



Australian Capital Territory

# **Biosecurity (National Livestock Identification System) Regulation 2025**

**SL2025-2**

made under the

**Biosecurity Act 2023**

**Republication No 2**

**Effective: 26 November 2025 – 15 May 2026**

Republication date: 26 November 2025

Last amendment made by [A2025-28](#)

Not all provisions are in force: see last endnote

## About this republication

### The republished law

This is a republication of the *Biosecurity (National Livestock Identification System) Regulation 2025*, made under the *Biosecurity Act 2023* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 26 November 2025. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 26 November 2025.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

### Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register ([www.legislation.act.gov.au](http://www.legislation.act.gov.au)). For more information, see the home page for this law on the register.

### Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the *Legislation Act 2001*, section 95.

### Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$160 for an individual and \$810 for a corporation (see *Legislation Act 2001*, s 133).



Australian Capital Territory

# Biosecurity (National Livestock Identification System) Regulation 2025

made under the

**Biosecurity Act 2023**

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## Part 1 Preliminary

### Division 1.1 Introduction

#### 1 Name of regulation

This regulation is the *Biosecurity (National Livestock Identification System) Regulation 2025*.

#### 2 Commencement

- (1) This regulation (other than part 9) commences on the commencement of the [Biosecurity Act 2023](#), section 234 (Regulation-making power).

*Note* The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](#), s 75 (1)).

- (2) Part 9 (Biosecurity (National Livestock Identification System) Regulation 2025—delayed amendments—1 January 2027) commences on 1 January 2027.

#### 3 Dictionary

The dictionary at the end of this regulation is part of this regulation.

*Note 1* The dictionary at the end of this regulation defines certain terms used in this regulation, and includes references (*signpost definitions*) to other terms defined elsewhere in this regulation.

For example, the signpost definition ‘*reportable saleyard transaction*, for division 4.2 (Reporting to the NLIS administrator)—see section 68.’ means that the term ‘reportable saleyard transaction’ is defined in that section and the definition applies to division 4.2.

*Note 2* A definition in the dictionary (including a signpost definition) applies to the entire regulation unless the definition, or another provision of the regulation, provides otherwise or the contrary intention otherwise appears (see [Legislation Act](#), s 155 and s 156 (1)).

**4 Notes**

A note included in this regulation is explanatory and is not part of this regulation.

**5 Offences against regulation—application of Criminal Code etc**

Other legislation applies in relation to offences against this regulation.

*Note 1 Criminal Code*

The [Criminal Code](#), ch 2 applies to all offences against this regulation (see Code, pt 2.1).

The chapter sets out the general principles of criminal responsibility (including burdens of proof and general defences), and defines terms used for offences to which the Code applies (eg *conduct*, *intention*, *recklessness* and *strict liability*).

*Note 2 Penalty units*

The [Legislation Act](#), s 133 deals with the meaning of offence penalties that are expressed in penalty units.

**Division 1.2 Specific biosecurity requirements**

**6 Specific biosecurity requirements—Act, s 23**

A requirement mentioned in this regulation in relation to biosecurity matter, a carrier or a dealing, is a specific biosecurity requirement in relation to the biosecurity matter, carrier or dealing.

*Note* A person who fails to comply with a specific biosecurity requirement fails to comply with the general biosecurity duty and may be guilty of an offence under the [Act](#), s 24 (see [Act](#), s 23).

## Division 1.3 Interpretation

### 7 Meaning of *relevant person* for a property

(1) In this regulation:

*relevant person*, for a property, means each of the following people:

- (a) if relevant stock is kept on the property—
  - (i) if the property is on leased land—the lessee of the land; and
  - (ii) if the property is on unleased land that is held under a licence to occupy or use the land granted under the [Planning Act 2023](#), section 378—the licensee of the land; and
  - (iii) if the property is on unleased land that has a custodian—the custodian of the land; and
  - (iv) the occupier of the property; and
  - (v) the owner of any of the relevant stock kept on the property; and
  - (vi) the person in charge of any of the relevant stock kept on the property;
- (b) if an abattoir, saleyard, stock event, goat depot or cattle scale operation is operated on the property—the operator of the abattoir, saleyard, stock event, goat depot or cattle scale operation.

(2) In this section:

*custodian*—see the [Planning Act 2023](#), dictionary.

## **Part 2**                      **Property identification codes and agent identification codes**

### **Division 2.1**              **Identification codes generally**

#### **8**                      **Director-general to determine identification codes**

- (1) The director-general must determine—
  - (a) codes to be used for property identification codes allocated under this part; and
  - (b) codes to be used for agent identification codes allocated under this part; and
  - (c) how the codes are to be allocated under this part.
- (2) A determination is a notifiable instrument.

### **Division 2.2**              **Property identification codes**

#### **9**                      **Meaning of *relevant stock***

- (1) In this regulation:  
*relevant stock* means the following animals:
  - (a) identifiable stock;
  - (b) camelids;
  - (c) deer;
  - (d) equines;
  - (e) 100 or more small poultry;
  - (f) 10 or more large poultry.

- (2) In this section:

*large poultry* means emus and ostriches.

*small poultry* means chickens, turkeys, guinea fowl, ducks, geese, quails, pigeons, pheasants and partridges.

**10 Offence—property identification code required if relevant stock kept**

- (1) Each relevant person for a property where relevant stock is kept must ensure that the property has a property identification code.

Maximum penalty: 50 penalty units.

- (2) An offence against this section is a strict liability offence.
- (3) This section does not apply to a property that is a veterinary practice where stock do not stay overnight.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (3) (see [Criminal Code](#), s 58).

**11 Offence—property identification code required for certain businesses**

- (1) Each relevant person for a property where an abattoir, saleyard, stock event, goat depot or cattle scale operation is operated must ensure that the property has a property identification code.

Maximum penalty: 50 penalty units.

- (2) An offence against this section is a strict liability offence.

**12 Property identification code—application by relevant person**

- (1) A relevant person for a property may apply to the director-general for a property identification code for the property.
- (2) The application must include the following information:
  - (a) the name and street address of the property;
  - (b) the block, section number and division of the property;
  - (c) the full name, home address, postal address, email address and mobile phone number of each relevant person for the property;
  - (d) any other information reasonably required by the director-general.

**13 Property identification code—allocation to property**

The director-general may, on application under section 12 or on the director-general's own initiative, allocate a property identification code to a property if—

- (a) relevant stock is kept on the property; or
- (b) an abattoir, saleyard, stock event, goat depot or cattle scale operation is operated on the property; or
- (c) the property is on unleased territory land.

**14 Property identification code—transfer**

- (1) A property identification code is not transferable.
- (2) However, the director-general may transfer a property identification code from 1 property (the *old property*) to another property (the *new property*) if the new property comprises all or part of the old property.

## **15 Property identification code—inactivation or cancellation**

- (1) If the director-general is satisfied that a property no longer needs a property identification code, the director-general may inactivate or cancel the code by giving each relevant person for the property a written notice stating—
  - (a) the reason for the inactivation or cancellation; and
  - (b) when the inactivation or cancellation takes effect.
- (2) However, before inactivating or cancelling a property identification code, the director-general must give each relevant person for the property written notice stating—
  - (a) that the director-general proposes to inactivate or cancel the code; and
  - (b) the reason for the proposed inactivation or cancellation; and
  - (c) that any relevant person for the property may, by a stated day that is at least 15 working days after the day the notice is given to the person, make a submission to the director-general about the proposed inactivation or cancellation.
- (3) If a relevant person for the property makes a submission before the stated day, the director-general must take the submission into account in deciding whether to inactivate or cancel the property identification code.
- (4) If the director-general inactivates or cancels a property's property identification code, the director-general must tell the NLIS administrator about the inactivation or cancellation.
- (5) The director-general may reactivate an inactivated property identification code, or reallocate a cancelled property identification code, in any circumstances the director-general considers appropriate.

**16 Offence—relevant person to update details**

- (1) This section applies if—
  - (a) the director-general has allocated a property identification code to a property; and
  - (b) a relevant person for the property changes any of their information mentioned in section 12 (2) (c).
- (2) The relevant person must tell the director-general about the change, in writing, within 10 working days after the day the change happens.  
Maximum penalty: 50 penalty units.
- (3) An offence against this section is a strict liability offence.

**Division 2.3 Stock and station agent identification codes**

**17 Agent identification code—application by stock and station agent**

- (1) A stock and station agent may apply to the director-general for an agent identification code.
- (2) The application must include the following information:
  - (a) the name and street address of the stock and station agent’s main place of business in the ACT;
  - (b) the stock and station agent’s full name, home address, postal address, email address and mobile phone number;
  - (c) any other information reasonably required by the director-general.
- (3) In this section:  
*main place of business*—see the [Agents Act 2003](#), dictionary.

**18 Agent identification code—allocation to stock and station agent**

The director-general may, on application under section 17 or on the director-general's own initiative, allocate an agent identification code to a stock and station agent.

**19 Agent identification code—transfer**

- (1) An agent identification code is not transferable.
- (2) However, the director-general may transfer an agent identification code from 1 stock and station agent (the *old agent*) to another stock and station agent (the *new agent*) if the new agent has taken over the business of the old agent.

**20 Agent identification code—inactivation or cancellation**

- (1) If the director-general is satisfied that a stock and station agent no longer needs an agent identification code, the director-general may inactivate or cancel the code by giving the agent a written notice stating—
  - (a) the reason for the inactivation or cancellation; and
  - (b) when the inactivation or cancellation takes effect.
- (2) However, before inactivating or cancelling a stock and station agent's agent identification code, the director-general must give the agent written notice stating—
  - (a) that the director-general proposes to inactivate or cancel the code; and
  - (b) the reason for the proposed inactivation or cancellation; and
  - (c) that the agent may, by a stated day that is at least 15 working days after the day the notice is given to the agent, make a submission to the director-general about the proposed inactivation or cancellation.

- (3) If the stock and station agent makes a submission before the stated day, the director-general must take the submission into account in deciding whether to inactivate or cancel the agent identification code.
- (4) If the director-general inactivates or cancels a stock and station agent's agent identification code, the director-general must tell the NLIS administrator about the inactivation or cancellation.
- (5) The director-general may reactivate an inactivated agent identification code, or reallocate a cancelled agent identification code, in any circumstances the director-general considers appropriate.

## **21 Offence—stock and station agent to update details**

- (1) This section applies if—
  - (a) the director-general has allocated an agent identification code to a stock and station agent; and
  - (b) any of the agent's information mentioned in section 17 (2) (a) or (b) changes.
- (2) The agent must tell the director-general about the change, in writing, within 10 working days after the day the change happens.

Maximum penalty: 50 penalty units.

- (3) An offence against this section is a strict liability offence.

## Part 3 Permanent identification of identifiable stock

### Division 3.1 Identifiable stock

#### 22 Meaning of *properly identified* identifiable stock

- (1) For this regulation, identifiable stock born in the ACT is *properly identified* only if all of the following requirements are met:
- (a) the stock must have a permanent identifier that is—
    - (i) mentioned in table 22, column 3 for the stock; and
    - (ii) attached to the stock in the way required in table 22, column 4;
  - (b) the permanent identifier must be—
    - (i) working and readable; and
    - (ii) accredited by the NLIS administrator for the species of stock to which it is attached;
  - (c) the property identification code on the permanent identifier must be the property identification code of the property where the identifier was attached to the stock;
  - (d) if the permanent identifier is an electronic device—there must be only 1 permanent identifier attached to the stock;
  - (e) if the permanent identifier is not an electronic device—there must be only 1 permanent identifier that is a breeder device attached to the stock;

*Note* More than 1 permanent identifier that is a post breeder device may be attached to the stock.

- (f) if the permanent identifier is a breeder device—the identifier must have been attached to the stock on the property where it was born;
- (g) if the permanent identifier is a permanent brand identifier for pigs—the pig to which the identifier is attached must weigh more than 25kg;
- (h) the stock must not have a non-accredited identifier attached.

**Table 22 Requirements for attaching permanent identifiers to stock**

column 1 item	column 2 stock	column 3 permanent identifier	column 4 requirements for attachment to stock
1	cattle	electronic device	must be attached in accordance with the manufacturer’s instructions
2	sheep and goats	electronic device	must be attached in accordance with the manufacturer’s instructions
3	sheep and goats	breeder device or post breeder device	must be attached to the ear of the sheep or goat in a way that allows the property identification code on the identifier to be easily read
4	pigs	breeder device or post breeder device	must be attached to the ear of the pig in a way that allows the property identification code on the identifier to be easily read
5	pigs	permanent brand identifier for pigs	must be attached so that the characters on the brand are impressed through the skin of the pig and can be easily read

- (2) For this regulation, identifiable stock born outside the ACT is *properly identified* if it is permanently identified under a corresponding biosecurity law.

(3) In this section:

*non-accredited identifier*, for a species of stock, means a breeder device or post breeder device that—

- (a) uses radio frequency identification technology; and
- (b) is not accredited by the NLIS administrator as a permanent identifier for the species of stock.

**23 Offence—stock not properly identified on arrival in ACT**

(1) An owner of identifiable stock that is kept outside the ACT must ensure that the stock is properly identified within 2 working days after the day the stock arrives in the ACT.

Maximum penalty: 50 penalty units.

(2) An offence against this section is a strict liability offence.

**24 Offences—stock not properly identified when moved from property**

(1) An owner of identifiable stock that is kept on a property in the ACT must ensure that the stock is properly identified before it is moved from the property.

Maximum penalty: 50 penalty units.

(2) A person must not move identifiable stock from a property if the stock is not properly identified.

Maximum penalty: 50 penalty units.

(3) An offence against this section is a strict liability offence.

- (4) Subsections (1) and (2) do not apply if identifiable stock is moved from a property in any of the following circumstances:
- (a) the identifiable stock is a carcass that is moved directly to—
    - (i) a waste management facility that is authorised to accept the carcass; or
    - (ii) the National Zoo and Aquarium;
  - (b) the identifiable stock (other than a pig) is moved to—
    - (i) an adjacent property and returned within 2 days; or
    - (ii) an adjacent property because the stock is grazed continuously between the 2 properties; or
    - (iii) another part of the same property by a route that requires the stock to leave the property;
  - (c) the identifiable stock is moved for display at the National Zoo and Aquarium;
  - (d) if the identifiable stock is a dairy goat or a goat born without ears—the goat is moved to somewhere other than a saleyard or abattoir;
  - (e) the identifiable stock is an unidentified harvested rangeland goat;
  - (f) if the identifiable stock is a pig—
    - (i) the pig will continue to be owned by the same person following the move; and
    - (ii) the pig is not moved for a stock event or to a saleyard for sale; and
    - (iii) the property where the pig is usually kept, and the property to where it is moved, are both certified under the Australian Pork Industry Quality Assurance Program; and

- (iv) any movement of the pig is recorded in the PigPass database within 2 working days after the day the pig is moved;
- (g) the identifiable stock is moved because of an emergency and the following information is given to Access Canberra, in writing, within 2 working days after the day the stock is moved:
  - (i) the date the stock was moved;
  - (ii) the number and species of stock moved;
  - (iii) the property identification code of the property from where the stock was moved;
  - (iv) either—
    - (A) the property identification code of the property to where the stock was moved; or
    - (B) if the property identification code is not known or not readily available—the address to where the stock was moved, and the name of the person who received the stock.

**Example—emergency**

imminent threat from a bushfire or flood

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (4) (see [Criminal Code](#), s 58).

(5) In this section:

***Access Canberra*** means the business unit known as Access Canberra.

**25 Offences—stock not properly identified at saleyard or abattoir**

- (1) An operator of a saleyard or abattoir must ensure that all identifiable stock at the saleyard or abattoir is properly identified.

Maximum penalty: 50 penalty units.

*Note* If stock arrives at a saleyard or abattoir without proper identification, the operator of the saleyard or abattoir may supply an identifier for the stock (see sdiv 3.2.2).

- (2) A person in charge of identifiable stock that is at a saleyard or abattoir must, if the stock is not properly identified, tell 1 of the following people, in writing, that the stock is not properly identified:

- (a) the operator of the saleyard or abattoir;  
(b) if the operator is absent from the saleyard or abattoir—the person in charge of the saleyard or abattoir.

Maximum penalty: 50 penalty units.

- (3) A person in charge of a saleyard or abattoir who is told about stock under subsection (2) (b), must tell the operator of the saleyard or abattoir within 2 working days, in writing, that the stock is not properly identified.

Maximum penalty: 50 penalty units.

- (4) An operator of a saleyard or abattoir who is going to be absent from the saleyard or abattoir, must tell the person in charge of the saleyard or abattoir, in writing, about their obligations under subsection (3).

Maximum penalty: 50 penalty units.

- (5) An offence against this section is a strict liability offence.

- (6) This section does not apply in relation to identifiable stock after the stock is slaughtered at an abattoir.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (6) (see [Criminal Code](#), s 58).

**26 Offences—stock not properly identified at saleyard or abattoir not to be sold or slaughtered**

- (1) A person must not do any of the following with identifiable stock at a saleyard or abattoir if the stock is not properly identified:
- (a) sell or otherwise dispose of the stock;
  - (b) buy or otherwise acquire the stock;
  - (c) slaughter the stock.

Maximum penalty: 50 penalty units.

*Note* If stock arrives at a saleyard or abattoir without proper identification, the operator of the saleyard or abattoir may supply an identifier for the stock (see sdiv 3.2.2).

- (2) A person in charge of identifiable stock at a saleyard or abattoir must ensure that another person does not do any of the following if the stock is not properly identified:
- (a) sell or otherwise dispose of the stock;
  - (b) buy or otherwise acquire the stock;
  - (c) slaughter the stock.

Maximum penalty: 50 penalty units.

- (3) An operator of a saleyard or abattoir must ensure that another person does not do any of the following with identifiable stock at the saleyard or abattoir if the stock is not properly identified:
- (a) sell or otherwise dispose of the stock;

(b) buy or otherwise acquire the stock;

(c) slaughter the stock.

Maximum penalty: 50 penalty units.

- (4) An offence against this section is a strict liability offence.
- (5) Subsections (1), (2) and (3) do not apply in relation to identifiable stock after the stock is slaughtered at an abattoir.
- (6) Subsections (2) and (3) do not apply if the person in charge or operator took reasonable steps to prevent the commission of the offence.
- (7) Subsections (1) (c), (2) (c) and (3) (c) do not apply if the stock is slaughtered for humane reasons at the direction of any of the following people:
- (a) an authorised person;
  - (b) an animal welfare inspector;
  - (c) a veterinary practitioner.

*Note* The defendant has an evidential burden in relation to the matters mentioned in ss (5), (6) and (7) (see [Criminal Code](#), s 58).

## Division 3.2 Permanent identifiers

### Subdivision 3.2.1 Supply of permanent identifiers generally

#### 27 Application—sdiv 3.2.1

This subdivision applies to the supply of permanent identifiers other than under subdivision 3.2.2 (Supply of permanent identifiers for temporary use on unidentified stock at saleyard or abattoir).

*Note* A supplier of permanent identifiers does not need to be approved under sdiv 3.2.2 unless—

- (a) the supplier is the operator of a saleyard or abattoir; and
- (b) the permanent identifier is being supplied for use on unidentified stock while they are at the saleyard or abattoir.

#### 28 Offences—supply of permanent identifiers

(1) A person must not supply a permanent identifier to someone else (the *recipient*) unless—

- (a) the recipient is—
  - (i) a relevant person for a property; or
  - (ii) a stock and station agent who—
    - (A) has an agent identification code; and
    - (B) is acting for a relevant person for a property; and
- (b) the property identification code on the supplied permanent identifier is the property identification code of the property.

Maximum penalty: 50 penalty units.

(2) A person must not supply a permanent identifier to someone else if—

- (a) the property identification code on the identifier is inactive or cancelled; or

(b) the identifier has previously been attached to stock.

Maximum penalty: 50 penalty units.

(3) An offence against this section is a strict liability offence.

**29 Offences—supplier of permanent identifier to keep records**

(1) A person who supplies a permanent identifier to someone else (the *recipient*) must—

(a) within 2 working days after the day the identifier is supplied, make the following records about the supply:

(i) the date of the supply;

(ii) the number and type of identifiers supplied;

(iii) the identification code and serial number of each identifier supplied;

(iv) the full name and home address of the recipient;

(v) the full name and home address of the owner of the stock for which each identifier is supplied;

(vi) the following details for the stock for which each identifier is supplied:

(A) the species of the stock;

(B) the property identification code of the property of origin of the stock (if known); and

(b) keep the records for—

(i) for an identifier supplied for a pig—3 years after the day of the supply; or

(ii) 7 years after the day of the supply.

Maximum penalty: 50 penalty units.

- (2) A person who supplies a permanent identifier for use on electronically identified stock must, before the end of the next working day after the supply, give the NLIS administrator the following information:
- (a) the relevant identification particulars on the identifier;
  - (b) the date when the identifier was supplied.
- Maximum penalty: 50 penalty units.
- (3) An offence against this section is a strict liability offence.

### **Subdivision 3.2.2 Supply of permanent identifiers for temporary use on unidentified stock at saleyard or abattoir**

- Note* A supplier of permanent identifiers only needs to be approved under this subdivision if—
- (a) the supplier is the operator of a saleyard or abattoir; and
  - (b) the permanent identifier is being supplied for use on unidentified stock while they are at the saleyard or abattoir.

(Section 25 (1) requires an operator of a saleyard or abattoir to ensure that all identifiable stock at the saleyard or abattoir is properly identified. Section 26 prohibits the sale or slaughter of stock at a saleyard or abattoir if the stock is not properly identified.)

## **30 Definitions—sdiv 3.2.2**

In this subdivision:

*approved supplier*, of permanent identifiers, means a person approved to supply permanent identifiers under section 32.

*interstate approved supplier*, of permanent identifiers, means a person approved to supply permanent identifiers under a corresponding biosecurity law.

**31 Offence—unapproved person not to supply permanent identifier**

- (1) A person must not supply a permanent identifier to someone else for use at a saleyard or abattoir unless the person is either—
  - (a) an approved supplier; or
  - (b) an interstate approved supplier.

Maximum penalty: 50 penalty units.

- (2) An offence against this section is a strict liability offence.

**32 Director-general may approve supplier**

- (1) The director-general may approve an operator of a saleyard or abattoir as a supplier of permanent identifiers for use at the saleyard or abattoir if the saleyard or abattoir is operated at a property that has a property identification code.
- (2) An approval includes—
  - (a) a condition that the operator of the saleyard or abattoir must only supply permanent identifiers for use on unidentified stock while they are at the saleyard or abattoir; and
  - (b) any other condition the director-general considers appropriate.

**33 Offence—approved supplier to comply with conditions on approval**

- (1) An approved supplier must comply with the conditions on their approval.

Maximum penalty: 50 penalty units.

- (2) An offence against this section is a strict liability offence.

**34 Offences—approved supplier to supply permanent identifiers**

- (1) An approved supplier must not supply a permanent identifier to someone else (the *recipient*) for use at a saleyard or abattoir unless—
- (a) the recipient is—
    - (i) a relevant person for a property; or
    - (ii) a stock and station agent who—
      - (A) has an agent identification code; and
      - (B) is acting for a relevant person for a property; and
  - (b) the property identification code on the identifier is the property identification code of the saleyard or abattoir.

Maximum penalty: 50 penalty units.

- (2) An approved supplier must not supply a permanent identifier to someone else for use at a saleyard or abattoir if—
- (a) the property identification code on the identifier is inactive or cancelled; or
  - (b) the identifier has previously been attached to stock.

Maximum penalty: 50 penalty units.

- (3) An offence against this section is a strict liability offence.

**35 Offence—recipient to use permanent identifier as directed by supplier**

- (1) This section applies if—
- (a) a person (the *recipient*) is supplied with a permanent identifier for use at a saleyard or abattoir by—
    - (i) an approved supplier; or

- (ii) an interstate approved supplier; and
- (b) the supplier gives the recipient a direction, in writing, about the use of the identifier.
- (2) The recipient must not use the permanent identifier in a way that contravenes the direction.

Maximum penalty: 50 penalty units.

- (3) An offence against this section is a strict liability offence.

### **36 Offences—approved supplier to keep records**

- (1) An approved supplier who supplies a permanent identifier to someone else for use at a saleyard or abattoir (the *recipient*) must—
  - (a) within 2 working days after the day the identifier is supplied, make the following records about the supply:
    - (i) the date of the supply;
    - (ii) the number and type of identifiers supplied;
    - (iii) the identification code and serial number of each identifier supplied;
    - (iv) the full name and home address of the recipient;
    - (v) the full name and home address of the owner of the stock for which each identifier is supplied;
    - (vi) the following details for the stock for which each identifier is supplied:
      - (A) the species of the stock;
      - (B) the property identification code of the property of origin of the stock (if known);
    - (vii) the reason why the identifier was supplied; and

(b) keep the records for 2 years after the day of the supply.

Maximum penalty: 50 penalty units.

(2) An approved supplier who supplies a permanent identifier for use on electronically identified stock at a saleyard or abattoir must, before the end of the next working day after the supply, give the NLIS administrator the following information:

(a) the relevant identification particulars on the identifier;

(b) the date when the identifier was supplied.

Maximum penalty: 50 penalty units.

(3) An offence against this section is a strict liability offence.

### **Subdivision 3.2.3 Use etc of permanent identifiers**

#### **37 Offence—certain people may acquire permanent identifiers**

(1) A person must not acquire a permanent identifier unless the person is—

(a) the director-general; or

(b) a relevant person for a property, and the property identification code on the identifier is the property identification code of the property; or

(c) a stock and station agent with an agent identification code who is acting for a relevant person for a property, and the property identification code on the identifier is the property identification code of the property.

Maximum penalty: 50 penalty units.

(2) An offence against this section is a strict liability offence.

### **38 Offences—permanent identifier not to be altered**

- (1) A person must not alter—
- (a) a permanent identifier that is attached, or intended to be attached, to identifiable stock; or
  - (b) equipment that is used for attaching or reading a permanent identifier.

Maximum penalty: 50 penalty units.

- (2) A person must not do any of the following with identifiable stock if the permanent identifier attached to the stock has been altered:
- (a) buy or sell the stock;
  - (b) move the stock from a property.

Maximum penalty: 50 penalty units.

- (3) An offence against this section is a strict liability offence.
- (4) It is a defence to a prosecution for an offence against subsection (2) if the defendant proves that they did not know, and could not reasonably be expected to have known, that the permanent identifier attached to the stock had been altered.

*Note* The defendant has a legal burden in relation to the matters mentioned in s (4) (see [Criminal Code](#), s 59).

- (5) In this section:

*alter* includes deface.

*permanent identifier* includes an identifier attached to identifiable stock under a corresponding biosecurity law.

### **39 Offences—permanent identifier not to be removed**

- (1) A person must not remove a permanent identifier that is attached to identifiable stock.

Maximum penalty: 50 penalty units.

- (2) A person must not do any of the following with identifiable stock if the permanent identifier for the stock has been removed:

- (a) buy or sell the stock;
- (b) move the stock from a property.

Maximum penalty: 50 penalty units.

- (3) An offence against this section is a strict liability offence.

- (4) Subsections (1) and (2) do not apply if the permanent identifier is removed from the stock in any of the following circumstances:

- (a) the identifier is removed after the stock is slaughtered at an abattoir;
- (b) the identifier is removed after the stock has died and there is no requirement under the Act to notify the director-general about the death;

**Examples—requirement to notify director-general about death of animal**

- the stock is infected with prohibited biosecurity matter (see [Act](#), s 26)
  - the stock is infected with notifiable biosecurity matter (see [Act](#), s 30)
- (c) for electronically identified stock—the electronic device cannot be read electronically and a new electronic device is attached to the stock immediately after the old device is removed;

(d) the identifier is removed by any of the following people:

- (i) an authorised person;
- (ii) a food inspector;
- (iii) an animal welfare inspector.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (4) (see [Criminal Code](#), s 58).

(5) It is a defence to a prosecution for an offence against subsection (2) if the defendant proves that they did not know, and could not reasonably be expected to have known, that the permanent identifier had been removed from the stock.

*Note* The defendant has a legal burden in relation to the matters mentioned in s (5) (see [Criminal Code](#), s 59).

(6) In this section:

*permanent identifier* includes an identifier attached to identifiable stock under a corresponding biosecurity law.

#### **40 Offence—permanent identifier not to be improperly used**

- (1) A person must not attach a permanent identifier to identifiable stock if—
- (a) the identifier has previously been attached to other stock; or
  - (b) attaching the identifier would result in the stock not being properly identified; or
  - (c) for electronically identified stock—the stock is already properly identified.

Maximum penalty: 50 penalty units.

(2) An offence against this section is a strict liability offence.

**41 Offence—permanent identifier on slaughtered stock to be destroyed**

- (1) An operator of an abattoir must ensure that a permanent identifier removed from identifiable stock slaughtered at the abattoir is disposed of in a way that ensures the identifier is unable to be used or attached to identifiable stock.

Maximum penalty: 50 penalty units.

- (2) An offence against this section is a strict liability offence.

**42 Offence—make, supply or use counterfeit permanent identifier**

- (1) A person must not make, supply or use a thing if—
- (a) it is not a permanent identifier but could reasonably be mistaken for a permanent identifier; and
  - (b) the person knows that the thing is to be, or may be, attached to identifiable stock.

Maximum penalty: 50 penalty units.

- (2) An offence against this section is a strict liability offence.
- (3) It is a defence to a prosecution for an offence against subsection (1) if the defendant proves that they did not know, and could not reasonably be expected to have known, that the thing could reasonably be mistaken for a permanent identifier.

*Note* The defendant has a legal burden in relation to the matters mentioned in s (3) (see [Criminal Code](#), s 59).

**43 Offence—loss of unattached permanent identifier to be reported**

- (1) This section applies if—
- (a) a permanent identifier is issued for use on electronically identified stock at a property; and
  - (b) the identifier is not attached to the stock; and
  - (c) the identifier is lost or stolen.
- (2) The person in charge of the property, and the person in charge of the stock, must give the NLIS administrator the following information, by the end of the next working day after becoming aware of the loss or theft:
- (a) notice that the identifier is lost or stolen;
  - (b) the date the identifier was lost or stolen (if known);
  - (c) the date the person became aware of the loss or theft;
  - (d) the relevant identification particulars contained on or in the identifier.

Maximum penalty: 50 penalty units.

- (3) An offence against this section is a strict liability offence.
- (4) This section does not apply to a person if the person believes on reasonable grounds that someone else has given the information to the NLIS administrator.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (4) (see [Criminal Code](#), s 58).

## **Division 3.3 Voluntary permanent identification of equines and camelids**

### **44 Voluntary permanent identification of equines and camelids**

- (1) The director-general may approve—
  - (a) a kind of permanent identifier that may be attached to—
    - (i) horses and other equines; or
    - (ii) alpacas and other camelids; and
  - (b) conditions of use of the permanent identifier.
- (2) An approval is a disallowable instrument.

### **45 Offences—misuse of voluntary permanent identifier**

- (1) A person must not attach a permanent identifier approved under section 44 to an animal if—
  - (a) the animal is not an animal for which the identifier is approved; or
  - (b) a condition in the approval is not met.

Maximum penalty: 50 penalty units.

- (2) If the director-general has, under section 44, approved a kind of permanent identifier for a particular species, a person must not permanently identify an animal of that species in another way.

Maximum penalty: 50 penalty units.

- (3) An offence against this section is a strict liability offence.

## **Part 4**                      **Information requirements—stock transactions**

### **Division 4.1**              **Identifiable stock transactions**

#### **46**              **Meaning of *buy* and *sell* stock—div 4.1**

In this division:

*buy*, stock, includes acquire the stock in any other way.

*sell*, stock, includes dispose of the stock in any other way.

#### **47**              **Application—delivery not to include vehicle transfer—pt 4**

In this part, identifiable stock is not taken to have been delivered to a property, and delivery information is not required to be given or kept, if the stock—

- (a) arrive at the property because they are being transferred from one vehicle to another in the course of being transported; and
- (b) are on the property for less than 24 hours.

#### **48**              **Meaning of *delivery information***

In this regulation:

*delivery information*, for identifiable stock that is being transferred from 1 property (the *previous property*) to another property (the *receiving property*), means the following information:

- (a) the kind of stock and the number of each kind of stock being transferred;
- (b) the date the stock left the previous property;
- (c) the property identification code of the previous property;

- (d) the unique serial number of any NLIS movement document created for the delivery of the stock;
- (e) for a sheep, goat or pig (other than an unidentified harvested rangeland goat)—the relevant identification particulars for the sheep, goat or pig;
- (f) for a sheep, goat or pig—whether the sheep, goat or pig was born on the previous property;
- (g) a completed delivery declaration that includes the following information:
  - (i) the name and signature of the person making the declaration;
  - (ii) the date the declaration is made;
  - (iii) either—
    - (A) the property identification code of the receiving property; or
    - (B) if the property identification code is not known or not readily available—the name and address of the person to whom the stock is to be delivered.

*Note* A relevant NLIS movement document will contain some or all of the delivery information.

#### **49 Offence—owner of stock to prepare and keep delivery information**

- (1) If delivery information for identifiable stock is required under this division, an owner of the identifiable stock must—
  - (a) before the delivery, make a record of the delivery information for the stock; and
  - (b) if the stock is to be delivered by another person—give a copy of the delivery information to the other person; and

- (c) keep the record of the delivery information for—
  - (i) for delivery of a pig—3 years after the day of the delivery;  
or
  - (ii) 7 years after the day of the delivery.

Maximum penalty: 50 penalty units.

- (2) An offence against this section is a strict liability offence.

**50 Offences—information required on delivery to stock and station agent**

- (1) A person who delivers identifiable stock to a stock and station agent must, at the time of the delivery, give the agent the delivery information for the stock.

Maximum penalty: 50 penalty units.

- (2) A stock and station agent to whom identifiable stock is delivered, must not sell the stock unless the agent has the delivery information for the stock.

Maximum penalty: 50 penalty units.

- (3) An offence against this section is a strict liability offence.

**51 Offences—information required on delivery from stock and station agent**

- (1) A person who buys identifiable stock from a stock and station agent must give the agent the following information (the *post-sale information*) before the stock leaves the agent's possession:

- (a) if the stock is to be sent to a property—the property identification code of the property;

- (b) if another stock and station agent is to take possession of the stock—the agent identification code of the other agent.

Maximum penalty: 50 penalty units.

- (2) A stock and station agent who sells identifiable stock must give the buyer of the stock the following information within 5 working days after the day of the sale:
  - (a) the delivery information for the stock;
  - (b) either—
    - (i) the property identification code of the property where the stock was sold; or
    - (ii) if the property identification code is not known or not readily available—the address where the stock was sold.

Maximum penalty: 50 penalty units.

- (3) An offence against this section is a strict liability offence.

## **52 Offences—information required for stock and station agent at saleyard**

- (1) A stock and station agent who takes delivery of identifiable stock at a saleyard must, before the end of the day of the delivery, give the delivery information for the stock to—
  - (a) the operator of the saleyard; or
  - (b) if the operator is absent from the saleyard—the person in charge of the saleyard.

Maximum penalty: 50 penalty units.

- (2) A stock and station agent who sells identifiable stock at a saleyard must, before the end of the day of the sale, give the post-sale information given to the agent by the buyer under section 51 (1) to—
  - (a) the operator of the saleyard; or

- (b) if the operator is absent from the saleyard—the person in charge of the saleyard.

Maximum penalty: 50 penalty units.

- (3) A person in charge of a saleyard who is given delivery information under subsection (1) (b) or post-sale information under subsection (2) (b) must, within 2 working days, give the information to the operator of the saleyard.

Maximum penalty: 50 penalty units.

- (4) An operator of a saleyard, who is going to be absent from the saleyard, must tell the person in charge of the saleyard, in writing, about their obligations under subsection (3).

Maximum penalty: 50 penalty units.

- (5) An offence against this section is a strict liability offence.

### **53 Offences—stock and station agent information to be kept**

- (1) A stock and station agent who sells identifiable stock must—
- (a) make a record of the following information within 2 working days after the day of the sale:
- (i) the delivery information for the stock;
  - (ii) either—
    - (A) the property identification code of the property where the stock was sold; or
    - (B) if the property identification code is not known or not readily available—the address where the stock was sold;
  - (iii) the post-sale information given to the agent by the buyer of the stock under section 51 (1); and

(b) keep the record for 2 years after the day of the sale.

Maximum penalty: 50 penalty units.

(2) A person who buys identifiable stock from a stock and station agent, and is given information mentioned in section 51 (2) by the agent, must keep a record of the information for—

(a) for sale of a pig—3 years after the day of the sale; or

(b) 7 years after the day of the sale.

Maximum penalty: 50 penalty units.

(3) An operator of a saleyard who is given delivery information or post-sale information under section 52 (1), (2) or (3), must keep a record of the information for 2 years after the day of the sale.

Maximum penalty: 50 penalty units.

(4) An offence against this section is a strict liability offence.

## **54 Offences—information required on delivery to abattoir**

(1) A person who delivers identifiable stock to an abattoir must, at the time of the delivery, give the delivery information for the stock to—

(a) the operator of the abattoir; or

(b) if the operator is absent from the abattoir—the person in charge of the abattoir.

Maximum penalty: 50 penalty units.

(2) A person in charge of an abattoir who is given delivery information under subsection (1) (b), must give the delivery information to the operator of the abattoir—

(a) before the stock is slaughtered; and

(b) within 2 working days after the day of the delivery.

Maximum penalty: 50 penalty units.

- (3) An operator of an abattoir, who is going to be absent from the abattoir, must tell the person in charge of the abattoir, in writing, about their obligations under subsection (2).

Maximum penalty: 50 penalty units.

- (4) An operator of an abattoir must ensure that identifiable stock is not slaughtered at the abattoir before the operator receives the delivery information for the stock.

Maximum penalty: 50 penalty units.

- (5) An offence against this section is a strict liability offence.

- (6) Subsection (4) does not apply if the stock is slaughtered for humane reasons at the direction of any of the following people:

- (a) an authorised person;
- (b) a food inspector;
- (c) an animal welfare inspector;
- (d) a veterinary practitioner.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (6) (see [Criminal Code](#), s 58).

## **55 Offence—operator of abattoir to keep information**

- (1) An operator of an abattoir who is given delivery information under section 54 (1) or (2) must—
- (a) keep a record of the delivery information, and the property identification code or address of the abattoir, for 2 years after the day of the delivery; and
  - (b) produce the record for inspection on request of a food inspector.

Maximum penalty: 50 penalty units.

- (2) An offence against this section is a strict liability offence.

## 56 Offences—information required on delivery to farm property

- (1) A person who delivers identifiable stock to a farm property must, at the time of the delivery, give the delivery information for the stock to the person who is to be in charge of the stock at the farm property.

Maximum penalty: 50 penalty units.

- (2) A person who is to be in charge of identifiable stock delivered to a farm property, who is given the delivery information for the stock, must give the delivery information to the owner of the stock within 2 working days after the day of the delivery.

Maximum penalty: 50 penalty units.

- (3) An offence against this section is a strict liability offence.

- (4) This section does not apply to—

- (a) identifiable stock delivered to a farm property—

(i) from an adjacent farm property and returned within 2 days;  
or

(ii) from an adjacent farm property because the stock is grazed continuously between the 2 properties; or

(iii) from another part of the same farm property by a route that requires the stock to leave the property; or

- (b) identifiable stock that is a pig if—

(i) the pig will continue to be owned by the same person following the delivery; and

(ii) the pig is not delivered to the farm property for a stock event or to be sold by public auction at the property; and

(iii) the farm property where the pig is delivered is certified under the Australian Pork Industry Quality Assurance Program; and

- (iv) the pig's delivery is recorded in the PigPass database within 2 working days after the day the pig is delivered.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (4) (see [Criminal Code](#), s 58).

**57 Offence—owner of stock at farm property to keep information**

- (1) An owner of identifiable stock who is given delivery information under section 56 (2) must keep a record of the delivery information, and the property identification code of the property where the stock was delivered, for—
- (a) for delivery of a pig—3 years after the day of the delivery; or
  - (b) 7 years after the day of the delivery.

Maximum penalty: 50 penalty units.

- (2) An offence against this section is a strict liability offence.

**58 Offences—information required on delivery to stock event**

- (1) A person who delivers identifiable stock to a stock event on a property must, at the time of the delivery, give the delivery information for the stock to—
- (a) the operator of the stock event; or
  - (b) if the operator is absent from the event—the person in charge of the stock event.

Maximum penalty: 50 penalty units.

- (2) A person in charge of a stock event who is given delivery information under subsection (1) (b), must give the delivery information to the operator of the stock event within 2 working days after the day of the delivery.

Maximum penalty: 50 penalty units.

- (3) An operator of a stock event, who is going to be absent from the event, must tell the person in charge of the event, in writing, about their obligations under subsection (2).

Maximum penalty: 50 penalty units.

- (4) An offence against this section is a strict liability offence.

**59 Offence—operator of stock event to keep information**

- (1) An operator of a stock event who is given delivery information under section 58 (1) or (2), must keep a record of the delivery information, and the property identification code of the property where the event was held, for—

- (a) for delivery of a pig—3 years after the day of the delivery; or  
(b) 7 years after the day of the delivery.

Maximum penalty: 50 penalty units.

- (2) An offence against this section is a strict liability offence.

**60 Offences—information required on delivery to goat depot**

- (1) A person who delivers a goat to a goat depot must, at the time of the delivery, give the delivery information for the goat to—

- (a) the operator of the goat depot; or  
(b) if the operator is absent from the goat depot—the person in charge of the goat depot.

Maximum penalty: 50 penalty units.

- (2) A person in charge of a goat depot who is given delivery information under subsection (1) (b), must give the delivery information to the operator of the goat depot within 2 working days after the day of the delivery.

Maximum penalty: 50 penalty units.

- (3) An operator of a goat depot who is going to be absent from the goat depot, must tell the person in charge of the goat depot, in writing, about their obligations under subsection (2).

Maximum penalty: 50 penalty units.

- (4) An operator of a goat depot where a goat is delivered must ensure that the goat is not sold before the operator receives the delivery information for the goat.

Maximum penalty: 50 penalty units.

- (5) An offence against this section is a strict liability offence.

**61 Offences—information required on delivery from goat depot**

- (1) A person who buys a goat from a goat depot must, before the goat leaves the goat depot, give the property identification code of the property to which the goat is to be sent (the *post-sale information*) to—

- (a) the operator of the goat depot; or  
(b) if the operator is absent from the goat depot—the person in charge of the goat depot.

Maximum penalty: 50 penalty units.

- (2) A person in charge of a goat depot who is given post-sale information under subsection (1) (b) must give the post-sale information to the operator of the goat depot within 2 working days after the day of the sale.

Maximum penalty: 50 penalty units.

- (3) An operator of a goat depot who is going to be absent from the goat depot, must tell the person in charge of the goat depot, in writing, about their obligations under subsection (2).

Maximum penalty: 50 penalty units.

- (4) An operator of a goat depot must ensure that the following information is given to a person who buys a goat, by the end of the day after the day the goat leaves the goat depot:

- (a) the delivery information for the goat;
- (b) the property identification code of the goat depot.

Maximum penalty: 50 penalty units.

- (5) An offence against this section is a strict liability offence.

## **62 Offences—goat depot information to be kept**

- (1) An operator of a goat depot who is given delivery information under section 60 (1) or (2) must keep a record of the following information for 7 years after the day of the delivery:

- (a) the delivery information;
- (b) the property identification code of the goat depot.

Maximum penalty: 50 penalty units.

- (2) An operator of a goat depot who is given post-sale information under section 61 (1) or (2) must keep a record of the post-sale information for 2 years after the day of the sale.

Maximum penalty: 50 penalty units.

- (3) A person who buys a goat at a goat depot, who is given information under section 61 (4), must keep a record of the following information for 7 years after the day of the sale:
- (a) the delivery information;
  - (b) the property identification code of the goat depot.
- Maximum penalty: 50 penalty units.
- (4) An offence against this section is a strict liability offence.

**63 Offences—information required on delivery to cattle scale operation**

- (1) A person who delivers cattle to a cattle scale operation must, at the time of the delivery, give the delivery information for the cattle to—
- (a) the operator of the cattle scale operation; or
  - (b) if the operator is absent from the cattle scale operation—the person in charge of the cattle scale operation.
- Maximum penalty: 50 penalty units.
- (2) A person in charge of a cattle scale operation who is given delivery information under subsection (1) (b), must give the delivery information to the operator of the cattle scale operation within 2 working days after the day of the delivery.
- Maximum penalty: 50 penalty units.
- (3) An operator of a cattle scale operation who is going to be absent from the cattle scale operation, must tell the person in charge of the cattle scale operation, in writing, about their obligations under subsection (2).
- Maximum penalty: 50 penalty units.

- (4) An operator of a cattle scale operation where cattle are delivered must ensure that the cattle are not sold before the operator receives the delivery information for the cattle.

Maximum penalty: 50 penalty units.

- (5) An offence against this section is a strict liability offence.
- (6) In this section, cattle are taken to be delivered to a cattle scale operation when the cattle scale operation obtains possession of the cattle.

**64 Offences—information required on delivery from cattle scale operation**

- (1) A person who buys cattle at a cattle scale operation must, before the cattle leave the cattle scale operation, give the property identification code of the property to which the cattle are to be sent (the *post-sale information*) to—
- (a) the operator of the cattle scale operation; or
- (b) if the operator is absent from the cattle scale operation—the person in charge of the cattle scale operation.

Maximum penalty: 50 penalty units.

- (2) A person in charge of a cattle scale operation who is given post-sale information under subsection (1) (b), must give the post-sale information to the operator of the cattle scale operation within 2 working days after being given the post-sale information.

Maximum penalty: 50 penalty units.

- (3) An operator of a cattle scale operation who is going to be absent from the cattle scale operation, must tell the person in charge of the cattle scale operation, in writing, about their obligations under subsection (2).

Maximum penalty: 50 penalty units.

- (4) An operator of a cattle scale operation must ensure that, if cattle are sent from the cattle scale operation, the delivery information for the cattle, and the property identification code of the cattle scale operation, are given—
- (a) for cattle sent to an abattoir—to the operator of the abattoir by the end of the day the cattle leave the cattle scale operation; and
  - (b) for cattle sent somewhere else—to the person who buys or takes possession of the cattle by the end of the day after the day the cattle leave the cattle scale operation.

Maximum penalty: 50 penalty units.

- (5) An offence against this section is a strict liability offence.
- (6) In this section, cattle are taken to *leave* a cattle scale operation when the cattle scale operation no longer has possession of the cattle.

## **65 Offences—cattle scale operation information to be kept**

- (1) An operator of a cattle scale operation who is given delivery information under section 63 (1) or (2) must keep a record of the following information for 7 years after the day of the delivery:
- (a) the delivery information;
  - (b) the property identification code of the cattle scale operation.

Maximum penalty: 50 penalty units.

- (2) An operator of a cattle scale operation who is given post-sale information under section 64 (1) or (2) must keep a record of the information for 2 years after the day of the sale.

Maximum penalty: 50 penalty units.

- (3) An operator of an abattoir, or another person who buys or takes possession of cattle from a cattle scale operation, who is given information under section 64 (4), must keep a record of the information for 7 years after the day of the sale.

Maximum penalty: 50 penalty units.

- (4) An offence against this section is a strict liability offence.

## **Division 4.2 Reporting to the NLIS administrator**

### **66 Meaning of *reportable transaction***

In this regulation:

*reportable transaction* means each of the following transactions:

- (a) a reportable saleyard transaction;
- (b) a reportable agent transaction;
- (c) a reportable abattoir transaction;
- (d) a reportable farm property transaction;
- (e) a reportable stock event transaction;
- (f) a reportable goat depot transaction;
- (g) a reportable cattle scale operation transaction.

### **67 Meaning of *transaction information***

In this regulation:

*transaction information*, for a reportable transaction, means the following information:

- (a) the kind of transaction;
- (b) the date of the transaction;

- (c) the relevant identification particulars for the stock (other than unidentified harvested rangeland goats) involved in the transaction;
- (d) the serial number of any NLIS movement document created for the transaction;
- (e) if the transaction happens at a property—
  - (i) the property identification code of the property; or
  - (ii) if the transaction is at a saleyard or abattoir, either—
    - (A) the property identification code of the saleyard or abattoir; or
    - (B) another unique code or number assigned to the saleyard or abattoir by the NLIS administrator;
- (f) the property identification code of the property from where the stock is transferred;
- (g) if the transaction relates to sheep, goats or pigs—
  - (i) the number of sheep, goats or pigs involved in the transaction; and
  - (ii) whether the sheep, goats or pigs were born on the property from where they are transferred.

## **68**      **Meaning of *reportable saleyard transaction*—div 4.2**

In this division:

*reportable saleyard transaction* means the following:

- (a) the sale of identifiable stock at the saleyard;
- (b) the movement of unsold identifiable stock from the saleyard.

## **69 Offences—reportable saleyard transactions**

- (1) An operator of a saleyard where a reportable saleyard transaction happens must give the NLIS administrator the following information about the transaction within the required time:
- (a) the transaction information for the transaction;
  - (b) if the stock involved in the transaction was held by a stock and station agent before being sent to the saleyard—the agent’s agent identification code;
  - (c) if a stock and station agent takes possession of the stock involved in the transaction—the agent’s agent identification code;
  - (d) if the stock involved in the transaction is to be sent to a property following the transaction—the property identification code of the property;
  - (e) if the stock involved in the transaction is sheep, goats or pigs—a copy of any NLIS movement document created for the transaction.

Maximum penalty: 50 penalty units.

- (2) An operator of a saleyard where cattle, sheep, goats or pigs are sold must—
- (a) before the end of the day of the sale, make a record of the number of cattle, sheep, goats and pigs sold at the saleyard; and
  - (b) keep the record for 2 years after the day of the sale.

Maximum penalty: 50 penalty units.

- (3) An offence against this section is a strict liability offence.

(4) In this section:

*required time* means—

- (a) if the identifiable stock is cattle, and the reportable saleyard transaction is the sale of the cattle for slaughter at an abattoir—by the end of the day of the sale; or
- (b) in any other case—by the end of the next working day after the reportable saleyard transaction happens.

## **70 Meaning of *reportable agent transaction*—div 4.2**

In this division:

*reportable agent transaction*, for a stock and station agent, means the delivery of identifiable stock to the agent.

## **71 Offences—reportable agent transactions**

- (1) A stock and station agent who engages in a reportable agent transaction must give the NLIS administrator the following information about the transaction within 2 working days after the day it happens:
  - (a) the transaction information for the transaction;
  - (b) the agent's agent identification code;
  - (c) if the agent is still in possession of the stock involved in the transaction—the property identification code of the property where the stock is being held;

- (d) if the agent is not in possession of the stock involved in the transaction—
  - (i) the property identification code of the property to where the stock was moved following the transaction; and
  - (ii) the date the stock was moved.

Maximum penalty: 50 penalty units.

- (2) A stock and station agent who engages in a reportable agent transaction must—
  - (a) before the end of the day of the transaction, make a record of the following information about the stock involved in the transaction:
    - (i) the relevant identification particulars of the stock;
    - (ii) if the stock is sheep, goats or pigs—the number of sheep, goats or pigs;
    - (iii) if the stock is transferred from 1 property (the *previous property*) to another property (the *receiving property*)—each movement of the stock from the time the stock left the previous property until they arrived at the receiving property, including the property identification code of each property where the stock was held during that time; and
  - (b) keep the record for 2 years after the day of the transaction.

Maximum penalty: 50 penalty units.

- (3) An offence against this section is a strict liability offence.

## 72 Meaning of *reportable abattoir transaction*—div 4.2

In this division:

*reportable abattoir transaction* means the following:

- (a) the slaughter of any identifiable stock at an abattoir;
- (b) the movement of any living identifiable stock from an abattoir.

## 73 Offences—reportable abattoir transactions

- (1) An operator of an abattoir where a reportable abattoir transaction happens must give the NLIS administrator the following information about the transaction by the end of the required time:
  - (a) the transaction information for the transaction;
  - (b) if the transaction was the movement of living identifiable stock from the abattoir—the property identification code of the property to where the stock was moved following the transaction;
  - (c) if the stock involved in the transaction is sheep, goats or pigs that did not arrive at the abattoir from a saleyard—a copy of any NLIS movement document created for the transaction.

Maximum penalty: 50 penalty units.

- (2) An operator of an abattoir must ensure that, by the end of each day when identifiable stock is held or slaughtered at the abattoir, a record is made of the following information (the *daily business information*):
  - (a) the number of each type of identifiable stock slaughtered at the abattoir on that day;
  - (b) the number of each type of living identifiable stock held at the abattoir at the end of that day.

Maximum penalty: 50 penalty units.

- (3) An operator of an abattoir must—
- (a) keep a record of the daily business information for 2 years after the day the animal is held or slaughtered at the abattoir; and
  - (b) produce the record on request by a food inspector.

Maximum penalty: 50 penalty units.

- (4) An offence against this section is a strict liability offence.

- (5) In this section:

*required time* means—

- (a) the end of the next working day after the reportable abattoir transaction happens; or
- (b) if the abattoir is a knackery—the end of 5 working days after the day the reportable abattoir transaction happens.

**74 Meaning of reportable farm property transaction—div 4.2**

In this division:

*reportable farm property transaction*—

- (a) means the movement of identifiable stock to a farm property; but
- (b) does not include movement of stock to a farm property—
  - (i) directly from a saleyard, or from the possession of a stock and station agent; or
  - (ii) for a stock event being held on the property.

**75 Offence—reportable farm property transactions**

- (1) An owner of identifiable stock involved in a reportable farm property transaction must give the NLIS administrator the transaction information for the transaction by the end of the earlier of the following days:
  - (a) 2 working days after the day the transaction happens;
  - (b) the day the stock involved in the transaction is moved from the farm property.

Maximum penalty: 50 penalty units.

- (2) An offence against this section is a strict liability offence.

**76 Meaning of *reportable stock event transaction*—div 4.2**

In this division:

*reportable stock event transaction* means the following:

- (a) movement of identifiable stock to a stock event property for a stock event;
- (b) movement of identifiable stock involved in a stock event from the stock event property.

**77 Offences—reportable stock event transactions**

- (1) An operator of a stock event where a reportable stock event transaction happens must give the NLIS administrator the following information within 2 working days after the day the transaction happens:
  - (a) if the stock are cattle, and are at the stock event property for less than 3 days—
    - (i) the relevant identification particulars for the cattle; and
    - (ii) the date the cattle are at the stock event; and

- (iii) the property identification code of the property where the stock event is held; and
  - (iv) the serial number of any NLIS movement document created for the transaction;
- (b) in any other case—
  - (i) the transaction information for the transaction; and
  - (ii) if the transaction is the movement of identifiable stock from the stock event property—the property identification code of the property to where the stock is moved following the transaction.

Maximum penalty: 50 penalty units.

- (2) A person who moves identifiable stock involved in a stock event from the stock event property must, within 2 working days after the day of the movement, tell 1 of the following people, in writing, the property identification code of the property to where the stock is moved (the *PIC information*):
- (a) the operator of the stock event;
  - (b) if the operator is absent from the stock event—the person in charge of the stock event.

Maximum penalty: 50 penalty units.

- (3) A person in charge of a stock event who is given PIC information under subsection (2) must give the PIC information to the operator of the stock event within 2 working days after the day the person is given the PIC information.

Maximum penalty: 50 penalty units.

- (4) An offence against this section is a strict liability offence.

**78 Meaning of *reportable goat depot transaction*—div 4.2**

In this division:

*reportable goat depot transaction* means the following:

- (a) the sale of a goat at a goat depot;
- (b) the movement of an unsold goat from a goat depot.

**79 Offences—reportable goat depot transactions**

- (1) An operator of a goat depot where a reportable goat depot transaction happens must give the NLIS administrator the following information within 2 working days after the day the transaction happens:
  - (a) the transaction information for the transaction;
  - (b) the property identification code of the property to where the goat is moved following the transaction;
  - (c) a copy of any NLIS movement document created for the transaction.

Maximum penalty: 50 penalty units.

- (2) An operator of a goat depot where a goat has been sold must—
  - (a) ensure that, by the end of the day of the sale, a record is made of the number of goats sold on that day (the *daily sale information*); and
  - (b) keep a record of the daily sale information for 2 years after the day of the sale.

Maximum penalty: 50 penalty units.

- (3) An offence against this section is a strict liability offence.

**80 Meaning of *reportable cattle scale operation transaction*—div 4.2**

In this division:

*reportable cattle scale operation transaction* means the following:

- (a) cattle coming into the possession of the cattle scale operation;
- (b) the sale of any cattle in the possession of the cattle scale operation;
- (c) any unsold cattle ceasing to be in the possession of the cattle scale operation.

**81 Offences—reportable cattle scale operation transactions**

- (1) An operator of a cattle scale operation where a reportable cattle scale operation transaction happens that involves the sale of cattle for slaughter at an abattoir, must give the NLIS administrator the following information by the end of the day of the sale:
  - (a) the transaction information for the transaction;
  - (b) the property identification code of the cattle scale operation;
  - (c) if the cattle scale operation is still in possession of the cattle involved in the transaction—the property identification code of the property where the cattle are being held (if different from the property identification code of the cattle scale operation);
  - (d) if the cattle scale operation is no longer in possession of the cattle involved in the transaction—
    - (i) the property identification code of the farm property, saleyard or abattoir to which the cattle were moved (the *receiving property*); and

- (ii) the date when the cattle were moved to the receiving property.

Maximum penalty: 50 penalty units.

- (2) An operator of a cattle scale operation where any other reportable cattle scale operation transaction happens must give the NLIS administrator the following information by the end of the next working day after the day the transaction happens:
  - (a) the transaction information for the transaction;
  - (b) the property identification code of the cattle scale operation;
  - (c) if the cattle scale operation is still in possession of the cattle involved in the transaction—the property identification code of the property where the cattle are being held (if different from the property identification code of the cattle scale operation);
  - (d) if the cattle scale operation is no longer in possession of the cattle involved in the transaction—
    - (i) the property identification code of the farm property, saleyard or abattoir to which the cattle were moved (the *receiving property*); and
    - (ii) the date when the cattle were moved to the receiving property.

Maximum penalty: 50 penalty units.

- (3) An operator of a cattle scale operation where cattle in the possession of the cattle scale operation are sold must—
  - (a) ensure that, by the end of the day of the sale, a record is made of the number of cattle sold on that day (the *daily sale information*); and

- (b) keep a record of the daily sale information for 2 years after the day of the sale.

Maximum penalty: 50 penalty units.

- (4) An offence against this section is a strict liability offence.

**82 Offence—reporting to NLIS administrator about live export**

- (1) An owner of identifiable stock that is sent for live overseas export, must give the NLIS administrator the following information within 2 working days after the day the stock leaves the ACT:
  - (a) that the stock has been sent for live overseas export;
  - (b) the date the stock was sent;
  - (c) the relevant identification particulars for the stock;
  - (d) the property identification code of the property where the stock was held immediately before being sent.

Maximum penalty: 50 penalty units.

- (2) An offence against this section is a strict liability offence.

**83 Offences—reporting to NLIS administrator about death of electronically identified stock**

- (1) If electronically identified stock is sent to a stock and station agent, and dies while in the possession of the agent, the agent must, by the end of the next working day after becoming aware of the death, give the NLIS administrator the following information:
  - (a) notice that the stock has died;
  - (b) the date of the death (if known);

- (c) the date the agent became aware of the death;
- (d) the relevant identification particulars of the stock.

Maximum penalty: 50 penalty units.

- (2) If electronically identified stock is sent to a saleyard and dies while at the saleyard, the operator of the saleyard must, by the end of the next working day after becoming aware of the death, give the NLIS administrator the following information:

- (a) notice that the stock has died;
- (b) the date of the death (if known);
- (c) the date the operator became aware of the death;
- (d) the relevant identification particulars of the stock.

Maximum penalty: 50 penalty units.

- (3) If electronically identified stock is sent to an abattoir and dies while at the abattoir (other than by being slaughtered), the operator of the abattoir must, by the end of the next working day after becoming aware of the death, give the NLIS administrator the following information:

- (a) notice that the stock has died;
- (b) the date of the death (if known);
- (c) the date the operator became aware of the death;
- (d) the relevant identification particulars of the stock.

Maximum penalty: 50 penalty units.

- (4) An offence against this section is a strict liability offence.

## Part 5 Registers

### 84 Purposes of registers

Registers under this part are kept for the following purposes:

- (a) to facilitate and assist the operation of the stock identification schemes established under this regulation;
- (b) to protect public health and safety;
- (c) to assist in controlling disease and residues in stock and animal products;
- (d) to assist in ascertaining the disease and residue risk or status of stock or animal products;
- (e) to facilitate the determination of ownership of stock and animal products;
- (f) to assist in tracing the movement of stock and animal products;
- (g) to assist in the investigation of the loss or theft of stock;
- (h) to facilitate the dissemination of information about the production and marketing of stock and animal products;
- (i) to assist in the assessment and management of the welfare of animals;
- (j) to assist with the management of land used by stock.

**85 Territory register**

- (1) The director-general must keep a register (the *territory register*) that contains the following information:
  - (a) the status and particulars of each property identification code allocated to a property by the director-general, including the following:
    - (i) the name and street address of the property;
    - (ii) the block, section number and division of the property;
    - (iii) the full name, home address, postal address, email address and mobile phone number of each relevant person for the property;
    - (iv) the number and type of stock kept on the property;
  - (b) the status and particulars of each agent identification code allocated to a stock and station agent by the director-general, including the following:
    - (i) the name and street address of the agent's main place of business in the ACT;
    - (ii) the agent's full name, home address, postal address, email address and mobile phone number;
  - (c) anything else the director-general considers relevant, taking into account the purposes under section 84.
- (2) The director-general must give information contained in the territory register to the NLIS administrator within 5 working days after the day the director-general receives a request for the information from the NLIS administrator.
- (3) The director-general may give information contained in the territory register to a person administering a corresponding biosecurity law if satisfied that the information is to be used for the administration of the corresponding biosecurity law.

- (4) The director-general must, on request and without charge, give the following people access to the information contained in the territory register:
- (a) an authorised person;
  - (b) a food inspector;
  - (c) an animal welfare inspector.

**86 NLIS register**

- (1) The NLIS administrator must keep a register (the *NLIS register*) of the information given to the NLIS administrator under this regulation.
- (2) The NLIS administrator must, on request and without charge, give the following people access to the information contained in the NLIS register:
- (a) the director-general;
  - (b) an authorised person;
  - (c) a food inspector;
  - (d) an animal welfare inspector.
- (3) The NLIS administrator may give information contained in the NLIS register to any other person if satisfied that the information is to be used for a purpose mentioned in section 84.

**87 NLIS register—status updates**

- (1) The director-general may allocate or change a status for identifiable stock on the NLIS register if the director-general knows or reasonably suspects that the stock is contaminated or poses a biosecurity risk.

- (2) The director-general must change or remove the status if satisfied that the stock is no longer contaminated or no longer poses a biosecurity risk.
- (3) In this section:  
*contaminated*—see the [Act](#), section 12 (2).

## Part 6 Notification and review of decisions

### 88 Meaning of *reviewable decision*—pt 6

In this part:

*reviewable decision* means a decision mentioned in schedule 1, column 3 under a provision of this regulation mentioned in column 2 in relation to the decision.

### 89 Reviewable decision notices

If a decision-maker makes a reviewable decision, the decision-maker must give a reviewable decision notice to each person mentioned in schedule 1, column 4 in relation to the decision.

*Note 1* The decision-maker must also take reasonable steps to give a reviewable decision notice to any other person whose interests are affected by the decision (see *ACT Civil and Administrative Tribunal Act 2008*, s 67A).

*Note 2* The requirements for reviewable decision notices are prescribed under the *ACT Civil and Administrative Tribunal Act 2008*.

### 90 Applications for review

The following people may apply to the ACAT for a review of a reviewable decision:

- (a) a person mentioned in schedule 1, column 4 in relation to the decision;
- (b) any other person whose interests are affected by the decision.



- (2) A person who is required under this regulation to give information to someone other than the NLIS administrator must give the information in a way approved by the director-general.

Maximum penalty: 50 penalty units.

- (3) A person who is required under this regulation to give information about pigs to someone must give the information on the PigPass database.

Maximum penalty: 50 penalty units.

- (4) An operator of an abattoir, saleyard, stock event, goat depot or cattle scale operation, who is required to give information to the NLIS administrator under this regulation, must ensure that systems are in place to ensure that—

- (a) the information given is accurate; and
- (b) any inaccurate information is promptly corrected.

Maximum penalty: 50 penalty units.

- (5) An offence against this section is a strict liability offence.

**95 Biosecurity directions—Act, s 148 (o) (iii)**

A biosecurity direction may require an owner of identifiable stock, or a person in charge of identifiable stock, to—

- (a) permanently identify the stock within a stated time (even if the stock is not otherwise required to be permanently identified); and
- (b) give the relevant identification particulars of the stock to the director-general, in writing and within a stated time.

**96 Evidentiary certificates—identification codes**

- (1) The director-general may give a signed certificate stating that, on a stated date, or during a stated period—
  - (a) a stated property identification code was or was not allocated to a stated property; or
  - (b) a stated agent identification code was or was not allocated to a stated stock and station agent.
- (2) A certificate under this section is evidence of the matters stated in it.

## Part 8 Transitional

### 97 Definitions—pt 8

In this part:

*commencement day* means the day this regulation, section 3 commences.

*repealed Act* means the *Animal Diseases Act 2005*.

### 98 Property identification codes—applications made before commencement day

- (1) This section applies if—
  - (a) before the commencement day, a person had applied for a property identification code under the repealed Act, section 39 (Applying for property identification code); and
  - (b) immediately before the commencement day, the chief veterinary officer had not decided the application.
- (2) The application is, on the commencement day, taken to be an application made to the director-general under this regulation, section 12 (Property identification code—application by relevant person).

### 99 Property identification codes—allocated before commencement day

- (1) This section applies if—
  - (a) before the commencement day, a property identification code had been allocated to a property or premises under the repealed Act, section 38 (1) (Allocating identification codes); and
  - (b) immediately before the commencement day, the code had not been cancelled.

- (2) The property identification code is, on the commencement day, taken to be a property identification code allocated to the property under this regulation, section 13 (Property identification code—allocation to property).

**100 Property identification codes—requirement to update details before commencement day**

- (1) This section applies if—
- (a) before the commencement day—
    - (i) a person was a responsible person for a property or premises that had been allocated a property identification code under the repealed Act, section 38 (1) (Allocating identification codes); and
    - (ii) there was a change in any of the details mentioned in the repealed Act, section 39 (2) (Applying for property identification code); but
  - (b) immediately before the commencement day, the person had not told the chief veterinary officer, in writing, about the change under the repealed Act, section 40 (Responsible person for property with property identification code must update details).
- (2) The repealed Act, section 40 continues to apply to the person despite its repeal, as if the reference to the chief veterinary officer were a reference to the director-general.

**101 Property identification codes—inactivated before commencement day**

- (1) This section applies if—
- (a) before the commencement day, a property identification code allocated to a property or premises had been inactivated under the repealed Act, section 44 (2) (Inactivation or cancellation of identification codes); and

- (b) immediately before the commencement day, the code had not been reallocated or cancelled.
- (2) The property identification code is, on the commencement day, taken to be inactivated under this regulation, section 15 (Property identification code—inactivation or cancellation).

**102 Property identification codes—cancelled before commencement day**

- (1) This section applies if—
  - (a) before the commencement day, a property identification code allocated to a property or premises had been cancelled under the repealed Act, section 44 (2) (Inactivation or cancellation of identification codes); and
  - (b) immediately before the commencement day, the code had not been reallocated.
- (2) The property identification code is, on the commencement day, taken to be cancelled under this regulation, section 15 (Property identification code—inactivation or cancellation).

**103 Agent identification codes—applications made before commencement day**

- (1) This section applies if—
  - (a) before the commencement day, a person had applied for an agent identification code under the repealed Act, section 41 (Applying for agent identification code); and
  - (b) immediately before the commencement day, the chief veterinary officer had not decided the application.

- (2) The application is, on the commencement day, taken to be an application made to the director-general under this regulation, section 17 (Agent identification code—application by stock and station agent).

**104 Agent identification codes—allocated before commencement day**

- (1) This section applies if—
- (a) before the commencement day, an agent identification code had been allocated to a stock and station agent under the repealed Act, section 38 (2) (Allocating identification codes); and
  - (b) immediately before the commencement day, the code had not been cancelled.
- (2) The agent identification code is, on the commencement day, taken to be an agent identification code allocated to the stock and station agent under this regulation, section 18 (Agent identification code—allocation to stock and station agent).

**105 Agent identification codes—requirement to update details before commencement day**

- (1) This section applies if—
- (a) before the commencement day—
    - (i) a stock and station agent had been allocated an agent identification code under the repealed Act, section 38 (2) (Allocating identification codes); and
    - (ii) there was a change in any of the details mentioned in the repealed Act, section 41 (2) (Applying for agent identification code); and

- (b) immediately before the commencement day, the agent had not told the chief veterinary officer, in writing, about the change under the repealed Act, section 42 (Stock and station agent must update details of agent identification code).
- (2) The repealed Act, section 42 continues to apply to the person despite its repeal, as if the reference to the chief veterinary officer were a reference to the director-general.

**106 Agent identification codes—inactivated before commencement day**

- (1) This section applies if—
  - (a) before the commencement day, an agent identification code allocated to a stock and station agent had been inactivated under the repealed Act, section 44 (2) (Inactivation or cancellation of identification codes); and
  - (b) immediately before the commencement day, the code had not been reallocated or cancelled.
- (2) The agent identification code is, on the commencement day, taken to be inactivated under this regulation, section 20 (Agent identification code—inactivation or cancellation).

**107 Agent identification codes—cancelled before commencement day**

- (1) This section applies if—
  - (a) before the commencement day, an agent identification code allocated to a stock and station agent had been cancelled under the repealed Act, section 44 (2) (Inactivation or cancellation of identification codes); and
  - (b) immediately before the commencement day, the code had not been reallocated.

- (2) The agent identification code is, on the commencement day, taken to be cancelled under this regulation, section 20 (Agent identification code—inactivation or cancellation).

**108 Information about identifiable stock moved in emergency**

- (1) This section applies if—
- (a) before the commencement day, a person was required to give the chief veterinary officer information under the repealed Act, section 50 (1) (Offence—required information if identifiable stock moved in extreme emergency); and
  - (b) immediately before the commencement day, the person had not given the information.
- (2) The repealed Act, section 50 continues to apply to the person despite its repeal, as if the reference to the chief veterinary officer were a reference to the director-general.

**109 Records to be kept after commencement day—  
manufacturer of NLIS device**

- (1) This section applies if—
- (a) before the commencement day, a manufacturer of an NLIS device would commit an offence under the repealed Act, section 52C (1) (Records and provision of information to NLIS administrator) if they failed to keep a required supply record for the required time; and
  - (b) the required time ends after the commencement day.
- (2) The repealed Act, section 52C (1) continues to apply to the manufacturer despite its repeal.

- (3) However, if the required supply record is for a pig, and the record is not for a permanent identifier supplied for use in a saleyard or abattoir, the repealed Act, section 52C (1) continues to apply to the manufacturer despite its repeal as if the required time was 3 years.
- (4) In this section:  
*NLIS device*—see the repealed Act, dictionary.

**110 Records to be kept after commencement day—owner of stock delivered to another person**

- (1) This section applies if—
  - (a) before the commencement day, an owner of identifiable stock would commit an offence under the repealed Act, section 52J (3) (Owner of identifiable stock must prepare and retain delivery information etc) if they failed to keep the information mentioned in that subsection about the stock for 7 years; and
  - (b) the 7 years would end after the commencement day.
- (2) The repealed Act, section 52J (3) continues to apply to the owner despite its repeal.
- (3) However, if the identifiable stock is a pig, the repealed Act, section 52J (3) continues to apply to the owner despite its repeal as if the reference to 7 years were a reference to 3 years.

**111 Records to be kept after commencement day—buyer of stock**

- (1) This section applies if—
  - (a) before the commencement day, a person would commit an offence under the repealed Act, section 52K (6) (Delivery information—stock and station agents and saleyards) if they failed to keep the information mentioned in that subsection for 7 years; and
  - (b) the 7 years would end after the commencement day.
- (2) The repealed Act, section 52K (6) continues to apply to the person despite its repeal.
- (3) However, if the identifiable stock is a pig, the repealed Act, section 52K (6) continues to apply to the person despite its repeal as if the reference to 7 years were a reference to 3 years.

**112 Records to be kept after commencement day—owner of stock delivered to farm property**

- (1) This section applies if—
  - (a) before the commencement day, an owner of identifiable stock would commit an offence under the repealed Act, section 52L (4) (Delivery information—farm properties) if they failed to keep the information mentioned in that subsection for 7 years; and
  - (b) the 7 years would end after the commencement day.
- (2) The repealed Act, section 52L (4) continues to apply to the owner despite its repeal.
- (3) However, if the identifiable stock is a pig, the repealed Act, section 52L (4) continues to apply to the owner of the identifiable stock despite its repeal as if the reference to 7 years were a reference to 3 years.

**113 Requirement to do something within time period that ends after commencement day**

- (1) This section applies if—
  - (a) before the commencement day, a person would commit an offence if they failed to do something within a period stated in an old offence provision; and
  - (b) the stated period—
    - (i) began before the commencement day; but
    - (ii) would end after the commencement day; and
  - (c) immediately before the commencement day, the person had not done the thing.

- (2) The old offence provision continues to apply to the person despite its repeal.

- (3) In this section:

***old offence provision*** means any of the following provisions of the repealed Act:

- (a) section 52C (2) (Records and provision of information to NLIS administrator);
- (b) section 52H (1) (Loss or theft of unattached permanent identifier for cattle);
- (c) section 52K (5) and (7) (Delivery information—stock and station agents and saleyards);
- (d) section 52M (3) (Delivery information—stock events);
- (e) section 52P (1) (Reportable transactions—saleyards);
- (f) section 52Q (1) (Reportable transactions—stock and station agents);
- (g) section 52R (1) (Reportable transactions—farm property);

- (h) section 52S (1) and (3) (Reportable transactions—stock event);
- (i) section 52T (Reporting to NLIS administrator about live export);
- (j) section 52U (1) and (2) (Reporting to NLIS administrator about death of cattle).

**114 Requirement to do something for a period that ends after commencement day**

- (1) This section applies if—
  - (a) before the commencement day, a person would commit an offence if they failed to do something for a period stated in an old offence provision; and
  - (b) the stated period ends after the commencement day.
- (2) The old offence provision continues to apply to the person despite its repeal.
- (3) In this section:

*old offence provision* means any of the following provisions of the repealed Act:

- (a) section 52K (4) and (9) (Delivery information—stock and station agents and saleyards);
- (b) section 52M (2) (Delivery information—stock events);
- (c) section 52P (3) (Reportable transactions—saleyards);
- (d) section 52Q (3) (Reportable transactions—stock and station agents).

**115 Territory register**

The territory register kept under the repealed Act, section 52W (Territory register) is, on the commencement day, taken to be the territory register under this regulation, section 85 (Territory register).

**116 NLIS register**

The NLIS register kept under the repealed Act, section 52X (NLIS register) is, on the commencement day, taken to be the NLIS register under this regulation, section 86 (NLIS register).

**117 Expiry—pt 8**

This part expires 12 months after the day it commences.

*Note* A transitional provision is repealed on its expiry but continues to have effect after its repeal (see [Legislation Act](#), s 88).

**U Part 9 Biosecurity (National Livestock Identification System) Regulation 2025—delayed amendments—1 January 2027**

**118 Legislation amended—pt 9**

This part amends this regulation.

**119 Table 22**

*substitute*

**Table 22 Requirements for attaching permanent identifiers to stock**

column 1 item	column 2 stock	column 3 permanent identifier	column 4 requirements for attachment
1	cattle sheep goats	electronic device	must be attached in accordance with the manufacturer's instructions
2	pigs	breeder device or post breeder device	must be attached to the ear of the pig in a way that allows the property identification code on the identifier to be easily read
3	pigs	permanent brand identifier for pigs	must be attached so that the characters on the brand are impressed through the skin of the pig and can be easily read

**120 Dictionary, definition of *electronically identified stock***

*substitute*

***electronically identified stock*** means identifiable stock that is cattle, sheep or goats.

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## Schedule 1      Reviewable decisions

(see pt 6)

<b>column 1 item</b>	<b>column 2 section</b>	<b>column 3 decision</b>	<b>column 4 entity</b>
1	13	refuse to allocate property identification code to property	applicant for property identification code
2	15 (1)	inactivate or cancel property identification code	relevant person for property
3	15 (5)	refuse to reactivate or reallocate property identification code	relevant person for property
4	18	refuse to allocate agent identification code to stock and station agent	applicant for agent identification code
5	20 (1)	inactivate or cancel agent identification code	stock and station agent
6	20 (5)	refuse to reactivate or reallocate agent identification code	stock and station agent

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## Dictionary

(see s 3)

*Note 1* The [Legislation Act](#) contains definitions relevant to this regulation. For example:

- Criminal Code
- Director-general (see s 163)
- entity
- may (see s 146)
- must (see s 146)
- person (see s 160)
- territory land
- under
- veterinary practitioner.

*Note 2* Terms used in this regulation have the same meaning that they have in the [Biosecurity Act 2023](#). For example, the following terms are defined in the [Act](#), dict:

- animal
- animal product
- authorised person
- biosecurity direction (see s 146 (1))
- biosecurity matter (see s 8 (1))
- biosecurity permit (see s 62)
- biosecurity risk (see s 13)
- carrier (see s 9)
- contaminant
- corresponding biosecurity law
- deal (see s 10)
- disease
- move
- notifiable biosecurity matter
- prohibited biosecurity matter (see s 33 (1))
- specific biosecurity requirement (see s 23 (1))

- supply
- treatment measure
- vehicle.

**abattoir** means a business, operated at a property, that involves carrying out the functions of an abattoir or knackery.

**agent identification code**, for a stock and station agent, means—

- (a) an agent identification code allocated to a stock and station agent under section 18; or
- (b) an identification code, however described, allocated to a stock and station agent under a corresponding biosecurity law.

**animal welfare inspector** means an inspector or authorised officer under the *Animal Welfare Act 1992*.

**approved supplier**, of permanent identifiers, for subdivision 3.2.2 (Supply of permanent identifiers for temporary use on unidentified stock at saleyard or abattoir)—see section 30.

**attach**, a thing to stock, includes implant, insert, administer or apply the thing to the stock.

**Australian Pork** means Australian Pork Limited (ABN 83 092 783 278).

**Australian Pork Industry Quality Assurance Program** means the Australian Pork Industry Quality Assurance Program operated by Australian Pork.

*Note* The Australian Pork Industry Quality Assurance Program is accessible at [www.australianpork.com.au/apiq](http://www.australianpork.com.au/apiq).

**brand** means a tattoo brand.

**breeder device**, for stock, means an identifier containing the property identification code of the property where the stock was born.

**buy**, stock, for division 4.1 (Identifiable stock transactions)—see section 46.

**camelids** means members of the family Camelidae, but does not include vicunas or guanacos.

*Note* Camelids include camels, alpacas and llamas.

**cattle** means the following animals:

- (a) members of the genus *Bos*;
- (b) American bison or buffalo (*Bison bison*);
- (c) domestic water buffalo (*Bubalus bubalis*).

**cattle scale operation** means a business (other than a farming business) operated at a property, that trades in cattle by purchasing the cattle by live weight or price per head directly from farmers (not by way of public auction) and then sells the cattle on.

**delivery information**, for identifiable stock—see section 48.

**electronically identified stock** means the following identifiable stock:

- (a) cattle;
- (b) sheep or goats born after 1 January 2025;
- (c) any other sheep or goat that has an electronic device attached.

**electronic device** means a permanent identifier that uses radio frequency identification technology.

**equines** means members of the family Equidae.

*Note* Equines include horses, donkeys, asses, mules and zebras.

**farm property**—

- (a) means a property for which a property identification code may be allocated under section 10 (Offence—property identification code required if relevant stock kept); but
- (b) does not include a property for which a property identification code may be allocated under section 11 (Offence—property identification code required for certain businesses).

**food inspector** means a public health officer who is authorised under the *Public Health Act 1997*, section 12A (2) to exercise a function under the *Food Act 2001*.

**goat depot** means a business, operated at a property, that involves aggregating goats at the property before their sale or slaughter.

**harvested rangeland goat** means a goat captured from the wild that—

- (a) was not born as a result of a managed breeding program; and
- (b) has not been subject to an animal husbandry procedure or treatment measure.

**identifiable stock** means cattle, sheep, goats and pigs, and includes a carcass of any such animal.

**identifier** means a tag, label, brand, mark, implant or other means of identification of stock.

**interstate approved supplier**, of permanent identifiers, for subdivision 3.2.2 (Supply of permanent identifiers for temporary use on unidentified stock at saleyard or abattoir)—see section 30.

**knackery** means premises used for slaughtering animals—

- (a) for use as animal food; or
- (b) to make animal by-products that are used in animal food.

**Meat & Livestock Australia** means Meat & Livestock Australia Limited (ACN 081 678 364).

**national livestock identification system** (or *NLIS*) means the national system for identifying and tracing livestock for disease control, food safety and market access.

**NLIS**—see *national livestock identification system*.

**NLIS administrator** means Integrity Systems Company Limited (ACN 134 745 038).

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**NLIS Cattle Standards** means the NLIS (Cattle) Traceability Standards published by the NLIS administrator, as in force from time to time.

*Note 1* The NLIS Cattle Standards do not need to be notified under the [Legislation Act](#) because s 47 (6) does not apply to them (see [Act](#), s 232A). However, they must be made available to the public as required by the [Act](#), s 232A (3).

*Note 2* The NLIS Cattle Standards are published by the NLIS administrator and are accessible at [www.integritysystems.com.au](http://www.integritysystems.com.au).

**NLIS movement document** means the following documents:

- (a) for identifiable stock other than pigs—a national vendor declaration and waybill approved from time to time by SAFEMEAT and Meat & Livestock Australia;
- (b) for pigs—a national vendor declaration (PigPass) approved by Australian Pork;
- (c) a buyer reconciliation report or post-sale summary that contains the transaction information for a reportable transaction;
- (d) an exhibitor entry or registration form for an agricultural show that contains the delivery information for identifiable stock;
- (e) a biosecurity permit.

**NLIS register**—see section 86 (1).

**NLIS Sheep and Goat Standards** means the NLIS Sheep and Goat Standards published by the NLIS administrator, as in force from time to time.

*Note 1* The NLIS Sheep and Goat Standards do not need to be notified under the [Legislation Act](#) because s 47 (6) does not apply to them (see [Act](#), s 232A). However, they must be made available to the public as required by the [Act](#), s 232A (3).

*Note 2* The NLIS Sheep and Goat Standards are published by the NLIS administrator and are accessible at [www.integritysystems.com.au](http://www.integritysystems.com.au).

***permanent brand identifier for pigs*** means either—

- (a) a carbon-based ink or paste brand that—
  - (i) is applied to the shoulder of a pig; and
  - (ii) contains the final 6 characters of the property identification code of the property where the brand is applied; and
  - (iii) is no more than 53mm wide; and
  - (iv) contains characters that are clearly visible, at least 20mm high, separated by spaces of 2 to 3mm, and set out on 2 equal rows, 1 above the other; or
- (b) a brand in a form approved by the director-general that is applied to the rump of a pig.

***permanent identifier***, for stock—

- (a) means a breeder device or post breeder device that is accredited by the NLIS administrator as a permanent identifier for the particular species of stock; and
- (b) includes, for pigs, a permanent brand identifier for pigs.

***PigPass database*** means the PigPass database maintained by Australian Pork.

*Note* The PigPass database is accessible at [pigpass.australianpork.com.au](http://pigpass.australianpork.com.au).

***post breeder device***, for stock, means an identifier containing the property identification code of a property other than the property where the stock was born.

***properly identified***—

- (a) for identifiable stock born in the ACT—see section 22 (1); and
- (b) for identifiable stock born outside the ACT—see section 22 (2).

***property***—

- (a) means an area of land worked as a single entity; and
- (b) includes an area of land comprising multiple parcels of land that are nearby and worked as a single entity.

***property identification code*** means—

- (a) for a property in the ACT—
  - (i) the property identification code allocated to the property under this regulation; or
  - (ii) if the property is part of a group of properties operated together as a cattle scale operation—the property identification code allocated under this regulation to the primary premises of the cattle scale operation; or
- (b) for a property in a State or another Territory—the property identification code allocated to the property under a corresponding biosecurity law.

***relevant identification particulars*** means—

- (a) for electronically identified stock—
  - (i) the property identification code of the property for which the stock has been (or is required to be) permanently identified; and
  - (ii) the characters that enable each animal to be individually identified; and
- (b) for other identifiable stock—the property identification code of the property for which the stock has been (or is required to be) permanently identified.

***relevant person***, for a property—see section 7.

***relevant stock***—see section 9.

***reportable abattoir transaction***, for division 4.2 (Reporting to the NLIS administrator)—see section 72.

***reportable agent transaction***, for a stock and station agent, for division 4.2 (Reporting to the NLIS administrator)—see section 70.

***reportable cattle scale operation transaction***, for division 4.2 (Reporting to the NLIS administrator)—see section 80.

***reportable farm property transaction***, for division 4.2 (Reporting to the NLIS administrator)—see section 74.

***reportable goat depot transaction***, for division 4.2 (Reporting to the NLIS administrator)—see section 78.

***reportable saleyard transaction***, for division 4.2 (Reporting to the NLIS administrator)—see section 68.

***reportable stock event transaction***, for division 4.2 (Reporting to the NLIS administrator)—see section 76.

***reportable transaction***—see section 66.

***reviewable decision***, for part 6 (Notification and review of decisions)—see section 88.

***SAFEMEAT*** means the entity formed between industry and Australian governments to ensure the safety and hygiene of red meat and livestock.

***saleyard*** means a business, operated at a property, that involves selling identifiable stock by public auction at the property.

***sell***, stock, for division 4.1 (Identifiable stock transactions)—see section 46.

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***stock and station agent*** means a person who holds—

- (a) a licence as a stock and station agent under the [Agents Act 2003](#);  
or
- (b) an authorisation, however described, under a law of a State or another Territory, that substantially corresponds to a licence mentioned in paragraph (a).

***stock event*** means a business, operated at a property, that involves keeping identifiable stock at the property for an exhibition or competition.

**Examples—stock event**

agricultural show, rodeo

***stock event property*** means a property where a stock event is held.

***transaction information***, for a reportable transaction—see section 67.

***unidentified harvested rangeland goat*** means a harvested rangeland goat that is, or is to be, moved from the property where it was captured to—

- (a) an abattoir; or
- (b) a goat depot where, within 10 working days, it will be either—
  - (i) properly identified; or
  - (ii) transported to an abattoir.

## Endnotes

1 About the endnotes

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## Endnotes

### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

### 2 Abbreviation key

A = Act	NI = Notifiable instrument
AF = Approved form	o = order
am = amended	om = omitted/repealed
amdt = amendment	ord = ordinance
AR = Assembly resolution	orig = original
ch = chapter	par = paragraph/subparagraph
CN = Commencement notice	pres = present
def = definition	prev = previous
DI = Disallowable instrument	(prev...) = previously
dict = dictionary	pt = part
disallowed = disallowed by the Legislative Assembly	r = rule/subrule
div = division	reloc = relocated
exp = expires/expired	renum = renumbered
Gaz = gazette	R[X] = Republication No
hdg = heading	RI = reissue
IA = Interpretation Act 1967	s = section/subsection
ins = inserted/added	sch = schedule
LA = Legislation Act 2001	sdiv = subdivision
LR = legislation register	SL = Subordinate law
LRA = Legislation (Republication) Act 1996	sub = substituted
mod = modified/modification	<u>underlining</u> = whole or part not commenced or to be expired

### 3 Legislation history

#### **Biosecurity (National Livestock Identification System) Regulation 2025 SL2025-2**

notified 17 April 2025

s 1, s 2 commenced 17 April 2025 (LA s 75 (1))

pt 9 awaiting commencement

remainder commenced 15 May 2025 (s 2 (1) and see [Biosecurity Act 2023](#) A2023-50, s 2 (2))

as amended by

#### **[Environment Legislation Amendment Act 2025](#) A2025-28 pt 3**

notified LR 12 November 2025

s 1, s 2 commenced 12 November 2025 (LA s 75 (1))

pt 3 commenced 26 November 2025 (s 2)

### 4 Amendment history

#### **Incorporating, applying or adopting documents**

s 92 [om A2025-28](#) s 7

#### **Transitional**

pt 8 hdg [exp 15 May 2026 \(s 117\)](#)

#### **Definitions—pt 8**

s 97 [exp 15 May 2026 \(s 117\)](#)

#### **Property identification codes—applications made before commencement day**

s 98 [exp 15 May 2026 \(s 117\)](#)

#### **Property identification codes—allocated before commencement day**

s 99 [exp 15 May 2026 \(s 117\)](#)

#### **Property identification codes—requirement to update details before commencement day**

s 100 [exp 15 May 2026 \(s 117\)](#)

#### **Property identification codes—inactivated before commencement day**

s 101 [exp 15 May 2026 \(s 117\)](#)

#### **Property identification codes—cancelled before commencement day**

s 102 [exp 15 May 2026 \(s 117\)](#)

#### **Agent identification codes—applications made before commencement day**

s 103 [exp 15 May 2026 \(s 117\)](#)

## Endnotes

4 Amendment history

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**Agent identification codes—allocated before commencement day**

s 104 [exp 15 May 2026 \(s 117\)](#)

**Agent identification codes—requirement to update details before commencement day**

s 105 [exp 15 May 2026 \(s 117\)](#)

**Agent identification codes—inactivated before commencement day**

s 106 [exp 15 May 2026 \(s 117\)](#)

**Agent identification codes—cancelled before commencement day**

s 107 [exp 15 May 2026 \(s 117\)](#)

**Information about identifiable stock moved in emergency**

s 108 [exp 15 May 2026 \(s 117\)](#)

**Records to be kept after commencement day—manufacturer of NLIS device**

s 109 [exp 15 May 2026 \(s 117\)](#)

**Records to be kept after commencement day—owner of stock delivered to another person**

s 110 [exp 15 May 2026 \(s 117\)](#)

**Records to be kept after commencement day—buyer of stock**

s 111 [exp 15 May 2026 \(s 117\)](#)

**Records to be kept after commencement day—owner of stock delivered to farm property**

s 112 [exp 15 May 2026 \(s 117\)](#)

**Requirement to do something within time period that ends after commencement day**

s 113 [exp 15 May 2026 \(s 117\)](#)

**Requirement to do something for a period that ends after commencement day**

s 114 [exp 15 May 2026 \(s 117\)](#)

**Territory register**

s 115 [exp 15 May 2026 \(s 117\)](#)

**NLIS register**

s 116 [exp 15 May 2026 \(s 117\)](#)

**Expiry—pt 8**

s 117 [exp 15 May 2026 \(s 117\)](#)

**Dictionary**

dict

def *NLIS Cattle Standards* am [A2025-28](#) s 8

def *NLIS Sheep and Goat Standards* am [A2025-28](#) s 9

## 5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (\*) in column 1. Electronic and printed versions of an authorised republication are identical.

Republication No and date	Effective	Last amendment made by	Republication for
R1 15 May 2025	15 May 2025– 25 Nov 2025	not amended	new regulation

## 6 Uncommenced provisions

Part 9 (ss 118-120) was uncommenced at the republication date but has been included in this republication with the symbol **U** immediately before the provision headings.

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