



Department of
Primary Industries and
Regional Development

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Hon Dr Sally Talbot MLC
Standing Committee on Legislation
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Dear Dr Talbot

ANIMAL WELFARE AMENDMENT BILL 2017

Thank you for your letter of 28 March 2018 inviting this Department to make a submission to the Committee in relation to the policy, scope, purpose and structure of the Animal Welfare Amendment Bill 2017.

Please find attached the Department's submission.

Should you require additional information or clarification please do not hesitate to contact Dr Sarah Kahn, Manager Animal Welfare Regulation on sarah.kahn@dpird.wa.gov.au.

Yours sincerely

Ralph Addis
DIRECTOR GENERAL

20 April 2018

Attachment: DPIRD Submission to the Legislation Committee in relation to the Animal Welfare Bill 2017

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Animal Welfare Amendment Bill 2017

The purpose of this submission is to detail the purpose, scope, policy and structure of the Animal Welfare Amendment Bill. Attachment 1 provides background on animal welfare regulation in Australia, including the role of the National Standards and Guidelines for Animal Welfare (NSG). To illustrate the nature of the NSG, Attachment 2 lists the Standards in the NSG - cattle.

At present, clear, legally enforceable requirements for the welfare of livestock in Western Australia (WA) are lacking. The main purpose of the amendment Bill is to remedy this by enabling legal effect to be given to national Standards in WA. Whilst amendments will broaden the focus of the Act beyond the prohibition of cruelty, deterring cruelty will remain a key objective.

Purpose and scope of the Bill

In July 2011, the responsibility for the administration of the *Animal Welfare Act 2002* (the Act) was transferred from the Department of Local Government and Regional Development to the then Department of Agriculture and Food (DAFWA). Since that time DAFWA, now the Department of Primary Industries and Regional Development (DPIRD), has gained considerable experience in the administration of the Act. The Act has not been significantly amended since promulgation.

In addition to DPIRD's operational experience with the administration of the Act, an independent review into the administration of the Act took place in 2015 (Easton Review). One of the recommendations of the Easton Review was that the Act should be comprehensively reviewed. The Hon Alannah MacTiernan, Minister for Agriculture and Food, has announced that such a review will be carried out in the near future. This is not the rationale for the current Bill, but it is anticipated that lessons learned from the implementation of the NSG Standards will be taken into account in planning and implementing this comprehensive review.

The NSG for livestock transport (LTS) were given legal effect by most Australian jurisdictions in 2012-2014 (see Figure 1). During this period, DPIRD worked with the Western Australian Parliamentary Counsel's Office (PCO) to draft regulations that would give effect to the LTS in this state. Significant issues were encountered during the drafting process and it became clear that the Act did not confer power to make regulations for the health, safety and welfare of animals and related matters. Only amendment of the Act could remedy this situation.

In January 2016, NSGs for cattle and sheep were endorsed nationally by Agriculture Ministers. The current implementation of these standards by other state jurisdictions is shown in Figure 1. The drafting of regulations was not initiated for these NSGs by DAFWA because it was clear that the same legal limitations would apply.

In 2017, the Hon. Alannah MacTiernan, Minister for Agriculture and Food, raised concern about the fact that WA continues to fall behind other jurisdictions in the implementation of national Standards for the welfare of livestock and directed DPIRD to prepare amendments to the Act.

Figure 1 Implementation of the NSG in other jurisdictions

NSG on Land Transport (LTS)

In SA, the LTS came into effect under the *Animal Welfare Regulations 2012*, with head of power in the *Animal Welfare Act 1985*. The LTS Standards were put into regulations in 2012.

In New South Wales (NSW), the Prevention of Cruelty to Animals (Land Transport of Livestock) Standards 2013 No 1 were implemented in June 2013. The Standards are listed in Schedule 1 of the *Prevention of Cruelty to Animals Regulation 2012* as relevant Standards.

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In Victoria, the LTS were given effect in 2013. The Standards were prescribed by reference into regulations under the *Livestock Management Act 2010*. The Act encourages operators to show that they comply with the Standards through participation in approved industry QA programs.

In Queensland, the LTS is listed in schedule 3 of the *Animal Care and Protection Regulation 2012* as a compulsory requirement under the *Animal Care and Protection Act 2001*. This Act can require compliance with an entire Code of Practice (COP) or a stated part of a COP. The LTS COP is mandatory. The maximum penalty for an individual convicted of not complying with this code is \$37,845.

NSG on sheep and cattle

In South Australia (SA), regulations to mandate the standards came into operation in 2017. Some of the Sheep NSG Standards were not implemented and some additional standards were regulated.

In NSW, these NSG are prescribed guidelines under Section 34A of the *Prevention of Cruelty to Animals Act 1979*. This means that they are not mandatory but can be used as evidence in proceedings under the Act or Regulations, effective December 2017.

Victoria intends to adopt these NSG into legislation subject to normal policy development processes under the proposed new Animal Welfare Act.

Queensland intends to implement these standards as a compulsory code requirement under the *Animal Care and Protection Act 2001*, subject to legislative processes and timeframes.

The purpose of the Amendment Bill is to modify the Act to allow for the full implementation of existing and future national Standards for livestock welfare by providing the necessary regulation making powers. The NSG that have obtained national endorsement to date are: the NSG for land transport of livestock (version 1.1); the NSG for Cattle, and the NSG for sheep. The development of other NSGs is ongoing (see Figure 3). The amended Act will allow legal effect to be given to the NSG Standards as drafted, taking into account WA's legal framework, existing requirements, and livestock production systems.

Planned approach to regulation

Drafting of regulations cannot commence until the Amendment Bill is adopted.

Once the necessary heads of power are established, DPIRD will seek approval to draft regulations from the Minister for Agriculture and Food. DPIRD has considered the regulatory approaches of other jurisdictions, however none serve as models given the different legislation in the various jurisdictions. Once DPIRD and PCO have reached agreement on the text of regulations, the regulatory proposal will be discussed with stakeholders, including affected industries, RSPCA (WA) and the public.

Structure of the *Animal Welfare Act 2002*

To explain the structure of the Amendment Bill, it is necessary to first outline the structure of the Act. The Act prohibits acts of cruelty being inflicted on all animals (other than fish and humans) (Part 3) and prohibits the scientific use of animals except under a licence (Part 2 of the Act). The Act also

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seeks to educate and set standards of behaviour for people responsible for animals, by empowering inspectors to give directions to people relating to the health, welfare and safety of animals.

From a regulator's perspective, the key provisions in the Act are those found in Part 3 'Offences against Animals' defining acts of cruelty and penalties. The penalties are amongst the most significant penalties for cruelty to animals in Australia, with fines of a minimum \$2000 and maximum \$50,000 and imprisonment to a maximum of 5 years (section 19(1)).

Sections 19(2) and (3) set out acts considered to be cruelty. A person charged with cruelty may have recourse to statutory defences, which are provided by sections 20 to 30. In summary, these defences cover the following circumstances:

- acts done in self-defence or protecting another person or animal (s.20);
- acts are done by a veterinary surgeon or under veterinary guidance (s.21);
- there is legal authorisation to do an act and the act was done in a humane manner (s.22);
- the act concerns normal animal husbandry and was done in a humane manner, other than prescribed practices (in s.23);
- killing prescribed pest species (s. 24);
- in accordance with a "relevant code of practice" set out in the regulations (s.25);
- stock fending for itself (s.26);
- releasing animals into the wild (s.27);
- where a person in charge is not in actual custody (s.28);
- use of a prescribed inhumane device (s.29), and;
- prescribed surgical or similar operations, practices and activities (s.30).

The relevant codes of practice (COP) are set out in Schedule 1 to the *Animal Welfare (General) Regulations 2003*. The COP have two distinct applications under the Act.

1. An adopted code is a "relevant code of practice" that can be used as a defence to a charge of cruelty under section 25 of the Act.
2. Section 84 provides that a breach of a COP must be taken into consideration by the court but is not sufficient, on its own, to prove that the person committed the offence.

Figure 2 Some Codes of Practice referenced by the *Animal Welfare Act 2002*

Codes of Practice (COP) that will be removed from the Animal Welfare Regulations when the NSGs on Livestock Transport, Sheep and Cattle are implemented:

Cattle - Model COP for the Welfare of Animals: Cattle (2nd edition)

Cattle Transportation - COP for the Transportation of Cattle in WA

Pig Transportation - COP for the Transportation of Pigs in WA

Sheep - COP for Sheep in WA

Sheep Transportation - COP for the Transportation of Sheep in WA

Poultry Transportation - Model COP for the Welfare of Animals: Land Transport of Poultry.

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Codes of practice that will be maintained but some elements may be modified when the NSG on Livestock Transport are implemented (e.g. provisions on transport):

Abattoir – Model COP for the Welfare of Animals: Livestock at Slaughtering Establishments

Buffalo - COP for Farmed Buffalo in WA

Deer - COP for Farming Deer in WA

Emus - Model COP for the Welfare of Animals: Husbandry of Captive-Bred Emus (2nd edition)

Goats - COP for Goats in WA

Pigs - Model COP for the Welfare of Animals: Pigs (3rd edition)

Poultry - COP for Poultry in WA

Saleyards - COP for Animals at Saleyards in WA.

General Inspectors appointed under the Act can take possession of (seize) animals, enter a place or vehicle (with consent of the owner, or under restricted arrangements), destroy animals that are suffering, and commence prosecution. The powers of general inspectors to enter a place or vehicle, other than a residence, are not as comprehensive as the powers of inspectors appointed under the *Biosecurity and Agriculture Management Act 2007* (BAMA). This inconsistency is well recognised, especially by DPIRD inspectors who are authorised under both the Animal Welfare Act and BAMA.

Under the Act, a general inspector may enter a place or vehicle with consent of the occupier or person in charge. If consent is not granted, an inspector may obtain the power to enter if he/she has a reasonable suspicion of a Part 3 offence or if he/she can obtain a warrant.

As set out in section 59, a Justice of the Peace may issue a warrant if satisfied, by an application and supported by sworn evidence, that there are reasonable grounds for suspecting the presence of an animal whose welfare, safety or health is under threat. Evidence of the commission of an offence or entry to investigate a suspected offence may also be grounds for issuing a warrant.

It goes without saying that a person who is knowingly in breach of the Act will be less likely to consent to the entry onto the place or vehicle by an animal welfare inspector. Unless an inspector forms a reasonable suspicion of a Part 3 offence, or has evidence for suspecting that the welfare, safety or health of an animal is under threat, entry without consent is not possible. In these situations DPIRD inspectors are often limited to observing farm animals from the public roadway and they have very limited capacity to evaluate the welfare of these animals.

There is no capacity to enter a place or vehicle e.g. a commercial piggery or live export vessel, to monitor compliance with the Act. Monitoring compliance with the Act allows for early intervention before a matter escalates to a cruelty offence and provides the public with the confidence that the treatment of animals is in accordance with the Act.

Structure of the Amendment Bill

The central element of the Bill is the creation of a new Division in Part 3, giving the power to make regulations. This Division covers matters addressed in the three NSG Standards that have been endorsed and (to the extent practicable) matters that are likely to be addressed in future NSG Standards. Several new NSG are under development (see Figure 3).

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Figure 3 Ongoing development of national Standards & Guidelines for livestock welfare

Livestock saleyards and depots – recently endorsed by Agriculture Ministers

Processing Establishments (abattoirs and knackeries) – Arrangements for preparing a regulation impact assessment are under consideration.

Poultry – Animal Health Australia is producing a report on the public consultation regarding the proposed NSG for domestic poultry. A record number of submissions were received. AHA will provide a report to jurisdictions in May 2018.

Pigs – A scientific literature review of pig welfare is being carried out under the management of Australian Pork Ltd. No deadline has been provided to governments.

At the beginning of Part 3, two new Divisions have been inserted:

Division 1 – Objects of this Part

Division 1 sets out the objects of Part 3 under section 18A. These are to:

- a) promote and protect the welfare, safety and health of animals, and;
- b) ensure animals are properly and humanely treated, cared for and managed.

Division 2 – Regulations about animal welfare, safety and health.

Division 2 provides for regulations to be made about animal welfare, safety and health to achieve the objectives of Part 3.

Without limiting section 18B(1), section 18B(2) provides a list of things that the regulations may authorise, prescribe, prohibit, restrict or otherwise regulate.

A new heading to Division 3 is included, to deal with matters that previously were the only matters dealt with by Part 3: “Division 3 – Cruelty and other inhumane and improper treatment of animals”.

Relevant to this central element, a new provision will be included as section 3(1)(a), making it clear that the ‘content’ of the amended Act will provide for the protection of animals by “regulating the conduct of people in relation to animals, including the manner in which animals are treated, cared for and managed.” It is already stated in section 3(2) that the Act “intends” to provide this kind of protection for animals, but its capacity to fulfil this intent has been found lacking, giving rise to the need for the present amendment.

A second part of the amendment relates to Codes of Practice (COP). As previously stated, there are many COP (24) and they have two distinct functions – one being to provide a defence to a charge of cruelty (section 25) and the other being to provide guidance to the courts that must be taken into consideration when considering a charge of cruelty (section 84). Non-compliance with a COP is not sufficient, on its own, to prove that a person has committed an act of cruelty. The current situation is open to confusion and the proposed amendments, by referring to COP being prescribed for the purpose of the relevant section, should provide clarity.

As shown in Figure 2, many of the existing COP contain provisions or recommendations that are similar to or overlap with Standards and Guidelines in the NSG. Compliance, or non-compliance, with an adopted COP is taken into account as indicated above, but compliance is not mandatory; farmers and operators in the livestock sector regard COP as guidelines. This situation is changing, in that compliance with NSG Standards, once regulated will be mandatory.

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The amendments do not change the content of the existing COP, but some COP will be removed from the Animal Welfare Regulations once the relevant NSG has been adopted. The “guidelines” in the NSG will be prescribed for the purpose of section 84 in guiding the courts when considering a cruelty offence.

For clarity, the following definitions will be adopted:

- “Prescribed code of practice” means a code of practice prescribed for the purposes of the section in which the term is used.
- The term “code of practice” is defined as “a code of practice adopted under section 94(2)(d)” (adoption by regulations). By clause 5(2), this definition is amended to clarify that an adopted ‘code of practice’ may be described by another name (e.g. guideline, quality assurance programme) but is still a code of practice for the purposes of the Act once it has been adopted under section 94(2)(d).

The ‘Henry VIII clause’ – section 19(4).

Section 19(3) specifies certain acts, or manners of treatment of animals, that will constitute cruelty by a person in charge of an animal. A new subsection (4) is inserted after section 19(3), providing for modification of the application of the defences to a charge of cruelty that are provided by sections 21 to 25. The new section 19(4) has been referred to as a “Henry VIII clause”. Such clauses are often regarded with suspicion, as they effectively allow subsidiary legislation to modify an Act of Parliament. While not favoured or encouraged, this approach may be a necessary or appropriate way to achieve a desirable legislative outcome.

In the event that it is necessary to make use of the power conferred by proposed section 19(4), the relevant regulation will be tabled in Parliament and reviewed by the delegated legislation committee and be subject to disallowance. At this time, the question can be asked: is this an appropriate use of delegated legislative power or does it in fact represent something that should have been dealt with by an Act of Parliament, not by regulation? That is the real issue and it can only be determined in looking at a particular regulation. The exercise of a ‘Henry VIII power’, rather than the existence of that power, is the important element.

The proposed new section 19(4) was developed as a safeguard against the use of provisions in existing COP to provide inappropriate defences to a charge of cruelty.

Example – the use of electric prodders on animals

For the purpose of section 19(2)(b), the use of prescribed inhumane devices on an animal is prohibited. The Animal Welfare (General) Regulations prescribe electric stock prodders as such a device. The regulations also prescribe a defence to the use of an electric stock prodder – it can be used for the purpose of driving, herding, mustering or controlling certain livestock animals, provided it is not used on the face, udder or genitals. This is consistent with the NSG Standards for land transport of Livestock, sheep and cattle.

The ‘Code of Practice for the Welfare of Animals at Slaughtering Establishments’ has a more general provision about the use of electric prodders. It may be that a person could use this COP to successfully argue a section 25 defence – acting in accordance with a relevant code of practice. Once the Standards are regulated, situations such as this could be clarified by use of the power in the proposed section 19(4).

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Designated inspectors

An important element of the Amendment Bill concerns the provision for a new class of “designated general inspectors”. The proposed new section 35A allows the Minister, by written notice, to designate a general inspector, other than a police officer, as a “designated general inspector” (subsection (1)).

The purpose of this amendment is to address the fact that general inspectors are largely reliant on the owner/occupier’s consent when seeking to enter non-residential places and vehicles.

For effective implementation of the NSG Standards, it is proposed to grant a special class of designated inspector the power to enter non-residential places to check for compliance in situations where there are no specific grounds for suspecting cruelty or evidence of a risk to the health safety and welfare of an animal (warrant to enter).

The proposed powers are not exceptional in nature; equivalent powers are found in many Acts. As they are, however, new to the Animal Welfare Act, it was proposed that they be restricted to a special class of appointed inspector. As this designation could potentially be applied to inspectors employed by government agencies, local government authorities and the RSPCA, it was considered appropriate that the power to designate be vested in the Minister for Agriculture and Food.

A designated general inspector will have the function set out in the proposed section 37(1)(aa) and the powers of entry conferred by proposed sections 38(1A) and 39(1A). The designation remains in force for the period set out in the notice of designation unless the designation is cancelled by the Minister or the general inspector ceases to be a general inspector (section 35A(2)).

Under section 35A(3), the Minister may by way of a written notice restrict the authority of the inspector to exercise a power under section 38(1A) (power to enter a non-residential place) or 39(1A) (power to enter a vehicle that is not a residence) by limiting:

- (a) the places where a power may be exercised;
- (b) the times when a power may be exercised;
- (c) the circumstances in which a power may be exercised.

The powers of the inspector under sections 38(1A) and 39(1A) are then limited to the extent set out in the notice (section 35A(4)). The restriction of an inspector’s power by written notice may occur at the time the inspector is designated or at any other time and may be varied or cancelled by the Minister by written notice to the inspector (section 35A(5)).

Animal Welfare Regulation - general background

Animal Welfare Inspectors in Western Australia

- The Minister for Agriculture and Food (Minister) is responsible for the administration of the *Animal Welfare Act 2002* (the Act). The Department of Primary Industries and Regional Development (DPIRD) is the government department assisting the minister in the administration of the Act.
- The Act provides for the CEO of DPIRD (CEO) to appoint as a general inspector any person employed by DPIRD; the Department of Biodiversity, Conservation and Attractions (DBCA); a local government authority (LGA); and the RSPCA (WA); or any other person whom the CEO considers appropriate to appoint.
- All officers of the Western Australian Police are general inspectors, but officers are not specifically appointed as inspectors.
- The CEO appoints as general inspectors who are nominated by the CEO of the employing agency without establishing specific categories of inspector. All general inspectors have the same powers and functions under the Act, except that rangers employed by LGAs are only authorised to enforce the Act within the district of the relevant LGA.
- Under a grant agreement, DPIRD provides \$500,000 per year to the RSPCA for animal welfare-related activities, including the maintenance of a 24-hour telephone service for complaints about animal cruelty, and a service to assess and respond to complaints. This funding also provides for the delivery of educational activities in relation to responsible animal ownership.
- DPIRD's Livestock Compliance Unit (LCU) employs 12 general inspectors, some of whom carry out these duties part time. LCU's priority is to monitor commercial livestock at aggregation points (sales yards and wharves), pastoral leases, abattoirs, agricultural schools and intensive farming activities (e.g. piggeries). Farms are mainly visited as part of an investigation of livestock seen at an aggregation point.

Development of Australian (national) standards and guidelines

- For the past 35 years, the welfare of livestock in Australia has been supported by a series of Model Codes of Practice (MCOP) for the Welfare of Animals, which were referenced as appropriate in state and territory laws prohibiting cruelty.
- In 2005, it was recommended that the MCOP be converted into Australian Animal Welfare Standards and Guidelines for livestock.
- The goal of establishing 'national standards and guidelines' (NSG) is to harmonise and streamline livestock welfare legislation in Australia, ensuring that it results in improved welfare outcomes and is practical for industry.
- The NSG contain *Standards*, considered to be mandatory, and *Guidelines*, which are recommended practices.
- Once a NSG has been endorsed by Agriculture Ministers, meeting as the AGMIN forum, each jurisdiction is expected to implement them in accordance with its legislative and policy framework.
- In 2008, the NSG for Land Transport of Livestock was endorsed by Agriculture Ministers. The current edition of this NSG was endorsed in 2012. It has been put into effect by all jurisdictions except WA and the ACT.
- In January 2016, Agriculture Ministers endorsed NSGs for cattle and for sheep.

Table of Cattle Standards

Responsibilities	
S1.1	A person must take reasonable actions to ensure the welfare of cattle under their care.
Feed and water	
S2.1	A person in charge must ensure cattle have reasonable access to adequate and appropriate feed and water.
Risk management of extreme weather, natural disasters, disease, injury and predation	
S3.1	A person in charge must take reasonable actions to ensure the [health safety and] welfare of cattle from threats, including extremes of weather, drought, fires, floods, disease, injury and predation.
S3.2	A person in charge must ensure the inspection of cattle at intervals, and at a level appropriate to the production system and the risk to the welfare of cattle.
S3.3	A person in charge must ensure appropriate treatment for sick, injured or diseased cattle at the first reasonable opportunity.
Facilities and equipment	
S4.1	A person in charge must take reasonable actions in the construction, maintenance and operation of facilities and equipment to ensure the welfare of cattle.
Handling and management	
S5.1	A person must handle cattle in a reasonable manner.
S5.2	A person handling cattle must not: <ol style="list-style-type: none"> 1) lift cattle off the ground by only the head, ears, horns, neck or tail unless in an emergency; or 2) drop cattle except to land and stand on their feet; or 3) strike, punch or kick, cattle in an unreasonable manner; or 4) drag cattle that are not standing, except in an emergency, for the minimum distance to allow safe handling, lifting, treatment or humane killing; or 5) deliberately dislocate or break the tail of cattle; or 6) use metal pellets to wound cattle as an aid for mustering.
S5.3	A person must not drive cattle to the point of collapse.
S5.4	A person must consider the welfare of cattle when using an electric prod, and must not use it: <ol style="list-style-type: none"> 1) on genital, anal, or udder areas of cattle; or 1b) on facial areas, unless cattle welfare is at risk; or 2) on calves less than three months old, unless their welfare is at risk; or 3) on cattle that are unable to move away; or 4) in an unreasonable manner on cattle.
S5.5	A person in charge of a dog, must have the dog under effective control at all times during the handling of cattle.
S5.6	A person in charge must ensure a dog is muzzled when moving calves less than 30 days old that are without cows.
S5.7	A person in charge must ensure tethered cattle are able to exercise daily.
Electro-immobilisation	
S5.8	A person must only use electro-immobilisation on cattle if: <ol style="list-style-type: none"> 1) the device is approved for use in the jurisdiction; and 2) the cattle are more than six months old; and 3) the operator is trained or it is done under direct supervision of a veterinarian or a trained person; and 4) alternative restraining methods are not adequate to hold cattle sufficiently for the procedure being performed.
S5.9	A person must not use electro-immobilisation on cattle as an alternative to pain relief.
Identification	
S5.10	A person must use the most appropriate and least painful method to identify cattle that is applicable to the jurisdiction and the production system.
S5.11	A person must not place a permanent brand on the head of cattle.
Castration, dehorning and spaying	
S6.1	A person castrating or dehorning cattle must have the relevant knowledge, experience and skills, or be under the direct supervision of a person who has the relevant knowledge, experience and skills.
Castration	
S6.2	A person in charge must ensure the use of appropriate pain relief when castrating cattle, unless cattle are: <ol style="list-style-type: none"> 1) less than six months old; or 2) less than 12 months old if at their first yarding and where the later age is approved in the jurisdiction.
S6.3	A person must use appropriate tools and methods to castrate cattle.

Disbudding and dehorning	
S6.4	A person in charge must ensure the use of appropriate pain relief when dehorning cattle, unless cattle are: <ol style="list-style-type: none"> 1) less than six months old; or 2) less than 12 months old if at their first yarding and where the later age is approved in the jurisdiction.
S6.5	A person must consider the welfare of the calf when using caustic chemicals for disbudding the calf, and must only use it if the calf: <ol style="list-style-type: none"> 1) is less than fourteen days old; and 2) can be segregated from its mother for four hours after treatment; and 3) can be kept dry for 12 hours after treatment; and 4) is not wet.
S6.6	A person must use appropriate tools and methods to dehorn cattle and disbud calves.
Spaying	
S6.7	A person spaying a cow must be a veterinarian or, if permitted in the jurisdiction, be accredited or be under the direct supervision of a veterinarian or a person who is accredited.
S6.8	A person in charge must ensure the use of appropriate pain relief when performing the flank approach for spaying or webbing of cattle.
S6.9	A person must not use vaginal spreaders to spay small or immature cattle.
Breeding management	
S7.1	A person performing artificial breeding procedures on cattle must have the relevant knowledge, experience and skills, or be under the direct supervision of a person who has the relevant knowledge, experience and skills.
S7.2	A person performing artificial breeding procedures on cattle must take reasonable actions to minimise pain, distress or injury.
S7.3	A person in charge must ensure the inspection of calving cattle at intervals appropriate to the production system and the level of risk to the welfare of cattle.
S7.4	A person in charge must ensure calving induction is done under veterinary advice.
S7.5	A person in charge must ensure that induced calves receive adequate colostrum or be humanely killed at the first reasonable opportunity, and before they are 12 hours old.
Calf-rearing systems	
S8.1	A person in charge must ensure the feeding and inspection of calves in calf rearing systems are performed daily.
S8.2	A person in charge must ensure that calves housed in pens can turn around, lie down and fully stretch their limbs.
S8.3	A person in charge must ensure sufficient iron in the diet to prevent anaemia in calves in veal production systems.
S8.4	A person in charge must not allow the faeces and urine of calves housed in indoor systems to accumulate to the stage that compromises calf health and welfare.
Dairy management	
S9.1	A person in charge must ensure the daily inspection of lactating dairy cows.
S9.2	A person in charge must implement appropriate actions to minimise heat stress of cattle.
S9.3	A person must tail dock cattle only on veterinary advice and only to treat injury or disease.
S9.4	A person in charge must ensure dairy cattle that are kept on feed pads for extended periods have access to a well-drained area for resting.
Beef feedlots	
S10.1	A person in charge must ensure a minimum area of 9 m ² per Standard Cattle Unit for cattle held in external pens.
S10.2	A person in charge must ensure that the diet composition and quantities fed are recorded, and that records are maintained for the duration of the feeding period of each group of cattle.
S10.3	A person in charge must ensure feed is available daily to cattle in the beef feedlot.
S10.4	A person in charge must do a risk assessment each year for the heat load risk at the feedlot, and implement appropriate actions to manage ongoing heat load risk.
S10.5	A person in charge must have a documented Excessive Heat Load Action Plan, and must implement appropriate actions in the event of a heat load emergency.
S10.6	A person in charge must have a documented contingency plan in case of failure of feed or water supply, and must implement appropriate actions in the event of feed or water supply failure.
S10.7	A person in charge must have a documented contingency plan in case of an emergency animal disease, and must implement appropriate actions in the event of an emergency animal disease.
S10.8	A person in charge must ensure the daily inspection of all cattle within the feedlot.
S10.9	A person in charge must ensure the appropriate management of calves born in the feed yards, to ensure the welfare of the calves.
S10.10	A person in charge must ensure the cleaning of feed yards and maintenance of surfaces on a planned basis, to ensure that pen surfaces can drain freely.

Humane killing	
S11.1	A person in charge must ensure killing methods for cattle result in rapid loss of consciousness, followed by death while unconscious.
S11.2	A person must have the relevant knowledge, experience and skills to be able to humanely kill cattle, or be under the direct supervision of a person who has the relevant knowledge, experience and skills, unless: <ol style="list-style-type: none"> 1) the cattle are suffering and need to be killed to prevent undue suffering; and 2) there is an unreasonable delay until direct supervision by a person who has the relevant knowledge, experience and skills becomes available.
S11.3	A person in charge of cattle suffering from severe distress, disease or injury that cannot be reasonably treated must ensure that the cattle are killed at the first reasonable opportunity.
S11.4	A person killing cattle must take reasonable action to confirm the animal is dead.
S11.5	A person killing a calf by a blow to the forehead must first ensure that the calf is less than 24 hours old and only use this method when no other humane killing methods are reasonably available.