



Queensland

# Stock Legislation Amendment Regulation (No. 1) 2008

## Explanatory Notes for SL 2008 No. 342

made under the

*Stock Act 1915*

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## General outline

### Short title

*Stock Legislation Amendment Regulation (No. 1) 2008.*

### Authorising law

Section 48(1) of the *Stock Act 1915*.

### Policy objectives of the regulation

The objective of the legislation is to extend the National Livestock Identification System (NLIS) under *Stock Identification Regulation 2005* to include permanent identification requirements for pigs and goats.

The legislation is also intended to—

- make consequential amendments under the *Stock Regulation 1988* to provide that a waybill becomes a mandatory requirement for the movement of pigs; and
- remove obligations on selling agents to ensure that cattle and sheep bear a saleyard post-breeder tag before acting in the sale of

these animals and oblige the selling agent to ensure cattle, sheep, pigs and goats bear a saleyard post-breeder tag prior to leaving the saleyard; and

- amend the definition of a registrable place for the Property Identification Code system; and
- authorise the chief inspector to give approval for the manufacture of electronic tags for goats pigs and sheep in addition to cattle; and
- allow goats, pigs and sheep in addition to cattle to be tagged with electronic tags; and
- approve as an approved tag goat tattoos and pig tattoo brands as identification devices for goats and pigs; and
- remove duplicate and spent provisions.

## **Reasons for the regulation**

The Commonwealth and the States agreed to introduce NLIS under a resolution of the Primary Industries Ministerial Council (PIMC) on 2 October 2003. The *Stock Identification Regulation 2005* was introduced to underpin the NLIS in Queensland. It provides critical enhancements to Queensland's animal Biosecurity arrangements through mandatory identification requirements for designated stock. The successful staged implementation of NLIS has provided an effective way of tracing particular movements of stock in the case of disease outbreak.

Resolution 3H of PIMC (19 May 2004) noted that the National Performance Standards designed to demonstrate traceability of cattle could be applied to all Foot and Mouth Disease susceptible species and agreed that they be applied to pigs, goats and camels in due course. There is an industry expectation that the new mandatory identification requirements under NLIS for pigs and goats will commence as soon as possible.

## **How will the policy objectives be achieved**

The policy objectives will be achieved by providing for permanent identification requirements for pigs and goats under NLIS and making minor amendments to provisions relating to sheep and cattle. These

amendments relating to sheep and cattle seek to further enhance the integrity of the NLIS system, while minimising the burden on producers.

### **Consistency with the authorising Act and other legislation**

The amendment regulation is consistent with authorising law.

The amendment regulation is consistent with the policy objectives of other legislation.

### **Possible alternatives to regulation**

An alternative to the legislation is to implement a voluntary, non-legislative system of registration for pigs and goats. This approach would not be consistent with current requirements for the identification of cattle and sheep. A non-legislative approach would also fail to ensure that the integrity of the NLIS is maintained, which would have significant market access implications for industry. National domestic and export meat production standards rely on all slaughtered livestock being able to be traced back through saleyards to their place of production. Lack of disease control and trade embargoes would rapidly result should these standards not be upheld.

### **Consistency with fundamental legislative principles**

The regulatory amendments have sufficient regard to the rights and liberties of individuals and the institution of Parliament, and are consistent with the fundamental legislative principles provided for under the *Legislative Standards Act 1992*.

### **Estimated costs for government implementation**

The additional costs in administering these changes to the *Stock Identification Regulation 2005* are estimated at 1 full time equivalent for an inspector at TO4 level plus all administrative support and on costs—this is approximately \$108,000 yearly.

## **Consultation**

### **Community**

Consultation on implementation of NLIS for pigs and goats has been ongoing via the Queensland NLIS Implementation Committee (QNIC) and the associated stakeholder organisations since July 2005 when the NLIS was formally commenced. At a national level the issues have been discussed and agreed by the NLIS Management Committee for Sheep and Goats, the NLIS Monitoring Committee and the Livestock Identification and Traceability Implementation Taskforce reporting to Primary Industries Ministerial Council.

### **Government**

Safe Food Production Queensland and the Australian Department of Agriculture, Fisheries and Forestry have been consulted on the technical aspects of the regulation and that it is sufficient to meet requirements for traceability for food safety reasons.

The Queensland Office of Regulatory Efficiency (QORE) was consulted on whether or not a Regulatory Impact Statement (RIS) is required for the proposed amendments.

## **Results of consultation**

### **Community**

QNIC has endorsed the amendments as necessary to meet State and national obligations for identification and traceability of goats and pigs. The additional costs on industry are seen as part of normal business dealings. Industry has supported where possible the use of existing systems and technologies to reduce the costs of implementation. Industry has also introduced voluntary systems such as the PigPass that will provide an equivalent system of documentation to the waybill.

### **Government**

As the proposal implements an identification system for pigs and goats that is consistent with the national identification system for these animals, it was argued that a RIS is not required under section

46(1)(g) of the *Statutory Instruments Act 1992*. QORE agreed that a RIS is not required for these amendments.

## Notes on provisions

### Part 1 Preliminary

#### Short title

Clause 1 provides that this regulation may be cited as the *Stock Legislation Amendment Regulation (No. 1) 2008*.

### Part 2 Amendment of Stock Regulation 1988

#### Regulation amended in pt 2

Clause 2 provides that the provisions of this part amend the *Stock Regulation 1988*.

#### **Amendment of s 30 (Non-application of travel permit and waybill requirements (s 23 of the Act))**

Clause 3 adds pigs to the list of animals that are subject to travel permit and waybill requirements prescribed in sections 21 to 22I of the *Stock Act 1915*. This means that the use of a waybill becomes a mandatory requirement for the movement of pigs.



than harvested feral goats whether or not the feral goats become farmed goats, the application of an imprinted ear tattoo. The goat tattoo must identify the place of departure before the first travel journey. Travel documentation must accompany a goat for all travel movements. The intention of the goat tattoo is to accommodate sectors of the goat industry that already use tattoos as an identification mechanism for travel between different properties and stud farms and to shows within the national stud system. For this reason, it will be left to the chief stock inspector to determine the form of a goat tattoo on a case-by-case basis under subsection 27(4). The only approved tags for identifying a harvested feral goat, whether or not it becomes a farmed goat, is a permanent ear tag and therefore a goat that has ever been a feral goat cannot be identified by a goat tattoo.

An approved tag for pigs includes any of the permanent tags listed in section 28(a). Clause 8 allows a person to alternatively apply a pig brand prescribed under the *Brands Act 1915* that is imprinted by way of a tattoo. The pig brand must identify the place of departure. Travel documentation must accompany a pig for all travel movements. The intention of including pig brands as an approved tag is to reduce the impost on industry by accommodating the identification or ownership system already in place under the Brands legislation. Pig ear tags are also introduced so as not to specify whether a breeder or post-breeder tag is required. This reflects the fact that the pig industry does not use different tags for different purposes along the production chain. This does not reduce the ability for pigs to be identified and traced. The pig ear tag must record or show the PIC of the place of departure for the pig.

### **Amendment of s 30 (Obtaining approval to manufacture approved tags)**

Clause 9 extends to provisions of subsection 30(6) to provide that a person may apply to the chief inspector to manufacture electronic tags for all designated stock including cattle, sheep, pigs and goats. It will be left to the chief inspector's discretion under subsection 30(7) to impose conditions or requirements concerning the manufacture of tattoos or brands for goats and pigs respectively.

### **Amendment of s 34 (Prohibition on applying tag other than an approved tag)**

Clause 10 extends provisions of section 34 to pigs and goats to prohibit a person from applying a tag that purports to be an approved tag to pigs and goats unless it is an approved tag.

### **Amendment of s 35 (Restrictions on applying permanent tag)**

Clause 1 amends the provisions of section 35 so that it applies to cattle only. The traceability mechanism for cattle is based around an electronic monitoring system and therefore there is the need for only one permanent tag. However, movements for sheep, goats and pigs are largely traced visually and therefore it may be necessary to apply more than one permanent tag to these animals. For example, for a goat or a pig, it might be the case that a tattoo and an ear tag are affixed to the animal at the same point in time.

### **Amendment of s 36 (Restrictions on removing permanent tag)**

Clause 12 extends the application of subsection 36(2) to include pigs and goats so that a person is prohibited from removing a permanent tag from goats, pigs or sheep unless they meet conditions specified in subsection 36(2).

### **Amendment of s 38 (Requirement to destroy removed permanent tag)**

Clause 13 extends the requirements under section 38 for destroying removed permanent tags to include pigs and goats.

### **Amendment of s 41 (Approval to use different PIC for permanent tags for cattle)**

Clause 14 extends the provisions of section 41 to include pigs, goats and sheep so that the owner of a registered place other than a saleyard may apply to the chief inspector for approval to apply in relation to the place particular permanent tags for cattle, goats, pigs or sheep that show a PIC that is not the PIC of the place. The section prescribes the application requirements.



### **Amendment of s 43 (Operation of pt 4)**

Clause 15 omits reference to part 8 division 1 because the transitional provisions in part 8 division 1 are now spent.

### **Replacement of pt 4, div 3, sdiv 5 (Chief inspectorial approval)**

Clause 16 approval to travel cattle without a particular approved tag and relocates them to part 5C which consolidates the approval provisions for cattle, sheep, pigs and goats.

Subdivision 5 relating to travel approval for cattle is inserted immediately after section 54. The new section 55 provides that if the chief inspector has granted an owner exemption under part 5C from tagging an animal for a movement, then the animal for which the approval is granted need not bear the approved tag under that approval.

### **Replacement of pt 5 (Obligations of owners of travelling sheep)**

Clause 17 replaces the current part 5 relating to obligations of owners of travelling sheep with a new part 5 that prescribes obligations of owners of travelling goats. Obligations relating to travelling sheep have been relocated to part 5B.

Section 56 sets out the operation of division 1. Division 1 imposes obligations on the owners of goats that are to be travelled. Identification requirements are prescribed under division 2 and division 3 provides circumstances in which identification requirements do not apply.

Section 57 sets out how an approved tag must be applied to goats. If the approved tag is an ear tag then it must be securely attached to either of the goats' ears. If the approved tag is a tattoo, it must be imprinted on the inner hairless surface of either ear of the goats.

Section 58 provides that generally, an approved tag must be applied to goats before the relevant travel starts. There are alternate arrangements for the following circumstances—

- if the goats are travelled from a place of origin to a neighbouring holding for the purpose of tagging the goats for further travel from the place of origin, and then within 48 hours after arriving at the neighbouring holding they are further travelled to the final destination, the goats do not have to be tagged for the travel to

the neighbouring holding but must be tagged for travel from the neighbouring holding to the final destination; or

- if the travel begins in another state, the obligation to be tagged under this regulation only arises when the goats enter Queensland. However there may still be identification obligations under the laws of the state of origin.

Section 59 specifies the identification requirements for feral goats that are harvested from one place and are travelled to a different place (the depot) for collection and sorting. If the feral goat is harvested, collected and sorted on the one place, different identification provisions apply under section 63.

The ordinary practice of people who harvest feral goats is to bring the animals to a collection place (depot) where the goats are sorted into those that will be farmed and those that will go to slaughter. A person should be able to make a decision on the destination of the animal within 10 days of arriving at the depot and make appropriate arrangements for tagging when necessary.

Therefore, section 59 provides that a feral goat travelling from the place it is harvested directly to the depot does not need to be tagged. Within 10 days of arrival at the depot, a permanent post breeder tag under section 28 (other than a goat tattoo) must be applied to those harvested goats that are travelled to any place other than an abattoir (e.g. to a farm or saleyard). These are referred to as depot-tagged goats.

The remaining feral goats are allowed to remain untagged at the depot, however they must not be travelled anywhere other than to an abattoir and must be sent directly to an abattoir for slaughter within 30 days of the original arrival at the depot.

If a feral goat is not travelled directly to the depot then for any travel identification requirements under section 58B apply as if the animal is harvested, collected and sorted at the one place and is therefore considered to be a 'farmed goat'.

Section 60 specifies what 'farmed goats' are for the purposes of division 2, subdivision 2 and division 3, subdivision 1. There are 4 types of farmed goats—

- 1 a goat that is the subject of husbandry that has never been a harvested feral goat (a pure farmed goat); and
- 2 a feral goat that becomes a depot-tagged goat under section 59; and

- 3 a feral goat if it is collected and sorted on the same place from which it was harvested, whether or not a permanent tag has been applied to the goat; and
- 4 a feral goat that is harvested at one place and travelled to another place (depot) for collection and sorting and they are not travelled directly to the depot. Section 60 provides that the place for the categories of goats 3 and 4 is referred to as the place of farming.

Section 61 provides that subject to exceptions in division 3, a pure farmed goat must bear either a goat tattoo or a permanent tag if the travel is its first travel from its place of birth. If an ear tag is applied, it must show the PIC of the place of departure. If the place of birth is not registered, the owner must apply a district breeder tag to the goat. If the place of birth is registered, the owner must apply a breeder tag to the goat. For pure farmed goats that are to travel to saleyards or meat processing facilities from their place of birth, an ear tag must be applied, regardless of whether a goat tattoo has been applied or not. This is to assist industry more easily and accurately check compliance with the requirements to identify all animals before their travel to these places. This section does not apply if the place of departure and place of destination have the same PIC.

Section 62 provides that subject to exceptions in division 3 a pure farmed goat must bear either a goat tattoo or a permanent tag for travel other than the first travel from its place of birth. If the place of departure is registered, it must be a post-breeder tag. If the place of departure is not registered it must be a district post-breeder tag. For travel to saleyards or meat processing facilities an ear tag must be applied irrespective of whether or not a tattoo is present. If the means of identification is a permanent tag, it must show the PIC of the place of departure. This section does not apply if the place of departure and place of destination have the same PIC.

Section 63 provides that subject to exceptions in division 3 a feral goat that was harvested, collected and sorted at the same place or harvested at one place and indirectly moved to a depot for collection and sorting (place of farming) must bear a permanent tag (not a goat tattoo) for the first travel from the place of farming. If the place of farming is registered, it must be a breeder tag. If the place of farming is not registered, the owner must apply a district breeder tag to the goat. The ear tag must show the PIC of the place of farming. This section does not apply if the place of farming and place of destination have the same PIC. Goats that were once feral cannot have a tattoo applied as a means of identification.

Section 64 provides that subject to exceptions in division 3 that for the travel of either a depot-tagged goat or a goat that is departing from a place that is not their place of farming or the travel is not their first travel from their place of farming then the goats must bear a permanent ear tag. If the place of departure is registered then this must be a post-breeder tag. If the place of departure is not registered then this must be a district post-breeder tag. This section does not apply if the place of departure and place of destination have the same PIC. This section only applies where the goats did not bear a permanent tag when they arrived at the place of departure or the goats did bear a tag when they arrived at the place of departure but they no longer bear the tag. The tag must show the PIC of the place of departure.

Section 65 provides that the identification requirements in division 2 do not apply to goats to be travelled for sale to a meat processing facility if the place of the departure for the travel is—

- 1 for pure farmed goats—the place of birth of the goats; or
- 2 for farmed goats that were previously feral goats—the place of farming.

For the exception to apply the goats must be travelled directly from the place of departure to the facility and the goats must not be mixed with other goats from the time they leave the place of departure until slaughter at the facility. The travel must be by a load that is at least 1 deck load of goats of the same class for slaughter.

The other circumstance in which a goat may travel directly to a meat processing facility without being tagged is provided under section 59. This is where a feral goat that was harvested on one place and collected at a depot travels direct to slaughter within 30 days of arriving at the depot.

Section 66 allows goats to remain untagged if they are travelling to a neighbouring holding for the purpose of ordinary stock management, and are returned to the place of departure within 48 hours. This is to allow owners to use a neighbour's facilities for activities such as drenching, milking dipping, vaccinating and shearing without needing to tag every goat.

Section 67 allows goats to remain untagged if they are travelling from a holding and then to and from a sporting event if they are returned to the holding within 48 hours of arriving at the event. This exception does not apply if there are goats of the same species from more than one holding at the sporting event.

Section 67A provides that if the chief inspector has granted an owner exemption under part 5C from tagging an animal for a movement, then the animal for which the approval is granted need not bear the approved tag under that approval.

Section 67B provides that subject to division 2, pigs that are to be travelled for the first time from their place of birth must be identified with an approved permanent tag. The permanent tag can be a pig brand or a pig ear tag. If the permanent tag is in the form of an ear tag, it must show the PIC of the place of departure. This identification requirement does not apply where the place of departure and place of destination have the same PIC.

Section 67C provides that subject to division 2, pigs travelling from a place other than their place of birth or when the travel is not their first travel from their place of birth, must be identified with a permanent tag. The permanent tag can be a pig brand or a pig ear tag. If the permanent tag is in the form of an ear tag, it must show the PIC of the place of departure. This identification requirement does not apply where the place of departure and the place of destination have the same PIC. This section only applies where the pig did not bear a pig brand or a pig ear tag when it arrived at the place of departure, or the pig did bear a pig brand or a pig ear tag when it arrived at the place of departure but they no longer bear that tag.

For other stock such as goats and sheep, a person would apply a breeder tag or district breeder tag for travel from the place of birth and a post-breeder or district post breeder tag for other travel. These tags would be easily distinguished through colour differences. The visual distinctions are less relevant for pigs and the policy in sections 67B and 67C reflect that a general pig ear tag or a pig brand meet the identification requirements. A person may also identify a pig in a form approved by the chief inspector under section 27(4).

However, sections 67B and 67C make it clear that the PIC of the place of departure means the place where the pig ear tag was applied. For example, for the first travel from the place of birth, the PIC would be the place of birth. If the pig did not bear a permanent tag when it arrived at the place of departure for subsequent travel or it did bear a permanent tag when it arrived at the place of departure but no longer bears the tag, the new pig ear tag must display the PIC of the place of departure for the subsequent travel. A travelling pig would also be accompanied by a waybill that records the properties it travels from.

Section 67D provides that an approved tag in the form of a pig brand must be imprinted in the way required under the *Brands Act 1915* (e.g. the brand must be applied to both sides of the pig) or if the tag is a pig ear tag, it must be securely attached to the middle of either ear of the pigs.

Section 67E provides that the obligation to apply an approved tag to pigs must be complied with before the relevant travelling of pigs starts. If the travel begins in another state, the obligation to be tagged under this regulation only arises when the pigs enter Queensland. However there may still be identification obligations under the laws of the state of origin.

Section 67F provides that pigs will not be required to be identified if they are moved between holdings with different PICs but they are retained under the same ownership. Similarly, pigs will not be required to be identified if they are moving between holdings with the same PIC.

Section 67G allows pigs to remain untagged if they are being travelled from the place of departure to a neighbouring holding for ordinary stock management purposes and then returned to the place of departure within 48 hours. This concession is to allow people to use stock handling facilities on neighbouring properties for the purposes of tagging, if their own facilities are inadequate.

Section 67H allows pigs to remain untagged if they are travelling from a holding and then to and from a sporting event if they are returned to the holding within 48 hours of arriving at the event. This exception does not apply if there are pigs of the same species from more than one holding at the sporting event.

Section 67I provides that if the chief inspector has granted an owner exemption under part 5C from tagging an animal for a movement, then the animal for which the approval is granted need not bear the approved tag under that approval.

Section 67J sets out the extent to which division 1 operates. Division 1 imposes obligations on the owners of sheep that are to be travelled. Identification requirements are prescribed under division 2 and division 3 provides circumstances in which identification requirements do not apply.

Section 67K states that an approved tag must be securely attached to either ear of a sheep.

Section 67L provides that generally, an approved tag must be applied to sheep before the relevant travel starts. There are alternate arrangements for the following circumstances—

- if the sheep are travelled from a place of origin to a neighbouring holding for the purpose of tagging the sheep for further travel from the place of origin, and then within 48 hours after arriving at the neighbouring holding they are further travelled to the final destination, the sheep do not have to be tagged for the travel to the neighbouring holding but must be tagged for travel from the neighbouring holding to the final destination; or
- if the travel begins in another state, the obligation to be tagged under this regulation only arises when the sheep enter Queensland. However there may still be identification obligations under the laws of the state of origin.

Section 67M requires owners to ensure that each sheep first travelled from their place of birth has a breeder tag attached to it. If the place of departure is not registered, the owner must apply a district breeder tag to the sheep. This section does not apply if the place of departure and place of destination have the same PIC. If the permanent tag is an ear tag, it must show the PIC of the place of departure.

Section 67N requires owners to ensure that each sheep travelled (other than their first travel from place of birth) has a permanent tag attached to it. If the place of departure is registered, it must be a post breeder tag. If the place of departure is not registered it must be a district post-breeder tag. If the post-breeder tag is an ear tag, it must show the PIC of the place of departure. This section does not apply if the place of departure and place of destination have the same PIC.

Section 67O allows sheep to travel without identification if they are sheep travelling directly from their place of birth to a meat processing facility. The sheep must not be mixed with other sheep from the time they leave the place of departure until slaughter at the facility. The travel must be by a load that is at least 4 deck load of sheep of the same class for slaughter.

Section 67P allows sheep to remain untagged if they are travelling to a neighbouring holding for the purpose of ordinary stock management, and are returned to the place of departure within 48 hours. This is to allow owners to use a neighbour's facilities for activities such as shearing without needing to tag every sheep.

Section 67Q allows sheep to remain untagged if they are travelling from a holding and then to and from a sporting event if they are returned to the holding within 48 hours of arriving at the event. This exception does not

apply if there are sheep of the same species from more than one holding at the sporting event.

Section 67R provides that if the chief inspector has granted an owner exemption under part 5C from tagging an animal for a movement, then the animal for which the approval is granted need not bear the approved tag under that approval.

Section 67S provides the chief inspector's power to grant an approval for cattle, goats, pigs or sheep to travel without an approved tag for the relevant travel.

Section 67T provides that an owner of the stock or of the registered place may apply for the travel approval.

Section 67U describes the requirements for an application under section 67R. The application must in an approved form, state the proposed period and the proposed stock for the approval and be able to demonstrate how the stock will still be traceable under NLIS.

Section 67V prescribes the conditions by which a chief inspector can grant an approval under section 67R. The chief inspector must not approve the application if he or she does not believe that the stock will still be traceable under NLIS. The approvals may be for any period of time, or for any cattle travelled to a place and the chief inspector may impose conditions on the travel approval. If the chief inspector refuses the application or decides to impose conditions on the approval, he or she must give the applicant a notice stating their appeal rights and the reasons for the decision.

### **Amendment of s 76 (Obligations to notify)**

Clause 18 extends the obligations for a relevant person to notify an inspector of the travel of unlawfully untagged pigs and goats to a registered place.

### **Amendment of s 77 (Application of sdiv 2)**

Clause 19 extends the application of section 77 so that further obligations of saleyard selling agents under subdivision 2 apply if the selling agent has been engaged to act in the proposed sale of pigs and goats at a saleyard and the pigs and goats do not bear a permanent tag when they arrive at the saleyard.



### **Replacement of s 78 (Obligations to ensure cattle or sheep bear a saleyard post-breeder tag)**

Clause 20 provides that before cattle, goats, pigs or sheep leave a saleyard, the selling agent must ensure that such animals bear a saleyard post-breeder tag showing the PIC of the saleyard.

### **Amendment of s 79 (Record-making and notification obligations)**

Clause 21 extends the provisions relating to sheep under sub-section 79 (2) so that record-making and notification obligations also apply to selling agents when dealing with pigs and goats.

### **Amendment of s 81 (Obligation not to mix untagged cattle or sheep with other animals)**

Clause 22 extends the provisions applying to cattle or sheep under section 81 to include pigs and goats. This will mean that for untagged cattle, sheep, pigs or goats that arrive at a meat processing facility the owner of the facility must ensure the animals are, until they are slaughtered, not mixed with other animals at the facility (other than animals in the same consignment as the untagged cattle, sheep, pigs or goats).

### **Amendment of s 82 (Obligations relating to unlawfully untagged cattle or sheep)**

Clause 23 extends to pigs and goats the provisions applying to unlawfully untagged cattle or sheep under section 82. This obliges the owners of meat processing facilities, whether or not the unlawfully untagged cattle, sheep, pigs or goats are actually slaughtered at the facility, to make a record of the PIC of the last farm, feedlot or station that held the cattle, sheep, pigs or goats. The provisions relating to cattle under sub-sections 82(2)(b) and (3) remain unchanged by the amendment.

### **Amendment of s 83 (Record-keeping obligations)**

Clause 24 extends to pigs and goats the record keeping obligations under section 83 for cattle or sheep. The clause obliges the owner of a meat processing facility to keep for a period of five years records about

unlawfully untagged cattle, sheep, pigs and goats that arrive at the meat processing facility and produce these records to an inspector if requested by the inspector.

#### **Amendment of s 84 (Application of sdiv 4)**

Clause 25 provides that subdivision 4 applies if untagged cattle, goats, pigs or sheep arrive at a live export holding.

#### **Amendment of s 85 (Obligation to find out PIC of last farm, feedlot or station of cattle or sheep)**

Clause 26 extends the provisions under section 85 to pigs and goats so that a person in charge of stock at the live export holding must find out the PIC of the place where the cattle, goats, pigs or sheep were last held, unless the person has a reasonable excuse.

#### **Amendment of s 86 (Obligation to apply tag to unlawfully untagged cattle or sheep)**

Clause 27 extends the provisions under section 86 to pigs and goats. Where unlawfully untagged cattle, goats, pigs and sheep arrive at a live export holding, the person in charge of stock at the holding must apply a post-breeder tag to cattle, goats or sheep or a permanent tag to pigs. Where the tag is an ear tag, it must show its serial number and the PIC of the live export holding. If the permanent tag for pigs is a tattoo brand, the waybill will identify the PIC of the live export holding.

#### **Amendment of s 87 (Record-making and notification obligations)**

Clause 28 extends the provisions under section 87 to pigs and goats. A person in charge of stock at a live export holding must make a record of specified information within 48 hours after the arrival of cattle, goats, pigs or sheep at the holding. The amendment does not affect the additional requirements for cattle under sub-section 87(2).

### **Amendment of s 88 (Record-keeping obligations)**

Clause 29 extends to pigs and goats the record keeping obligations under section 88 for cattle or sheep. The clause obliges the owner of a live export holding to keep for a period of five years records about cattle, sheep, pigs and goats that arrive at the holding and produce these records to an inspector if requested by the inspector.

### **Amendment of s 89 (Obligation of person in charge to apply permanent tag to unlawfully untagged cattle or sheep)**

Clause 30 extends to pigs and goats the tagging obligations under section 89. The section generally requires any person in charge of stock at a registered place that is not one of the listed places (usually a property or farm) to tag untagged cattle, goats, pigs or sheep that arrive at the registered place. The person must apply a post-breeder tag to cattle, goats or sheep or a permanent tag to pigs. Where the tag is an ear tag, it must show its serial number and the PIC of the registered place. If the permanent tag for pigs is a tattoo brand, the waybill will identify the PIC of the registered place.

### **Omission of pt 8, divs 1 and 2**

Clause 31 omits part 8, divisions 1 and 2 because these transitional provisions are now spent.

### **Omission of pt 8, div 3 hdg (Miscellaneous provisions)**

Clause 3 removes the division heading as divisions 1 and 2 have been removed.

### **Amendment of schedule (Dictionary)**

Clause 33 makes consequential amendments to the dictionary.

ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Primary Industries and Fisheries.

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