



Victoria Government Gazette

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Livestock Disease Control Act 1994 EXEMPTION ORDER UNDER SECTION 6(3A) Order in Council

The Governor in Council under section 6(3A) of the **Livestock Disease Control Act 1994** makes the following Order:

1. Objective

The objective of this Order is to exempt specified classes of persons from specified provisions of the **Livestock Disease Control Act 1994** and the Livestock Disease Control Regulations 2017.

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 7 February 2024.

4. Revocations

The Exemption Order under section 6(3A) of the **Livestock Disease Control Act 1994** made by the Governor in Council on 29 March 2022 and published in Government Gazette G 13 on 31 March 2022 at pages 1770–1773 is revoked.

5. Definitions

In this Order –

Depot means –

- a. a registered establishment for the preparation for live export of cattle, sheep or goats approved by the Secretary of the Department of Climate Change, Energy, Environment and Water under the **Export Control Act 2020**;
- b. a transit depot, holding property or assembly point operated by a transport company at which cattle, sheep or goats are kept for no more than 7 days prior to moving to a location which is not an abattoir;
- c. a transit depot, holding property or assembly point at which cattle, sheep or goats are held prior to moving to an abattoir; and
- d. a saleyard when used as a transit depot or holding property or assembly point.

Livestock agent means a livestock agent within the meaning of the Act;

NLIS database means the database system managed by Integrity Systems Company Limited (ABN 34 134 745 038) for the purposes of the National Livestock Identification System;

NLIS device means NLIS device as defined in the Regulations;

NLIS ear tag means NLIS ear tag as defined in the Regulations;

PIC means a property identification code as defined in the Act;

PigPass database means the database maintained by Australian Pork Limited (ABN 83 092 783 278);

Poultry means the same as defined in the Regulations, and is a prescribed class of livestock under regulation 41 for the purposes of section 9B(1) of the Act;

the Act means the **Livestock Disease Control Act 1994**;

the Regulations means the Livestock Disease Control Regulations 2017.

SPECIAL

6. Exemptions from section 8A of the Act

- (1) An owner who exports livestock is exempt from requirements under section 8A of the Act when moving, consigning, dispatching or transporting cattle, pig, sheep or goat directly to a property that has been allocated a PIC commencing with '3PT' where livestock will be loaded onto a ship or aircraft for export from Australia.
- (2) A depot operator is exempt from requirements under section 8A of the Act in relation to the movement of cattle if –
 - a. the cattle has not been treated with or exposed to any veterinary or agricultural chemical while being kept at the depot or been fed by-product stock feed; and
 - b. the cattle is identified with a NLIS device; and
 - c. the cattle is recorded on the NLIS database as being on the PIC assigned to the depot at the relevant time.
- (3) A depot operator is exempt from requirements under section 8A of the Act in relation to the movement of sheep or goats if –
 - a. the sheep or goat has not been treated with or exposed to any veterinary or agricultural chemical while being kept at the depot; and
 - b. the sheep or goat have been identified with a NLIS device; and
 - c. the sheep or goat are recorded on the NLIS database as being on the PIC assigned to the depot at the relevant time.
- (4) An owner of cattle, sheep, goat or pig is exempt from requirements under section 8A of the Act in relation to the movement cattle, sheep, goat or pig to or from an agricultural show, exhibition or veterinary clinic provided each cattle, sheep, goat or pig returns within 7 days to the property from which it was dispatched to the agricultural show, exhibition or veterinary clinic.
- (5) A person who transports livestock and is an owner of livestock is exempt from requirements under section 8A(7) of the Act in relation to any vendor declaration given by that person under section 8A(5) of the Act while acting as a transporter.
- (6) An owner of cattle, sheep, goat or pig is exempt from requirements under section 8A of the Act in relation to the movement of the carcass of cattle, sheep, goat or pig that are to be consigned to or collected by a knackery.

7. Exemption from section 9 of the Act

A person who moves a pig directly from one property to another is exempt from the requirement to identify that pig under section 9 of the Act if each of the following apply –

- a. the ownership of the pig will not change when the pig is moved; and
- b. within 48 hours of the arrival of the pig on to the property to which it is moved, the owner of the pig records the details of the pig's movement using PigPass on the NLIS database; and
- c. the owner of the pig keeps a record of the following for 2 years, with these records able to be retrieved by the owner within 2 hours of being requested to do so by an inspector authorised under the Act –
 - i. the number of pigs moved;
 - ii. the date of the movement;
 - iii. the PIC of the property from which the pig moved;
 - iv. the PIC of the property to which the pig moved;
- d. the pigs will stay on the property to which they are moved for a minimum of 28 days.

8. Exemption from section 9B of the Act

A person who owns poultry is exempt from section 9B of the Act to the extent it requires the person to apply for a PIC if the person owns and keeps on their property –

- a. less than 10 emus; or
- b. less than 10 ostriches; or
- c. for poultry other than emus or ostriches, if less than 50 birds, unless the person also has any cattle or other prescribed livestock to which section 9B of the Act applies.

9. Exemption from section 10 of the Act

A person is exempt from sections 10(2)(b) and 10(3)(b) as they apply to honey, or honey blend, provided that the honey, or honey blend is –

- a. packaged in a container; and
- b. less than 10 kilograms in total weight; and
- c. intended for personal use.

10. General exemptions

A person is exempt from the requirements of the Act and Regulations that require the identification of a sheep or goat with an NLIS device if a sheep or goat is any of the following –

- a. a rangeland (feral) goat that has been captured from the wild and is dispatched or transported direct from the property on which it was captured to an abattoir;
- b. a goat that is of one of the following breeds: Alpine, Anglo Nubian, Australian Brown, British Alpine, Elf, Lamancha, Melaan, Nigerian Dwarf, Saanen or Toggenburg;
- c. a member of a miniature goat breed;
- d. a carcass of a deceased neonatal lamb (slink lamb) or kid that is being consigned directly to a knackery;
- e. at a depot that is to be dispatched directly to an abattoir or another depot.

11. Exemptions to the Regulations

A saleyard operator and stock agent in relation to a sheep or goat sold in a saleyard, and a manager of a depot, are exempt from the requirements in regulation 24 of the Regulations in respect of any sheep or goat that is introduced into Victoria from interstate that is to be transported directly to a saleyard, depot, abattoir or knackery, provided –

- a. the sheep or goat is identified by a NLIS device or NLIS ear tag in accordance with any laws relating to identification of livestock of the State or Territory from which the sheep or goat was dispatched; and
- b. the NLIS device can be read with a reader or the NLIS ear tag can be read visually; and
- c. the sheep or goat is accompanied by a correctly completed vendor declaration that accurately lists the PIC present on any visually readable NLIS ear tag that is used to identify the animal.

Dated: 6 February 2024

Responsible Minister:

THE HON. ROS SPENCE

Minister for Agriculture

ANGELA SMITH
Clerk of the Executive Council

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