AGRICULTURE AND FOOD

AG301

Biosecurity and Agriculture Management Act 2007

Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Amendment Regulations 2021

SL 2021/204

Made by the Governor in Executive Council.

1.   Citation

These regulations are the *Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Amendment Regulations 2021*.

2.   Commencement

These regulations come into operation as follows —

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

(b)   the rest of the regulations — on 1 January 2022.

3.   Regulations amended

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

4.   Regulations 76 and 77 replaced

Delete regulations 76 and 77 and insert:

76.   Owners must identify cattle and buffalo

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

(a)   if the animal is moved from the property on which it is kept before it reaches 6 months of age and before it is identified in accordance with this regulation — before it is moved; or

(b)   otherwise — before it reaches 6 months of age.

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

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

    (a)   if the animal is moved from the property on which it is kept before it reaches 18 months of age and before it is identified in accordance with this regulation — before it is moved; or

    (b)   otherwise — before it reaches 18 months of age.

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

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

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

        (i)   a brand in accordance with regulation 78;

        (ii)   an earmark in accordance with regulation 79;

    or

    (b)   an approved identifier for cattle or buffalo.

77.   **Exemption for unweaned animals**

It is not necessary for an unweaned animal to be identified in accordance with regulation 76(1)(a) or (2)(a) if it is being moved with its mother from the property on which it is kept to another property with the same relevant PIC.

5.   **Regulation 78 amended**

In regulation 78 delete "regulation 76(5)(a)," and insert:

regulation 76(3)(a)(i),

6.   **Regulation 79 amended**

In regulation 79 delete "regulation 76(5)(b)," and insert:

regulation 76(3)(a)(ii),

7.   **Regulation 80 amended**

In regulation 80:

    (a)   delete "cattle or buffalo" and insert:

an animal

(b)   in paragraph (a) delete "cattle or buffalo, as the case may be; and" and insert:

the animal; and

8.   Regulation 81 amended

In regulation 81(1) delete "bovine".

Note: The heading to amended regulation 81 is to read:
Spayed female animals must be marked

9.   Regulation 120 replaced

Delete regulation 120 and insert:

120.   Owners must identify sheep

(1)   An owner of a sheep that is kept on a property in the south-west of the State must identify the sheep, or cause it to be identified, with an NLIS device or an NLIS tag —

(a)   if the sheep is weaned before it reaches 6 months of age and before it is identified in accordance with this regulation — when it is weaned; or

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

(c)   otherwise — before it reaches 6 months of age.

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

(2)   An owner of a sheep other than a sheep that is kept on a property in the south-west of the State must identify the sheep, or cause it to be identified, with an NLIS device or an NLIS tag —

(a)   if the sheep is moved from the property on which it is kept before it is first shorn and before it is identified in accordance with this regulation — before it is moved; or

(b)   otherwise — when it is first shorn.

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

(3)   Nothing in these regulations prevents an owner of a sheep from applying to it, in addition to an NLIS

device or an NLIS tag, one of the following
identifiers —

    (a)   a registered identifier applied as an earmark in
accordance with regulation 122;

    (b)   an approved identifier for sheep.

10.   Regulation 121 amended

In regulation 121 delete "regulation 120(1)(b), (2)(d), (3)(a)
or (4)(a)" and insert:

regulation 120(1)(b) or (2)(a)

11.   Regulation 122 amended

In regulation 122 delete "regulation 120(5)(b)," and insert:

regulation 120(3)(a),

12.   Regulation 123 amended

In regulation 123(a):

    (a)   delete "animal; or" and insert:

        sheep; or

    (b)   delete "animal;" and insert:

        sheep;

Note: The heading to amended regulation 123 is to read:
    Application of markings: sheep

13.   Regulation 127 amended

In regulation 127(a):

    (a)   delete "animal; or" and insert:

        goat; or

    (b)   delete "animal;" and insert:

        goat;

Note: The heading to amended regulation 127 is to read:
    Application of markings: goat

14.   **Various penalties amended**

In the provisions listed in the Table delete "Penalty:" and insert:

Penalty for this subregulation:

Table

r. 7(1)	r. 10(1)
r. 13(1) and (3)	r. 19(1) and (2)
r. 35(5)	r. 37(1)
r. 38(8)	r. 40(1), (2) and (4)
r. 44(1), (2) and (3)	r. 49(1)
r. 54(1) and (2)	r. 55(1) and (2)
r. 62(1), (2), (3), (4), (5) and (7)	r. 64(1), (2) and (3)
r. 65(1), (2), (4), (5) and (6)	r. 66(2) and (4)
r. 67(1), (2), (3), (4), (5) and (7)	r. 70(7)
r. 72(1)	r. 73(1)
r. 81(1)	r. 84(1)
r. 87(3)	r. 88(1) and (2)
r. 89(1), (2), (3) and (4)	r. 91(2)
r. 92(2)	r. 94(1)
r. 95(1), (2) and (3)	r. 97(1) and (3)
r. 98(2)	r. 100(2)
r. 101(2)	r. 104(1) and (3)
r. 105(2)	r. 108(1), (2) and (3)
r. 109(3), (5) and (6)	r. 110(2)
r. 112(1), (3), (4) and (5)	r. 113(1) and (2)
r. 114(1) and (2)	r. 115(1) and (3)
r. 116(2)	r. 118(1), (3), (4), (5) and (6)
r. 124(1), (2) and (3)	r. 130(1)

r. 133(3)	r. 134(1) and (2)
r. 135(1), (2), (3), (5) and (7)	r. 137(2)
r. 138(3)	r. 140(1)
r. 141(1), (2) and (3)	r. 142(2) and (4)
r. 143(2)	r. 145(1)
r. 146(1)	r. 148(2) and (4)
r. 149(2)	r. 151(1) and (2)
r. 152(1)	r. 153(3) and (5)
r. 154(2)	r. 156(1)
r. 157(1)	r. 158(1), (2) and (4)
r. 159(1)	r. 160(2) and (4)
r. 161(2)	r. 163(1)
r. 164(1), (3) and (5)	r. 165(1), (2) and (3)
r. 181(1), (2) and (3)	r. 190(5)
r. 192(1) and (2)	r. 196(9) and (11)
r. 198(5)	r. 199(1)
r. 200(1) and (3)	r. 201(1) and (3)
r. 206(1)	r. 208(1)
r. 209(1) and (3)	r. 210(1) and (2)
r. 211(1)	

V.MOLAN, Clerk of the Executive Council.