



# Victoria Government Gazette

No. S 255 Tuesday 13 December 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 Order is revoked –

Order of Exemption under section 6(3A) of the **Livestock Disease Control Act 1994** made by the Governor in Council on 25 January 2005 and published in the Government Gazette Number S11 on 25 January 2005 at pages 1–3.

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 and the National Vendor Declaration (Bobby Calves) 1st 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.

(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, where the cattle are identified with a tag or identification device licensed by Meat & Livestock Australia Limited for the purpose of NLIS and are accompanied by an accurate and fully completed National Vendor Declaration.

**SPECIAL**

- (3) The owner of any cattle is exempt from the requirements of sections 9A(1) (a) & (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 6 weeks of age, and are not accompanied by their dam, that are consigned, before 1 January 2006, to an abattoir or to a saleyard for the purpose of sale to a person who will take the cattle directly to an abattoir for slaughter and are accompanied by an accurate and fully completed National Vendor Declaration; or
  - (c) cattle that are less than 6 weeks of age that are consigned directly to a knackery for disposal; or
  - (d) 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 9 of the Act and accompanied by an accurate and fully completed National Vendor Declaration.
- (4) The owner of any cattle is exempt from the requirements of section 9A(1)(b) of the Act 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.
- (6) An abattoir operator is exempt from the requirements of section 94B(a)(iii) & (b) of the Act, for cattle younger than 6 weeks of age that are slaughtered before 1 January 2006.

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- (7) A person is exempt from the requirements of regulation 9 of the Regulations if the cattle are calves younger than 6 weeks of age that are –
- (a) identified with a tail tag or an ear tag that identifies the property from which they were dispatched in accordance with the laws of the State or Territory of origin; and
  - (b) are dispatched from another State or a Territory directly to an abattoir in Victoria for slaughter or to a knackery in Victoria for disposal.
- (8) A selling agent or scale operator is exempt from the requirements of section 9(b) of the Act if cattle are exhibited for sale at a saleyard without an identification device licensed by Meat & Livestock Australia Ltd for the purpose of the NLIS, are identified prior to leaving the saleyard with either
- (i) an NLIS endorsed post-breeder ear tag bearing a Property Identification Code allocated under section 9B of the Act to that saleyard; or
  - (ii) a blue tail tag supplied by the Secretary and bearing an identification code assigned by the Secretary to the selling agent or scale operator and;
- the property identification code of the property from which the cattle were dispatched, the name and address of the person who dispatched the cattle and the number on the tag applied by the selling agent or scale operator are recorded and the record is retained for two years.

Dated 13 December 2005

Responsible Minister:  
BOB CAMERON MP  
Minister for Agriculture

RUTH LEACH  
Clerk of the Executive Council

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**Livestock Disease Control Act 1994**

## NOTICE FOR THE PERMANENT IDENTIFICATION OF CATTLE

I, Peter Harris, Secretary to the Department of Primary Industries in accordance with sections 9A(1) and (3) of the **Livestock Disease Control Act 1994** ('the Act') specify the manner of the permanent identification of cattle with effect from 13 December 2005 as follows:

1. For cattle born in Victoria prior to removal from their property of birth, the owner of the cattle must obtain and apply or administer as directed to the cattle either –
  - (a) a white plastic tag referred to as a 'NLIS endorsed breeder device' obtained from an approved supplier of the device under section 9C of the Act, applied to the right (offside) ear of the animal which –
    - (i) is marked with black lettering setting out –
      - (A) the property identification code for the property of birth allocated by the Secretary in accordance with section 9B of the Act; and
      - (B) an individual number for that animal in accordance with section 9A(1) of the Act; and
    - (ii) contains a microchip in accordance with section 9A(3) of the Act, which is encoded with a unique unalterable number which when downloaded onto a database system managed by Meat & Livestock Australia Limited, is cross referenced electronically to the information relating to the property and animal set out in paragraph 1(a)(i); or
  - (b) a combination of –
    - (i) a white plastic tag referred to as a 'NLIS endorsed breeder device' obtained from an approved supplier under section 9C of the Act, applied to the right (offside) ear of the animal and which is marked with black lettering setting out –
      - (A) the property identification code for the property of birth allocated by the Secretary in accordance with section 9B of the Act; and
      - (B) an individual number for that animal in accordance with section 9A(1) of the Act; and
    - (ii) a rumen bolus obtained from an approved supplier under section 9C of the Act administered orally to the animal, for lodgement in the rumen or reticulum of the animal and which contains a microchip in accordance with section 9A(3) of the Act, which is encoded with a unique unalterable number which when downloaded onto a database system managed by Meat & Livestock Australia Limited, is cross referenced electronically to the information relating to the property and animal set out in paragraph 1(b)(i).
2. For cattle removed from their property of birth and moved to a property in Victoria, the owner of the cattle must (if the cattle have not already been identified with a NLIS endorsed breeder or post breeder device) –
  - (i) within 30 days of arriving at the property in Victoria; or
  - (ii) if moved within 30 days of arriving at the property in Victoria, before removal from that property; or
  - (iii) if an NLIS device that has been applied and lost, before removal from that property,

obtain and apply or administer as directed to the cattle either –

- (a) an orange plastic tag known as a ‘NLIS endorsed post breeder device’ obtained from an approved supplier of the device under section 9C of the Act applied to the right (offside) ear of the animal and which –
    - (i) is marked with black lettering setting out –
      - (A) the property identification code for the property where the animal is kept, allocated by the Secretary in accordance with section 9B of the Act; and
      - (B) a number identifying the individual animal in accordance with section 9A(1) of the Act; and
    - (ii) contains a microchip in accordance with section 9A(3) of the Act, which is encoded with a unique unalterable machine readable number which when downloaded onto a database system managed by Meat & Livestock Australia Limited, cross references to the information relating to the property and animal set out in paragraph 2(a)(i); or
  - (b) a combination of –
    - (i) an orange plastic tag known as a ‘NLIS endorsed post breeder device’ obtained from an approved supplier under section 9C of the Act, applied to the right (offside) ear of the animal and which is marked with black lettering setting out –
      - (A) the property identification code where the animal is kept and allocated by the Secretary in accordance with section 9B of the Act; and
      - (B) a number identifying the individual animal in accordance with section 9A(1) of the Act; and
    - (ii) a rumen bolus obtained from an approved supplier under section 9C of the Act, which must be administered orally to the animal, for lodgement in the rumen or reticulum of the animal and which contains a microchip in accordance with section 9A(3) of the Act, which is encoded with a unique unalterable number which when downloaded onto a database system managed by Meat & Livestock Australia Limited, is cross referenced electrically to the information relating to the property and animal set out in paragraph 2(b)(i).
3. On this Notice taking effect, the Notice For the Permanent Identification of Cattle published in Government Gazette Number G 51 on 20 December 2001 at pages 3249 to 3251 is revoked.

Dated 9 December 2005

PETER HARRIS  
Secretary

**Livestock Disease Control Act 1994**

## LIVESTOCK DISEASE CONTROL REGULATIONS 1995

## Notice for Recording and Transmitting of Movement Information

I, Peter Harris, Secretary to the Department of Primary Industries, in accordance with regulations 37F, 37G, 37I and 37K of the Livestock Disease Control Regulations 1995 ('the Regulations') specify the manner of the recording and the manner or method of transmission of movement information with effect from 13 December 2005 as follows:

1. For the purposes of regulations 37F and 37G of the Regulations –
  - (a) the approved manner of recording the movement information is by either electronic means or in a hard copy form, so that the movement information is correlated or cross referenced to each individual head of cattle; and
  - (b) the person nominated by the Secretary to be notified of the movement information is the administrator of the database system managed by Meat & Livestock Australia Limited for the purposes of the National Livestock Identification System ('NLIS database system'); and
  - (c) the approved manner or method of transmission of the movement information is by –
    - (i) accessing the NLIS database system through the NLIS internet site located at [www.nlis.com.au](http://www.nlis.com.au); and
    - (ii) sending the movement information electronically to the NLIS database system through the NLIS internet site in a form capable of being received and downloaded onto the NLIS database system.

Note: Section 94A of the **Livestock Disease Control Act 1994** requires that records be available for inspection for a period of 7 years after the date of the sale or purchase.

2. For the purposes of regulation 37I of the Regulations –
  - (a) the approved manner of recording the movement information is by electronic means, so that the movement information is correlated or cross referenced to each individual head of cattle; and
  - (b) the person nominated by the Secretary to be notified of the movement information is the administrator of the database system managed by Meat & Livestock Australia Limited for the purposes of the National Livestock Identification System;
  - (c) the approved manner or method of transmission of the movement information is by –
    - (i) accessing the NLIS database system through the NLIS internet site located at [www.nlis.com.au](http://www.nlis.com.au); and
    - (ii) sending the movement information electronically to the NLIS database system through the NLIS internet site in a form capable of being received and downloaded onto the NLIS database system.

Note: Section 94A of the **Livestock Disease Control Act 1994** requires that records be available for inspection for a period of 7 years after the date of the sale or purchase.

3. For the purposes of regulation 37K of the Regulations –
  - (a) the approved manner of recording the movement information is by either electronic means or in a hard copy form, so that the movement information is correlated or cross referenced to each individual head of cattle; and
  - (b) the person nominated by the Secretary to be notified of the sale information is the administrator of the database system managed by Meat & Livestock Australia Limited for the purposes of the National Livestock Identification System; and

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- (c) the approved manner or method of transmission of the sale information is –
- (i) by accessing the NLIS database system through the NLIS internet site located at [www.nlis.com.au](http://www.nlis.com.au) and sending the movement information electronically to the NLIS database system through the NLIS internet site in a form capable of being received and downloaded on to the NLIS database system; or
  - (ii) electronically via email; or
  - (iii) by facsimile to the NLIS database administrator if the movement is for 20 or less head; or
  - (iv) by mail to the NLIS database administrator if the movement is for 20 or less head.

Note: Section 94A of the Livestock Disease Control Act 1994 requires that records be available for inspection for a period of 7 years after the date of the sale or purchase.

On this Notice taking effect, the Notice For Recording and Transmitting of Sale Information published in Government Gazette Number S 13 on 22 January 2004 at page 1 is revoked.

Dated 9 December 2005

PETER HARRIS  
Secretary

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**Livestock Disease Control Act 1994****LIVESTOCK DISEASE CONTROL REGULATIONS 1995****Notice for Transmitting of Movement Information**

I, Peter Harris, Secretary to the Department of Primary Industries, in accordance with regulation 37H of the Livestock Disease Control Regulations 1995 ('the Regulations') nominate persons to be provided with information and specify the manner or method of transmission of the information to those persons with effect from 13 December 2005 as follows:

For the purpose of regulation 37H of the Regulations:

- (a) the person nominated by the Secretary to be provided with information in relation to cattle sold or passed in at a saleyard is the saleyard operator listed opposite that saleyard below:

<b>Saleyard Location</b>	<b>Saleyard Operator</b>
Alexandra	Murrundindi Shire Council
Bairnsdale	East Gippsland Shire Council
Ballarat	Ballarat City Council
Benalla	Benalla Rural City Council
Benambra	Elders Limited & Landmark Operations Limited
Bendigo	Greater Bendigo City Council
Camperdown	Corangamite Shire Council
Casterton	Glenelg Shire Council
Cobram	Moira Shire Council
Colac	Colac–Otway Shire Council
Corryong	Towong Shire Council
Echuca	Campaspe Shire Council
Ensay	Elders Limited & Landmark Operations Limited
Euroa	Strathbogie Shire Council
Geelong	Greater Geelong City Council
Hamilton	Southern Grampians Shire Council
Heyfield	Landmark Operations Limited
Horsham	Atlex Stockyards P/L
Kerang	Gannawarra Shire Council
Korumburra	South Gippsland Regional Saleyards P/L
Kyneton	Macedon Ranges Shire Council
Leongatha	Victorian Livestock Exchange Ltd
Mansfield	Mansfield Shire Council
Mernda	Andrew Wilson & Co.
Mildura	Gordon Agencies P/L
Mortlake	Elders Limited
Myrtleford	Paull & Scollard P/L
Myrtleford	Elders Limited
Omeo	Elders Limited & Landmark Operations Limited
Pakenham	Victorian Livestock Exchange Ltd
Sale	Sale Livestock Exchange
Shepparton	Greater Shepparton City Council



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<b>Saleyard Location</b>	<b>Saleyard Operator</b>
Swan Hill	Swan Hill Shire Council
Traralgon	Victorian Livestock Exchange Ltd
Wangaratta	Wangaratta Rural City Council
Warragul	Baw Baw Livestock Exchange
Warrnambool	Warrnambool City Council
Wodonga	Wodonga Rural City Council
Yarram	Landmark Operations Limited
Yea	Murrundindi Shire Council
Yarram	David Phelan & Co.

- (b) the manner or method of transmission of the information required by the Secretary correlated or cross-referenced for each individual herd of cattle is:
- (i) by sending the information electronically to an email address supplied by the saleyard operator, or
  - (ii) by facsimile to a facsimile number supplied by the saleyard operator, or
  - (iii) by hard copy form.

Note: Section 94A of the **Livestock Disease Control Act 1994** requires that records be available for inspection for a period of 7 years after the date of the sale or purchase.

Dated 9 December 2005

PETER HARRIS  
Secretary

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**Livestock Disease Control Act 1994**

**NOTIFICATION OF LIVESTOCK SLAUGHTER OR DISPOSAL**

I, Peter Harris, Secretary to the Department of Primary Industries, in accordance with section 94B(b) of the **Livestock Disease Control Act 1994** ('the Act') –

- (1) nominate the administrator of the database managed by Meat & Livestock Australia Limited for the purposes of the National Livestock Identification System as the person to be notified of the details set out in section 94B(a) of the Act; and
- (2) specify that the details set out in section 94B(a) of the Act be notified within 2 days of the slaughter or disposal; and
- (3) require that notification under section 94B(b) of the Act be made –
  - (a) by electronic means using the software package Easycheck; or
  - (b) in the case of a knackery operator processing less than 20 head of cattle per week –
    - (i) by electronic means using the software package Easycheck; or
    - (ii) by electronic means through the NLIS internet site located at [www.nlis.com.au](http://www.nlis.com.au); or
    - (iii) by facsimile to the NLIS database administrator.

The Notification of Livestock Slaughter or Disposal published in Government Gazette Number S 13 on 22 January 2004 at page 2 is revoked.

Dated 9 December 2005

PETER HARRIS  
Secretary

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