



Victoria Government Gazette

No. S 11 Tuesday 25 January 2005
By Authority, Victorian Government Printer

Livestock Disease Control Act 1994 EXEMPTION UNDER SECTION 6(3A)

The Governor in Council makes the following Order:

1. **Objective**

The objective of this Order is to exempt certain classes of cattle and certain classes of person from certain identification requirements in the **Livestock Disease Control Act 1994** and Regulations.

2. **Authorising provision**

This Order is made under section 6(3A) of the **Livestock Disease Control Act 1994**.

3. **Commencement**

This Order comes into operation on the day it is published in the Government Gazette.

4. **Revocation**

The following Orders are revoked –

- (a) Order of Exemption under section 6(3A) of the **Livestock Disease Control Act 1994** made by the Governor in Council on 22 January 2003 and published in the Government Gazette Number G4 on 23 January 2003 at pages 122–124; and
- (b) Revocation of Exemptions under section 6(3A) of the **Livestock Disease Control Act 1994** made by the Governor in Council on 3 February 2004 and published in the Government Gazette Number G6 on 5 February 2004 at page 226.

5. **Definitions**

In this Order –

“**National Vendor Declaration**” means the National Vendor Declaration – Cattle 9th Edition, the National Vendor Declaration (Cattle) and Waybill Edition 1, and the European Union Vendor Declaration (Cattle) and Waybill First Edition, made under section 18A of the **Stock (Seller Liability and Declarations) Act 1993**;

“**NLIS**” means the National Livestock Identification System (Cattle);

“**regulations**” mean the Livestock Disease Control Regulations 1995;

“**saleyard**” means a venue where a public auction is conducted and includes a public scale operation;

“**the Act**” means the **Livestock Disease Control Act 1994**.

6. **Exemptions**

- (1) A person is exempt from the requirements of Regulation 8(1)(b) with respect to cattle which are less than 6 weeks of age where the cattle are identified with a tag or identification device licensed by Meat & Livestock Australia Limited for the purposes of the NLIS and are accompanied by an accurate and fully completed National Vendor Declaration (Bobby Calves) 1st Edition made under section 18A of the **Stock (Seller Liability and Declarations) Act 1993**.
- (2) A person is exempt from the requirements of Regulations 8(1)(a) and (c) of the Regulations with respect to cattle that are consigned from their property of birth to an abattoir or saleyard for a sale designated by the Principal Scientist Livestock Quality Assurance Department of Primary Industries to be a store or breeding stock sale –

SPECIAL

- (a) where details of the tag identifying the cattle in accordance with sections 9A(1) and (3) of the Act and the property identification number of the property to which the cattle are being transported is provided to the NLIS database; and
 - (b) the consignment is accompanied by an accurate and fully completed National Vendor Declaration.
- (3) The owner of any cattle is exempt from the requirements of section 9A(1)(b) of the Act and regulation 11(a) of the Regulations with respect to –
- (a) cattle that remain continuously on their property of birth; or
 - (b) cattle that are less than six weeks of age, and are not accompanied by their dam, and are consigned to an abattoir or knackery, or to a saleyard for the purpose of sale to a person who will take the cattle directly to an abattoir or knackery for slaughter; or
 - (c) cattle moved in accordance with a permit issued by an Inspector of Livestock employed by the Department of Primary Industries and identified in the manner prescribed in section 9A of the Act and accompanied by an accurate and fully completed National Vendor Declaration; or
 - (d) cattle consigned prior to 1 July 2005 directly to a property that is not located in Victoria; or
 - (e) cattle consigned prior to 1 July 2005 directly to a saleyard or abattoir that is not located in Victoria.
- (4) The owner of any cattle is exempt from the requirements of section 9A(1)(b) and regulation 11(b) of the Regulations with respect to –
- (a) cattle older than 6 weeks of age that arrive at a saleyard, knackery or abattoir; or
 - (b) cattle younger than 6 weeks of age not accompanied by their dams that arrive at a saleyard and are purchased by a person who will take the cattle directly to an abattoir or knackery for slaughter;
 - (c) cattle younger than 6 weeks of age that arrive at a knackery or abattoir for slaughter; or
 - (d) cattle that have been identified with a tag or identification device licensed by Meat & Livestock Australia Limited for the purposes of the NLIS.
- (5) A person is exempt from the requirements of section 9A(2) and regulation 12 of the Regulations if –
- (a) the microchip within the tag or identification device cannot be electronically read using a correctly functioning and tested reader and the tag or identification device was not deliberately damaged; and
 - (b) a record is kept of the property identification number and the individual number on the tag on the identification device;
 - (c) a replacement tag or identification device is immediately attached to the cattle in accordance with section 9A(1) of the Act and regulation 11 of the Regulations; and
 - (d) the information on the microchip and the property identification number and the number identifying the individual cattle printed on the replacement tag or identification device is provided to the Secretary or the NLIS database administrator of Meat & Livestock Australia Limited within 24 hours in the manner required by the Secretary; and

- (e) a written record is kept by the person of all details and relevant circumstances in relation to the removal of the tag.

Dated 25 January 2005

Responsible Minister:
BOB CAMERON MP
Minister for Agriculture

SUDHA KASYNATHAN
Clerk of the Executive Council

craftsmanpress



The *Victoria Government Gazette* is published by The Craftsman Press Pty Ltd with the authority of the Government Printer for the State of Victoria

© State of Victoria 2005

This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act.

Address all enquiries to the Government Printer for the State of Victoria
Level 2 1 Macarthur Street
Melbourne 3002
Victoria Australia

How To Order

	Mail Order	Craftsman Press Pty Ltd 125 Highbury Road Burwood 3125 DX – 32510 Burwood
	Telephone	(03) 9926 1233
	Fax	(03) 9926 1292
	email	gazette@craftpress.com.au
	Retail & Mail Sales	Information Victoria 356 Collins Street Melbourne 3000
	Telephone	1300 366 356
	Fax	(03) 9603 9920
	Retail Sales	City Graphics Level 1 520 Bourke Street Melbourne 3000
	Telephone	(03) 9600 0977
	Fax	(03) 9600 0989

Price Code A