



*Animal Care and Protection Act 2001*

# **Animal Care and Protection Regulation 2012**

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Queensland

# Animal Care and Protection Regulation 2012

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# Animal Care and Protection Regulation 2012

## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *Animal Care and Protection Regulation 2012*.

## Part 2 Codes of practice

### 2 Provisions made as codes of practice

- (1) The provisions of each of the following are made as a code of practice—
  - (a) schedule 1;
  - (b) schedule 2;
  - (c) schedule 2A;
  - (d) schedule 2B;
  - (e) schedule 3;
  - (f) schedule 3AA;
  - (g) schedule 3A;
  - (h) schedule 3B.
- (2) A person must comply with the code of practice.

*Note—*

Under section 15(3) of the Act, it is an offence for a person not to comply with an applicable compulsory code requirement.

### 3 Documents made as codes of practice

- (1) The documents stated in schedule 4 are made as codes of practice.

[s 4]

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- (2) A person may comply with a code of practice mentioned in schedule 4.

#### **4 Relationship between particular codes of practice**

- (1) Subsection (2) applies if there is an inconsistency between—
- (a) a provision in a code of practice in schedule 1, 2, 2A, 2B, 3, 3AA, 3A or 3B (each a *relevant compulsory code*); and
  - (b) a provision in a code of practice mentioned in schedule 4 that is similar to the relevant compulsory code.
- (2) The provision in the relevant compulsory code prevails to the extent of the inconsistency.

### **Part 3 Miscellaneous provisions**

#### **5 Requirement to keep particular records for sows**

- (1) The person in charge of a sow must, unless the person has a reasonable excuse, keep a written record in the approved form stating—
- (a) the date and time on each occasion the sow is placed in a stall or farrowing crate during the sow's reproductive cycle; and
  - (b) the date and time on each occasion the sow is removed from a stall or farrowing crate during the sow's reproductive cycle.

Maximum penalty—20 penalty units.

- (2) In this section—

*farrowing crate* has the meaning given by schedule 2, section 1.

*sow* has the meaning given by schedule 2, section 1.

*stall* has the meaning given by schedule 2, section 1.



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## 5A Requirement to keep particular records for breeding dog

- (1) This section applies if—
  - (a) breeding dogs are usually kept at premises; and
  - (b) 5 or more of the breeding dogs are female.
- (2) A person in charge of each breeding dog usually kept at the premises must ensure—
  - (a) the relevant information for the dog is recorded, in writing, within 7 days after the information comes into existence for the dog; and
  - (b) the record of the relevant information is kept for 3 years after the later of the following—
    - (i) the dog is last used for breeding;
    - (ii) the dog is no longer kept for breeding.

Maximum penalty—20 penalty units.

- (3) However, subsection (2) does not apply if the premises at which the breeding dog is usually kept are—
  - (a) a pound or shelter within the meaning of the *Animal Management (Cats and Dogs) Act 2008*, schedule 2; or
  - (b) a veterinary surgery to the extent the surgery provides shelter for a dog that is homeless, lost or stray.

- (4) In this section—

**breeding**, in relation to an undesexed dog, see schedule 3A, section 1.

**breeding dog** see schedule 3A, section 1.

**PPID number** see the *Animal Management (Cats and Dogs) Act 2008*, schedule 2.

**relevant information**, for a breeding dog, means the following information—

- (a) the dog's date of birth, if known, or the estimated date of the dog's birth;
- (b) the dog's name;

[s 5A]

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- (c) the name and date of birth of the dog's parents, if known;
- (d) the PPID number for the dog or the certificate mentioned in the *Animal Management (Cats and Dogs) Act 2008*, section 14(2)(a) for the dog;
- (e) information about any ill-health of the dog;
- (f) any written approval mentioned in schedule 3A, section 10(1)(b) or (3) or 13(2) for the dog;
- (g) for any veterinary treatment received by the dog—
  - (i) the name of the veterinary surgeon giving the treatment; and
  - (ii) the advice from the consultation with the veterinary surgeon; and
  - (iii) the type of veterinary treatment provided; and
  - (iv) the results of the treatment;
- (h) for each mating of the dog—
  - (i) the name of the other dog with which it is mated and the PPID number for the other dog; and
  - (ii) the date of each mating;
- (i) the date of each whelping of the dog;
- (j) for each litter of the dog—
  - (i) the number of living puppies; and
  - (ii) the number of stillborn puppies;
- (k) the date of the dog's death and, if known, the cause of death.

***undesexed dog*** see schedule 3A, section 1.

***veterinary surgery*** see the *Animal Management (Cats and Dogs) Act 2008*, schedule 2.

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## **6 Prescribed species for meaning of animal—Act, s 11**

All species of the class Cephalopoda are prescribed for section 11(1)(d) of the Act.

*Examples of species of the class Cephalopoda—*

cuttlefish, nautilus, octopus, squid

## **6A Use of electrical device on horses—Act, s 18**

For section 18(2)(e) of the Act, an electrical prod is prescribed for horses.

## **7 Information for annual report—Act, s 87**

- (1) The following information is prescribed for section 87(2)(a)(i) of the Act—
  - (a) a description of the animals, including the species and class of the animals;
  - (b) the number of animals used or allowed to be used;
  - (c) details of the source, place of use, duration of use and method of disposal of the animals;
  - (d) the scientific purpose for which the animals were used;
  - (e) the justification for the use of the animals;
  - (f) the impact of the use on the animals.
- (2) The following information is prescribed for section 87(2)(a)(ii) of the Act—
  - (a) details, including the source and date, of all complaints, enquiries and grievances received by the registered person about the use of animals for scientific purposes by the person;
  - (b) details of any steps taken to investigate a complaint, enquiry or grievance mentioned in paragraph (a);
  - (c) details of the results of an investigation of a complaint, enquiry or grievance mentioned in paragraph (a),

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including details of any steps taken to remedy a matter arising out of the investigation.

- (3) The following information is prescribed for section 87(2)(b) of the Act—
- (a) the name of the animal ethics committee that approved the use of the animals for scientific purposes;
  - (b) details of the use approved by the animal ethics committee, including any requirements the committee made under the scientific use code in relation to the use;
  - (c) details of how the approved use is identified in the animal ethics committee's records.

## **8 Declared class of persons for authorised officers—Act, s 99**

The officers of the Royal Society for the Prevention of Cruelty to Animals (Queensland) Limited are an approved class of persons for section 99 of the Act.

## **9 Declared class of persons for inspectors—Act, s 114**

For section 114 of the Act, the following are declared to be an approved class of persons—

- (a) employees of an incorporated association, under the *Associations Incorporation Act 1981*, whose objects include animal welfare or the provision of facilities to care for animals;
- (b) employees of Safe Food, under the *Food Production (Safety) Act 2000*, who are an authorised officer appointed under section 83(1)(a) of that Act.

## **10 Prescribed entities**

Each of the following is prescribed for paragraph (b) of the definition of *prescribed entity* in the schedule to the Act—

- (a) a local government;

- (b) the Animal Welfare League of Queensland Inc.;
- (c) the department in which the *Nature Conservation Act 1992* is administered;
- (d) North Queensland Wildlife Care Inc.;
- (e) Wildcare Australia Inc. ABN 80 853 694 538;
- (f) Australia Zoo Wildlife Warriors Worldwide Ltd ABN 13 102 721 513;
- (g) Tolga Bat Rescue and Research Inc.

## 11 Fees

- (1) The fees payable under the Act are stated in schedule 5.
- (2) In schedule 5—

**corporation** has the same meaning as in the Corporations Act, section 57A.

**non-State school** means an accredited school under the *Education (Accreditation of Non-State Schools) Act 2017*.

**public authority** means—

- (a) a government entity under the *Public Service Act 2008*, section 24; or
- (b) an entity established under a law of the Commonwealth or a State for a public purpose, whether or not the public purpose is stated in the law.

**State school** see the *Education (General Provisions) Act 2006*, schedule 4.

## Part 4 Repeal

### 12 Repeal

The Animal Care and Protection Regulation 2002, SL No. 34 is repealed.

# Schedule 1      Code of practice about domestic fowl

section 2

## Part 1              Preliminary

### 1              Definitions for sch 1

In this schedule—

*broiler breeder* means a domestic fowl used to breed meat chickens.

*cup drinker* means a cup that—

- (a) is attached to a water line; and
- (b) has a lever or other device in it; and
- (c) is filled with water if pressure is applied to the lever or device.

*domestic fowl* means a member of the species *Gallus gallus domesticus*.

*drinker* means a cup drinker or a nipple drinker.

*feeder* means anything used to provide food to a domestic fowl, and includes a food trough.

*floor*—

- (a) of a cage or shed, means the surface of the bottom of the cage or shed between the vertical sections of the back and front walls and the vertical sections of the side walls of the cage or shed; and
- (b) for a shed, includes a part of the floor—
  - (i) on a different level than another part of the floor; or
  - (ii) made of, or covered by, mesh or slats.

*floor area*—

(a) of a cage—see section 2(1) and (2); and

(b) of a shed—see section 2(3) and (4).

***free range system*** means a system consisting of—

(a) a shed in which domestic fowl are kept other than in a cage; and

(b) an outdoor area that is accessible to the fowl.

***front***, of a cage, see section 4(3).

***install***, for a cage, means put the cage in position for keeping domestic fowl.

***layer pullet*** means a female domestic fowl less than 16 weeks of age.

***laying fowl*** means a female domestic fowl reasonably expected to be capable of laying eggs, but does not include a layer pullet.

***measurable part***, of the floor of a cage, means that part of the floor above which the height of the cage is at least 35cm.

***meat chicken*** means a domestic fowl produced only for human consumption, but does not include a broiler breeder.

***nipple drinker*** means a nipple that is attached to a water line.

***relevant finding***, for an inspection under section 17, means—

(a) for an inspection of a domestic fowl or a cage in which a domestic fowl is kept—a finding that the fowl—

(i) is injured or sick; or

(ii) is trapped in, or has escaped from, a cage; or

(iii) is dead; or

(b) for an inspection of a water trough—a finding that there is no or very little water in the water trough; or

(c) for an inspection of a drinker or electronic or mechanical system—a finding that the drinker or system is not operating correctly; or

(d) for an inspection of a feeder—a finding that—

- (i) there is no or very little food in or on the feeder; or
- (ii) the food in or on the feeder is contaminated; or
- (iii) if the feeder is electronically or mechanically operated—the feeder is not operating correctly.

*shed* means a structure of any kind that has a roof and walls and is used to keep domestic fowl.

*trapped*, for a domestic fowl in a cage, means the fowl is unable to move freely within the cage.

## **2 Meaning of *floor area***

- (1) The *floor area* of a cage—
  - (a) for part 2, division 1—means the area of the measurable part of the floor of the cage; or
  - (b) for part 2, division 2—means the area of the floor of the cage.
- (2) For subsection (1), the floor area includes an area of the floor covered by an egg and waste baffle, nipple drinker or water trough.
- (3) The *floor area*, of a shed, means the area of the floor of the shed.
- (4) For subsection (3), the floor area includes an area of the floor covered by a drinker, feeder or nesting area.

## **Part 2 Requirements for cages used to keep domestic fowl**

### **Division 1 Laying fowl**

#### **3 General requirements for all cages used to keep laying fowl**

- (1) A person must not keep a laying fowl in a cage unless the person ensures—



- 
- (a) the floor of the cage provides support for each forward pointing toe of each fowl kept in the cage; and
  - (b) the fowl can reasonably access a food trough the size of which allows a space of 10cm or more for each fowl kept in the cage; and
  - (c) the fowl can reasonably access—
    - (i) a water trough the size of which allows a space of 10cm or more for each fowl kept in the cage; or
    - (ii) 2 or more drinkers.
- (2) Also, if 2 or more cages are arranged (the *arrangement*) in vertical tiers, a person must not keep a laying fowl in a cage in the arrangement unless—
- (a) the fowl—
    - (i) is visible to an extent that allows a person inspecting the fowl to make a general assessment about the fowl's health and wellbeing; and
    - (ii) can easily be removed from the cage; and
  - (b) if another fowl is kept in a cage on a higher tier of the arrangement—the fowl is protected from excreta from the fowl in the cage on the higher tier.

#### **4 Additional general requirements for cages installed on or after 1 January 1995**

- (1) A person must not keep a laying fowl in a cage installed on or after 1 January 1995 unless—
- (a) the height of the cage above the measurable part of the floor is—
    - (i) more than the height of the fowl; and
    - (ii) at least 40cm for at least 65% of the measurable part of the floor; and
  - (b) the opening of the door of the cage, when the door is opened fully, is—

- (i) at least 19cm high measured vertically from its bottom to its top; and
- (ii) free of obstruction by anything attached to the front of the cage; and  
*Examples for subparagraph (ii)—*
  - a feeder, egg and waste baffle or cage bar
- (c) the width of the door of the cage is—
  - (i) if the width of the cage is more than 50cm—at least 50cm; or
  - (ii) otherwise—the same as the width of the front of the cage.
- (2) Subsection (1)(b) does not apply to a cage installed on or after 1 July 2013.
- (3) In this section—  
*front*, of a cage, means the side of the cage to which the door is attached.

#### **4A Door opening requirement for cages installed on or after 1 July 2013**

- (1) This section applies to a cage installed on or after 1 July 2013.
- (2) A person must not keep a laying fowl in the cage unless the opening of the door of the cage, when the door is opened fully, is—
  - (a) at least 22cm high measured vertically from its bottom to its top; and
  - (b) free of obstruction by anything attached to the front of the cage.  
*Examples for paragraph (b)—*
    - a feeder, egg and waste baffle or cage bar

#### **5 Floor area requirements for cages used to keep laying fowl—1 laying fowl**

- (1) This section applies if—

- (a) only 1 domestic fowl is kept in a cage; and
  - (b) the fowl is a laying fowl.
- (2) The person in charge of the fowl must ensure the floor area of the cage is no less than—
- (a) if the fowl weighs 4.5kg or less—1,000cm<sup>2</sup>; or
  - (b) if the fowl weighs more than 4.5kg—an area worked out by allowing—
    - (i) 1m<sup>2</sup> for each 26kg of weight of the fowl; or
    - (ii) for a weight less than 26kg—a proportionate amount of the area mentioned in subparagraph (i).

## **6 Floor area requirements for cages used to keep laying fowl—2 laying fowl**

- (1) This section applies if—
- (a) only 2 domestic fowl are kept in a cage; and
  - (b) both fowl are laying fowls.
- (2) The person in charge of the fowl must ensure the floor area of the cage is no less than an area worked out by allowing—
- (a) 675cm<sup>2</sup> for each fowl weighing 4.5kg or less; and
  - (b) the following for each fowl weighing more than 4.5kg—
    - (i) 1m<sup>2</sup> for each 40kg of weight of the fowl;
    - (ii) for a weight less than 40kg—a proportionate amount of the area mentioned in subparagraph (i).
- (3) For subsection (2), if both fowl weigh more than 4.5kg, the area may be worked out using the combined weight of the fowl.

## **7 Floor area requirements for cages used to keep laying fowl—3 or more laying fowl**

- (1) This section applies if—
- (a) 3 or more domestic fowl are kept in a cage; and

- (b) all the fowl are laying fowls.
- (2) The person in charge of the fowl must ensure the floor area of the cage is no less than an area worked out by allowing—
  - (a) the following for each fowl weighing less than 2.4kg—
    - (i) for a pre-2001 cage before the prescribed day for the cage—450cm<sup>2</sup>;
    - (ii) for another cage—550cm<sup>2</sup>; and
  - (b) 600cm<sup>2</sup> for each fowl weighing 2.4kg or more but no more than 4.5kg; and
  - (c) the following for each fowl weighing more than 4.5kg—
    - (i) 1m<sup>2</sup> for each 46kg of weight of the fowl;
    - (ii) for a weight less than 46kg—a proportionate amount of the area mentioned in subparagraph (i).
- (3) For subsection (2)(c), if 2 or more fowl weigh more than 4.5kg, the area may be worked out using the combined weight of all fowl weighing more than 4.5kg.
- (4) In this section—
  - pre-2001 cage* means a cage—
    - (a) purchased or leased before 1 January 2001; and
    - (b) installed before 1 January 2003; and
    - (c) complying with the requirements stated in section 4.

*prescribed day*, for a pre-2001 cage, means the day that is 20 years after the day the cage was manufactured.

## **Division 2                      Laying pullet**

### **8                      Floor area requirements for cages used to keep layer pullets**

- (1) This section applies if—
  - (a) only 1 domestic fowl is kept in a cage and the fowl is a layer pullet; or

- (b) 2 or more domestic fowl are kept in a cage and all the fowl kept in the cage are layer pullets.
- (2) The person in charge of the pullet must ensure the floor area of the cage is no less than an area worked out by allowing—
  - (a) 1m<sup>2</sup> for each 40kg of weight of each pullet kept in the cage; or
  - (b) for a weight less than 40kg—a proportionate amount of the area mentioned in paragraph (a).
- (3) For subsection (2), if 2 or more pullets are kept in the cage, the area may be worked out using the combined weight of all the pullets kept in the cage.

## **Part 3**

### **Requirements for sheds used to keep domestic fowl**

#### **9 Application of pt 3**

This part applies if a domestic fowl is—

- (a) kept in a shed, including a shed that is part of a free range system; and
- (b) not kept in a cage.

#### **10 General requirements for sheds**

A person must not keep a domestic fowl in a shed unless—

- (a) if the fowl is the only fowl kept in the shed—the shed contains a drinker and feeder that are reasonably accessible to the fowl; or
- (b) if the fowl is kept in the shed with 1 or more other fowl—
  - (i) the shed contains 1 or more feeders and 2 or more drinkers; and
  - (ii) the feeders and drinkers are reasonably and equally accessible to all the fowl kept in the shed.

**11 Floor area requirements for sheds—particular domestic fowl**

- (1) A person must not keep a domestic fowl, other than a layer pullet or meat chicken, in a shed that has a floor area less than an area worked out by allowing—
  - (a) 1m<sup>2</sup> for each 30kg of weight of the fowl; or
  - (b) for a weight less than 30kg—a proportionate amount of the area mentioned in paragraph (a).
- (2) However, if the shed does not have a temperature control system, the person must not keep the fowl in the shed unless the floor area of the shed allows more than—
  - (a) 1m<sup>2</sup> for each 30kg of weight of the fowl; or
  - (b) for a weight less than 30kg—a proportionate amount of the area mentioned in paragraph (a).
- (3) For subsections (1) and (2), if 2 or more fowl are kept in the shed, the area may be worked out using the combined weight of all the fowl kept in the shed.
- (4) In this section—

*temperature control system*, for a shed, means a system, consisting of a cooling system and ventilation fans, that controls temperature to avoid extreme temperature variations in the shed.

**12 Floor area requirements for sheds—meat chickens**

- (1) This section applies if—
  - (a) only 1 domestic fowl is kept in a shed and the fowl is a meat chicken; or
  - (b) 2 or more domestic fowl are kept in a shed and all the fowl are meat chickens.
- (2) The person in charge of a meat chicken must ensure the floor area of the shed is no less than an area worked out by allowing—

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- (a) for a tunnel ventilated shed that has an evaporative cooling system providing at least 1 air exchange every minute—
- (i) 1m<sup>2</sup> for each 40kg of weight of the chicken; or
  - (ii) for a weight less than 40kg—a proportionate amount of the area mentioned in subparagraph (i); or
- (b) for a tunnel ventilated shed other than a shed mentioned in paragraph (a), or a prescribed ventilated shed—
- (i) for the period between 1 April and 30 September—
    - (A) 1m<sup>2</sup> for each 40kg of weight of the chicken; or
    - (B) for a weight less than 40kg—a proportionate amount of the area mentioned in sub-subparagraph (A); and
  - (ii) for the period between 1 October and 31 March—
    - (A) 1m<sup>2</sup> for each 36kg of weight of the chicken; or
    - (B) for a weight less than 36kg—a proportionate amount of the area mentioned in sub-subparagraph (A); or
- (c) for another shed—
- (i) 1m<sup>2</sup> for each 28kg of weight of the chicken; or
  - (ii) for a weight less than 28kg—a proportionate amount of the area mentioned in subparagraph (i).
- (3) For subsection (2), if 2 or more meat chickens are kept in a shed, the area may be worked out using the combined weight of all the chickens kept in the shed.
- (4) In this section—
- prescribed ventilated shed*** means a shed that—
- (a) is fitted with a mechanical ventilation system; and
  - (b) is not a tunnel ventilated shed; and

- (c) has a water-based cooling system or stirring fans.

*tunnel ventilated shed* means a shed that is tunnel ventilated or fitted with an extractive system.

### **13 Requirements for shed with more than 1 level**

- (1) This section applies if a domestic fowl is kept in a shed and there is more than 1 level inside the shed.
- (2) The person in charge of the fowl must ensure each of the following—
  - (a) each level inside the shed—
    - (i) is accessible to the fowl; and
    - (ii) has a height no less than 45cm;
  - (b) the fowl is fully visible on each level and can easily be removed at all times;
  - (c) a fowl on a lower level inside the shed is protected from excreta from a fowl on a higher level inside the shed.

## **Part 4 Requirements for outdoor area of free range system used to keep domestic fowl**

### **14 Requirements for outdoor area of free range system**

- (1) A person must not keep more than 10,000 laying fowl in a hectare in the outdoor area of a free range system.
- (2) However, a person must not keep more than 1,500 laying fowl in a hectare in the outdoor area of a free range system unless the person ensures—
  - (a) fowl are grazed by moving them from paddock to paddock in the area; and
  - (b) at least 60% of the unshaded part of the area has ground cover vegetation, unless adverse weather conditions prevent vegetation growth; and



- (c) the area is managed to avoid unsuitable conditions for fowl; and

*Examples of unsuitable conditions for fowl—*

muddy ground or ground covered with excessive amounts of excreta

- (d) the area is free of—
- (i) poisonous plants and organisms that cause or carry disease that could harm a fowl's health; and
  - (ii) chemicals that could harm a fowl's health; and
- (e) each fowl, when fully feathered, has ready access for at least 8 hours a day to the area, unless adverse weather conditions prevent the access; and
- (f) the openings in a free range system's shed through which fowl may access the area comply with the following requirements—
- (i) each opening is at least 35cm high;
  - (ii) each opening is at least 40cm wide;
  - (iii) the total combined width of openings is at least 2m for every 1,000 fowl kept in the shed; and
- (g) there is reasonably sufficient shelter in the area to provide fowl with shade and protection from adverse weather conditions; and

*Examples of shelter—*

a sunshade, a substantial tree or bush or a windbreak

- (h) there is reasonably sufficient protection for fowl in the area from predators.

*Example of protection for fowl from predators—*

a fence

- (3) In this section—

***ground cover vegetation***, for an outdoor area of a free range system, means any low spreading plant covering the soil in the area and retarding movement of soil.

*unshaded part*, of an outdoor area of a free range system, means the part of the area that is not shaded by shelter.

## Part 5                      **Food and water requirements for domestic fowl**

### 15      **Access to food**

- (1) The person in charge of a domestic fowl must ensure the fowl has access to food—
  - (a) within 60 hours after the fowl is hatched; and
  - (b) at least once in each 24-hour period after the expiry of the 60-hour period mentioned in paragraph (a).
- (2) Also, the person must ensure—
  - (a) the food contains enough nutrients to ensure the fowl's good health and vitality; and
  - (b) the quantity of the food meets the fowl's physiological needs; and
  - (c) the food is not harmful to the fowl's health.
- (3) However, subsection (1)(b) does not apply if the fowl is—
  - (a) a broiler breeder or layer pullet; and
  - (b) given access to food under a controlled feeding regime.
- (4) For subsection (2), in deciding the amount of nutrients and quantity of food that must be provided to the fowl in the shed of a free range system, regard must be had to the amount of nutrients and quantity of food available to the fowl in the outdoor area of the system.
- (5) In this section—

*controlled feeding regime* means a regime involving the management of the amount of food consumed by a fowl to control the weight of the fowl while still ensuring the amount of food consumed is sufficient to meet the fowl's physiological needs.

**16 Access to water**

- (1) The person in charge of a domestic fowl must ensure the fowl has access to water—
  - (a) within 60 hours after the fowl is hatched; and
  - (b) at least once in each 24-hour period after the expiry of the 60-hour period mentioned in paragraph (a).
- (2) Also, the person must ensure—
  - (a) the water is of a temperature and quality the fowl will drink; and
  - (b) the quality and quantity of the water meets the fowl's physiological needs; and
  - (c) the water is not harmful to the fowl's health.

**Part 6 Inspection requirements for domestic fowl****17 Inspections to be carried out**

The person in charge of a domestic fowl must ensure each of the following are inspected at least once in each 24-hour period—

- (a) the fowl;
- (b) if the fowl is kept in a cage—the cage;
- (c) a water trough, drinker or feeder provided for the fowl;
- (d) if the fowl is kept in a shed—an electronic or mechanical system controlling light, humidity, temperature or ventilation, in the shed.

**18 Inspection to include particular matters**

An inspection under section 17 must include—

Schedule 1

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- (a) for an inspection of a fowl—assessing the fowl’s health and checking for any injury or behaviour indicating a risk to the fowl’s welfare; or
- (b) for an inspection of a cage—checking for—
  - (i) fowl trapped in the cage; and
  - (ii) escaped fowl outside the cage, including, in particular, fowl in the manure area under the cage; or
- (c) for an inspection of a water trough—checking whether there is water in the trough; or
- (d) for an inspection of a drinker or an electronic or mechanical system—checking the operation of the drinker or system; or
- (e) for an inspection of a feeder—checking—
  - (i) whether there is food in or on the feeder; and
  - (ii) if there is food in or on the feeder—whether the food is contaminated; or
  - (iii) if the feeder is electronically or mechanically operated—the operation of the feeder.

**19 Action after inspection—person not in charge of domestic fowl**

- (1) This section applies if—
  - (a) a person has carried out an inspection under section 17 in relation to a domestic fowl; and
  - (b) the person is not the person in charge of the fowl; and
  - (c) the person has made a relevant finding for the inspection.
- (2) The person must immediately notify the person in charge of the domestic fowl of the relevant finding.

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**20 Action after inspection of fowl or cage—person in charge of domestic fowl**

- (1) This section applies if the person in charge of a domestic fowl—
  - (a) has carried out an inspection, under section 17, of the fowl or the cage in which the fowl is kept and has made a relevant finding for the inspection; or
  - (b) has been notified, under section 19, of a relevant finding for an inspection of the fowl or cage.
- (2) The person must ensure—
  - (a) if the fowl is injured or sick—the fowl is immediately treated or destroyed; or
  - (b) if the fowl is trapped in the cage—the fowl is immediately released and, if the fowl is injured, treated or destroyed; or
  - (c) if the fowl has escaped from the cage—the fowl is recaptured as soon as practicable and—
    - (i) placed in a cage; or
    - (ii) if the fowl is to be treated for an injury or other condition—placed in a place where the injury or condition can be treated; or
    - (iii) destroyed; or
  - (d) if the fowl is dead—the fowl is immediately removed, from the cage or shed in which it is kept, and disposed of.

**21 Action after inspection of water trough—person in charge of domestic fowl**

- (1) This section applies if the person in charge of a domestic fowl—
  - (a) has carried out an inspection, under section 17, of a water trough provided for the fowl and has made a relevant finding for the inspection; or

- (b) has been notified, under section 19, of a relevant finding for an inspection of the water trough.
- (2) The person must ensure the fowl has or has had access to water as required under section 16.

**22 Action after inspection of drinker or system—person in charge of domestic fowl**

- (1) This section applies if the person in charge of a domestic fowl—
  - (a) has carried out an inspection, under section 17, of a drinker provided for the fowl, or an electronic or mechanical system for the shed in which the fowl is kept, and has made a relevant finding for the inspection; or
  - (b) has been notified, under section 19, of a relevant finding for an inspection of the drinker or system.
- (2) The person must ensure the following—
  - (a) reasonable steps are taken to rectify the problem in the operation of the drinker or system;
  - (b) if there is a problem in the operation of a drinker—the fowl has or has had access to water as required under section 16.

**23 Action after inspection of feeder—person in charge of domestic fowl**

- (1) This section applies if the person in charge of a domestic fowl—
  - (a) has carried out an inspection, under section 17, of a feeder provided for the fowl and has made a relevant finding for the inspection; or
  - (b) has been notified, under section 19, of a relevant finding for an inspection of the feeder.
- (2) The person must ensure—

- (a) if there is no or very little food in or on the feeder—the fowl has or has had access to food as required under section 15; or
- (b) if food in or on the feeder is contaminated—
  - (i) the contaminated food is replaced with food that is not contaminated; and
  - (ii) reasonable steps are taken to prevent future contamination of food provided by the feeder; or
- (c) if the feeder is an electronically or mechanically operated feeder and there is a problem in the operation of the feeder—reasonable steps are taken to rectify the problem.

## Schedule 2 Code of practice about pigs

section 2

### Part 1 Preliminary

#### 1 Definitions for sch 2

In this schedule—

**additional litter** means a litter of piglets that a sow is required to foster in the sow's reproductive cycle after the piglets that were the sow's progenies in the cycle have been weaned.

*Example—*

a sow being required to foster the piglets of another sow that has died

**boar** means an uncastrated male pig over 9 months of age.

**breeding boar** means a boar being kept for the purpose of breeding pigs.

**breeding gilt** means a gilt being kept for the purpose of breeding pigs.

**breeding sow** means a sow being kept for the purpose of breeding pigs.

**creep area** means an area for keeping a sow's piglets in which the piglets are protected from crushing and overlying by the sow.

**direct supervision**, for carrying out a husbandry procedure on a pig, see section 4.

**essential equipment** means mechanical equipment that is required for providing food and drinking water to pigs and ensuring their other environmental needs are met.

*Examples of other environmental needs—*

- a stable and comfortable temperature
- adequate lighting and ventilation

**farrowing** means giving birth to piglets.



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**farrowing crate** means an enclosure—

- (a) designed and constructed for housing only 1 sow during and after farrowing; and
- (b) of a size that does not allow the sow to turn around freely; and
- (c) that has a creep area adjacent to it.

**farrowing pen** means a pen—

- (a) designed and constructed for housing only 1 sow and her piglets during and after farrowing; and
- (b) of a size that allows the sow and her piglets to turn around freely; and
- (c) that has a creep area in it.

**feeder** means a trough, hopper or similar equipment from which food may be accessed by a pig.

**floor area** see section 2.

**foster**, in the context of a sow fostering piglets, means the sow feeding piglets that are not her progenies.

**gilt** means a young female pig that is intended to be used for reproduction but has not had a first litter.

**herd health program**, for a pig, means a written procedure that—

- (a) identifies potential risks to the pig of sickness or disease; and
- (b) provides for specific actions to prevent or minimise the risks.

**husbandry procedure** means a procedure to which section 5, 6, 7, 8, 9 or 10 applies.

**medication instruction** means—

- (a) a prescription given by a veterinary surgeon; or
- (b) a written instruction for administering medicine that is—

- (i) prepared by the manufacturer or supplier of the medicine; and
- (ii) supplied with the medicine.

**pen** means an enclosure that is designed and constructed for housing pigs.

**pig** means a pig, other than a feral pig (*Sus scrofa*).

**piglet** means a pig up to the time it is weaned from the sow.

**sow** means—

- (a) an adult female pig that has had at least 1 litter; or
- (b) a gilt that has been confirmed pregnant.

**stall** means an enclosure that is designed and constructed for housing only 1 pig.

**suitably qualified**, for carrying out a husbandry procedure on a pig, see section 3.

**surgical sterilisation procedure** means a surgical procedure to render a pig sterile, including, for example, surgical castration.

**waterer**, for a pig, means a trough or similar equipment from which drinking water may be accessed by a pig.

**weaner** means a pig, other than a breeding boar, breeding gilt or breeding sow, after it has been weaned from the sow, whose live weight, rounded to the nearest kilogram, is no more than 30kg.

## 2 Meaning of **floor area**

- (1) The **floor area**, of a pen, a stall or a farrowing crate, means the area of the floor of the pen, stall or crate.
- (2) For subsection (1), the floor area of a pen, stall or farrowing crate includes an area of the floor covered by a feeder or waterer only if the feeder or waterer—
  - (a) does not impede the movement of a pig being kept in the pen, stall or crate; and

- (b) is not reasonably likely to cause injury to a pig being kept in the pen, stall or crate.

## Part 2 **Competency requirements about husbandry procedures**

### 3 **Who is *suitably qualified* to carry out a husbandry procedure**

- (1) A person is *suitably qualified* to carry out a husbandry procedure on a pig only if—
- (a) the person is a veterinary surgeon; or
  - (b) a registered training organisation has issued the person either of the following that is relevant to carrying out the procedure—
    - (i) a Certificate III in Agriculture (Pig Production) or an equivalent qualification;
    - (ii) a statement of attainment for achieving the units of competency required for the Rural Production Training Package for pig production or an equivalent statement of attainment; or
  - (c) the person has received, for a period of at least 12 months, practical training and experience in husbandry procedures at a pig establishment that, during the period, complied with an industry recognised quality assurance program or had in place an industry recognised herd health program for pigs at the establishment.

- (2) In this section—

***qualification*** means a VET qualification under the *National Vocational Education and Training Regulator Act 2011* (Cwlth).

***registered training organisation*** see the *National Vocational Education and Training Regulator Act 2011* (Cwlth), section 3.

*statement of attainment* means a VET statement of attainment under the *National Vocational Education and Training Regulator Act 2011* (Cwlth).

#### **4 When a person is under *direct supervision* for a husbandry procedure**

A person (the *supervised person*) carries out a husbandry procedure on a pig under the direct supervision of another person (the *supervisor*) only if the supervisor—

- (a) instructs the supervised person about the procedure; and
- (b) is on the premises where the procedure is being carried out, while the procedure is being carried out; and
- (c) is available to give additional instruction to the supervised person about carrying out the procedure, if required, while the procedure is being carried out; and
- (d) evaluates, including personally checking on a regular basis, the carrying out of the procedure by the supervised person.

#### **5 Prescribed non-invasive husbandry procedures**

(1) A person may carry out a prescribed non-invasive husbandry procedure on a pig only if the person—

- (a) is competent to carry out the procedure; or
- (b) carries out the procedure under the direct supervision of a person who is competent to carry out the procedure.

(2) In this section—

*prescribed non-invasive husbandry procedure* means—

- (a) diagnosing whether or not a pig is pregnant by external ultrasonic examination; or
- (b) measuring a pig's back fat in a way that does not penetrate its skin; or
- (c) administering medicine to a pig in compliance with a medication instruction by—

- (i) oral dosing; or
- (ii) topical application to the skin; or
- (iii) mixing the medicine with food.

## 6 Inspecting pigs

A person may carry out an inspection of a pig kept for a commercial purpose only if the person—

- (a) is suitably qualified to carry out the inspection; or
- (b) carries out the inspection under the direct supervision of a person who is suitably qualified to carry out the inspection.

## 7 Invasive husbandry procedures

(1) A person may carry out an invasive husbandry procedure on a pig only if the person—

- (a) is suitably qualified to carry out the procedure; or
- (b) carries out the procedure under the direct supervision of a person who is suitably qualified to carry out the procedure.

(2) In this section—

*invasive husbandry procedure*, for a pig, means a procedure relating to breeding, keeping, raising or caring for a pig that is invasive, but does not include a procedure to which section 5, 6, 8, 9 or 10 applies.

*Examples—*

- castrating a male pig younger than 3 weeks
- clipping a pig's needle teeth
- docking a pig's tail
- marking a pig for identification
- ringing a pig's nose
- trimming a pig's tusks

## **8 Administering vaccines and other medicines by injection**

A person may administer a vaccine or other medicine to a pig by injection only if the person—

- (a) is suitably qualified to administer the vaccine or other medicine by injection; or
- (b) administers the vaccine or other medicine—
  - (i) under the direct supervision of a person who is suitably qualified to administer the vaccine or other medicine by injection; or
  - (ii) in compliance with a medication instruction.

*Note—*

The *Medicines and Poisons Act 2019* regulates the administration of particular medicines.

## **9 Surgical sterilisation of male pigs over 3 weeks of age**

A person may carry out a surgical sterilisation procedure on a male pig that is 3 weeks or older only if—

- (a) the person is a veterinary surgeon; or
- (b) the person—
  - (i) is undertaking a course of study, or a qualifying examination, in veterinary science approved by the Veterinary Surgeons Board of Queensland established under the *Veterinary Surgeons Act 1936*; and
  - (ii) carries out the procedure under the direct supervision of a veterinary surgeon.

## **10 Killing pigs**

- (1) A person may kill a pig only if the person—
  - (a) is suitably qualified to kill the pig; or
  - (b) is acting under the direct supervision of a person who is suitably qualified to kill the pig.

- 
- (2) However, a person other than a person acting under subsection (1) may kill a pig if—
- (a) it is necessary to kill the pig to prevent it from suffering; and
  - (b) it would be inhumane to delay killing the pig until a person could kill it under subsection (1).

*Note—*

For other requirements for the killing of pigs, see section 33.

## **Part 3                      Food and water requirements**

### **11      Access to food**

The person in charge of a pig must ensure—

- (a) the pig has access to food—
  - (i) if the pig is a weaner—twice daily; or
  - (ii) otherwise—daily; and
- (b) the food is adequate for keeping the pig in good health and meeting its physiological needs.

### **12      Access to water**

The person in charge of a pig must ensure—

- (a) the pig has access to drinking water at all times; and
- (b) the quality and quantity of the water meets the pig's physiological needs.

## **Part 4 Accommodation requirements**

### **Division 1 Housing pigs**

#### **13 Housing requirements for pigs**

- (1) This section applies whether or not a pig is ordinarily kept in single or group housing in a shed, shelter or other building or is allowed to range outside.
- (2) The person in charge of the pig must provide housing that is designed, constructed and maintained to protect the pig from adverse weather, injury, predators and other threats to the pig's welfare.
- (3) If the housing is fitted with an automatically controlled forced-ventilation system, the person must ensure there is an effective backup system that will allow the housing to be ventilated if there is a power failure.

*Examples of an automatically controlled forced-ventilation system—*

fans or shutters controlled by temperature sensors

- (4) If the housing is naturally ventilated using automatically operated equipment, the person must ensure—
  - (a) the equipment is inspected at least twice daily; or
  - (b) there is an effective backup system that will allow the housing to be ventilated if there is a power failure.

#### **13A Restrictions on housing pigs in stall**

- (1) A person may keep a pig in a stall only if the pig is—
  - (a) a pig that is sick, weak or injured; or
  - (b) a sow that has been confirmed pregnant; or
  - (c) a sow or gilt that has been mated; or
  - (d) a boar.

*Note—*

For the requirement to release a boar periodically, see section 22.



- 
- (2) The person in charge of a pig mentioned in subsection (1)(a) to (c) must not keep the pig in the stall—
- (a) if the pig is a sow that has been confirmed pregnant—for more than a total of 6 weeks during the pregnancy of the sow; or
  - (b) otherwise—for more than a total of 6 weeks starting on the day the pig is confined in the stall.

*Note—*

For the requirement to keep particular records for sows, see section 5 of this regulation.

- (3) Subsection (2) does not apply to a person in charge of a pig kept in a stall if—
- (a) the pig is under the special care of a person suitably qualified to provide the care; and
  - (b) the pig is removed from the stall as soon as the pig's good health and wellbeing has been restored.
- (4) In this section—

*special care* means 1 or more of the following requiring a pig to be confined in a stall for more than 6 weeks—

- (a) administering an individual nutrition program to promote the pig's good health and wellbeing;
- (b) administering a veterinary treatment or a husbandry procedure;
- (c) providing health management under a herd health program to promote the pig's good health and wellbeing.

### **13B Restriction on housing pigs in farrowing crate**

A person may keep a pig in a farrowing crate only if—

- (a) the pig is a farrowing sow or a sow suckling piglets; and
- (b) the pig is placed in the crate no earlier than 7 days before the day the person expects the pig to farrow.

*Note—*

For general requirements for farrowing crates used to keep sows, see section 23.

## **Division 2                      Floor area requirements**

### **14                      Floor area requirements for indoor pens used to keep breeding boars**

- (1) This section applies if—
  - (a) only 1 pig is kept in an indoor pen; and
  - (b) the pig is a breeding boar.
- (2) The person in charge of the boar must ensure the floor area of the indoor pen is no less than 6m<sup>2</sup>.

### **15                      Floor area requirement for indoor pens used to keep breeding gilts whose live weight is greater than 100kg**

- (1) This section applies if—
  - (a) 2 or more pigs are kept in an indoor pen, other than a farrowing pen; and
  - (b) all of the pigs are breeding gilts with a live weight greater than 100kg.
- (2) The person in charge of the gilts must ensure the floor area of the pen is no less than 1m<sup>2</sup> for each gilt.

### **16                      Floor area requirement for indoor pens used to keep breeding sows**

- (1) This section applies if—
  - (a) 2 or more pigs are kept in an indoor pen; and
  - (b) all of the pigs are breeding sows.
- (2) The person in charge of the sows must ensure the floor area of the pen is no less than 1.4m<sup>2</sup> for each sow.

## 17 Floor area requirements for indoor pens used to keep weaners, growers or finishers

- (1) This section applies if—
- (a) only 1 pig is kept in an indoor pen and the pig is a weaner, grower or finisher; or
  - (b) 2 or more pigs are kept in an indoor pen and all the pigs are either weaners, growers or finishers.
- (2) The person in charge of the pig or pigs must ensure the floor area of the pen is no less than—
- (a) if only 1 pig is kept in the pen—the minimum floor area stated in the minimum floor area table for the live weight of the pig, rounded to the nearest kilogram; or
  - (b) if 2 or more pigs are kept in the pen—an area worked out using the following formula—

$$F \times N$$

where—

*F* means the minimum floor area stated in the minimum floor area table for the live weight that is the average live weight of the pigs, rounded to the nearest kilogram.

*N* means the number of pigs.

*Example for paragraph (b)—*

The following pigs are kept in an indoor pen—

- a grower with a live weight of 32.3kg
- a grower with a live weight of 50kg
- a grower with a live weight of 57.5kg
- a finisher with a live weight of 65kg.

The average live weight of the pigs, rounded to the nearest kilogram, is 51kg. The floor area of the pen must be no less than 0.42m<sup>2</sup> (being the minimum floor area stated in the minimum floor area table for 51kg) x 4 (being the number of pigs), which is 1.68m<sup>2</sup>.

- (3) In this section—

**average live weight**, of 2 or more pigs, means the average of the live weights of the pigs.

**finisher** means a pig, other than a breeding boar, breeding gilt or breeding sow, whose live weight, rounded to the nearest kilogram, is more than 60kg.

**grower** means a pig, other than a breeding boar, breeding gilt or breeding sow, whose live weight, rounded to the nearest kilogram, is more than 30kg but no more than 60kg.

**minimum floor area table** means the following table—

<b>Live weight (kg)</b>	<b>Minimum floor area (m<sup>2</sup>)</b>
1	0.03
2	0.05
3	0.06
4	0.08
5	0.09
6	0.10
7	0.11
8	0.12
9	0.13
10	0.14
11	0.15
12	0.16
13	0.17
14	0.18
15	0.18
16	0.19
17	0.20

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<b>Live weight (kg)</b>	<b>Minimum floor area (m<sup>2</sup>)</b>
18	0.21
19	0.22
20	0.22
21	0.23
22	0.24
23	0.25
24	0.25
25	0.26
26	0.27
27	0.27
28	0.28
29	0.29
30	0.29
31	0.30
32	0.31
33	0.31
34	0.31
35	0.32
36	0.33
37	0.34
38	0.34
39	0.35
40	0.36
41	0.36

Schedule 2

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<b>Live weight (kg)</b>	<b>Minimum floor area (m<sup>2</sup>)</b>
42	0.37
43	0.37
44	0.38
45	0.38
46	0.39
47	0.40
48	0.40
49	0.41
50	0.41
51	0.42
52	0.42
53	0.43
54	0.43
55	0.44
56	0.45
57	0.45
58	0.46
59	0.46
60	0.47
61	0.47
62	0.48
63	0.48
64	0.49
65	0.49

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<b>Live weight (kg)</b>	<b>Minimum floor area (m<sup>2</sup>)</b>
66	0.50
67	0.50
68	0.51
69	0.51
70	0.52
71	0.52
72	0.53
73	0.53
74	0.54
75	0.54
76	0.55
77	0.55
78	0.56
79	0.56
80	0.57
81	0.57
82	0.57
83	0.58
84	0.58
85	0.59
86	0.59
87	0.60
88	0.60
89	0.61

Schedule 2

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<b>Live weight (kg)</b>	<b>Minimum floor area (m<sup>2</sup>)</b>
90	0.61
91	0.62
92	0.62
93	0.63
94	0.63
95	0.63
96	0.64
97	0.64
98	0.65
99	0.65
100	0.66
101	0.66
102	0.67
103	0.67
104	0.67
105	0.68
106	0.68
107	0.69
108	0.69
109	0.70
110	0.70
111	0.70
112	0.71
113	0.71



Live weight (kg)	Minimum floor area (m <sup>2</sup> )
114	0.72
115	0.72
116	0.72
117	0.73
118	0.74
119	0.74
120 or greater	0.74

### **18 Floor area requirement for indoor farrowing pens used to keep breeding sows**

- (1) This section applies if—
  - (a) only 1 pig is kept in an indoor farrowing pen; and
  - (b) the pig is a breeding sow.
- (2) The person in charge of the sow must ensure the floor area of the farrowing pen is no less than 5.6m<sup>2</sup>.

## **Division 3 Stalls used to keep pigs**

### **19 General requirements for stalls used to keep pigs**

- (1) This section applies if a pig is kept in a stall.

*Notes—*

- 1 For restrictions on housing pigs in stalls, see section 13A.
  - 2 For measurement requirements for indoor stalls for particular pigs, see sections 20 and 21.
- (2) The person in charge of the pig must ensure—
    - (a) the pig can stand, stretch and lie with its limbs extended in the stall without being obstructed by the stall, including, for example, by bars, railings and fittings; and

- (b) the pig can stand in the stall without touching, at the same time, the opposite sides of the stall; and
- (c) when the pig lies in the stall, its snout and hindquarters do not touch, at the same time, the opposite ends of the stall; and
- (d) if the stall has bars fitted on the top, the pig's back does not touch the bars when the pig stands at rest or lowers its head; and
- (e) the pig can easily access a feeder and waterer; and
- (f) the placement of feeders or waterers does not—
  - (i) interfere with the pig's ability to stand, stretch, move or lie in the stall; or
  - (ii) injure the pig; and
- (g) the stall is designed and constructed to minimise the risk of harm to the pig from a pig in an adjoining stall; and  
*Example—*
  - ensuring the stall is fitted with a barrier
- (h) reasonable steps are taken to avoid injury to the pig because of contact with another pig in an adjoining stall; and  
*Example—*
  - ensuring that 2 aggressive boars or a sow and an aggressive boar are not kept in adjoining stalls
- (i) faeces and urine do not accumulate in the stall so that the pig does not have an area clear of faeces and urine in which to lie.

(3) In this section—

***ends***, of a stall, means the shorter sides of the stall that, if a pig were standing in the stall, would ordinarily be parallel to the front and back of the pig.

***sides***, of a stall, means the longer sides of the stall that, if a pig were standing in the stall, would ordinarily be parallel to the sides of the pig.

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**20 Measurement requirements for indoor stalls used to keep breeding boars**

- (1) This section applies if—
- (a) only 1 pig is kept in an indoor stall; and
  - (b) the pig is a breeding boar.

*Note—*

For general requirements for stalls used to keep pigs, see section 19.

- (2) The person in charge of the boar must ensure—
- (a) the length of the stall is no less than 2.4m; and
  - (b) the width of the stall is no less than 0.7m.

**21 Measurement requirements for indoor stalls used to keep sows**

- (1) This section applies if—
- (a) only 1 pig is kept in an indoor stall; and
  - (b) the pig is a sow.

*Note—*

For general requirements for stalls used to keep pigs, see section 19.

- (2) The person in charge of the sow must ensure—
- (a) the length of the stall is no less than 2.2m; and
  - (b) the width of the stall is no less than 0.6m.

**22 Releasing boars from stalls for mating or exercise**

If a boar is kept in a stall, the person in charge of the boar must ensure it is released from the stall no less than twice a week for mating or exercise.

## **Division 4                      Farrowing crates used to keep sows**

### **23            General requirements for farrowing crates used to keep sows**

- (1) This section applies if—
- (a) only 1 pig is kept in a farrowing crate; and
  - (b) the pig is a sow.

*Note—*

For measurement requirements for indoor farrowing crates used to keep sows, see section 24.

- (2) The person in charge of the sow must ensure—
- (a) the crate is designed and constructed to minimise the risk of the sow lying on her piglets; and
  - (b) the sow can give birth to piglets—
    - (i) without being obstructed by the crate; and
    - (ii) in a way that minimises the risk of the piglets being crushed, trapped or otherwise injured; and
  - (c) the sow can suckle her piglets so that the piglets have reasonable access to both sides of her udder; and
  - (d) the sow can access food and water without being obstructed by the crate.
- (3) The person in charge of the sow must ensure the sow is not kept in the crate for more than a total of—
- (a) if the sow is required to foster an additional litter—12 weeks in the sow's reproductive cycle; or
  - (b) otherwise—6 weeks in the sow's reproductive cycle.

*Note—*

For the requirement to keep particular records for sows, see section 5 of the regulation.

- (4) In this section—
- sow** includes a breeding sow.

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**24 Measurement requirements for indoor farrowing crates used to keep sows**

- (1) This section applies if—
- (a) only 1 pig is kept in an indoor farrowing crate; and
  - (b) the pig is a sow.

*Note—*

For general requirements for farrowing crates used to keep sows, see section 23.

- (2) The person in charge of the sow must ensure—
- (a) the length of the crate is no less than 2m; and
  - (b) the width of the crate is no less than 0.5m; and
  - (c) the total of the floor area of the crate, and the area of the creep area adjacent to it, is no less than 3.2m<sup>2</sup>.
- (3) For subsection (2)(a), the length must be measured on the inside of the crate.
- (4) For subsection (2)(b), the width must be measured on the inside of the crate, at a level no higher than 450mm above the floor of the crate.

## **Part 5 Requirements for particular equipment and systems**

**25 Inspection and maintenance of essential equipment**

The person in charge of a pig must ensure essential equipment used to keep the pig is inspected daily and kept in good working order.

**26 Risk management system**

- (1) The person in charge of a pig must establish, implement and maintain a risk management system that ensures the pig is adequately fed and watered and its other environmental needs are met if there is—

- (a) a malfunction of essential equipment; or
  - (b) a delay in supplying food or water.
- (2) In this section—

***risk management system*** means a written procedure that—

- (a) identifies, monitors, mitigates and effectively manages risks to a pig's food supply, water supply and other environmental needs; and
- (b) includes a system for daily inspection of mechanical equipment essential for provision of a pig's food, water and other environmental needs.

*Examples of other environmental needs—*

- a stable and comfortable temperature
- adequate lighting and ventilation

## Part 6 Other requirements

### 27 Health inspections

The person in charge of a pig must ensure the pig is inspected, at least once a day, to assess its health and wellbeing.

### 28 Health management

- (1) The person in charge of a pig must establish, implement and maintain a herd health program for the pig.
- (2) Subject to subsection (3), if a pig is sick, weak or injured, the person in charge of the pig must ensure the pig is—
  - (a) isolated from other pigs; and
  - (b) given appropriate veterinary treatment.
- (3) If a pig is suffering from an incurable disease or injury or a painful deformity, the person in charge of the pig must ensure the pig is—
  - (a) isolated from other pigs; and

- (b) given appropriate veterinary treatment or killed.

*Note—*

For limitations and other requirements for the killing of pigs, see sections 10 and 33.

## 29 Farrowing and weaning

- (1) The person in charge of a piglet must ensure the piglet is checked within 24 hours of its birth to ensure it is feeding and receiving colostrum or an appropriate substitute.
- (2) If a sow dies and a piglet of the sow has not been weaned or is not receiving adequate nutrition, the person in charge of the piglet must ensure the piglet is—
- (a) fostered by another sow; or
  - (b) weaned; or
  - (c) hand-reared; or
  - (d) killed.

*Note—*

For limitations and other requirements for the killing of pigs, see sections 10 and 33.

- (3) If a sow is required to foster an additional litter, the person in charge of the sow must ensure the sow is given appropriate additional care to ensure its good health and wellbeing.

*Example—*

ensuring the sow is exercised regularly, receives additional nutrition and is supervised more intensively than other sows

- (4) In this section—

***colostrum*** means milk with a high protein and antibody content that is secreted by a sow for the first few days after farrowing.

## 30 Sterilisation of male pigs

- (1) A person may sterilise a male pig only by carrying out on the pig—

- (a) a surgical sterilisation procedure; or
  - (b) an immunocastration procedure.
- (2) If the person is carrying out a surgical sterilisation procedure on a male pig 3 weeks or older, the person must administer anaesthetic to the pig for the procedure.
- (3) In this section—

*immunocastration procedure* means administration of a vaccine that makes a pig temporarily or permanently sterile by preventing the release of, or otherwise affecting the action of, the pig's endogenous gonadotropins.

### **31 Restraining pigs**

- (1) The person in charge of a pig must ensure the pig is not restrained by tethering.
- (2) In this section—

*tethering*, a pig, means restraining the pig by attaching one end of a chain or wire to a collar around the pig's neck or a girth around the pig's body and the other end of the chain or wire to a part of a stall.

### **32 Moving pigs**

The person in charge of a pig must not allow either of the following to be used to move the pig—

- (a) an electrical prod;
- (b) a dog, unless—
  - (i) the dog is under the control of the person who has custody of the pig; and
  - (ii) if the dog has attacked, or acted in a way that has caused fear to, a person or another animal—the dog is muzzled.



**33 Killing pigs**

A person who kills a pig must ensure it is killed in a way that—

- (a) causes rapid unconsciousness and death immediately after unconsciousness happens; and
- (b) is otherwise humane.

## Schedule 2A Code of practice about sheep

section 2

### Part 1 Preliminary

#### 1 Definitions for schedule

In this schedule—

*intensive production system*, for sheep—

- (a) means a system in which sheep are kept in a yard or other enclosure and are completely dependent on a supply of food and water provided by hand or a mechanical method; but
- (b) does not include the keeping of sheep on a short term basis—
  - (i) for the purpose of weaning, dipping or another husbandry procedure; or
  - (ii) for the purposes of feeding during a drought or other emergency; or
  - (iii) at a saleyard or abattoir.

*sheep* means the animal *ovis aries* and a member of the genus *Ovis*.

#### 2 Application of schedule

- (1) This schedule applies to—
  - (a) the care and handling of sheep; and
  - (b) the use of electric devices on sheep.
- (2) However, this schedule does not apply to transporting sheep.

*Note*—

See schedule 3 for the code of practice applying to transporting sheep.

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## **Part 2**                              **General requirements for care and handling of sheep**

### **3**            **Impact of extreme weather conditions**

- (1) A person in charge of sheep must take reasonable steps to minimise the risk of harm to the sheep from extreme weather conditions.
- (2) In this section—  
*extreme weather conditions* means temperature or climatic conditions that individually, or in combination, are likely to predispose sheep to heat or cold stress.

### **4**            **Fire or flood**

A person in charge of sheep must take reasonable steps to minimise the risk of harm to the sheep from fire or flood.

### **5**            **Health inspections**

- (1) To the extent it is reasonable in the circumstances, a person in charge of sheep must ensure the sheep are inspected to assess the welfare of the sheep.
- (2) The inspections must be carried out at regular intervals having regard to the following matters—
  - (a) the stocking density of the sheep;
  - (b) the availability of suitable food;
  - (c) the reliability of water supply;
  - (d) the age of the sheep;
  - (e) whether any of the sheep are pregnant;
  - (f) the climatic conditions to which the sheep are exposed;
  - (g) any known health risks to the sheep.

*Example for paragraph (g)—*

flystrike

**6 Treatment of sick, injured or diseased sheep at first reasonable opportunity**

A person in charge of sheep that are sick, diseased or injured must, at the first reasonable opportunity, provide appropriate treatment for the sheep or humanely kill the sheep.

**7 Construction, maintenance and operation of facilities and equipment to ensure welfare of sheep**

(1) A person in charge of sheep must not use livestock facilities or equipment to contain or handle the sheep if the facilities or equipment are likely to cause harm to the sheep.

(2) In this section—

*livestock facilities or equipment* includes the following—

- (a) fences;
- (b) yards;
- (c) sheds;
- (d) food or water troughs;
- (e) ramps;
- (f) dips;
- (g) lamb-marking cradles;
- (h) facilities or equipment used to assemble, hold, load or unload sheep for transportation.

**8 Handling sheep**

(1) A person handling sheep must handle the sheep in a way that minimises the risk of harm to the sheep.

(2) Without limiting subsection (1), a person handling sheep must not do any of the following actions—

- (a) strike, punch or kick the sheep;
- (b) drag the sheep by 1 leg, unless it is necessary in the circumstances to allow safe handling, lifting, treatment or humane killing of the sheep;

- (c) drag the sheep by the ears or tail;
- (d) throw or drop the sheep, unless dropping the sheep from a height of less than 1.5m to land and stand on their feet;
- (e) lift or carry the sheep by the head, ears, horns, neck, tail or wool, unless necessary to do so because of an emergency;
- (f) drag the sheep by mechanical means unless—
  - (i) dragging the sheep is necessary because of an emergency; and
  - (ii) the sheep is dragged the minimum necessary distance to allow safe handling, lifting, treatment or humane killing of the sheep.

## **9 Shearing sheep**

A person in charge of sheep must ensure the sheep are sheared at least once every 2 years unless the sheep's wool is self-shedding.

## **10 Use of prodders**

A person may apply an electrical prod to a sheep only if—

- (a) the sheep is at least 3 months of age; and
- (b) the prod is not applied to the face, udders, anus or genitals of the sheep; and
- (c) the sheep is able to move away from the prod; and
- (d) the prod is applied as sparingly as possible and with restraint.

## **11 Use of dogs**

A person may use a dog to assist in the control or movement of sheep only if—

- (a) the dog is under effective control at all times; and

- (b) for a dog that habitually bites livestock—the dog is wearing a muzzle.

## 12 Grinding or trimming of teeth

A person must not trim or grind the teeth of sheep.

## 13 Pizzle dropping

- (1) A person must not perform pizzle dropping on sheep.
- (2) In this section—

*pizzle dropping* means the surgical procedure performed on sheep in which the skin between the prepuce and the abdomen is severed to allow the prepuce to hang below the wool on the abdomen.

## 14 Tethering sheep

- (1) A person in charge of sheep may tether the sheep only if—
  - (a) the sheep are given a reasonable opportunity to exercise at least once each day; and
  - (b) the sheep have sufficient space to stand up, lie down and move around for grazing.
- (2) The exercise mentioned in subsection (1)(a) must include being released from the tether or walked on a lead.
- (3) A person in charge of sheep must not tether the sheep at night unless the sheep are being exhibited at an agricultural show, field day or similar event.
- (4) In this section—

*tethering*, of sheep, means securing the sheep to an anchor point to confine it to a particular area.

## 15 Tail docking, castration and sterilisation

- (1) A person may perform castration or tailing on sheep that are less than 6 months of age only if the castration or tailing is

done in a way that avoids unnecessary pain or suffering for the sheep.

- (2) A person may perform castration or tailing on sheep that are 6 months of age or older only if—
  - (a) the castration or tailing is done in a way that avoids unnecessary pain or suffering for the sheep; and
  - (b) the sheep is provided with appropriate treatment to control haemorrhaging following the castration or tailing; and
  - (c) suitable pain relief is administered to the sheep.
- (3) A person must not perform tailing of sheep unless a tail stump with at least 1 palpable free joint is left on the sheep.
- (4) A person may use the cryptorchid method on a ram that is 6 months of age or older only if—
  - (a) the ram is provided with appropriate treatment to control haemorrhaging following the use of the cryptorchid method; and
  - (b) suitable pain relief is administered to the ram.
- (5) In this section—

*cryptorchid method* means the sterilization of a ram by a method in which the scrotum is shortened by the application of a rubber ring.

## 16 Mulesing

- (1) A person may perform mulesing on sheep only if the sheep are more than 24 hours old but not more than 12 months of age.
- (2) A person performing mulesing on sheep must ensure—
  - (a) the mulesing is done in a way that avoids unnecessary pain or suffering for the sheep; and
  - (b) if the sheep is more than 6 months of age—suitable pain relief is administered to the sheep.

- (3) A person performing mulesing on sheep must not remove any skin from the sheep that is not wool-bearing.
- (4) A person must not perform mulesing on a sheep showing signs of disease, weakness, illness or injury.

## **Part 3 Breeding management**

### **17 Artificial breeding procedures**

A person performing artificial breeding procedures on sheep must ensure the procedure minimises the risk of harm to the sheep.

### **18 Surgical embryo transfer and laparoscopic insemination**

A person must not perform the surgical transfer of an embryo or laparoscopic insemination on sheep unless—

- (a) the person is a veterinary surgeon; or
- (b) the person is under the direct supervision of a veterinary surgeon in the circumstances mentioned in the *Veterinary Surgeons Act 1936*, section 25N(2).

## **Part 4 Intensive sheep production systems**

### **19 Access to food and water on daily basis**

A person in charge of sheep kept in an intensive production system must ensure that food and water is provided to the sheep on a daily basis.

### **20 Health inspections**

Without limiting section 5, a person in charge of sheep kept in an intensive production system must ensure the sheep are



inspected at least once a day to assess the welfare of the sheep.

**21 Providing for sheep that have not adapted to intensive production**

A person in charge of sheep kept in an intensive production system must take reasonable steps to provide for the needs of the sheep that have not adapted to an intensive production system.

*Example of a reasonable step—*  
changing a sheep's diet

**22 Accumulation of waste**

A person in charge of sheep kept in an intensive production system must not allow faeces and urine to accumulate to the extent the accumulation presents a risk to the welfare of the sheep.

**23 Effective ventilation**

A person in charge of sheep kept in an intensive production system in indoor housing must ensure there is adequate ventilation so that a lack of ventilation does not present a risk to the welfare of the sheep.

**24 Sufficient space**

A person in charge of sheep kept in an intensive production system must ensure each of the sheep has sufficient space to lie down on its sternum.

**25 Single pens**

A person in charge of sheep kept in an intensive production system must ensure that individual sheep are not kept isolated in a single pen on a permanent basis.

## Part 5 Humane killing

### 26 Killing sheep

- (1) A person in charge of a sheep suffering from severe distress, disease or injury that can not reasonably be treated must ensure the sheep is killed at the first reasonable opportunity.
- (2) A person who kills a sheep must ensure the sheep is killed in a way that—
  - (a) causes rapid unconsciousness and death immediately after unconsciousness happens; and
  - (b) does not include a blow to the head; and
  - (c) is otherwise humane.
- (3) However, if there is no firearm, captive bolt or lethal injection reasonably available, a person may kill a sheep by—
  - (a) bleeding out the sheep; or
  - (b) a single blow to the head of the sheep if—
    - (i) the sheep is less than 10kg; and
    - (ii) the blow causes immediate loss of consciousness and death without regaining consciousness.
- (4) A person who kills a sheep must have the relevant knowledge, experience and skill to kill the sheep humanely, or be under the direct supervision of a person who has that knowledge, experience and skill, unless—
  - (a) the sheep needs to be killed to prevent undue suffering to the sheep; and
  - (b) for a person requiring supervision—there would be an unreasonable delay until the supervision could be provided.
- (5) A person is under *direct supervision* of another person (the *supervisor*) for a procedure if the supervisor—
  - (a) instructs the person about the procedure; and

- (b) is on the premises where the procedure is carried out, while the procedure is carried out; and
  - (c) is available to give additional instruction to the person about carrying out the procedure while the procedure is carried out; and
  - (d) evaluates the carrying out of the procedure by the person, including regularly personally checking on the person.
- (6) A person who kills a sheep must take reasonable steps to confirm the death of the sheep immediately after believing the sheep has been killed.
- (7) In this section—

*bleeding out*, of a sheep, means the loss of blood caused by cutting the major blood vessel of the sheep, usually in the neck or at the base of the heart via the thoracic inlet.

## Schedule 2B Code of practice about cattle

section 2

### Part 1 Preliminary

#### 1 Definitions for schedule

In this schedule—

*beef feedlot*—

- (a) means a confined yard with watering and feeding facilities where cattle are completely hand fed or mechanically fed; but
- (b) does not include a saleyard or slaughter facilities.

*cattle* means a member of the genus *Bos*.

*heat stress*, for cattle, means exposure to temperatures, in the immediate environment, above which the cattle can not maintain normal body temperature without needing to use energy beyond normal basal metabolic rate.

#### 2 Application of schedule

- (1) This schedule applies to the care and handling of cattle.
- (2) However, this schedule does not apply to transporting cattle.

*Note*—

See schedule 3 for the code of practice applying to transporting cattle.

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## Part 2 **General requirements for care and handling of cattle**

### **3 Impact of extreme weather conditions**

- (1) A person in charge of cattle must take reasonable steps to minimise the risk of harm to the cattle from extreme weather conditions.
- (2) In this section—  
*extreme weather conditions* means temperature or climatic conditions that individually, or in combination, are likely to predispose cattle to heat or cold stress.

### **4 Heat stress**

A person in charge of cattle must take reasonable steps to minimise the risk of harm to the cattle from heat stress.

### **5 Fire or flood**

A person in charge of cattle must take reasonable steps to minimise the risk of harm to the cattle from fire or flood.

### **6 Health inspections**

- (1) To the extent it is reasonable in the circumstances, a person in charge of cattle must ensure the cattle are inspected to assess the welfare of the cattle.
- (2) The inspections must be carried out at regular intervals having regard to the following matters—
  - (a) the stocking density of the cattle;
  - (b) the availability of suitable food;
  - (c) the reliability of water supply;
  - (d) the age of the cattle;
  - (e) whether any of the cattle are pregnant;

- (f) the climatic conditions to which the cattle are exposed;
- (g) any known health risks to the cattle.

*Example for paragraph (g)—*

ticks

## **7 Treatment of sick, injured or diseased cattle at first reasonable opportunity**

A person in charge of cattle that are sick, diseased or injured must, at the first reasonable opportunity, provide appropriate treatment for the cattle or humanely kill the cattle.

## **8 Construction, maintenance and operation of facilities and equipment to ensure welfare of cattle**

- (1) A person in charge of cattle must not use livestock facilities or equipment to contain or handle the cattle, if the facilities or equipment are reasonably likely to cause injury to the cattle.
- (2) In this section—

*livestock facilities or equipment* includes the following—

- (a) fences;
- (b) yards;
- (c) sheds;
- (d) food or water troughs;
- (e) ramps;
- (f) dips;
- (g) branding cradles;
- (h) crushes and head bales;
- (i) facilities or equipment used to assemble, hold, load or unload cattle for transportation.

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## 9 Handling cattle

- (1) A person handling cattle must handle the cattle in a way that minimises the risk of harm to the cattle.
- (2) Without limiting subsection (1), a person handling cattle must not do any of the following actions—
  - (a) strike, punch or kick the cattle;
  - (b) drag any cattle that are not standing, unless it is necessary in the circumstances to allow safe handling, lifting, treatment or humane killing of the cattle;
  - (c) drag the cattle by the ears or tail;
  - (d) drop the cattle, other than in a way that lets the cattle land and stand on their feet;
  - (e) lift or carry the cattle by the head, ears, horns, neck or tail, unless necessary to do so because of an emergency;
  - (f) deliberately dislocate or break the tail of the cattle;
  - (g) use metal pellets to wound the cattle as an aid for mustering.

## 10 Use of electro-immobilisation

- (1) A person may use electro-immobilisation to restrain cattle only if—
  - (a) the cattle are older than 6 months of age; and
  - (b) done in a way that minimises the risk of harm to the cattle; and
  - (c) there is no alternative method that would adequately restrain the cattle for the procedure being performed.
- (2) A person must not use electro-immobilisation on cattle for pain relief.
- (3) In this section—

*electro-immobilisation* means the use of pulsed, low-frequency electrical current producing tetanic contractions of skeletal muscles.

## 11 Use of prodders

A person may apply an electrical prod to cattle only if—

- (a) the cattle is at least 3 months of age; and
- (b) the prod is not applied to the face, udders, anus or genitals of the cattle; and
- (c) the cattle is able to move away from the prod; and
- (d) the prod is applied as sparingly as possible and with restraint.

## 12 Use of dogs

(1) A person may use a dog to assist in the control or movement of cattle only if—

- (a) the dog is under effective control at all times; and
- (b) for controlling or moving a bobby calf—the dog is wearing a muzzle.

(2) In this section—

***bobby calf*** means a calf less than 30 days of age that is not accompanied by its mother.

## 13 Tethering cattle

(1) A person in charge of cattle may tether the cattle only if—

- (a) the cattle are given a reasonable opportunity to exercise at least once each day; and
- (b) the cattle has sufficient space to stand up, lie down and move around for grazing.

(2) The exercise mentioned in subsection (1)(a) must include being released from the tether or walked on a lead.

(3) A person in charge of cattle must not tether the cattle at night unless the cattle are being exhibited at an agricultural show, field day or similar event.

(4) In this section—



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*tethering*, of cattle, means securing the cattle to an anchor point to confine the cattle to a particular area.

## 14 Castration

- (1) A person may castrate cattle only if—
  - (a) the castration is done in a way that avoids unnecessary pain or suffering for the cattle; and
  - (b) appropriate tools and methods are used to castrate the cattle; and
  - (c) suitable pain relief is administered to the cattle.
- (2) However, subsection (1)(c) does not apply if—
  - (a) the cattle is less than 6 months of age; or
  - (b) the cattle is less than 12 months of age and the castration happens at its first yarding.

## 15 Dehorning

- (1) A person may dehorn cattle only if—
  - (a) the dehorning is done in a way that avoids unnecessary pain or suffering for the cattle; and
  - (b) appropriate tools and methods are used to dehorn the cattle; and
  - (c) suitable pain relief is administered to the cattle.
- (2) However, subsection (1)(c) does not apply if—
  - (a) the cattle is less than 6 months of age; or
  - (b) the cattle is less than 12 months of age and the dehorning happens at its first yarding.

## 16 Disbudding

- (1) A person may disbud cattle only if the person complies with this section.
- (2) A person disbudding cattle must ensure—

- (a) the disbudding is done in a way that minimises the risk of harm to the cattle; and
  - (b) appropriate tools and methods are used to disbud the cattle.
- (3) A person may use caustic chemicals for disbudding a calf only if—
- (a) the calf is less than 14 days of age; and
  - (b) the calf is not wet; and
  - (c) the calf is segregated from its mother for 4 hours after treatment; and
  - (d) the calf can be kept dry for 12 hours after the treatment.
- (4) In this section—

***disbudding***, of cattle, means the removing of an area of skin from the head of cattle, including the horn bud in a young calf prior to solid attachment of the horn bud to the skull.

## 17 Spaying

- (1) A person may spay a cow only if—
- (a) the person is a veterinarian; or
  - (b) the person—
    - (i) has successfully completed the unit of competency known as AHCLSK335— Conduct dropped ovary technique procedures for spaying cattle; and
    - (ii) uses the Willis dropped-ovary technique.
- (2) A person must not use vaginal spreaders to spay a cow that has not given birth to a calf.
- (3) In this section—

***Willis dropped-ovary technique*** see the *Veterinary Surgeons Regulation 2016*, section 3(2).

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## Part 3 Breeding management

### 18 Artificial breeding procedures

- (1) A person may perform artificial insemination of a cow only if the person—
  - (a) is a veterinarian; or
  - (b) has the relevant knowledge, skills and experience; or
  - (c) is under the direct supervision of another person who has the relevant knowledge, skills and experience.
- (2) A person performing artificial breeding procedures on cattle must—
  - (a) ensure the risk of harm to the cattle is minimised; and
  - (b) take reasonable actions to minimise pain, distress or injury to the cattle.
- (3) A person is under *direct supervision* of another person (the *supervisor*) if the supervisor—
  - (a) instructs the person about the procedure; and
  - (b) is on the premises where the procedure is carried out, while the procedure is carried out; and
  - (c) is available to give additional instruction to the person about carrying out the procedure while the procedure is carried out; and
  - (d) evaluates the carrying out of the procedure by the person, including regularly personally checking on the person.

### 19 Calving induction

- (1) A person may perform calving induction only if the person is a veterinarian.
- (2) A person may administer a treatment to perform calving induction only if—
  - (a) the treatment is prescribed by a veterinarian; and

- (b) the person administers the treatment in compliance with all relevant directions of the prescribing veterinarian.

## **20 Calf rearing**

- (1) A person in charge of a calf must ensure—
  - (a) the calf is inspected at least daily to assess the welfare of the calf; and
  - (b) the calf is given reasonable access to food and water; and
  - (c) the calf is provided with food containing sufficient nutrients, including iron, to prevent anaemia and otherwise to ensure the good welfare of the calf; and
  - (d) if the calf is housed in a pen—
    - (i) the calf can stand, turn around, lie down and fully stretch its limbs without obstruction caused by the pen; and
    - (ii) that faeces and urine do not accumulate in the pen to the extent the accumulation presents a risk to the welfare of the calf.
- (2) For subsection (1)(b)—
  - (a) a calf is given reasonable access to food if the calf has a reasonable opportunity to consume food of a suitable quality and quantity sufficient to maintain the health and wellbeing of the calf; and
  - (b) a calf is given reasonable access to water if the calf has a reasonable opportunity to drink water of a suitable quality and quantity sufficient to maintain hydration.

## **21 Induced calves**

- (1) A person in charge of an induced calf must ensure the calf receives adequate colostrum or colostrum substitute, or is humanely killed, before the calf is 12 hours old.
- (2) In this section—

*colostrum* means milk, rich in protein and antibodies, that is produced by a cow within the first few days after calving.

## Part 4 Dairy management

### 22 Health inspections

Without limiting section 6, a person in charge of a lactating dairy cow must ensure the cow is inspected at least once a day to assess the welfare of the cow.

### 23 Feed pads

A person in charge of a dairy cow that is kept on a feed pad must ensure the cow has access to a well-drained area for resting.

## Part 5 Beef feedlots

### 24 Floor area

(1) A person in charge of cattle kept in a beef feedlot must ensure a minimum floor area of 9m<sup>2</sup> for each standard cattle unit in the feedlot.

(2) In this section—

*standard cattle unit* means the equivalent of a cow or bull with a live body weight of 600kg.

### 25 Records

(1) The owner or operator of a beef feedlot must ensure records are kept of the diet composition, and quantities fed, to each group of cattle, for the duration of the feeding period for the group of cattle.

(2) In this section—

*feeding period*, for a group of cattle, means the period starting when the cattle are placed in a beef feedlot and ending when the cattle are removed from the feedlot.

## **26 Health inspections**

Without limiting section 6, the owner or operator of a beef feedlot must ensure the cattle at the feedlot are inspected daily to assess the welfare of the cattle.

## **27 Inspection of yards**

The owner or operator of a beef feedlot must ensure the yards of the feedlot are inspected and maintained to prevent prolonged wet areas and excessive build-up of waste.

## **28 Heat stress**

The owner or operator of a beef feedlot must—

- (a) complete an annual risk assessment about the risk of heat stress at the feedlot; and
- (b) establish, implement and maintain a risk management system to manage ongoing risk of heat stress.

## **29 Contingency plans**

- (1) The owner or operator of a beef feedlot must have a written contingency plan about—
  - (a) appropriately responding to a failure of food or water supply; and
  - (b) implementing appropriate actions, in response to the failure, to ensure the welfare of cattle at the feedlot.
- (2) The owner or operator of a beef feedlot must also have a written contingency plan about responding appropriately to—
  - (a) temperature, or other climatic conditions, that are likely to pose a significant risk of harm to the cattle at the feedlot; or

- (b) an outbreak of a disease in the feedlot that is likely to pose a significant risk of harm to the cattle at the feedlot.

## **Part 6                      Humane killing**

### **30            Killing cattle**

- (1) A person in charge of cattle suffering from severe distress, disease or injury that can not reasonably be treated must ensure the cattle is killed at the first reasonable opportunity.
- (2) A person who kills cattle must ensure the cattle is killed in a way that—
  - (a) causes rapid unconsciousness and death immediately after unconsciousness happens; and
  - (b) if the cattle is older than 24 hours—does not include a blow to the head; and
  - (c) is otherwise humane.
- (3) A person who kills cattle must take reasonable steps to confirm the death of the cattle immediately after believing the cattle has been killed.

## **Schedule 3      Code of practice for transport of livestock**

section 2

### **Part 1              Preliminary**

#### **Division 1          Interpretation**

##### **1              Definitions for sch 3**

In this schedule—

*bobby calf* means a calf less than 30 days of age and not accompanied by its mother.

*class of livestock* means a group of livestock of the same species that share a common characteristic, including, for example, age, size or sex, or some other physiological characteristic, including, for example, pregnancy.

*container* includes a box, cage and crate.

*depot* means a facility used to assemble, hold, load or unload livestock before transportation or for resting the livestock during transportation.

*harm* includes stress and injury.

*journey* means any of the activities mentioned in section 2(c) to (g).

*journey time* see section 3.

*livestock* means alpacas, buffalo, camel, cattle, deer, emus, goats, horses, ostriches, pigs, poultry or sheep.

*livestock handling facility* means a facility used to assemble, hold, load or unload livestock.

*Examples—*

a yard, enclosure, paddock or ramp



**loading density**, for livestock being transported, means the amount of space for each animal in a container, pen or other enclosure, or vehicle in which the animal is being transported.

**maximum journey time**, for livestock being transported, means the total number of continuous hours for which the livestock may be transported, as stated in part 3 for the class of livestock.

**maximum time off water**, for livestock being transported, means the total number of continuous hours for which the livestock may be transported without reasonable access to water, as stated in part 3 for the class of livestock.

**minimum spell duration**, for livestock being transported, means the minimum period of time for which a spell is required to be given to the livestock, as stated in part 3 for the class of livestock.

**poultry** means domestic fowl, ducks, geese, guinea fowl, partridges, pheasants, pigeons, quails or turkeys.

**reasonable access to water** see section 4.

**saleyard** means a facility with delivery, holding and selling facilities used for the purpose of transferring livestock because of a change in ownership.

**spell**, for livestock being transported, means the period of time in which the livestock is—

- (a) removed from the vehicle or container in which it is being transported; and
- (b) provided with reasonable access to feed and water; and
- (c) provided with space to lie down; and
- (d) subjected to minimal or no handling.

**transporting**, livestock, see section 2.

## 2 Meaning of **transporting**

**Transporting** livestock includes—

- (a) assembling or holding livestock before loading; and

- (b) selecting livestock for loading; and
- (c) loading livestock into containers before loading onto a vehicle; and
- (d) loading livestock onto a vehicle; and
- (e) holding livestock on a vehicle while stationary; and
- (f) carrying livestock on a vehicle; and
- (g) unloading livestock from a vehicle or container; and
- (h) assembling or holding livestock in a livestock handling facility during, or on completion of, a journey.

### **3 Meaning of *journey time***

- (1) The *journey time*, for livestock being transported, means—
  - (a) for emus, ostriches or poultry being transported in containers loaded onto vehicles—the period of time starting when the loading of the birds into the containers starts and ending when all of the birds are unloaded from the containers—
    - (i) for a spell of at least the minimum spell duration for the birds; or
    - (ii) at their final destination; and
  - (b) for a bobby calf—the period of time starting when the bobby calf is loaded onto the vehicle for transport and ending when the bobby calf is unloaded from the vehicle at its final destination; and
  - (c) otherwise—the period of time starting when the loading of the livestock onto the vehicle for transport starts and ending when all of the livestock is unloaded from the vehicle—
    - (i) for a spell of at least the minimum spell duration for the livestock; or
    - (ii) at their final destination.

- 
- (2) The journey time for livestock being transported is not interrupted or paused because the livestock are temporarily unloaded at a depot or saleyard unless—
- (a) the livestock is given a spell of at least the minimum spell duration for the livestock at the depot or saleyard; or
  - (b) the depot or saleyard is the final destination for the livestock.

#### **4 Meaning of *reasonable access to water***

Livestock has *reasonable access to water* if the livestock has a reasonable opportunity to drink water of a suitable quality and quantity sufficient to maintain hydration.

#### **5 Meaning of *reasonable access to feed***

Livestock has *reasonable access to feed* if the livestock has a reasonable opportunity to consume food of a suitable quality and quantity sufficient to maintain health and wellbeing.

#### **6 How to calculate length of spell and time off water**

- (1) For calculating the length of a spell for livestock being transported, the spell—
- (a) starts when all of the livestock has been unloaded from the vehicle or container in which it is being transported; and
  - (b) ends when the livestock starts being reloaded onto the vehicle or into the container.
- (2) For calculating the maximum time off water for livestock being transported, the period of time off water—
- (a) starts from the time the livestock last had reasonable access to water before starting the journey; and
  - (b) ends when the livestock—

- (i) is given a spell for at least the minimum spell duration for the livestock under part 3; or
- (ii) is given reasonable access to water at the final destination; or
- (iii) is slaughtered.

## **Division 2                      Application of schedule**

### **7                      Schedule applies to livestock being transported**

This schedule applies to livestock being transported—

- (a) on a road-going vehicle within this State or through this State from another State; or
- (b) on a sea-going vessel within this State or through this State from another State if the livestock is—
  - (i) in a road-going vehicle loaded onto the vessel; or
  - (ii) in a container that is unloaded from a road-going vehicle onto the vessel and reloaded onto a road-going vehicle on completion of the voyage; or
- (c) on a train within this State.

*Note—*

See, however, schedule 3AA in relation to the care and handling of livestock at depots and saleyards generally.

## **Part 2                                      General requirements for transporting all livestock**

### **8                      Livestock must be fit for transport**

- (1) A person must not supply for transport livestock that is unfit to undertake an intended journey unless the livestock is to be transported in accordance with the advice of a veterinary surgeon.

- 
- (2) A person must not load in a container or on a vehicle for transport livestock that is unfit to undertake an intended journey unless the livestock is to be transported in accordance with the advice of a veterinary surgeon.
  - (3) If livestock is unfit to undertake an intended journey, the person who has custody of the livestock must, as soon as reasonably practicable, make arrangements for the care, treatment or humane killing of the livestock.
  - (4) Without limiting subsections (1) and (2), livestock is unfit to undertake an intended journey if—
    - (a) the livestock is unable to walk independently by bearing weight on all legs; or
    - (b) for cattle—the cattle is known to be, or visually assessed to be, within 4 weeks of parturition and the estimated journey time or time off water is likely to be more than 4 hours; or
    - (c) for livestock other than cattle—the livestock is known to be, or visually assessed to be, within 2 weeks of parturition and the estimated journey time or time off water is likely to be more than 4 hours; or
    - (d) the livestock has given birth within 72 hours before starting the journey; or
    - (e) the livestock is severely emaciated; or
    - (f) the livestock is visibly dehydrated; or
    - (g) the livestock shows visible signs of severe injury or distress; or
    - (h) the livestock is suffering from a condition that is likely to result in an increase in pain or distress by undertaking the journey; or
    - (i) the livestock is blind in both eyes.

## **9 Advice of estimated time of arrival**

- (1) This section applies to each of the following persons—
  - (a) the driver of a road-going vehicle transporting livestock;

- (b) a stock attendant who has custody of livestock being transported by train.
- (2) Before transporting the livestock, the driver or stock attendant must notify the person to whom the custody of the livestock is to be transferred at a destination of the following information—
  - (a) the estimated time of arrival at the destination;
  - (b) the period the livestock have been in transit;
  - (c) the time when the livestock last had access to food and water;
  - (d) the last time the livestock had a spell while being transported.
- (3) The driver or stock attendant must also take reasonable steps to notify the person to whom the custody of the livestock is to be transferred at a destination of any change in the estimated time of arrival of the livestock.

## 10 Impact of extreme weather conditions

- (1) A person who has custody of livestock being transported must take reasonable steps to minimise the risk of harm to the livestock from extreme weather conditions while being transported.
- (2) In this section—

*extreme weather conditions* means temperature or climatic conditions that individually, or in combination, are likely to predispose livestock to heat or cold stress.

## 11 Suitability of livestock handling facility

A person who owns or operates a livestock handling facility being used to handle livestock must ensure the facility—

- (a) is suitable for the class of livestock being handled; and
- (b) has effective airflow that is appropriate for the class of livestock being handled; and

- (c) has a surface or flooring that minimises the risk of injury, from slipping or falling, to the livestock; and
- (d) is free from internal protrusions and objects that may cause injury to the livestock; and
- (e) has sufficient vertical clearance to minimise the risk of injury to the livestock.

## **12 Suitability of road-going vehicle**

The driver of a road-going vehicle transporting livestock must ensure the vehicle—

- (a) is suitable for the class of livestock being transported; and
- (b) has effective airflow that is appropriate for the class of livestock being transported; and
- (c) has a surface or flooring that minimises the risk of injury, from slipping or falling, to the livestock; and
- (d) is free from internal protrusions and objects that may cause injury to the livestock; and
- (e) has sufficient vertical clearance to minimise the risk of injury to the livestock.

## **13 Alignment of ramps**

- (1) This section applies to each of the following—
  - (a) the driver of a road-going vehicle transporting livestock;
  - (b) a stock attendant who has custody of livestock being transported by train.
- (2) The person must ensure the vehicle and any ramp used to load or unload the livestock are properly aligned and sufficiently close together to minimise the risk of injury to the livestock.

## **14 Handling livestock**

- (1) A person handling livestock being transported must handle the livestock in a way that minimises the risk of harm to the livestock.
- (2) Without limiting subsection (1), a person handling livestock being transported must not—
  - (a) kick the livestock; or
  - (b) punch the livestock; or
  - (c) strike the livestock in an unreasonable way.
- (3) Without limiting subsection (1), a person handling livestock, other than poultry, being transported must not—
  - (a) lift or carry the livestock by only the head, ears, horns, neck, tail, wool, hair or feathers; or
  - (b) lift or carry the livestock by 1 leg, unless the livestock is a sheep, goat or pig weighing less than 15 kilograms; or
  - (c) drag livestock that is unable to stand, unless it is necessary in the circumstances to allow safe handling, lifting, treatment or humane killing of the livestock; or
  - (d) lift the livestock by mechanical means, unless the livestock is well supported and secured.
- (4) Without limiting subsection (1), a person handling poultry being transported must not—
  - (a) lift or carry the poultry by the head, neck, wing feathers or tail feathers, unless—
    - (i) the person also supports the poultry under its breast; or
    - (ii) the person complies with subsection (5); or
  - (b) tie together the legs of the poultry.
- (5) A person handling poultry being transported may—
  - (a) for a turkey—lift and carry the turkey by the tail feathers and neck together, or by 1 leg and 1 wing together; or



- (b) for an adult goose, or a domestic fowl primarily kept for breeding purposes—lift and carry the goose or fowl by the base of both wings alone; or
- (c) for a duck—lift and carry the duck by its neck alone or by the base of both wings alone; or
- (d) for other poultry—lift and carry the poultry by 1 leg.

**15 Separation and loading density of livestock other than emus, ostriches or poultry**

- (1) This section applies to each of the following—
  - (a) the driver of a road-going vehicle transporting livestock other than emus, ostriches or poultry;
  - (b) a stock attendant who has custody of livestock, other than emus, ostriches or poultry, being transported by train.
- (2) The person must ensure—
  - (a) the livestock is separated by sufficient internal partitions or other barriers during transport to minimise the risk of harm to the livestock; and
  - (b) the loading density of the livestock in the vehicle (including each container, pen or other partition of the vehicle) minimises the risk of harm to the livestock.
- (3) For subsection (2)—
  - (a) the following matters must be considered in deciding whether the livestock is separated by sufficient internal partitions or other barriers—
    - (i) the species, class and size of the livestock;
    - (ii) the general health of the livestock;
    - (iii) the level of aggression of the livestock;
    - (iv) the nature of the intended journey; and
  - (b) the following matters must be considered in deciding whether the loading density of the livestock minimises the risk of harm to the livestock—

- (i) the species, class and size of the livestock;
- (ii) the body condition of the livestock;
- (iii) the length and density of the wool or hair of the livestock;
- (iv) the horn status of the livestock;
- (v) the weather conditions predicted for the intended journey;
- (vi) the nature of the intended journey;
- (vii) the design and capacity of the vehicle.

**16 Loading and loading density of emus, ostriches and poultry**

- (1) This section applies to a person loading emus, ostriches or poultry into containers for loading onto a vehicle.
- (2) The person must ensure—
  - (a) the containers—
    - (i) are loaded onto, or unloaded from, the vehicle carefully and without being dropped or thrown; and
    - (ii) are placed on the vehicle in an upright position without excessive tilting; and
    - (iii) are attached securely to the vehicle; and
    - (iv) are suitable for the species or class of bird being transported; and
  - (b) the loading density of the birds in the containers minimises the risk of harm to the birds.
- (3) For subsection (2)(b), the following matters must be considered in deciding whether the loading density of the birds in the containers minimises the risk of harm to the birds—
  - (a) the species, class and size of the birds;
  - (b) the body condition and density of feathers of the birds;

- (c) the weather conditions predicted for the intended journey;
- (d) the nature of the intended journey;
- (e) the design and capacity of the vehicle on which the containers are to be transported.

## 17 Inspection duties

- (1) This section applies to each of the following—
  - (a) the driver of a road-going vehicle transporting livestock other than emus, ostriches or poultry;
  - (b) a stock attendant who has custody of livestock, other than emus, ostriches or poultry, being transported by train.
- (2) The person must—
  - (a) inspect the vehicle immediately before departure following the loading of the livestock (whether at the start of, or during, a journey) to ensure any containers being used to transport the livestock, and the doors enclosing the livestock, are secured; and
  - (b) before unloading the livestock from the vehicle, inspect the livestock handling facility into which the livestock is to be unloaded to ensure there is free access and sufficient space for the livestock to be unloaded.
- (3) The person must carry out an inspection to assess the health and well-being of the livestock—
  - (a) immediately before starting the journey; and
  - (b) for livestock being transported on a road-going vehicle (other than emus, ostriches or poultry loaded in containers on the vehicle, or livestock being transported on a road-going vehicle on a sea-going vessel)—
    - (i) at least once within the first hour of the journey; and
    - (ii) at least once every 3 hours of the journey after the first hour; and

- (iii) before there is a change of driver; and
  - (c) for livestock being transported by train—at each livestock checking point at which the train stops during the journey; and
  - (d) at any time the livestock is unloaded from the vehicle (whether during or on completion of the journey).
- (4) If, during a journey, the person identifies an animal that is weak, ill, injured or otherwise distressed, the person must—
- (a) as soon as reasonably practicable, provide or seek the assistance for the animal that is reasonable in the circumstances; and
  - (b) on transferring the custody of the animal to another person—notify that person of the identity and condition of the animal.

## **18 Records**

- (1) This section applies to each of the following—
- (a) the driver of a road-going vehicle transporting livestock;
  - (b) a stock attendant who has custody of livestock being transported by train.
- (2) The person must, before starting the journey, estimate the journey time for transporting the livestock.
- (3) If the person estimates the journey time to be more than 24 hours, the person must keep a record of—
- (a) the estimated journey time; and
  - (b) the date and time the livestock were loaded on the vehicle, or into the container, for the journey; and
  - (c) the date and time the livestock last had reasonable access to water before starting the journey; and
  - (d) the date, and the time of the start and end, of any spell given to the livestock; and
  - (e) the date and time of any inspections under section 17(2) or (3) carried out by the person; and

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- (f) the details of any concern for the welfare of the livestock identified by the person, including the date and time each concern was identified, and the details of any action taken in response to the concern; and
  - (g) the details of another person who should be contacted in an emergency.
- (4) The person must give a copy of the records to any other person to whom the custody of the livestock is transferred during, or on completion of, the journey.

## **19 Use of prodders**

- (1) A person must not apply an electrical prod to any of the following livestock being transported—
- (a) an alpaca;
  - (b) a bobby calf;
  - (c) an emu or ostrich;
  - (d) a goat known or visually assessed to be pregnant;
  - (e) a pig weighing less than 60 kilograms;
  - (f) poultry.
- (2) A person may apply an electrical prod to other livestock being transported only in the following circumstances—
- (a) the livestock is at least 3 months of age;
  - (b) the prod is not applied to the face, udders, anus or genitals of the livestock;
  - (c) the livestock is able to move away from the prod;
  - (d) the prod is applied as sparingly as possible and with restraint;
  - (e) for a pig weighing at least 60 kilograms—the prod is applied as a last resort to protect the safety of a person handling the pig.

## **20 Use of dogs**

- (1) A person may use a dog to assist in the control or movement of livestock being transported only if—
  - (a) the dog is under effective control at all times; and
  - (b) for a dog that habitually bites livestock—the dog is wearing a muzzle.
- (2) Despite subsection (1)(b), a dog that habitually bites livestock may be used to assist in the control or movement of cattle, other than bobby calves, being transported, without the dog wearing a muzzle.
- (3) The driver of a vehicle transporting livestock may permit a dog to be transported in the same enclosure as the livestock only if the dog has bonded with and been used as a guardian of that livestock.

## **21 Arrangements for distressed livestock**

A person who, on completion of a journey, has custody of an animal that is weak, ill, injured or otherwise distressed, must, as soon as reasonably practicable, make arrangements for—

- (a) the separation of the animal for rest and recovery; or
- (b) the appropriate treatment of the animal; or
- (c) the humane killing and disposal of the animal.

## **22 Killing of livestock**

- (1) A person who during, or on completion of a journey, kills livestock, must—
  - (a) ensure the livestock is killed in a way that—
    - (i) causes rapid unconsciousness and death immediately after unconsciousness happens; and
    - (ii) is otherwise humane; and
  - (b) ensure the livestock is killed in a way that does not include a blow to the head; and

- (c) take reasonable steps to confirm the death of the livestock.
- (2) Despite subsection (1)(a)(i), a person may kill deer, goats or sheep by bleeding out if the person can not reasonably obtain a firearm or captive bolt.
- (3) Despite subsection (1)(b), a person may kill prescribed young by blunt trauma.

- (4) In this section—

*bleeding out* means the loss of blood caused by cutting the major blood vessels, usually in the neck or at the base of the heart via the thoracic inlet.

*blunt trauma* means a single blow to the head that causes immediate loss of consciousness.

*prescribed young* means—

- (a) a piglet weighing less than 15 kilograms; or
- (b) an alpaca, camel, cattle, deer, goat or sheep less than 24 hours of age.

## **Part 3    Specific requirements for transporting certain livestock**

### **23            Maximum journey time**

- (1) This section applies to each of the following persons—
- (a) the driver of a road-going vehicle transporting livestock;
- (b) a stock attendant who has custody of livestock being transported by train;
- (c) the operator of a depot or saleyard who has temporary custody of livestock being transported.
- (2) The person must ensure the journey time for the livestock is not more than the maximum journey time for the livestock.

## **24 Minimum spell duration**

- (1) This section applies to each of the following persons—
  - (a) the driver of a road-going vehicle transporting livestock;
  - (b) a stock attendant who has custody of livestock being transported by train;
  - (c) the operator of a depot or saleyard who has temporary custody of livestock being transported.
- (2) The person must, before the maximum time off water for the livestock is reached, ensure the livestock is given a spell for at least the minimum spell duration for the livestock.
- (3) However, if the minimum spell duration for the livestock is more than 24 hours, the minimum spell duration may be reduced to 24 hours if—
  - (a) the maximum time off water for the livestock has not yet been reached; and
  - (b) the actual time for which the livestock has been off water is less than 24 hours.
- (4) If the custody of livestock being transported is transferred to a person at a destination and the person is unable to ascertain when the livestock last had reasonable access to water—
  - (a) the maximum time off water for the livestock is taken to have been reached; and
  - (b) the person must, as soon as reasonably practicable, spell the livestock for the minimum spell duration for the livestock.
- (5) In this section—

*destination* includes a depot or saleyard.

## **25 Alpacas**

- (1) When transporting alpacas—
  - (a) the maximum journey time for the class of alpaca mentioned in column 1 of the following table, is the



period of time mentioned in column 2 of the table shown opposite that class; and

- (b) the maximum time off water for the class of alpaca mentioned in column 1 of the following table, is the period of time mentioned in column 3 of the table shown opposite that class; and
- (c) the minimum spell duration for the class of alpaca mentioned in column 1 of the following table, is the period of time mentioned in column 4 of the table shown opposite that class.

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Class of alpaca</b>	<b>Maximum journey time (hours)</b>	<b>Maximum time off water (hours)</b>	<b>Minimum spell duration (hours)</b>
Alpacas known or visually assessed to be less than 33 weeks pregnant	8	8	8
Alpacas known or visually assessed to be between 33 and 43 weeks pregnant (inclusive)	4	4	4
Alpacas known or visually assessed to be more than 43 weeks pregnant	4	4	24
Lactating alpacas travelling with dependent young less than 6 months of age	4	4	4
Alpacas less than 6 months of age	4	4	4

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Column 1	Column 2	Column 3	Column 4
Class of alpaca	Maximum journey time (hours)	Maximum time off water (hours)	Minimum spell duration (hours)
Alpacas between 6 and 12 months of age (inclusive)	8	8	8
Any other alpaca	24	24	24

- (2) Despite subsection (1), the maximum journey time for an alpaca, other than an alpaca known or visually assessed to be more than 43 weeks pregnant, is 72 hours if—
- (a) the alpaca is given reasonable access to water and feed at all times the alpaca is loaded on the vehicle in which it is being transported; and
  - (b) the alpaca is to be given a spell of at least 24 hours before starting another journey.
- (3) The driver of a road-going vehicle transporting an alpaca must ensure—
- (a) the alpaca has sufficient space in the vehicle to sit down or lie on its sternum; and
  - (b) if the alpaca is less than 12 months of age or less than 10 days off shears—the vehicle has an enclosed front or has sufficient cover to protect the alpaca from heat or cold stress or sunburn.

## 26 Buffalo

- (1) When transporting buffalo—
- (a) the maximum journey time for the class of buffalo mentioned in column 1 of the following table, is the period of time mentioned in column 2 of the table shown opposite that class; and
  - (b) the maximum time off water for the class of buffalo mentioned in column 1 of the following table, is the

period of time stated in column 3 of the table shown opposite that class; and

- (c) the minimum spell duration for the class of buffalo mentioned in column 1 of the following table, is the period of time stated in column 4 of the table shown opposite that class.

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Class of buffalo</b>	<b>Maximum journey time (hours)</b>	<b>Maximum time off water (hours)</b>	<b>Minimum spell duration (hours)</b>
Buffalo known or visually assessed to be between 28 and 43 weeks pregnant (inclusive)	24	24	12
Buffalo known or visually assessed to be more than 43 weeks pregnant	4	4	24
Lactating buffalo travelling with dependent young	24	24	12
Buffalo less than 6 months of age	24	24	12
Any other buffalo	36	36	24

- (2) If a buffalo suffers heat stress during a journey, the person who has custody of the buffalo must, as soon as reasonably practicable, apply a water spray to cool the buffalo.

## **27 Camels**

- (1) When transporting camels—
- (a) the maximum journey time for the class of camel mentioned in column 1 of the following table, is the

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period of time mentioned in column 2 of the table shown opposite that class; and

- (b) the maximum time off water for the class of camel mentioned in column 1 of the following table, is the period of time stated in column 3 of the table shown opposite that class; and
- (c) the minimum spell duration for the class of camel mentioned in column 1 of the following table, is the period of time stated in column 4 of the table shown opposite that class.

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Class of camel</b>	<b>Maximum journey time (hours)</b>	<b>Maximum time off water (hours)</b>	<b>Minimum spell duration (hours)</b>
Camels known or visually assessed to be between 36 and 53 weeks pregnant (inclusive)	24	24	12
Camels known or visually assessed to be more than 53 weeks pregnant	4	4	36
Lactating camels travelling with dependent young	24	24	12
Camels less than 6 months of age	24	24	12
Any other camel	48	48	36

- (2) Despite subsection (1), the maximum journey time for a camel, other than a camel known or visually assessed to be more than 53 weeks pregnant, is 72 hours if—
- (a) the camel is given reasonable access to water and feed at least once every 24 hours of the journey; and

- (b) the camel is to be given a spell of at least 24 hours before starting another journey.
- (3) The driver of a road-going vehicle transporting a camel must ensure—
- (a) when standing at rest in the vehicle, the camel has at least 100 millimetres clearance between the top of its hump and the surface immediately above the camel; and
- (b) the camel has sufficient space in the vehicle to lie down on its sternum.
- (4) The person who has custody of a camel being transported that is in rut must ensure the camel is segregated from all other animals while being transported.

## 28 Cattle other than bobby calves

When transporting cattle, other than bobby calves—

- (a) the maximum journey time for the class of cattle mentioned in column 1 of the following table, is the period of time mentioned in column 2 of the table shown opposite that class; and
- (b) the maximum time off water for the class of cattle mentioned in column 1 of the following table, is the period of time stated in column 3 of the table shown opposite that class; and
- (c) the minimum spell duration for the class of cattle mentioned in column 1 of the following table, is the period of time stated in column 4 of the table shown opposite that class.

Column 1	Column 2	Column 3	Column 4
Class of cattle	Maximum journey time (hours)	Maximum time off water (hours)	Minimum spell duration (hours)
Cattle known, or visually assessed to be between 24 and 37 weeks pregnant (inclusive)	24	24	12

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Column 1	Column 2	Column 3	Column 4
Class of cattle	Maximum journey time (hours)	Maximum time off water (hours)	Minimum spell duration (hours)
Cattle known or visually assessed to be more than 37 weeks pregnant	4	4	24
Cattle more than 30 days of age but less than 6 months of age	24	24	12
Lactating cattle travelling with dependent young	24	24	12
Any other cattle	48	48	36

**29 Bobby calves**

- (1) A person must not transport a bobby calf that is less than 5 days of age unless the journey time is no more than 6 hours and the calf—
  - (a) has been fed a liquid feed within 6 hours before it is loaded on the vehicle for transporting; and
  - (b) is being taken directly to a calf rearing facility; and
  - (c) is provided with thick bedding on the vehicle during the journey; and
  - (d) has sufficient space in the vehicle to lie down on its sternum.
- (2) For transporting a bobby calf that is more than 5 days but less than 30 days of age—
  - (a) a person must not supply the calf for transport unless—
    - (i) it has been fed a liquid feed within 6 hours before it is loaded on the vehicle for transport; and
    - (ii) it is alert and able to rise from a lying position; and

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- (iii) the journey time is reasonably expected to be 12 hours or less; and
    - (b) the driver of a road-going vehicle must not transport the calf unless—
      - (i) it has sufficient space in the vehicle to lie down on its sternum; and
      - (ii) it is alert and able to rise from a lying position; and
      - (iii) the journey time is reasonably expected to be 12 hours or less; and
    - (c) for a calf being transported to an abattoir—the driver of a road-going vehicle must ensure the calf is delivered to the abattoir in 12 hours or less from the time the calf was loaded on the vehicle.
  - (3) The driver of a road-going vehicle transporting a bobby calf must take reasonable measures to ensure the calf is protected from heat or cold stress during the journey.
  - (4) A person must not transport a premature bobby calf, including an induced calf, unless the calf is as fit for the journey as a full term calf of an equivalent age.
  - (5) In this section—

*liquid feed* means milk or milk replacer.

## 30 Deer

- (1) When transporting deer—
  - (a) the maximum journey time for the class of deer mentioned in column 1 of the following table, is the period of time mentioned in column 2 of the table shown opposite that class; and
  - (b) the maximum time off water for the class of deer mentioned in column 1 of the following table, is the period of time stated in column 3 of the table shown opposite that class; and
  - (c) the minimum spell duration for the class of deer mentioned in column 1 of the following table, is the

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period of time stated in column 4 of the table shown opposite that class.

Column 1	Column 2	Column 3	Column 4
Class of deer	Maximum journey time (hours)	Maximum time off water (hours)	Minimum spell duration (hours)
Deer known or visually assessed to be between 20 and 30 weeks pregnant (inclusive)	24	24	12
Deer known or visually assessed to be more than 30 weeks pregnant	4	4	24
Lactating deer travelling with dependent young	4	24	24
Weaned deer less than 6 months of age	28	28	12
Any other deer	48	48	36

- (2) The driver of a road-going vehicle transporting deer must not transport a deer—
- (a) within 7 days after the deer has undergone velvet antler removal; or
  - (b) that has antlers in velvet that are 4 centimetres or more in length; or
  - (c) that has hard antlers that are 4 centimetres or more in length unless—
    - (i) it is segregated from other deer; and
    - (ii) there is sufficient clearance between the antlers and the surfaces of the vehicle to minimise the risk of injury to the deer and its antlers.

### 31 Emus and ostriches

- (1) When transporting emus or ostriches—



- (a) the maximum journey time for the class of emu or ostrich mentioned in column 1 of the following table, is the period of time mentioned in column 2 of the table shown opposite that class; and
- (b) the maximum time off water for the class of emu or ostrich mentioned in column 1 of the following table, is the period of time stated in column 3 of the table shown opposite that class; and
- (c) the minimum spell duration for the class of emu or ostrich mentioned in column 1 of the following table, is the period of time stated in column 4 of the table shown opposite that class.

Column 1	Column 2	Column 3	Column 4
Class of emu or ostrich	Maximum journey time (hours)	Maximum time off water (hours)	Minimum spell duration (hours)
Emus or ostriches between 5 and 90 days of age (inclusive)	24	24	12
Emus or ostriches more than 90 days of age	36	36	24

- (2) A person who has custody of an emu or ostrich being transported must ensure, within 24 hours before starting a journey, the bird is provided with adequate food containing sufficient nutrients to ensure its good health and vitality.
- (3) The driver of a road-going vehicle transporting an emu or ostrich must ensure any bird between 5 and 90 days of age is given reasonable access to feed at least once every 12 hours during the journey.
- (4) The driver of a road-going vehicle transporting an emu or ostrich in a container must ensure any bird between 5 and 90 days of age is given reasonable access to water and feed at least once every 12 hours, and provided with shelter, during the journey.
- (5) The driver of a road-going vehicle transporting an emu or ostrich less than 5 days of age must take reasonable measures

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to minimise the risk of harm to the bird during the journey from chilling or overheating.

- (6) A person who has custody of an emu or ostrich less than 5 days of age must ensure that once the bird is removed from an incubator to be transported, the bird is returned for at least 24 hours to a suitable brooding environment that provides the bird with adequate feed, water and warmth—
  - (a) for a bird transported in a container in which the bird does not have reasonable access to water—within 60 hours; or
  - (b) otherwise—within 72 hours.

**32 Goats**

When transporting goats—

- (a) the maximum journey time for the class of goat mentioned in column 1 of the following table, is the period of time mentioned in column 2 of the table shown opposite that class; and
- (b) the maximum time off water for the class of goat mentioned in column 1 of the following table, is the period of time stated in column 3 of the table shown opposite that class; and
- (c) the minimum spell duration for the class of goat mentioned in column 1 of the following table, is the period of time stated in column 4 of the table shown opposite that class.

Column 1	Column 2	Column 3	Column 4
Class of goat	Maximum journey time (hours)	Maximum time off water (hours)	Minimum spell duration (hours)
Goats known or visually assessed to be between 14 and 19 weeks pregnant (inclusive)	24	24	12

Column 1	Column 2	Column 3	Column 4
Class of goat	Maximum journey time (hours)	Maximum time off water (hours)	Minimum spell duration (hours)
Goats known or visually assessed to be more than 19 weeks pregnant	4	4	12
Lactating goats travelling with dependent young	28	28	12
Goats less than 6 months of age	28	28	12
Any other goat	48	48	36

### 33 Horses

(1) When transporting horses—

- (a) the maximum journey time for the class of horse mentioned in column 1 of the following table, is the period of time mentioned in column 2 of the table shown opposite that class; and
- (b) the maximum time off water for the class of horse mentioned in column 1 of the following table, is the period of time stated in column 3 of the table shown opposite that class; and
- (c) the minimum spell duration for the class of horse mentioned in column 1 of the following table, is the period of time stated in column 4 of the table shown opposite that class.

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<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Class of horse</b>	<b>Maximum journey time (hours)</b>	<b>Maximum time off water (hours)</b>	<b>Minimum spell duration (hours)</b>
Horses known or visually assessed to be between 30 and 43 weeks pregnant (inclusive)	12	12	12
Horses known or visually assessed to be more than 43 weeks pregnant	4	4	24
Lactating horses travelling with dependent young	12	12	12
Horses less than 6 months of age	12	12	12
Any other horse	24	24	12

- (2) Despite subsection (1), the maximum journey time for a horse, other than a horse known or visually assessed to be more than 43 weeks pregnant, is 36 hours if—
- (a) the horse is given reasonable access to water and feed at least once every 5 hours of the journey; and
  - (b) the horse is transported in a vehicle that—
    - (i) protects the horse from the natural elements; and
    - (ii) has sufficient space for the horse to stand at rest with its head raised; and
    - (iii) has sufficient drainage to remove urine; and
  - (c) the horse is to be given a spell of at least 24 hours before starting another journey.
- (3) The driver of a road-going vehicle transporting a lactating horse with a dependent foal less than 6 months of age must, if

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the journey time is reasonably expected to be more than 5 hours, provide sufficient space in the vehicle for the foal to suckle from its mother and to lie down.

- (4) The driver of a road-going vehicle transporting a horse must ensure—
- (a) for a vehicle with separate stalls or other partitions—that each stall or partition is accessible so as to allow feeding, watering and visual inspection of the horse; and
  - (b) for a vehicle that is fully enclosed with a controlled environment—that there is sufficient airflow, with at least 12 air changes every hour; and
  - (c) for a vehicle other than a horse float—that the vehicle has a vertical clearance of at least 2.2 metres; and
  - (d) if the horse is a stallion—that it is segregated from other horses on the vehicle.

### **34 Pigs**

- (1) When transporting pigs—
- (a) the maximum journey time for the class of pig mentioned in column 1 of the following table, is the period of time mentioned in column 2 of the table shown opposite that class; and
  - (b) the maximum time off water for the class of pig mentioned in column 1 of the following table, is the period of time stated in column 3 of the table shown opposite that class; and
  - (c) the minimum spell duration for the class of pig mentioned in column 1 of the following table, is the period of time stated in column 4 of the table shown opposite that class.

Column 1	Column 2	Column 3	Column 4
Class of pig	Maximum journey time (hours)	Maximum time off water (hours)	Minimum spell duration (hours)
Pigs known or visually assessed to be more than 14 weeks pregnant	4	4	24
Lactating pigs travelling with dependent young	12	12	12
Weaned pigs weighing less than 30 kilograms	12	12	12
Any other pig	24	24	12

- (2) Despite subsection (1), the maximum journey time for a pig, other than a pig known or visually assessed to be more than 14 weeks pregnant, is 72 hours if—
- (a) the pig is given reasonable access to water and feed at least once every 24 hours of the journey; and
  - (b) there is sufficient space in the vehicle for the pig to lie down; and
  - (c) the pig is to be given a spell of at least 24 hours before starting another journey.

### 35 Poultry

- (1) When transporting poultry—
- (a) the maximum journey time for the class of poultry mentioned in column 1 of the following table, is the period of time mentioned in column 2 of the table shown opposite that class; and
  - (b) the maximum time off water for the class of poultry mentioned in column 1 of the following table, is the period of time stated in column 3 of the table shown opposite that class; and

- (c) the minimum spell duration for the class of poultry mentioned in column 1 of the following table, is the period of time stated in column 4 of the table shown opposite that class.

Column 1	Column 2	Column 3	Column 4
Class of poultry	Maximum journey time (hours)	Maximum time off water (hours)	Minimum spell duration (hours)
Chicks	72	72	72
Poultry other than chicks	24	24	24

- (2) Despite subsection (1), for a chick, the maximum time off water and the minimum spell duration is 84 hours if the chick is given reasonable access to water at all times the chick is loaded on the vehicle in which it is being transported.
- (3) A person who has custody of poultry more than 5 days of age must ensure, within 12 hours before starting a journey, the poultry is provided with adequate food containing sufficient nutrients to ensure the bird's good health and vitality.
- (4) The driver of a road-going vehicle transporting poultry less than 5 days of age must take reasonable measures to minimise the risk of harm to the bird during the journey from chilling or overheating.
- (5) A person who has custody of poultry less than 5 days of age must ensure that once the bird is removed from an incubator to be transported, the bird is returned for at least 24 hours to a suitable brooding environment that provides the bird with adequate feed, water and warmth—
- (a) for a bird transported in a container in which the bird does not have reasonable access to water—within 60 hours; or
- (b) otherwise—within 72 hours.
- (6) In this section—
- chick** means poultry less than 72 hours of age.

**36 Sheep**

When transporting sheep—

- (a) the maximum journey time for the class of sheep mentioned in column 1 of the following table, is the period of time mentioned in column 2 of the table shown opposite that class; and
- (b) the maximum time off water for the class of sheep mentioned in column 1 of the following table, is the period of time stated in column 3 of the table shown opposite that class; and
- (c) the minimum spell duration for the class of sheep mentioned in column 1 of the following table, is the period of time stated in column 4 of the table shown opposite that class.

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Class of sheep</b>	<b>Maximum journey time (hours)</b>	<b>Maximum time off water (hours)</b>	<b>Minimum spell duration (hours)</b>
Sheep known or visually assessed to be between 14 and 19 weeks pregnant (inclusive)	24	24	12
Sheep known or visually assessed to be more than 19 weeks pregnant	4	4	24
Lactating sheep travelling with dependent young	28	28	12
Sheep less than 4 months of age	28	28	12
Any other sheep	48	48	36



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# Schedule 3AA Code of practice for livestock at depots and saleyards

## section 2

### Part 1 Preliminary

#### 1 Definitions for schedule

In this schedule—

*bobby calf* means a calf less than 30 days of age that is not accompanied by its mother.

*cattle* means a member of the genus *Bos*.

*class of livestock* means a group of livestock of the same species that share a common characteristic, including, for example, age, size or sex, or some other physiological characteristic, including, for example, pregnancy.

*depot* means a facility used to assemble, hold, load or unload livestock for resting the livestock during transportation.

*livestock* means cattle, goats, horses, pigs or sheep.

*pen* means an enclosed section of a saleyard for confining livestock individually or in small groups.

*reasonable access to food*, for livestock, means the livestock has a reasonable opportunity to consume food of a suitable quality and quantity sufficient to maintain health and wellbeing.

*reasonable access to water*, for livestock, means the livestock has a reasonable opportunity to drink water of a suitable quality and quantity sufficient to maintain hydration.

*saleyard* means a facility used to assemble, hold, load or unload livestock for the purpose of selling the livestock.

## **2 Application of schedule**

This schedule applies to—

- (a) the care and handling of livestock while at depots and saleyards; and
- (b) the use of electric devices on livestock at depots and saleyards.

## **Part 2 General requirements for depots and saleyards**

### **3 Construction, maintenance and operation of depot or saleyard**

The operator of a depot or saleyard must provide suitable conditions for the livestock at the depot or saleyard, including by—

- (a) having surfaces and flooring that minimise the risk of injury to the livestock from slipping or falling; and
- (b) being free from protruding objects that may cause injury to the livestock; and
- (c) having sufficient vertical clearance to minimise the risk of injury to the livestock; and
- (d) having appropriate unloading and loading facilities for the livestock.

### **4 Inspection of depot or saleyard**

- (1) The owner or operator of a depot or saleyard must ensure the depot or saleyard is inspected to check the following matters—
  - (a) that surfaces and flooring are being maintained to minimise the risk of injury to livestock from slipping or falling;
  - (b) that pens are draining freely;

- (c) whether any boggy areas need to be filled with gravel or woodchips.
- (2) The inspections must be carried out—
  - (a) 24 hours before the arrival of livestock at the depot or saleyard; and
  - (b) at least once every 24 hours after the arrival of livestock at the depot or saleyard.

## **5 Housing for pigs**

- (1) This section applies to a depot or saleyard while pigs are held at the depot or saleyard.
- (2) The owner or operator of the depot or saleyard must ensure—
  - (a) the pigs are held under a roofed area at all times; and
  - (b) the pens that are used to hold the pigs prevent a pig from fighting with another pig in an adjoining pen; and
  - (c) water spray facilities and equipment for cooling the pigs are provided and working properly.

## **6 Housing for bobby calves**

- (1) This section applies to a depot or saleyard while dairy-bred bobby calves are held at the depot or saleyard.
- (2) The owner or operator of the depot or saleyard must ensure the bobby calves are held under a roofed area at all times.

# **Part 3 Food and water requirements**

## **7 Access to water on arrival**

- (1) The operator of a depot or saleyard must ensure that livestock, other than horses, are given reasonable access to water within whichever of the following periods ends first—
  - (a) the first 12 hours after arriving at the depot or saleyard;

- (b) before the end of the maximum time off water for the class of livestock as provided for in schedule 3, part 3.
- (2) The operator of a depot or saleyard must ensure that horses are given reasonable access to water within the first 12 hours after arriving at the depot or saleyard.

## **8 Time off water**

- (1) The operator of a depot or saleyard must manage time off water for livestock to minimise the risk to the welfare of the livestock.
- (2) In managing time off water for livestock to minimise the risk to the welfare of the livestock, the operator must consider—
  - (a) the increased risk, to the welfare of the livestock, from longer journeys close to the permitted maximum time off water; and
  - (b) whether the livestock are fit for the intended journey; and
  - (c) the predicted and actual climatic conditions, particularly heat or cold; and
  - (d) the health of the livestock, particularly if weak, pregnant, recently having given birth, lactating or immature; and
  - (e) the nature of the intended journey.
- (3) The operator of a depot or saleyard must provide livestock with a spell if—
  - (a) the livestock are to start or continue a journey; and
  - (b) the maximum time off water is reached for the class of livestock.
- (4) For subsection (3)(b), the maximum time off water, for livestock at a depot or saleyard, is the same as the maximum time off water, for the livestock being transported, under schedule 3, part 3.
- (5) In this section—

*spell* means a period in which the livestock are—

- (a) free from the vehicle or container in which the livestock are to be transported; and
- (b) given reasonable access to food and water; and
- (c) provided with space to lie down; and
- (d) subjected to minimal or no handling.

## **9 Access to food and water for pigs**

- (1) An operator of a depot or saleyard must ensure that pigs are given reasonable access to food if held at the depot or saleyard for 24 hours or more.
- (2) An operator of a depot or saleyard must ensure that pigs held in a pen have access to water at all times.

## **10 Access to food for cattle, sheep, goats and horses**

- (1) The operator of a depot or saleyard must ensure that all cattle, sheep or goats delivered to the depot or saleyard are given reasonable access to food within the first 48 hours after delivery.
- (2) The operator of a depot or saleyard must ensure that a horse held in the depot or saleyard for 12 hours or more is provided with reasonable access to food.

# **Part 4 Handling and husbandry**

## **11 Livestock must be fit for sale**

- (1) A person must not, at a saleyard, supply for sale livestock that are not fit for sale.
- (2) Without limiting subsection (1), livestock is not fit for sale if—
  - (a) the livestock is unable to walk independently by bearing weight on all legs; or

- (b) the livestock is severely emaciated; or
- (c) the livestock is visibly dehydrated; or
- (d) the livestock shows visible signs of severe injury or distress; or
- (e) the livestock is suffering from a condition that is likely to result in an increase in pain or distress during transport; or
- (f) the livestock is blind in both eyes.

## **12 Bobby calves**

- (1) A person in charge of a bobby calf at a depot or saleyard must ensure that the calf is delivered to the meat processors within 18 hours after the calf last had food.
- (2) A person must not supply a bobby calf to a saleyard for a sale, unless the calf is—
  - (a) at least 5 days of age; and
  - (b) in good health; and
  - (c) alert; and
  - (d) able to rise from a lying position.
- (3) The operator of a saleyard must not sell a bobby calf unless the calf is—
  - (a) at least 5 days of age; and
  - (b) in good health; and
  - (c) alert; and
  - (d) able to rise from a lying position.

## **13 Separation of distressed animals**

The operator of a depot or saleyard must, if reasonably practicable, separate any weak, ill, injured or otherwise distressed livestock for—

- (a) assessment, rest and recovery; or

- (b) appropriate treatment; or
- (c) humane killing.

#### **14 Handling livestock**

- (1) A person handling livestock at a depot or saleyard must handle the livestock in a way that minimises the risk of harm to the livestock, including minimising unnecessary fear and distress.
- (2) Without limiting subsection (1), a person handling livestock at a depot or saleyard must not—
  - (a) kick, punch or throw the livestock; or
  - (b) strike the livestock in an unreasonable way; or
  - (c) lift, carry or drag the livestock by the head, ears, horns, neck, tail, wool or hair; or
  - (d) lift or carry the livestock by 1 leg, unless the livestock is a sheep, goat or pig weighing less than 15kg; or
  - (e) drag livestock that is unable to stand, unless it is necessary in the circumstances to allow safe handling, lifting, treatment or humane killing of the livestock; or
  - (f) lift the livestock by mechanical means, unless the livestock is well supported and secured; or
  - (g) drop the livestock, unless doing so from a height which allows the animal to safely land standing on its feet.

#### **15 Use of prodders**

- (1) A person may apply an electrical prod to livestock at a depot or saleyard only if—
  - (a) the livestock is at least 3 months of age; and
  - (b) the prod is not applied to the face, udders, anus or genitals of the livestock; and
  - (c) the livestock is able to move away from the prod; and

- (d) the prod is applied as sparingly as possible and with restraint; and
- (e) if the livestock is a pig—
  - (i) the pig is at least 60kg; and
  - (ii) the prod is applied as a last resort to protect the safety of a person.
- (2) However, a person must not apply an electrical prod to either of the following livestock at a depot or saleyard—
  - (a) a bobby calf;
  - (b) a goat known, or visually assessed, to be pregnant.

*Note—*

The use of an electrical prod on a horse is taken to be an act of cruelty prohibited under section 18 of the Act.

## **16 Use of dogs**

- (1) A person may use a dog to assist in the control or movement of livestock at a depot or saleyard only if—
  - (a) the dog is under effective control at all times; and
  - (b) the dog is wearing a muzzle.
- (2) However, a person must not use a dog to assist in the control or movement of any of the following livestock at a depot or saleyard—
  - (a) a bobby calf;
  - (b) a pig;
  - (c) an animal that is unable to stand.

## **17 Health inspections**

The operator of a depot or saleyard must ensure that livestock at the depot or saleyard are inspected to assess the welfare of the livestock at least once every 24 hours after delivery to the depot or saleyard.



**18 Impact of extreme weather conditions**

(1) The operator of a depot or saleyard must take reasonable steps to minimise the risk of harm to livestock at the depot or saleyard from extreme weather conditions.

(2) In this section—

*extreme weather conditions* means temperature or climatic conditions that individually, or in combination, are likely to predispose livestock to heat or cold stress.

**19 Fire or flood**

The operator of a depot or saleyard must take reasonable steps to minimise the risk of harm to livestock at the depot or saleyard from fire or flood.

**20 Births**

(1) This section applies to the operator of a depot or saleyard if any livestock is born—

- (a) at the depot or saleyard; or
- (b) during a journey to the depot or saleyard.

(2) The operator of the depot or saleyard must make arrangements to ensure—

- (a) appropriate shelter is provided for the animal and its mother; and
- (b) if necessary—the separation of the animal and its mother for rest and recovery; and
- (c) appropriate treatment is provided to the animal and its mother; and
- (d) reasonable access to food and water is given to the animal and its mother; and
- (e) if necessary—the humane killing and disposal of the animal or its mother.

## Part 5 Drafting and penning

### 21 Holding livestock in pens

- (1) The operator of a saleyard must ensure that—
  - (a) the penning density of livestock in a pen minimises the risk of harm to the livestock; and
  - (b) livestock held in a pen, other than a selling pen, have sufficient space to move freely and lie down to rest; and
  - (c) livestock held in a selling pen must have sufficient space to allow the livestock—
    - (i) to stand; and
    - (ii) to rise unassisted if fallen down; and
    - (iii) to be inspected.
- (2) In deciding whether the penning density of livestock in a pen minimises the risk of harm to the livestock, the operator must have regard to the following matters—
  - (a) the species and physiological characteristics of the livestock;
  - (b) the body condition of the livestock;
  - (c) the length and density of the wool or hair of the livestock;
  - (d) the horn status of the livestock;
  - (e) the weather conditions affecting the pen;
  - (f) the design and capacity of the pen;
  - (g) the time spent in the pen.
- (3) In this section—

***penning density***, of livestock in a pen, means the amount of space provided for the livestock in the pen.

***selling pen*** means a pen for confining livestock for sale.

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**22 Segregation of livestock**

- (1) The operator of a depot or saleyard must ensure the livestock are sufficiently segregated to minimise the risk of harm to the livestock.
- (2) In deciding whether livestock are sufficiently segregated to minimise the risk of harm, the operator must have regard to the following matters—
  - (a) the species and physiological characteristics of the livestock;
  - (b) the general health of the livestock;
  - (c) the level of aggression of the livestock.

**Part 6 Humane killing****23 Killing livestock**

- (1) The operator of a depot or saleyard must ensure livestock at the depot or saleyard, suffering from severe distress, disease or injury that can not reasonably be treated, are killed at the first reasonable opportunity.
- (2) The operator of a depot or saleyard must keep a written plan and procedure to ensure the humane killing of livestock at the depot or saleyard.
- (3) The operator of a depot or saleyard must ensure a person is available to humanely kill livestock during the operating hours of the depot or saleyard.
- (4) A person who kills livestock at a depot or saleyard must ensure the livestock is killed in a way that—
  - (a) causes rapid unconsciousness and death immediately after unconsciousness happens; and
  - (b) does not include a blow to the head; and
  - (c) is otherwise humane.
- (5) A person who kills livestock at a depot or saleyard must have the relevant knowledge, experience and skill to kill the

livestock humanely, or be under the direct supervision of person who has that knowledge, experience and skill, unless—

- (a) the livestock needs to be killed to prevent undue suffering to the livestock; and
  - (b) for a person requiring supervision—there would be an unreasonable delay until the supervision could be provided.
- (6) A person who kills livestock at a depot or saleyard must take reasonable steps to confirm death of the livestock immediately after believing the livestock has been killed.

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# Schedule 3A Code of practice for breeding of dogs

## section 2

*Note—*

For the prohibition of cruelty to animals, see section 18 of the Act.

## Part 1 Preliminary

### 1 Definitions for schedule

In this schedule—

***breeding***, in relation to an undesexed dog—

- (a) means mating the dog with another undesexed dog; and
- (b) for a female dog—includes whelping.

***breeding dog*** means an undesexed dog kept or used for breeding.

***desex*** see the *Animal Management (Cats and Dogs) Act 2008*, schedule 2.

***dog*** means an animal of the species *Canis lupus familiaris*, or domestic dog.

***relevant puppy*** see section 2.

***undesexed dog*** means a dog that has not been desexed.

***whelp*** means to give birth.

### 2 Meaning of *relevant puppy*

A puppy is a ***relevant puppy*** until the earlier of the following—

- (a) it is 6 months old;

- (b) it is supplied to a person and the person takes custody of it.

## **Part 2 Accommodation requirements**

### **3 Housing**

A person in charge of premises used for keeping a breeding dog or a relevant puppy must ensure the dog or puppy is provided housing that is designed, constructed and maintained for its welfare.

### **4 Whelping**

- (1) This section applies if a female breeding dog is whelping.
- (2) A person in charge of the breeding dog must ensure it is provided with an area that is isolated from other animals.

### **5 Exercise area**

A person in charge of premises used for keeping a breeding dog or a relevant puppy must ensure the dog or puppy is provided an area to exercise that is designed and maintained for its welfare.

## **Part 3 Food and water requirements**

### **6 Access to food**

- (1) A person in charge of a breeding dog or a relevant puppy must ensure the following—
  - (a) the breeding dog has access to food at least once in each 24-hour period;
  - (b) if the puppy is weaned from its mother—the puppy has access to food at least once in each 12-hour period.
- (2) The person must also ensure the food is adequate—

- (a) to keep the breeding dog or relevant puppy in good health; and
- (b) to meet the physiological needs of the breeding dog or relevant puppy, including any increased physiological needs because of pregnancy or lactation.

## **7 Access to water**

A person in charge of a breeding dog or a relevant puppy must ensure—

- (a) the dog or puppy has access to drinking water at all times; and
- (b) the quality and quantity of the water meets its physiological needs.

## **8 Ability of relevant puppy to feed**

- (1) A person in charge of a relevant puppy must not supply, and give custody of, the puppy to another person unless the puppy is able to consume food that is adequate for its physiological needs.
- (2) In this section—  
*food* does not include milk of a female dog that is lactating.

# **Part 4 Enrichment requirements**

## **9 Enrichment**

A person in charge of a breeding dog or a relevant puppy must ensure the dog or puppy is given—

- (a) social interaction with a person at least once each day; and

*Examples of social interaction—*

- being groomed, petted or played with by a person
- being walked on a leash or trained by a person

- (b) other enrichment that meets the behavioural, physical and psychological needs of the dog or puppy.

*Examples of other enrichment—*

- being exercised
- playing with other dogs or puppies
- engaging in recreational feeding activities
- using recreational feeding devices or toys

## Part 5 Other requirements

### 10 Breeding

- (1) A person in charge of an undesexed female dog must ensure the dog is not used for breeding unless—
- (a) the dog is—
- (i) physically mature; and
- (ii) fit and healthy; or
- (b) the person has written approval by a veterinary surgeon that the dog has been examined by the veterinary surgeon, and the veterinary surgeon reasonably considers the dog is ready for breeding.
- (2) A person in charge of an undesexed dog must ensure the dog is not used for breeding with—
- (a) the dog's progeny; or
- (b) a parent or sibling of the dog.
- (3) A person in charge of an undesexed dog displaying, or diagnosed with, a deleterious heritable condition must ensure the dog is not used for breeding, unless the person has written approval of a veterinary surgeon or a relevant geneticist.
- (4) In this section—
- deleterious heritable condition***, for a dog, means a health condition of the dog that—
- (a) is heritable; and



- (b) if inherited by the progeny of the dog, may adversely affect the progeny's welfare.

*Examples of a deleterious heritable condition—*

brachycephalic syndrome, epilepsy, degenerative myelopathy, hip dysplasia, urinary bladder stones

***physically mature***, for a female dog, means the dog has attained adult body size and weight that are consistent with the dog's breed or, if the dog is a mixed breed, the dog's dominant breed.

***relevant geneticist*** means a person who—

- (a) holds a degree from a university in the science of animal genetics; and
- (b) specialises in canine genetics.

## 11 Health inspections

A person in charge of a breeding dog or a relevant puppy must ensure the dog or puppy is inspected, at least once a day, to assess its health and wellbeing.

## 12 Veterinary treatment

- (1) A person in charge of a female dog must seek veterinary treatment for the dog as soon as practicable after the person becomes aware of any of the following—
- (a) a reproductive organ, or part of a reproductive organ, of the dog has a discharge that is abnormal;
- Example of a reproductive organ—*  
mammary gland, vulva
- (b) the dog has an inflamed or ulcerated mammary gland;
- (c) if the dog is whelping—the whelping appears to be proceeding in a way that is detrimental to the welfare of the dog or a puppy of the dog;
- (d) if the dog is lactating, the dog is—
- (i) losing weight excessively or rapidly; or

(ii) behaving abnormally for a dog that is lactating.

*Examples of abnormal behaviour for a lactating dog—*

- avoiding physical contact with its puppies
- shivering or displaying muscle tremors

(2) Also, a person in charge of a relevant puppy must seek veterinary treatment for the puppy as soon as practicable after the person becomes aware of any of the following—

- (a) the puppy is not gaining weight that is adequate for the age and breed of the puppy;
- (b) the puppy has an abnormality, defect or deformity that is likely to have a significant impact on its welfare;

*Example of an abnormality, defect or deformity—*

a cleft palate

(c) the puppy appears to be otherwise sick, weak or injured.

### 13 Communicable diseases

(1) This section applies if a breeding dog (the *infectious dog*) or a relevant puppy (also the *infectious dog*) has, or appears to have, a disease that is communicable to another dog.

*Examples of a disease that is communicable to another dog—*

canine distemper, infectious canine hepatitis, canine parvovirus

(2) A person in charge of the infectious dog must ensure it is isolated from other dogs unless the person has a veterinary surgeon's written approval that the infectious dog need not be isolated.

### 14 Grooming

A person in charge of a breeding dog or a relevant puppy must ensure—

- (a) the coat of the dog or puppy is clean and not matted or otherwise tangled; and
- (b) the dog or puppy is otherwise groomed at intervals that are appropriate to maintain its welfare.

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## Schedule 3B Code of practice about rodeos

## section 2

### Part 1 Preliminary

#### 1 Definitions for schedule

In this schedule—

*arena* means a fenced area in which rodeo activities are carried on.

*bareback bronc riding* see section 28(1).

*bovine* means an animal of the genus *Bos*.

*breakaway roping* see section 34.

*bull riding* see section 39(1).

*chute* means an enclosure from which a rodeo animal is released into an arena.

*chute dogging* see section 55(2).

*designated rodeo association* means any of the following—

- (a) Australian Professional Rodeo Assn Inc ABN 49 893 320 145;
- (b) National Rodeo Association Limited ACN 058 447 993;
- (c) National Rodeo Council of Australia Limited ACN 056 100 531;
- (d) The Australian Bushmen's Campdraft and Rodeo Association Limited ACN 002 967 142.

*judge*, for a rodeo activity, means a person, however called, who scores the performances of competitors in the activity.

*organiser*, for a rodeo—

- (a) generally, means the person conducting the rodeo; and
- (b) includes a person purporting to conduct the rodeo.

***personal use supplier*** means a person who supplies a rodeo animal owned by the person for the exclusive use of the person or another person for a rodeo activity.

***poddy riding*** see section 44.

***protection clown*** means a person, however called, who, during a rodeo activity, distracts a rodeo animal that has thrown a competitor to try to prevent the animal from injuring the competitor or another person.

***responsible person***, for a rodeo animal at a rodeo, means—

- (a) the organiser for the rodeo; or
- (b) a rodeo animal welfare officer for the rodeo; or
- (c) another person who is in charge of the animal.

***rodeo*** see section 2.

***rodeo activity*** see section 3.

***rodeo animal*** means a bovine or horse.

***rodeo animal welfare officer*** for a rodeo, see section 5(1)(a).

***rodeo official*** means a judge, protection clown, rodeo animal welfare officer or stock contractor.

***rodeo school*** means an event conducted to train rodeo officials, other persons and rodeo animals for carrying on a rodeo activity.

***rope and tie*** see section 48.

***saddle bronc riding*** see section 28(2).

***steer riding*** see section 39(2).

***steer wrestling*** see section 55(1).

***stock contractor*** means a person, however called, who supplies a rodeo animal for use for a rodeo activity, but does not include a personal use supplier.

***team roping*** see section 60.

**2 Meaning of *rodeo***

- (1) A *rodeo* is an event that includes a rodeo activity.
- (2) A reference to a rodeo includes a reference to a rodeo school.

**3 Meaning of *rodeo activity***

- (1) Each of the following activities is a *rodeo activity*—
  - bareback bronc riding
  - breakaway roping
  - bull riding
  - chute dogging
  - poddy riding
  - rope and tie
  - saddle bronc riding
  - steer riding
  - steer wrestling
  - team roping
- (2) A *rodeo activity* includes an activity that is carried on—
  - (a) to allow a person to practise an activity mentioned in subsection (1) at a rodeo; or
  - (b) to train a person or a rodeo animal in carrying on an activity mentioned in subsection (1) at a rodeo school.

**4 Application of schedule**

This schedule applies to the care, handling and use of rodeo animals at a rodeo.

## Part 2 General responsibilities of persons involved in rodeos

### 5 **Organiser's responsibilities**

- (1) The organiser for a rodeo must—
- (a) appoint a person (a *rodeo animal welfare officer*) to be responsible for the welfare of rodeo animals at the rodeo; and
  - (b) appoint other rodeo officials required for conducting the rodeo; and
  - (c) ensure each rodeo official at the rodeo is approved by a designated rodeo association; and
  - (d) engage a veterinary surgeon to treat rodeo animals on the site of the rodeo, or to be available for consultation, while the rodeo is being conducted; and
  - (e) ensure that each person involved in carrying on a rodeo activity has the experience, knowledge and skills required to carry out the person's responsibilities under this code of practice.
- (2) If a person, other than the organiser for a rodeo, is required under this code of practice to do a thing or omit to do a thing at or for the rodeo, the organiser for the rodeo must take reasonable steps to ensure the person complies with the requirement.

*Examples of steps that may be reasonable for subsection (2)—*

- giving an oral direction to a person about compliance with a requirement
- conspicuously displaying a sign about compliance with a requirement
- giving instruction or training to rodeo officials about compliance with requirements applying to them

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## 6 Supplier's responsibilities

A person who supplies a rodeo animal for use at a rodeo must—

- (a) ensure that—
  - (i) if the animal is a bovine less than 3 months old—the animal is not prevented from accessing feed or water for more than 2 hours; or
  - (ii) otherwise—the animal is not prevented from accessing water for more than 6 hours; and
- (b) ensure that if the animal becomes lame, sick, distressed or otherwise unsuitable to be used for a rodeo activity, the animal—
  - (i) is not used for, or is withdrawn from, the activity; and
  - (ii) receives appropriate care, including, if appropriate, veterinary treatment; and
  - (iii) is killed as required under section 20, if necessary for the animal's welfare.

## 7 Rodeo animal welfare officer's responsibilities

A rodeo animal welfare officer for a rodeo must—

- (a) have the experience, knowledge and skills relating to the welfare of rodeo animals to enable the person to carry out the person's responsibilities under this code of practice; and
- (b) ensure that each rodeo animal to be used in the rodeo has been supplied by—
  - (i) a stock contractor approved by a designated rodeo association; or
  - (ii) a personal use supplier; and
- (c) inspect each arena, chute and yard to be used for conducting the rodeo to check it is safe for rodeo animals and persons to use; and

- (d) ensure that any aggressive or injured rodeo animal is managed to minimise the risk of injury to persons or other animals at the rodeo; and
- (e) ensure that—
  - (i) a rodeo animal that is a bovine less than 3 months old is not prevented from accessing feed or water at the rodeo for more than 2 hours; and
  - (ii) another rodeo animal is not prevented from accessing water at the rodeo for more than 6 hours; and
- (f) ensure that a rodeo animal that becomes lame, sick, distressed or otherwise unsuitable to be used for a rodeo activity—
  - (i) is not used for, or is withdrawn from, the activity; and
  - (ii) receives appropriate care, including, if appropriate, veterinary treatment; and
  - (iii) is killed as required under section 20, if necessary for the animal's welfare.

## **8 Judge's responsibilities**

A judge for a rodeo activity must ensure a rodeo animal in a chute is safely released from the chute and withdrawn from the activity if—

- (a) the animal lies on the ground; or
- (b) the animal tries to climb out of the chute twice; or
- (c) the judge reasonably believes it is in the interests of the animal's welfare to withdraw it from the activity.

## **9 Protection clown's responsibilities**

- (1) A protection clown may distract a rodeo animal used for a rodeo activity to try to prevent it from injuring a person competing in the activity or another person.



- (2) However, a protection clown must not provoke a rodeo animal to a greater extent than is necessary for carrying out the protection clown's responsibility under subsection (1).

## **10 Competitor's responsibilities**

A person who competes in a rodeo activity at a rodeo must comply with all reasonable directions given to the person by a rodeo official or a veterinary surgeon about carrying on the rodeo activity.

## **11 Veterinary surgeon's responsibilities**

A veterinary surgeon who is engaged for a rodeo for a purpose mentioned in section 5(1)(d) must—

- (a) if present on the site of the rodeo while the rodeo is being conducted—treat all sick, injured or distressed rodeo animals—
- (i) at the request of the organiser for the rodeo; or
  - (ii) as the veterinary surgeon otherwise considers appropriate; or
- (b) otherwise—be available for consultation while rodeo animals are on the site of the rodeo.

# **Part 3 Facilities for use with rodeo animals**

## **12 Design, construction and maintenance of facilities**

The organiser for a rodeo must ensure—

- (a) each chute, fence, gate and race used at the rodeo—
- (i) is structurally sound; and
  - (ii) is designed to allow rodeo animals to be handled quietly and efficiently; and

- (iii) is constructed and maintained to minimise the risk of injury to rodeo animals; and
- (b) each chute used at the rodeo is large enough to allow a rodeo animal in the chute to stand freely; and
- (c) each arena, lane and yard used at the rodeo is large enough to minimise the risk of injury being caused to a rodeo animal by contacting the fence bounding the arena, lane or yard; and
- (d) each yard used at the rodeo is large enough to allow the rodeo animals in the yard to—
  - (i) move reasonably freely; and
  - (ii) lie down and rise without help.

## **Part 4                      Handling and use of rodeo animals**

### **13      Only rodeo animals may be used**

A person must not use an animal, other than a rodeo animal, for a rodeo activity.

### **14      Suitability of rodeo animal for use in rodeo**

- (1) A person (the *relevant person*) may supply a rodeo animal for use at a rodeo only if the animal is suitable for use under this section.
- (2) A responsible person for a rodeo animal at a rodeo (also the *relevant person*) may allow a rodeo animal to be used at a rodeo only if the animal is suitable for use under this section.
- (3) For subsection (1) or (2), a rodeo animal is suitable for use at a rodeo if—
  - (a) the animal is in good health; and
  - (b) for a rodeo animal that is a bovine—the animal has a condition score of 2, 3 or 4 under section 66; and

- (c) for a rodeo animal that is a horse—the animal has a condition score of 3 or 4 under section 67.
- (4) However, a rodeo animal is not suitable for use at a rodeo if the relevant person knows, or ought reasonably to know, the animal is—
- (a) pregnant; or
  - (b) lactating with dependant or unweaned young; or
  - (c) suffering from a condition that is likely to cause the animal pain.

*Note—*

Additional requirements for suitability of rodeo animals for particular rodeo activities are provided for under part 6, divisions 1 to 7.

## **15 Ensuring adequate space for rodeo animal in a yard**

A responsible person for a rodeo animal in a yard must ensure the animal has adequate space to—

- (a) move reasonably freely; and
- (b) lie down and rise without help.

## **16 Handling a rodeo animal in a chute**

A person must not provoke a rodeo animal in a chute to a greater extent than is necessary to use the animal to carry on the rodeo activity in which the animal is involved.

*Note—*

See also sections 24 and 25(4)(b) about using particular equipment on a rodeo animal in a chute.

## **17 Pulling or twisting a rodeo animal's tail**

A person must not pull or twist a rodeo animal's tail unless the pulling or twisting is necessary to prevent the animal from falling or is otherwise in the interests of the animal's welfare.

## **18 Prohibition on use of dogs**

A person must not use a dog to assist in the control or movement of a rodeo animal.

## **19 Exposure to fireworks and other noise**

- (1) The organiser for a rodeo must take reasonable steps to prevent a rodeo animal from being unduly disturbed by noise at the rodeo.
- (2) Without limiting subsection (1), the organiser must ensure—
  - (a) no rodeo animal is in an arena while fireworks are being used in the arena; and
  - (b) a rodeo animal is kept far enough away from fireworks to prevent the animal from being unduly disturbed by noise from the fireworks.

## **20 Killing rodeo animal**

- (1) A person may kill a rodeo animal at a rodeo if—
  - (a) the person is a veterinary surgeon; or
  - (b) the person is acting under the direct supervision of a veterinary surgeon.
- (2) A person, other than a person mentioned in subsection (1), may kill a rodeo animal at a rodeo if—
  - (a) it is necessary to kill the animal to prevent it from suffering; and
  - (b) it would be inhumane to delay killing the animal until a person could kill it under subsection (1).
- (3) A person who kills a rodeo animal at a rodeo must—
  - (a) ensure the animal is killed humanely; and
  - (b) confirm the animal is dead by reference to at least 2 of the following indicia—
    - (i) the absence of a heart beat;
    - (ii) the absence of rhythmic breathing;

(iii) the absence of a blinking reflex.

## **21 Rodeo animal incident record**

- (1) This section applies if a rodeo animal becomes sick or is injured or killed at a rodeo (each of which is an *incident*).
- (2) The organiser for the rodeo must ensure—
  - (a) a written record, complying with subsection (3), is prepared about the incident; and
  - (b) a record prepared under paragraph (a) is kept for at least 2 years after the rodeo ends.
- (3) The record must state—
  - (a) the date and location of the rodeo; and
  - (b) the name of the organiser; and
  - (c) a description of the incident, including, if relevant, the number and types of injuries to the rodeo animal; and
  - (d) details of the action taken in response to the incident, including any veterinary treatment given to the rodeo animal; and
  - (e) if a veterinary surgeon treated, or was consulted about, the rodeo animal—the name of the veterinary surgeon; and
  - (f) if the incident happened during, or was otherwise related to, a rodeo activity—the name of—
    - (i) each person involved in carrying on the rodeo activity; and
    - (ii) anyone else who was involved in the incident.

## **Part 5**                      **Use of equipment on rodeo animals**

### **22**      **Application of part**

This part applies generally to using equipment on a rodeo animal at a rodeo.

*Note—*

Additional requirements for using equipment on rodeo animals for particular rodeo activities are provided for in part 6, divisions 1 to 7.

### **23**      **Competency to use equipment on rodeo animal**

The organiser for a rodeo must ensure each person who uses equipment on a rodeo animal at the rodeo—

- (a) has the experience, knowledge and skills required to use the equipment under this code of practice; or
- (b) uses the equipment under the supervision of a person who has the experience, knowledge and skills mentioned in paragraph (a).

### **24**      **Use of spurs**

A person must not use a spur as a goad on a rodeo animal while the animal is in a chute.

### **25**      **Use of electrical prod on bovine**

- (1) This section applies to a person for using an electrical prod on a rodeo animal that is a bovine.

*Note—*

See section 6A of this regulation under which an electrical prod is prescribed for horses for section 18(2)(e) of the Act.

- (2) A person may use an electrical prod on the bovine only if—
  - (a) the person is in charge of the bovine; and
  - (b) either—

- 
- (i) the bovine is at least 3 months old; or
    - (ii) it is necessary to use the prod in the interests of the bovine's welfare; and
  - (c) the person has made reasonable efforts to move the bovine without using an electrical prod and the bovine has not moved; and
  - (d) the bovine is able to move away from the prod; and
  - (e) the person uses the prod as sparingly as possible.
- (3) However, a person must not use an electrical prod on the face, udders, anus or genitals of the bovine.
- (4) Also, a person must not use an electrical prod on the bovine if it is—
- (a) in an arena; or
  - (b) in a chute, unless—
    - (i) the use of the prod is necessary for the safety of the bovine or a person riding the bovine; and
    - (ii) the prod is used only on the shoulder or hindquarters of the bovine.

## 26 Use of handling aid

- (1) A person must not use a handling aid on a rodeo animal in a way that causes pain to the animal to a greater extent than is necessary to encourage the animal to move.
- (2) In this section—

***handling aid*** means a device, other than an electrical prod, that is used to encourage a rodeo animal to move, whether by hitting the animal with the device or causing the device to emit sound.

*Examples of types of handling aid—*

- cane, length of plastic piping
- flapper, metallic rattle

## **27 Availability and use of conveyance device**

- (1) The organiser for a rodeo must ensure a conveyance device is available to move a rodeo animal at the rodeo as may reasonably be required.
- (2) Subsection (3) applies if a rodeo animal in an arena at a rodeo is injured to the extent that it cannot safely move out of the arena.
- (3) A responsible person for the rodeo animal must ensure the animal is placed on a conveyance device and moved to an appropriate place where the animal may be examined and given veterinary treatment.
- (4) In this section—

*conveyance device* means a device on which an injured rodeo animal may be placed and moved in a way that minimises further pain and the risk of further injury to the animal.

*Examples of types of conveyance device—*

- a rubber mat
- a sled

## **Part 6 Particular rodeo activities**

### **Division 1 Bareback bronc riding and saddle bronc riding**

#### **28 Meaning of *bareback bronc riding* and *saddle bronc riding***

- (1) *Bareback bronc riding* is an activity in which a competitor rides a bucking horse using a rigging with a handle.
- (2) *Saddle bronc riding* is an activity in which a competitor rides a bucking horse using a saddle.



**29 Application of division**

This division applies in relation to using a horse for, and otherwise carrying on, the rodeo activity of bareback bronc riding or saddle bronc riding at a rodeo.

**30 Suitability of horse**

A responsible person for the horse may allow the horse to be used for the rodeo activity only if—

- (a) the horse is at least 3 years old; and
- (b) the horse is used for the activity no more than twice in a day.

**31 Suitability of rigging and saddle**

A person must ensure—

- (a) no sharp thing is attached to, or used with, a cinch, girth or saddle; and
- (b) a rigging or saddle is not fitted to the horse in a way that may cause injury or pain to the horse; and
- (c) a front girth for a rigging or saddle is at least 125mm wide; and
- (d) a pad used under a rigging is soft and non-abrasive and extends at least 50mm past the back of the rigging.

**32 Suitability of spur**

A person must ensure—

- (a) the rowel on a spur—
  - (i) rotates freely; and
  - (ii) is at least 20mm in diameter; and
- (b) each point on a rowel of a spur—
  - (i) is at least 3mm wide at its narrowest part; and

- (ii) is blunt enough so that it can not penetrate the horse's skin.

*Note—*

See also sections 34 and 35 of the Act for other restrictions on the possession and use of spurs.

### **33 Suitability of flank strap**

A person must ensure that a flank strap—

- (a) is at least 25mm wide; and
- (b) is of a type that releases quickly; and
- (c) is lined with soft and flexible material; and

*Examples of types of material for paragraph (c)—*

felt, sheep skin

- (d) is not brittle, damaged or worn; and
- (e) is positioned so that it covers the horse's flank and belly; and
- (f) is not attached to, or used with, any sharp thing; and
- (g) is not applied to the horse's genitals; and
- (h) does not cause injury to the horse.

## **Division 2 Breakaway roping**

### **34 Meaning of *breakaway roping***

*Breakaway roping* is an activity in which—

- (a) a calf is released from a chute into an arena; and
- (b) a competitor, mounted on a horse—
  - (i) chases and ropes the calf; and
  - (ii) stops the horse, causing the rope to tighten and break a string tied between the rope and the competitor's saddle horn.

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**35 Application of division**

This division applies in relation to using a calf for, and otherwise carrying on, the rodeo activity of breakaway roping at a rodeo.

**36 Suitability of calf**

A responsible person for the calf may allow the calf to be used for the rodeo activity only if—

- (a) the calf is at least 100kg; and
- (b) the calf is used for the activity no more than 3 times in a day; and
- (c) for a calf that has been used for the activity once or twice in a day—the calf is not used for the activity again on the same day unless it has been rested for at least 1 hour since it was last used for the activity.

**37 Withdrawal of competitor for failing to complete rodeo activity**

- (1) This section applies in relation to a competitor in the rodeo activity if—
  - (a) the judge considers the calf has reached a relevant area near the opposite side of the arena and the competitor has failed to rope the calf as required; or
  - (b) 30 seconds have elapsed after the calf has been released from the chute and the judge considers the string tied between the rope and the competitor's saddle horn has not been broken as required.
- (2) The judge must direct the competitor to withdraw from the rodeo activity.
- (3) The competitor must comply with the direction.
- (4) In this section—

*opposite side*, of the arena, means that part of the side of the arena, regardless of its shape, that the judge considers is approximately opposite the chute.

*relevant area*, near the opposite side of the arena, means an area the judge considers is near enough to the opposite side of the arena for giving the direction under subsection (2).

### **38 Use of head rope**

A person must ensure a head rope used for the rodeo activity is removed from the calf—

- (a) as soon as possible after the calf is roped by the competitor; or
- (b) if the competitor is required to withdraw from the activity under section 37 or otherwise fails to properly complete the activity.

## **Division 3 Bull riding and steer riding**

### **39 Meaning of *bull riding* and *steer riding***

- (1) *Bull riding* is an activity in which a competitor rides a bucking bull.
- (2) *Steer riding* is an activity in which a competitor rides a bucking steer.

### **40 Application of division**

This division applies in relation to using a bull or steer for, and otherwise carrying on, the rodeo activity of bull riding or steer riding at a rodeo.

### **41 Suitability of bull or steer**

A responsible person for the bull or steer may allow the animal to be used for the rodeo activity only if—

- (a) the animal is ridden by a person whose weight is no more than 20% of the live weight of the animal; and

- 
- (b) the animal is used for the activity no more than 3 times in a day.

## 42 Suitability of ropes

- (1) A person must ensure a bull rope or steer rope—
  - (a) is not attached to, or used with, any sharp thing; and
  - (b) does not have knots or hitches to prevent the rope falling freely after a competitor has dismounted or been thrown from the bull or steer; and
  - (c) does not cause injury to the bull or steer.
- (2) A person must ensure a flank rope—
  - (a) is made of soft cotton and has a diameter of at least 16mm; or
  - (b) is covered or lined.

## 43 Suitability of spur

A person must ensure—

- (a) the rowel on a spur—
  - (i) can move at least a quarter of a turn; and
  - (ii) is at least 20mm in diameter; and
- (b) each point on a rowel—
  - (i) is at least 3mm wide at its narrowest part; and
  - (ii) is blunt enough so that it can not penetrate the bull's or steer's skin.

*Note—*

See also sections 34 and 35 of the Act for other restrictions on the possession and use of spurs.

## **Division 4                      Poddy riding**

### **44        Meaning of *poddy riding***

*Poddy riding* is an activity in which a competitor who is a child rides a bucking calf.

### **45        Application of division**

This division applies in relation to using a calf for, and otherwise carrying on, the rodeo activity of poddy riding at a rodeo.

### **46        Suitability of calf**

A responsible person for the calf may allow the calf to be used for the rodeo activity only if—

- (a) the calf is ridden by a child whose weight is no more than 20% of the live weight of the calf; and
- (b) the calf is used for the activity no more than twice in a day.

### **47        Handling of calf**

- (1) An adult must not ride the calf for the rodeo activity.
- (2) A person must ensure—
  - (a) spurs are not used on the calf; and
  - (b) the calf is not pulled by its ears or tail.

## **Division 5                      Rope and tie**

### **48        Meaning of *rope and tie***

*Rope and tie* is an activity in which—

- (a) a calf is released from a chute into an arena; and

- (b) a competitor—
  - (i) while mounted on a horse, chases and ropes the calf; and
  - (ii) dismounts and grounds the calf on its side; and
  - (iii) restrains the calf by tying 3 of its legs together.

#### **49 Application of division**

This division applies in relation to using a calf for, and otherwise carrying on, the rodeo activity of rope and tie at a rodeo.

#### **50 Suitability of calf**

A responsible person for the calf may allow the calf to be used for the rodeo activity only if—

- (a) the calf is at least 100kg; and
- (b) the calf is used for the activity no more than 3 times in a day; and
- (c) for a calf that has been used for the activity once or twice in a day—the calf is not used for the activity again on the same day unless it has been rested for at least 1 hour since it was last used for the activity.

#### **51 Withdrawal of competitor for failing to complete rodeo activity**

- (1) This section applies in relation to a competitor in the rodeo activity if—
  - (a) the judge considers the calf has reached a relevant area near the opposite side of the arena and the competitor has failed to rope the calf as required; or
  - (b) 30 seconds have elapsed after the calf has been released from the chute and the judge considers the competitor has failed to restrain the calf as required.

- (2) The judge must direct the competitor to withdraw from the activity.
- (3) The competitor must comply with the direction.
- (4) In this section—

*opposite side*, of the arena, means that part of the side of the arena, regardless of its shape, that the judge considers is approximately opposite the chute.

*relevant area*, near the opposite side of the arena, means an area the judge considers is near enough to the opposite side of the arena for giving the direction under subsection (2).

## 52 Handling of calf

A person must not—

- (a) pull the calf off its feet backwards; or
- (b) cause the calf to stop suddenly; or
- (c) use excessive force to ground the calf; or
- (d) suddenly throw the calf sideways; or
- (e) throw the calf onto its spine; or
- (f) drag the calf more than 1 metre; or
- (g) hit, jump on, or kick the calf.

## 53 Use of approved roping safety device

- (1) A person must use an approved roping safety device for the rodeo activity.
- (2) In this section—

*approved roping safety device* means a device—

- (a) designed and constructed to reduce the risk of injury to the horse and calf used for the rodeo activity by reducing the force applied to the horse and calf when the calf is roped; and
- (b) approved by a designated rodeo association.



**54 Use of head and tie ropes**

A person must ensure the head rope and tie ropes used for the rodeo activity are removed from the calf—

- (a) as soon as possible after the calf has been restrained under section 48(b)(iii); or
- (b) if the competitor is required to withdraw from the activity under section 51 or otherwise fails to properly complete the activity.

**Division 6 Steer wrestling and chute dogging****55 Meaning of *steer wrestling* and *chute dogging***

- (1) *Steer wrestling* is an activity in which—
  - (a) a steer is released from a chute into an arena; and
  - (b) a competitor, mounted on a horse, rides parallel with the steer to ensure it runs in a straight line; and
  - (c) a second competitor grabs the steer's horns and wrestles it to the ground.
- (2) *Chute dogging* is an activity in which—
  - (a) a steer is released from a chute into an arena; and
  - (b) a competitor grabs the steer's horns and wrestles it to the ground.

**56 Application of division**

This division applies in relation to using a steer for, and otherwise carrying on, the rodeo activity of steer wrestling or chute dogging at a rodeo.

**57 Suitability of steer**

A responsible person for the steer may allow the steer to be used for the rodeo activity only if—

- (a) the steer is at least 200kg; and
- (b) the steer is used for the activity no more than 3 times in a day; and
- (c) on the day of the activity, the steer has not been used for any of the following rodeo activities—
  - (i) breakaway roping;
  - (ii) rope and tie;
  - (iii) team roping;
  - (iv) for using the steer for steer wrestling—chute dogging;
  - (v) for using the steer for chute dogging—steer wrestling.

**58 Withdrawal of competitor for failing to complete rodeo activity**

- (1) This section applies in relation to each competitor in the rodeo activity if—
  - (a) 30 seconds have elapsed after the steer has been released from the chute; and
  - (b) either—
    - (i) for steer wrestling—the judge considers the second competitor has failed to ground the steer as required; or
    - (ii) for chute dogging—the judge considers the competitor has failed to ground the steer as required.
- (2) The judge must direct the competitor to withdraw from the rodeo activity.
- (3) The competitor must comply with the direction.

**59 Handling of steer**

A person must not place the person's fingers in the steer's eye sockets or nostrils or on the inner surface of its lips.

**Division 7 Team roping****60 Meaning of *team roping***

*Team roping* is an activity in which—

- (a) a steer is released from a chute into an arena; and
- (b) a competitor, mounted on a horse, chases the steer and ropes its head or horns; and
- (c) a second competitor, also mounted on a horse, chases the steer and ropes its hind feet.

**61 Application of division**

This division applies in relation to using a steer in, and otherwise carrying on, the rodeo activity of team roping at a rodeo.

**62 Suitability of steer**

A responsible person for the steer may allow the steer to be used for the rodeo activity only if—

- (a) the steer is at least 200kg; and
- (b) the steer is used for the activity no more than 3 times in a day; and
- (c) on the day of the activity, the steer has not been used for any of the following rodeo activities—
  - (i) breakaway roping;
  - (ii) rope and tie;
  - (iii) steer wrestling;
  - (iv) chute dogging.

**63 Withdrawal of competitor for failing to complete rodeo activity**

- (1) This section applies in relation to each competitor in the rodeo activity if—
  - (a) 30 seconds have elapsed after the steer has been released from the chute; and
  - (b) the judge considers the second competitor has failed to rope the steer's hind feet as required.
- (2) The judge must direct the competitor to withdraw from the rodeo activity.
- (3) The competitor must comply with the direction.

**64 Handling of steer**

A person must not—

- (a) rope the steer's hind feet unless the steer's head or horns have been roped and the steer has changed direction; or
- (b) use a rope to pull the steer to the extent that 1 or both of its front feet lift off the ground.

**65 Suitability of horn wraps**

- (1) A person must ensure—
  - (a) the steer has been fitted with horn wraps; and
  - (b) the horn wraps—
    - (i) are made of a suitable material; and
    - (ii) are fitted securely around the steer's head at the base of its horns; and
    - (iii) do not obscure the steer's vision.
- (2) In this section—

*horn wraps* mean pieces of material, fitted to a steer, that are designed and constructed to protect the ears and the base of the horns of the steer from injury.

## Part 7 Condition scores for rodeo animals

### 66 Condition score for bovine

- (1) A bovine that satisfies the descriptions mentioned in column 2 of an entry in the following table has the condition score mentioned opposite the descriptions in column 1 of the entry.
- (2) The entries for condition scores 1 and 5 in the table are included for information purposes only.

Column 1	Column 2
Condition score	Descriptions of bovine
1	<p>the back bone is prominent</p> <p>the hips and shoulder bones are prominent</p> <p>the ribs are clearly visible</p> <p>the tail-head area is recessed</p> <p>the body outline is skeletal</p>
2	<p>the back bone is visible</p> <p>the hips and shoulder bones are visible</p> <p>the ribs are faintly visible</p> <p>the tail-head area is slightly recessed</p> <p>the body outline is skeletal</p>
3	<p>the hip bones are faintly visible</p> <p>the ribs are not visible</p> <p>the tail-head area is not recessed</p> <p>the body outline is almost smooth</p>

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<b>Column 1</b>	<b>Column 2</b>
<b>Condition score</b>	<b>Descriptions of bovine</b>
4	the hip bones are not visible the ribs are well covered the tail-head area is slightly lumpy the body outline is well rounded
5	the hip bones show the deposition of fat the ribs are very well covered the tail-head area is very lumpy the body outline is bulging with fat

**67 Condition score for horse**

- (1) A horse that satisfies the descriptions mentioned in column 2 of an entry in the following table has the condition score mentioned opposite the descriptions in column 1 of the entry.
- (2) The entries for condition scores 1, 2 and 5 in the table are included for information purposes only.

<b>Column 1</b>	<b>Column 2</b>
<b>Condition score</b>	<b>Descriptions of horse</b>
1	the rump is sunken the poverty line in the hindquarters is prominent there is a cavity under the tail the ribs are prominent the backbone and croup are prominent the neck is narrow and slack

<b>Column 1</b>	<b>Column 2</b>
<b>Condition score</b>	<b>Descriptions of horse</b>
2	<p>the rump is flat on either side of the backbone</p> <p>the poverty line is visible</p> <p>the ribs are just visible</p> <p>the neck is narrow but firm</p> <p>the backbone is covered</p>
3	<p>the rump is rounded</p> <p>the ribs are just covered but easily felt</p> <p>there is no crest on the neck</p> <p>the neck is firm</p>
4	<p>the rump is well-rounded</p> <p>there is a gutter along the back</p> <p>the ribs and pelvis are hard to feel</p> <p>there is a slight crest on the neck</p>
5	<p>the rump is bulging</p> <p>there is a deep gutter along the back</p> <p>the ribs are buried</p> <p>there is a marked crest on the neck</p> <p>there are folds and lumps of fat around the neck</p>

## **Schedule 4      Documents made as codes of practice**

### section 3

- 4 'Model code of practice for the welfare of animals—Domestic poultry', 4th edition, prepared for the Primary Industries Standing Committee, published by CSIRO, 2002, SCARM Report No. 83.
- 5 'Model code of practice for the welfare of animals—Farmed buffalo', prepared for the Standing Committee on Agriculture and Resource Management, Animal Health Committee, published by CSIRO, 1995, SCARM Report Series No. 52.
- 6 'Model code of practice for the welfare of animals—Feral livestock animals: Destruction or capture handling and marketing', prepared for the Standing Committee on Agriculture, Animal Health Committee, published by CSIRO, 1991, SCA Technical Report Series No. 34.
- 7 'Model code of practice for the welfare of animals—Husbandry of captive-bred emus', 2nd edition, prepared for the Primary Industries Standing Committee, published by CSIRO, 2006, PISC Report No. 90.
- 8 'Model code of practice for the welfare of animals—Intensive husbandry of rabbits', prepared for the Standing Committee on Agriculture, Animal Health Committee, published by CSIRO, 1991, SCA Technical Report Series No. 33.
- 9 'Model code of practice for the welfare of animals—Livestock at slaughtering establishments', prepared for the Standing Committee on Agriculture and Resource Management, published by CSIRO, 2001, SCARM Report No. 79.
- 10 'Model code of practice for the welfare of animals—Pigs', 3rd edition, prepared for the Primary Industries Standing Committee, published by CSIRO, 2008, PISC Report No. 92.



- 11 'Model code of practice for the welfare of animals—The camel (*Camelus dromedarius*)', 2nd edition, prepared for the Primary Industries Standing Committee, published by CSIRO, 2006, PISC Report No. 86.
- 12 'Model code of practice for the welfare of animals—The farming of deer', prepared for the Standing Committee on Agriculture, Animal Health Committee, published by CSIRO, 1991, SCA Technical Report Series No. 30.
- 13 'Model code of practice for the welfare of animals—Farming of ostriches', prepared for the Primary Industries Standing Committee, published by CSIRO, 2003, SCARM Report No. 84.
- 14 'Model code of practice for the welfare of animals—The goat', prepared for the Standing Committee on Agriculture, Animal Health Committee, published by CSIRO, 1991, SCA Technical Report Series No. 32.

## Schedule 5 Fees

section 11

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1 Application for, or to renew, registration (Act, s 52(2)(d))—	
(a) of an individual	859.15
(b) of all State schools, if the application is made by the State on behalf of the schools	419.05
(c) of a corporation that is the governing body of a non-State school	419.05
(d) of a corporation, other than a corporation mentioned in paragraph (c), or a public authority, if the corporation or authority has—	
(i) less than 10 employees	859.15
(ii) 10 to 50 employees	1,289.70
(iii) more than 50 employees	1,718.80
2 Copy of the register or a part of the register (Act, s 62(c))	51.50
3 Application for replacement registration certificate (Act, s 88(2))	85.75
4 Application for approval to conduct a test or use an animal in a way mentioned in s 92 of the Act (Act, s 93(2))	859.15