



Queensland

Brands Amendment Regulation (No. 1) 2012

Explanatory Notes for SL 2012 No. 161

made under the

Brands Act 1915

General outline

Short title

Brands Amendment Regulation (No. 1) 2012.

Authorising law

Sections 10 and 34 of the *Brands Act 1915* (the Act).

Policy objectives and the reasons for them

The purpose of the subordinate legislation is to correct an error in Schedule 4 (Shapes and patterns of sheep earmarks) which occurred when the *Brands Regulation 2012* (the Regulation) was remade to replace the *Brands Regulation 1998* (the former Regulation) prior to its automatic expiry.

Achievement of policy objectives

The Regulation is the single statutory instrument under the Act which provides for the branding and marking of various species of livestock. The Regulation prescribes for the purposes of the Act, the manner and location

on the animal in which a brand comprising a unique and distinctive series of marks must be applied.

The shapes, patterns and positions of brands and earmarks for livestock as illustrated in Schedules 1 to 6 of the former Regulation should have been reproduced in the Regulation without change. Due to an error, one page of sheep patterns and earmarks was omitted from Schedule 4 and did not subsequently appear in the remade Regulation and the order of the sheep patterns and earmarks which were reproduced in the remade Regulation are not in the same sequence as the former Regulation.

The subordinate legislation corrects this error by replacing Schedule 4 with the Schedule as it previously appeared in the former Regulation.

Consistency with policy objectives of authorising law

This subordinate legislation is consistent with the provisions of the Act.

Inconsistency with policy objectives of other legislation

This subordinate legislation is not inconsistent with the policy objectives of any other legislation.

Benefits and costs of implementation

The benefit of this subordinate legislation is that it rectifies the error in Schedule 4 which omitted a number of prescribed sheep brands and earmarks and will preserve the unique system of marking and identifying sheep as evidence of ownership and for biosecurity purposes.

Consistency with fundamental legislative principles

The subordinate legislation is consistent with fundamental legislative principles.

Consultation

Consultation on the subordinate legislation was undertaken with the Regulatory Review Branch, Queensland Treasury and Trade with regard to regulatory assessment statement (RAS) requirements.

Queensland Treasury and Trade advised that a RAS is not required.

As the subordinate legislation seeks merely to correct an error, general consultation was not undertaken.

ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Agriculture, Fisheries and Forestry.

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