

AG304\*

Stock (Identification and Movement) Act 1970

**Stock (Identification and Movement)  
Amendment Regulations 2005**

Made by the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *Stock (Identification and Movement) Amendment Regulations 2005*.

## 2. The regulations amended

The amendments in these regulations are to the *Stock (Identification and Movement) Regulations 1972\**.

[\* Reprinted as at 10 March 2000.

For amendments to 25 May 2005 see *Western Australian Legislation Information Tables for 2004, Table 4, p. 390.*]

## 3. Regulation 4 amended

- (1) Regulation 4(3) is repealed and the following subregulation is inserted instead —

“

- (3) A person must not brand a sheep, goat or camelid by means of an eartag unless —
- (a) the person is, or is acting on behalf of, the owner of the animal; and
  - (b) the colour of the eartag is —
    - (i) if the animal is being branded on the property of birth — approved by the Registrar for the year in which the tag is applied; or
    - (ii) if the animal is being branded on any other property of origin — pink.

”.

- (2) Regulation 4(4) is amended as follows:

- (a) by deleting “Where” and inserting instead —  
“ Subject to subregulation (4a), where ”;
- (b) in paragraph (a) by inserting after “this regulation” —  
“ and regulation 4A ”.

- (3) After regulation 4(4) the following subregulation is inserted —

“

- (4a) Where sheep, goats and camelids are branded by means of an eartag under subregulation (3)(b)(ii) the eartag is to be placed in the right or off ear of a male sheep, goat or camelid and in the left or near ear of a female sheep, goat or camelid.

”.

- (4) After regulation 4(5) the following subregulation is inserted —

“

- (6) In this regulation —  
“**property of origin**”, in relation to a sheep, goat or camelid that is being branded, means a property that has the property identification code specified in the register in relation to the brand.

”.

**4. Regulation 4A inserted**

After regulation 4 the following regulation is inserted —

“

**4A. Manufacture and sale of eartags for identifying sheep, goats and camelids**

(1) In this regulation —

**“approved manufacturer”**, in relation to an eartag, means a manufacturer of an eartag approved under subregulation (2);

**“eartag”** means an eartag for identifying sheep, goats or camelids for the purposes of these regulations.

(2) A person must not manufacture an eartag unless the person is approved by the Registrar.

Penalty: \$5 000.

(3) A person must not sell an eartag unless it has been manufactured by an approved manufacturer.

Penalty: \$5 000.

(4) An approved manufacturer must not sell an eartag unless —

(a) a person has applied to the manufacturer for an eartag that will identify sheep, goats or camelids owned by that person;

(b) the person has given the manufacturer —

(i) his or her full name and postal address; and

(ii) a copy of the registered brand owned by that person;

(c) the manufacturer has confirmed that the registered brand relates to a property where the person keeps the sheep, goats or camelids —

(i) by sighting the brand in an original certificate of registration of a brand under section 23 of the Act in relation to a brand registered for the sheep, goats or camelids;

(ii) by application to the Registrar; or

(iii) by reference to the internet website maintained under regulation 12(4);

(d) the manufacturer has kept a written or electronic record of that confirmation; and

(e) the eartag displays the registered brand.

Penalty: \$5 000.

- (5) An approved manufacturer who sells an eartag must keep a written or electronic record of the confirmation under subregulation (4)(c) for a period of 2 years after the sale of the eartag.  
Penalty: \$5 000.
- (6) The Registrar may request an approved manufacturer to make available to an approved person any record of confirmation kept under subregulation (5) and in that event the approved manufacturer must comply with the request as soon as practicable after the request is made.  
Penalty: \$5 000.

”.

**5. Regulation 11A amended**

Regulation 11A is amended as follows:

- (a) in paragraph (a)(iii) by deleting “tag,” and inserting instead —  
“ tag; ”;
- (b) in paragraph (b) by deleting “referred to in Form No. 7 in Schedule 1.” and inserting instead —  
“ referred to in regulation 20(1a). ”.

**6. Regulation 12 amended**

- (1) Regulation 12(1) is amended by deleting “Form No. 1 in”.
- (2) After regulation 12(3) the following subregulation is inserted —  
“
- (4) The register is to be published on an internet website maintained by or for the Registrar.

”.

**7. Regulation 14 amended**

Regulation 14(1) is amended by deleting “shall be made in the form of Form No. 2 in Schedule 1.” and inserting instead —

“ is to be made in a form approved by the Registrar. ”.

**8. Regulation 15 amended**

Regulation 15 is amended by deleting “shall be in the form of Form No. 3 in Schedule 1.” and inserting instead —

“ is to be in a form approved by the Registrar. ”.

**9. Regulation 17 amended**

Regulation 17(1) is amended by deleting “shall be in the form of Form No. 4 in Schedule 1.” and inserting instead —

“ is to be in a form approved by the Registrar. ”.

**10. Regulation 19 amended**

- (1) Regulation 19(1) is amended by deleting “the form of Form No. 5 in Schedule 1,” and inserting instead —  
“ a form approved by the Registrar, ”.
- (2) Regulation 19(2) is amended by deleting “shall be in the form of Form No. 6 in Schedule 1.” and inserting instead —  
“ is to be in a form approved by the Registrar. ”.

**11. Regulation 20 amended**

- (1) Regulation 20(1a) is repealed and the following subregulation is inserted instead —

“

- (1a) The document must contain —
  - (a) the full name and address, in block letters, of the proprietor and any other person for the time being having custody and control of the stock to be removed;
  - (b) the full name of the person driving or carrying the stock;
  - (c) the signatures of the persons referred to in paragraphs (a) and (b);
  - (d) the full name of the person to whom the stock are consigned;
  - (e) a distinguishing serial number;
  - (f) particulars of the run or other place from which the stock are to be removed;
  - (g) either —
    - (i) the registered brand of the owner of the stock or, if the stock is moved after being sold at a saleyard, the registered brand of the vendor of the stock; or
    - (ii) the property identification code specified in the register in relation to that brand;
  - (h) the total number of the stock;
  - (i) the number of stock of each type referred to in subregulation (2);
  - (j) the breed, sex and age of the stock;
  - (k) except as provided in subregulation (1c), the information required to be recorded under regulation 20C relating to brands and earmarks on the stock;

- (l) if the stock are identified under Part 9 of the *Enzootic Diseases Regulations 1970*, the type of identification and any number on it;
- (m) the destination of the stock; and
- (n) the number plate for each vehicle (if any) in which the stock are to be carried.

”.

- (2) After regulation 20(1b) the following subregulation is inserted —

“

- (1c) The information referred to in regulation 20C(2a) is not required on the document if the information —
- (a) is recorded in some other document; and
  - (b) is provided to an inspector on request.

”.

## 12. Regulation 20C amended

Regulation 20C(1), (2) and (2a) are repealed and the following subregulations are inserted instead —

“

- (1) If stock are branded with the registered brand of the owner of the stock, a person furnishing a waybill or other document in relation to the stock must record that brand.
- (2) If stock are not branded with the registered brand of the owner of the stock, a person furnishing a waybill or other document in relation to stock must record —
- (a) every brand or earmark on the stock; or
  - (b) in the case of cattle, if it is impracticable to record every brand or earmark, the word “various”.
- (2a) A person furnishing a waybill or other document on which the word “various” is recorded under subregulation (2)(b) must record —
- (a) the total number of cattle in respect of which the word “various” is recorded under subregulation (2)(b);
  - (b) the number and description of the cattle that have been identified with a brand or earmark in respect of each of the 4 brands or earmarks with which the greatest number of cattle have been identified; and
  - (c) a description of the 4 brands or earmarks referred to in paragraph (b).

**Example**

If there is a total number of 60 stock to be recorded under paragraph (a), and 20 animals are identified with brand A, 15 animals with earmark B, 10 animals with earmark C, 7 animals with brand D, 5 animals with brand E and 3 animals with earmark F, the information required under paragraph (b) is —

20	(Description of stock)	Brand A
15	(Description of stock)	Earmark B
10	(Description of stock)	Earmark C
7	(Description of stock)	Brand D

”.

**13. Regulation 21 amended**

Regulation 21 is amended by inserting after “these regulations” —

“ except regulation 12 ”.

**14. Schedule 1 amended**

- (1) Schedule 1 is amended by deleting the heading to the Schedule and the heading “Form No. 1” and inserting instead —

“

**Schedule 1 — Form of the register**

[r. 12(1)]

”.

- (2) Schedule 1 Form 1 is amended by deleting the Table to Part A and inserting instead —

“

Reg. no. / Pig tattoo	Brand	Earmark	Date of registration	Expiry of registration	Brand owner's trading name	Postal address of brand owner	Name of run or farm / Property address	Property identification code

”.

- (3) Schedule 1 is amended by deleting Forms 2 to 6.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.