the semen by referral to the markings on the container in which it was despatched.

**35. Records**

The licensee shall submit a record of semen receivals and usage in the form of Form 7 in the First Schedule for examination by 31 July and 31 January of each year.

**Division 3 — Premises licensed for the transplanting of ova and processes of production, handling, fertilization, implantation and storage of ova for general sale or use**

**36. Facilities for premises**

A licence for the transplantation of ova and the processes of production, handling, fertilization, implantation and storage of ova for general sale or use shall not be issued unless the premises to which the licence applies are provided with —

- (a) fences of such quality and construction as will prevent unauthorised movement of stock onto, within, or out of the premises, and prevent the transmission of disease to stock on the premises;

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- (b) hospital area for housing, diagnosis and treatment of intercurrent diseases of stock admitted to the premises; and
- (c) all necessary equipment and facilities to carry out the procedures related to the production, fertilization and transplantation of ova.

**37. Use of equipment**

All equipment provided pursuant to regulation 36(c), which may come into contact with semen or ova shall —

- (a) be properly cleaned and sterilized before any occasion of its use; and
- (b) not be used on any premises other than the licensed premises, without the consent of the Chief Veterinary Surgeon.

**38. Introduction of semen onto premises**

- (1) A person shall not introduce semen or permit semen to be introduced onto the premises unless that semen is derived from premises licensed pursuant to Division 1.
- (2) Notwithstanding the provisions of subregulation (1), semen may be introduced if the prior approval of the Chief Veterinary Surgeon is obtained, subject to any conditions that the Chief Veterinary Surgeon may impose.

**39. Entry of bulls onto premises**

A person shall not permit a bull to enter or remain upon the premises unless it has been conveyed directly from premises licensed under Division 1 and has complied with the tests set out in regulation 10 and regulation 11.



**40. Admission of horses onto premises**

A person shall not permit a horse to enter or remain upon the premises unless it has within 30 days immediately prior to entry been tested for brucellosis by a veterinary surgeon and has given negative results to that test.

**41. Entry of cows, heifers and steers onto premises**

(1) A person shall not permit a cow, heifer or steer to enter or remain upon the premises unless the animal has been conveyed —

(a) from a herd which has been declared by the Chief Veterinary Surgeon pursuant to the *Stock Diseases (Regulations) Act 1968* as amended, to be —

(i) accredited brucellosis free; or

(ii) certified brucellosis free;

or

(b) from a herd not under quarantine restrictions in a declared brucellosis free area or provisionally free area pursuant to the *Stock Diseases (Regulations) Act 1968* as amended.

(2) The Chief Veterinary Surgeon may require an animal referred to in subregulation (1) to undergo such other diagnostic tests as he may determine.

**42. Chief Veterinary Surgeon may require animals to be tested and treated**

The Chief Veterinary Surgeon may require any horse or cattle on the premises to be tested and treated for disease in such a manner and at such times as he may specify, and that animal or those animals shall be treated accordingly.

**Artificial Breeding (Cattle) Regulations 1978**

**Part II** Licensed premises

**Division 3** Premises licensed for the transplanting of ova and processes of production, handling, fertilization, implantation and storage of ova for general sale or use

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**43. Tests for animals leaving premises**

A person shall not permit a cow, or heifer or bull to leave the premises unless —

- (a) it has been tested for brucellosis with negative results; or
- (b) a permit to remove has been obtained from the District Inspector, subject to any conditions that the Chief Veterinary Surgeon may make.

**44. Records**

- (1) The licensee of premises under this Division shall cause records to be kept on the premises in respect of every horse and head of cattle that has at any time been on the premises, setting out —
  - (a) individual identification;
  - (b) the date of entry of the animal and its origin;
  - (c) the date of departure of the animal and its destination; and
  - (d) the particulars, dates and results of any tests or treatment for disease to which the animal is, or has been subject.
- (2) The licensee of premises under this Division shall cause to be kept on the premises records showing —
  - (a) the date of receipt of semen;
  - (b) the name of the licensed premises from which semen was received;
  - (c) the markings on each container received;
  - (d) the date on which the semen was used for artificial insemination of cows;
  - (e) the identification of the cows inseminated;
  - (f) the method and date of disposal; and
  - (g) particulars of semen not otherwise accounted for pursuant to this subregulation.

### **Part III — Certificates of competency**

#### **45. Application for certificate of competency**

- (1) A person who seeks to be issued with a certificate of competency shall make an application in the form of Form 5 in the First Schedule.
- (2) A certificate of competency shall be issued to a herdsman-inseminator or an authorised inseminator on the condition that the holder of the certificate of competency annually submits to the Chief Veterinary Surgeon the Inseminator Annual Return of Semen usage and Non-Return Ratios in the form of Form 8 in the First Schedule.

#### **46. Authorised inseminators**

A person who desires to be issued with a certificate of competency as an authorised inseminator shall —

- (a) pass an examination on the theory of artificial insemination conducted by a person or organization approved by the Chief Veterinary Surgeon; or
- (b) show, in the opinion of the Chief Veterinary Surgeon, such knowledge of the theory of artificial insemination of cattle and such practical training in the packing and storing and use of semen, whether demonstrated by practical test or not, as warrants the issue of a certificate.

#### **47. Herdsman-inseminators**

A person who desires to be issued with a certificate of competency as a herdsman-inseminator shall —

- (a) pass an examination on the theory and practice of artificial insemination conducted by a person or organization approved by the Chief Veterinary Surgeon; or
- (b) show, in the opinion of the Chief Veterinary Surgeon, such knowledge of the theory and practice of artificial

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insemination, whether demonstrated by practical test or not, as warrants the issue of a certificate.

**48. Custom collectors**

A person who desires to be issued with a certificate of competency as a custom collector of semen shall satisfy the Chief Veterinary Surgeon that he possesses adequate knowledge of the theory and practice of the collection and processing of semen.

## **Part IV — Inseminators**

### **49. Records**

An authorised inseminator or herdsman-inseminator shall keep a record of all semen received by him from licensed premises for the purpose of the artificial insemination of cows providing details of —

- (a) the address of every licensed premises from which semen is received, the quantities received in each case and the date of each receipt;
- (b) the markings on each container received and whether it contained chilled or frozen semen;
- (c) the date on which the semen or any of it was used for the artificial insemination of cows;
- (d) the identity of, and the name and address of the owner of any cows inseminated; and
- (e) the method, date of disposal and particulars of any semen not used for insemination of cows or otherwise accounted for in accordance with this regulation.

### **50. Records of conception rate**

An authorised inseminator or herdsman-inseminator shall keep records showing the conception rate resulting from the use of semen, identifying the rate in each case with the particulars of the bull from which it appears that the semen was collected.

### **51. Use of semen**

An authorised inseminator or herdsman-inseminator shall not use any semen for the insemination of cows other than semen drawn from a container marked in accordance with the provisions of regulation 29.

**52. Equipment in transport of semen**

An authorised inseminator or herdsman-inseminator shall use for the transport of semen such equipment as will maintain the semen at the respective temperatures prescribed for its storage by regulation 27.

**53. Prevention of transmission of disease**

- (1) An authorised inseminator or herdsman-inseminator when inseminating cows, shall take every precaution necessary to ensure that disease is not transmitted between cows, whether of the same herd or from a different herd.
- (2) A fresh, sterile pipette or sheath shall be used for each insemination and shall be discarded after use.

## Part V — Custom collection of semen

### 54. Processing of semen

A custom collector of semen shall not process semen from a bull for storing unless —

- (a) the animal is resident in a herd which has been declared by the Chief Veterinary Surgeon pursuant to the *Stock Diseases (Regulations) Act 1968* as amended, by notice in writing to be an accredited brucellosis free herd, or a certified brucellosis free herd; or
- (b) the animal is resident in a herd, not under quarantine restrictions in a declared brucellosis free area, or brucellosis provisionally free area, under the provisions of the *Stock Diseases (Regulations) Act 1968* as amended; or
- (c) the approval of the Chief Veterinary Surgeon has been obtained and the bull has been subjected to isolation and tests for brucellosis as required by him; and
- (d) the animal is resident in a herd which has been declared by the Chief Veterinary Surgeon by notice in writing to be accredited tuberculosis free; or
- (e) the animal is resident in a herd not under quarantine restrictions in a declared tuberculosis free area; or
- (f) the animal is resident in a herd not under quarantine restrictions in a declared tuberculosis provisionally free area, and the herd has been tested with negative results not more than 12 months prior to the date of collection and processing; or
- (g) the animal has been isolated for 30 days and then tuberculin tested with negative results prior to the date of collection and processing.

**55. Identification of semen**

The semen shall be processed in ampoules or wine red straws identified by marking “UL — (owner of bull) — (processor) — (bull) — (batch)”.

**56. Certification of doses**

Each batch shall be sample checked and certified that each dose, on thawing contains a concentration of not less than 5 million actively motile and morphologically normal spermatozoa.

**57. Storage of semen in licensed premises**

The semen may be stored at premises licensed for storage and sale provided that it is stored in a vessel containing only such semen and which is clearly identified as such.

**58. Chief Veterinary Surgeon to be notified of collection**

A custom collector shall notify the Chief Veterinary Surgeon of each collection in the form of Form 9 in the First Schedule.



## **Part VI — Importation of semen from other States or parts of the Commonwealth**

**59. Prohibition on importation of bovine semen**

A person shall not, without the written authority of an inspector in the form of Form 10 in the First Schedule, import into this State any bovine semen or accept delivery of such semen, whether personally or by agent.

**60. Importation of semen from licensed premises**

A person shall not import into this State semen that is produced at or introduced directly from premises licensed under legislation controlling artificial breeding of stock in any State or Territory of the Commonwealth, unless it is accompanied by a certificate of identification approved by the Chief Veterinary Surgeon —

- (a) listing the names and breeds of the donor bulls;
- (b) stating the quantity, date of collection and batch number of containers in the consignment; and
- (c) stating that each container holds not less than 5 million actively motile and morphologically normal spermatozoa on thawing.

**61. Additional containers**

Where the requirements of regulation 60(c) are not met, samples additional to those intended to be imported shall be included in the consignment in respect of each collection of semen from each bull —

- (a) where not more than 100 containers are intended to be imported or introduced, an additional 3 containers; or
- (b) where more than 100 containers are intended to be imported or introduced, an additional 3 containers for the first 100, and a further 2 containers for each further 100 or part of 100.

**62. Importation of semen from unlicensed premises**

- (1) A person shall not import into this State semen that is produced at or imported from premises which are not licensed under legislation controlling artificial breeding of stock in a State or Territory of the Commonwealth unless —
- (a) the approval of the Chief Veterinary Surgeon shall be obtained prior to the importation;
  - (b) the semen is accompanied by a certificate from the District Veterinary Officer for the district of the State or Territory from which the semen will be imported certifying —
    - (i) that the donor bull is derived from a herd which is not known to be or suspected of being infected with tuberculosis or brucellosis and in which Johne's disease has not been known or suspected to exist during the 5 years prior to the date of collection; and
    - (ii) that the donor bull prior to collection has been isolated for a period of not less than 60 days prior to being tested with negative results for —
      - (I) tuberculosis, using the single intra-dermal tuberculin test;
      - (II) brucellosis, using the Complement Fixation Test, by warm fixation and doubling serum dilution from 1 in 4 to 1 in 128 inclusive;
      - (III) leptospirosis, using the agglutination-lysis test for *L. pomona*, and *L. hardjo*;
      - (IV) vibriosis, by examination of preputial scrapings by culture and immunofluorescence;
      - (V) trichomoniasis, by examination of preputial scrapings by culture.

- (2) Semen imported pursuant to subregulation (1) shall be —
  - (a) despatched in ampoules or wine red straws marked —  
UL — (owner of bull) — (processor) — (bull) —  
(batch);
  - (b) certified that each batch has been checked and each  
dose, on thawing, contains a concentration of not less  
than 5 million actively motile and morphologically  
normal spermatozoa;
  - (c) used only on cattle in Western Australia owned by the  
person to whom the semen is being consigned.
- (3) Semen imported into the State pursuant to subregulation (1)  
may be stored at licensed premises provided that it is stored in a  
vessel containing only such semen and the vessel is clearly  
identified as such.

**Part VII — Miscellaneous**

**63.        Semen not to be mixed**

A person shall not mix semen of one bull with that of another or mix semen collected on one day with that collected on another.

**64.        Records to be kept for 3 years**

Records required to be kept under these regulations shall not be destroyed, until after a period of 3 years from the date of their being made.

**65.        Penalty**

Every person who by act or omission commits an offence against these regulations shall be liable to a penalty of \$100.

**First Schedule**

**Forms**

**Form 1**

*Artificial Breeding of Stock Act 1965*  
*Artificial Breeding (Cattle) Regulations 1978*

APPLICATION FOR A LICENCE OR  
RENEWAL OF LICENCE

MINISTER FOR AGRICULTURE <sup>2</sup>,  
DEPARTMENT OF AGRICULTURE <sup>3</sup>,  
SOUTH PERTH.

I/We.....  
of .....

hereby apply for —      \* a licence to use the premises for  
   \* the renewal of my/our licence to use the premises  
   described hereunder for the  
         \* collection and processing of semen from cattle for general sale or use  
         with respect to the collection, dilution, examination, chilling, freezing,  
         storing, distribution, sale and use of semen,  
         \* storage and sale of semen from cattle,  
         \* transplantation of ova from cattle and any processes connected with  
         production, handling, fertilization and storage of ova for sale or use.

Fee .....attached.

Address of premises.....

Description of premises.....

Dated this ..... day of ..... 20 .....

.....  
(Signature of Applicant(s))

\* Strike out whichever is not applicable.



**Form 3**

*Artificial Breeding of Stock Act 1965*  
*Artificial Breeding (Cattle) Regulations 1978*

APPLICATION FOR TRANSFER OF LICENCE

MINISTER FOR AGRICULTURE<sup>2</sup>,  
DEPARTMENT OF AGRICULTURE<sup>3</sup>,  
SOUTH PERTH.

I/We.....  
of.....  
being the holder(s) of a licence to use the premises described hereunder, hereby  
apply for the transfer of that licence to.....  
of .....

Address of premises .....  
licensed for the —

- \* collection and processing of semen from cattle for general sale or use;
- \* storage and sale of semen;
- \* transplantation of or from cattle and any processes connected with the  
production, handling, fertilization and storage of ova for sale or use.

Date this ..... day of ..... 20.....

Fee ..... attached.

.....  
Signature of Applicant(s).

.....  
Signature of Transferee(s).

\* Strike out whichever is not applicable.

**Form 4**

*Artificial Breeding of Stock Act 1965*  
*Artificial Breeding (Cattle) Regulations 1978*

**APPLICATION FOR VARIATION OF A LICENCE**

MINISTER FOR AGRICULTURE<sup>2</sup>,  
DEPARTMENT OF AGRICULTURE<sup>3</sup>,  
SOUTH PERTH.

I/We.....  
of.....  
being the holder(s) of a licence in respect of the premises at.....  
.....  
for the purposes of.....  
hereby apply for a variation of the licence so as to authorise the use of the  
premises for.....  
.....

Fee.....attached.

Dated this .....day of ....., 20.....

.....  
Signature of licensee(s).



**Form 5**

*Artificial Breeding of Stock Act 1965*  
*Artificial Breeding (Cattle) Regulations 1978*

**APPLICATION FOR CERTIFICATE OF COMPETENCY**

CHIEF VETERINARY SURGEON,  
DEPARTMENT OF AGRICULTURE <sup>3</sup>,  
SOUTH PERTH.

I.....  
of.....  
hereby apply for —  
\* the issue to me of a certificate of competency as a.....  
.....  
My qualifications are .....  
(Describe and attach evidence of qualifications, if any).

I CERTIFY that the information given above is true and correct.

Dated this ..... day of ..... 20.....

.....  
Signature of Applicant.

Fee .....attached.

- \* Insert appropriate class —
  - Herdsmen-inseminator
  - Authorised inseminator
  - Custom collector of semen
  - Other.

**Form 6**

WESTERN AUSTRALIA

*Artificial Breeding of Stock Act 1965*  
*Artificial Breeding (Cattle) Regulations 1978*

Certificate No..... DEPARTMENT OF AGRICULTURE<sup>3</sup>  
SOUTH PERTH

**CERTIFICATE OF COMPETENCY**

I HEREBY CERTIFY THAT .....  
of .....  
possesses the requisite knowledge and experience as a \*.....  
for the purposes of section 10(1) of the Act, and is hereby authorised to  
.....  
Issued this ..... day of ....., 20.....

.....  
Chief Veterinary Surgeon.

- \* insert appropriate class —  
Herdsman-inseminator  
Authorised inseminator  
Custom collector of semen  
Other.

Form 7

Artificial Breeding of Stock Act 1965  
Artificial Breeding (Cattle) Regulations 1978

Regulation 35

CHIEF VETERINARY SURGEON,  
DEPARTMENT OF AGRICULTURE<sup>3</sup>,  
SOUTH PERTH.

Half Yearly Record of Semen Receivals and Usage

Six months ended \*30th June, 20.....  
31st December, 20.....

Licensed Premises of at

Stock on hand, beginning of period .....

Receivals — (doses)	Beef	Dairy
Bulls at Australian centres		
Bulls at U.K. centres		
Bulls at N.Z. centres		
Bulls at other centres		
Custom collected		

Usage

Distributed to

- Licensed premises in W.A.
- Licensed premises outside W.A.
- Authorised inseminators
- Herdsman-inseminators
- Owner users

Destroyed

Used for other purposes

Stock on hand at end of period .....

Licensee .....

Date .....

**Form 8**

*Artificial Breeding of Stock Act 1965*  
*Artificial Breeding (Cattle) Regulations 1978*

Regulation 45

CHIEF VETERINARY SURGEON,  
DEPARTMENT OF AGRICULTURE <sup>3</sup>,  
SOUTH PERTH.

Inseminator Annual Return of Semen usage and Non-Return Ratios  
(60/90 day)

For year ending 31st December, 20.....  
(to be submitted by 30th April following)

Semen usage

	Doses
Beef semen	
Received	
Used	
1st inseminations	
repeat inseminations	
other purposes or destroyed or returned to licensed premises	
Dairy semen	
Received	
Used	
1st inseminations	
repeat inseminations	
other purposes, destroyed or returned to licensed premises	

Non-return ratio (60/90 day)

<u>Beef</u> semen	_____
<u>Dairy</u> semen	_____
Cattle inseminated	
Beef	_____
Dairy	_____

Authorised/Herdsman Inseminator



**Form 10**

WESTERN AUSTRALIA

*Artificial Breeding of Stock Act 1965*  
*Artificial Breeding (Cattle) Regulations 1978*

PERMIT TO ENTER ANIMAL SEMEN

To the Owner/Agent/Person-in-Charge.....  
The animal semen described below, which arrived at .....  
on the ..... 20..... has been inspected and is  
permitted to enter W.A.

Number of doses	Identification	Name and address of consignor	Name and address of consignee

Inspector.....

Date.....

**Form 11**

WESTERN AUSTRALIA  
*Artificial Breeding of Stock Act 1965*  
*Artificial Breeding (Cattle) Regulations 1978*

Regulation 19

DECLARATION OF STOCK HEALTH WITHIN A LICENSED  
SEMEN PRODUCTION CENTRE

Date .....

CHIEF VETERINARY SURGEON,  
DEPARTMENT OF AGRICULTURE <sup>3</sup>,  
SOUTH PERTH.

I, ....., Veterinary Supervisor to the  
..... Semen Production Centre, certify:

- (a) That I have, within the preceding 14 days, examined all stock within the Centre and found them to be free from evidence of infectious and contagious disease.
- (b) That during the past 12 months no evidence of hereditary disease has been observed in the breeding sires at the Centre nor in stock bred therefrom, with the following exceptions:

Sire	Disease Observed	No. of progeny affected

- (c) That during the 12 months to 31 December ..... no animals have been introduced to the licensed premises except in accordance with the requirements of regulations 8-16.
- (d) That all animals within the licensed premises have been re-tested with negative results, or treated where appropriate, in accordance with the requirements of regulation 17; excepting the following animals for the reasons stated:

Animal	Test Required	Reason for delay

(Signed) .....  
VETERINARY SUPERVISOR.  
(Signed) .....  
LICENSEE.

## **Second Schedule**

[Reg. 10(1)]

### **Category 1.**

Conditions in which the evidence for inheritance is conclusive.

Abnormalities of mesonephric duct development  
Abnormalities of paramesonephric duct development (in female progeny)  
Abortion due to lethal mutation  
Acantholysis, familial  
Anchondroplasia and dwarfism of all types  
Agnathia  
Albinism  
Alopecia  
Ankylosis  
Arthrogryposis and cleft palate  
Ataxia, neonatal with leucodysplasia  
Brain oedema, congenital  
Bulldog Calf  
Cataract  
Cerebellar hypoplasia  
Cerebral hernia  
Chromosomal translocation and other chromosomal abnormalities  
Cleft palate and hair lip  
Coloboma  
Convulsions and ataxia, familial  
Cryptorchidism  
Cystic ovaries (in female progeny)  
Dermal aplasia  
Dropsy, congenital  
Dystocia, high incidence in female progeny



Ectromelia  
Epilepsy  
Epitheliogenesis imperfecta  
Exophthalmos with strabismus  
Gestation, prolonged  
Hermaphroditism  
Hip dysplasia and degenerative arthropathy  
Hydrocephalus  
Hypotrichosis  
Ichthyosis  
Inability to serve, specific defects  
Inguinal hernia  
Libido, primary lack of or reduced  
Lymphatic obstruction  
Mannosidosis (pseudolipidosis)  
Microencephaly  
Muscular hypertrophy, double muscling  
Ocular defects, multiple  
Osteopetrosis  
Ovarian hypoplasia (in female progeny)  
Paresis  
Penis, short  
Periodic Spasticity  
Polydactylism  
Porphyria  
Posterior paralysis  
Probatocephalie (Sheeps Head)  
Prognathism  
Spasms, congenital  
Sperm, specific morphological defects  
Spermiostasis

Spondylarthrosis, deforming  
Syndactylism  
Tail defects  
Tendon contracture, multiple  
Umbilical hernia

**Category 2.**

Conditions in which the evidence for inheritance is not conclusive:

Pendulous prepuce and preputial prolapse  
Penile deviations  
Persistent frenulum of penis  
Spondylitis and other forms of degenerative arthropathy

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**Notes**

<sup>1</sup> This is a compilation of the *Artificial Breeding (Cattle) Regulations 1978* and includes the amendments made by the other written laws referred to in the following table <sup>1a</sup>. The table also contains information about any reprint.

**Compilation table**

<b>Citation</b>	<b>Gazettal</b>	<b>Commencement</b>
<i>Artificial Breeding (Cattle) Regulations 1978</i>	26 Jan 1979 p. 240-58	26 Jan 1979
Untitled regulations	24 Aug 1979 p. 2581	24 Aug 1979
Untitled regulations	18 Jul 1980 p. 2436	1 Aug 1980
<i>Artificial Breeding (Cattle) Amendment Regulations 1981</i>	28 Aug 1981 p. 3591	1 Sep 1981 (see r. 2)
<i>Artificial Breeding (Cattle) Amendment Regulations 1983</i>	12 Aug 1983 p. 2956	1 Sep 1983 (see r. 2)
<i>Artificial Breeding (Cattle) Amendment Regulations 1985</i>	3 May 1985 p. 1590	1 Jul 1985 (see r. 2)
<i>Artificial Breeding of Stock (Fees) Amendment Regulations 1986 Pt. V</i>	27 Jun 1986 p. 2221	1 Jul 1986 (see r. 2)
<i>Artificial Breeding of Stock Amendment Regulations 1987 Pt. II</i>	16 Oct 1987 p. 3925-6	16 Oct 1987
<i>Artificial Breeding of Stock (Fees) Amendment Regulations 1987 Pt. V</i>	30 Oct 1987 p. 4049-50	1 Nov 1987 (see r. 2)
<i>Artificial Breeding of Stock (Fees) Amendment Regulations 1988 Pt. V</i>	14 Oct 1988 p. 4204-5	14 Oct 1988
<i>Artificial Breeding of Stock Amendment Regulations 1990 Pt. 2</i>	17 Aug 1990 p. 4067-9	17 Aug 1990
<i>Artificial Breeding of Stock Amendment Regulations 1991 Pt. 2</i>	18 Oct 1991 p. 5310-12	18 Oct 1991
<i>Artificial Breeding of Stock Amendment Regulations 1992 Pt. 2</i>	24 Jul 1992 p. 3601-4	24 Jul 1992
<i>Artificial Breeding of Stock Amendment Regulations 1993 Pt. 2</i>	17 Sep 1993 p. 5042-4	17 Sep 1993
<i>Artificial Breeding of Stock Amendment Regulations 1994 Pt. 2</i>	24 Jun 1994 p. 2831-3	1 Jul 1994 (see r. 2)
<i>Artificial Breeding of Stock Amendment Regulations 1995 Pt. 2</i>	21 Jul 1995 p. 3059-61	21 Jul 1995

## Artificial Breeding (Cattle) Regulations 1978

Citation	Gazettal	Commencement
<i>Artificial Breeding of Stock Amendment Regulations 1996 Pt. 2</i>	3 Sep 1996 p. 4370-2	4 Sep 1996 (see r. 2)
<i>Artificial Breeding of Stock Amendment Regulations 1997 Pt. 2</i>	19 Aug 1997 p. 4715-17	19 Aug 1997
<i>Artificial Breeding of Stock Amendment Regulations 1998 Pt. 2</i>	23 Jun 1998 p. 3316-17	23 Jun 1998
<b>Reprint of the <i>Artificial Breeding (Cattle) Regulations 1978 as at 25 Feb 2000</i> (includes amendments listed above)</b>		
<i>Artificial Breeding of Stock Amendment Regulations 2000 Pt. 2</i>	20 Jun 2000 p. 3008-10	1 Jul 2000 (see r. 2)
<i>Artificial Breeding of Stock Amendment Regulations 2001 Pt. 2</i>	5 Jun 2001 p. 2843-6	1 Jul 2001 (see r. 2)
<i>Artificial Breeding (Cattle) Amendment Regulations 2007</i>	15 Jun 2007 p. 2753-4	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>Artificial Breeding (Cattle) Amendment Regulations 2008</i>	20 May 2008 p. 1935-6	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))
<b>Reprint 2: The <i>Artificial Breeding (Cattle) Regulations 1978 as at 18 Jul 2008</i> (includes amendments listed above)</b>		

<sup>1a</sup> On the date as at which this compilation was prepared, provisions referred to in the following table had not come into operation and were therefore not included in this compilation. For the text of the provisions see the endnotes referred to in the table.

### Provisions that have not come into operation

Citation	Gazettal	Commencement
<i>Biosecurity and Agriculture Management Regulations 2013</i> r. 137(k) and 138 <sup>4</sup>	5 Feb 2013 p. 465-591	1 May 2013 (see r. 2(b) and <i>Gazette</i> 5 Feb 2013 p. 823)

<sup>2</sup> The designation of Ministers may be altered by the Governor under the *Alterations of Statutory Designations Act 1974*. As at the date of this reprint the former Minister for Agriculture is known as the Minister for Agriculture and Food.

<sup>3</sup> Under the *Alteration of Statutory Designations Order 2006* a reference in any law to the Department of Agriculture is read and construed as a reference to the Department of Agriculture and Food.

<sup>4</sup> On the date as at which this compilation was prepared, the *Biosecurity and Agriculture Management Regulations 2013* r. 137(k) and 138 had not come into operation. They read as follows:

**137. Regulations repealed**

These regulations are repealed:

*Regulations 1982;*

- (k) *Artificial Breeding (Cattle) Regulations 1978;*

**138. Fees and expenses**

On and from the commencement day —

- (a) any fees payable under a regulation repealed under regulation 137 and outstanding on the commencement day are to be regarded as payable under these regulations at the time, and in the manner, in which the fees would have been payable under the repealed regulation and may be recovered accordingly; and
- (b) any expenses recoverable under a regulation repealed under regulation 137 and outstanding on the commencement day may be recovered under regulation 128.

Penalty: a fine of \$10 000.

**Defined Terms**

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**Defined Terms**

*[This is a list of terms defined and the provisions where they are defined.*

*The list is not part of the law.]*

<b>Defined Term</b>	<b>Provision(s)</b>
cattle.....	3
collection.....	3
container.....	3
processing .....	3
stock.....	3
the Act.....	3