

National Livestock Identification System Compliance Monitoring

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Authorised by:	Group Director, Animal Biosecurity Director, Compliance & Integrity Systems Executive Director, Regional Operations (LLS)	Authorised date:	22 February 2022 13 March 2022 25 May 2022
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Purpose:

The purpose of this procedure is to describe the requirements for monitoring the National Livestock Identification System (NLIS) in NSW, consistent with national requirements, with the aim of encouraging industry to improve lifetime traceability of cattle, sheep, goats and pigs.

Scope:

This procedure applies to the NLIS for cattle, sheep, goats and pigs and highlights the responsibilities of NSW Department of Primary Industries Biosecurity and Food Safety (BFS) Division and Local Land Services (LLS). BFS and each LLS may undertake additional activities in response to changing priorities and if resources are available.

This procedure applies to all staff of BFS and LLS in their roles as authorised officers enforcing the *Biosecurity Act 2015* and District Registrars under the Biosecurity (NLIS) Regulation 2017 (the NLIS Regulation).

This procedure does not comprehensively describe the investigative and enforcement actions that should be considered when offences are detected. Compliance policies, procedures, and work instructions should be consulted, and responses applied consistently.

This procedure does not apply to the property identification code (PIC) requirements for horses and poultry or the use of transported stock statements.

Interaction with other Acts

The NLIS is Australia's permanent whole-of-life identification system which aims to ensure individual cattle (including bison and buffalo), and mobs of sheep, goats and pigs can be traced from their property of birth to slaughter for biosecurity, food safety, product integrity and market access purposes.

The [Biosecurity Act 2015](#) (the Act) promotes biosecurity as a shared responsibility between government, industry and communities. All members of the NSW community have a general

biosecurity duty under the Act to prevent, eliminate or minimise a biosecurity risk so far as is reasonably practicable.

The Biosecurity (NLIS) Regulation 2017 (the NLIS Regulation) prescribes identification and traceability requirements for livestock in NSW. Parts two (Property Identification Codes), three (Permanent Identification of Stock), four (Information requirements – stock transactions) and clauses 57 and 59(1) are mandatory measures under the Act.

Work health and safety

The Work Health and Safety Act 2011 places an obligation on both BFS and LLS to provide a safe and healthy workplace.

All BFS and LLS staff must follow safe work practices, including working in remote or isolated areas, when undertaking the NLIS monitoring activities described in this procedure.

Staff should be able to identify and confidently deescalate stakeholder aggression. If de-escalation is not effective, officers should disengage as early as possible with an aggressive stakeholder and report the incident through the WHS reporting system. Officers should maintain an awareness of all safety alerts issued across their region.

Refer to the LLS Intranet for Safe Work Method Statements on livestock handling and examination, saleyard inspections and managing customer aggression. Learning modules are also available.

Delegations:

The following delegations are in effect and directly impact the operation of the NLIS:

- Biosecurity Instrument of Authorisation (Minister) 2021
- Biosecurity Instrument of Delegation (Secretary) 2021

Staff must be conversant with the delegations and ensure their application to relevant operational activities.

NLIS overview:

There are four key elements to the NLIS:

1. Property registration (property identification codes (PICs))
2. Stock identification, including RFIDs for cattle, visual tags for sheep and goats, and brands or visual tags for pigs
3. National Vendor Declarations (NVD) for cattle, sheep and goats and pigs (PigPass NVD)
4. Movement recording on the NLIS database or PigPass database.

The Livestock Production Assurance (LPA) program, run by Integrity Systems Company (ISC), includes property audits of conformance with LPA rules. Audits include NLIS records of movements and recording of P2P movements onto the PIC which is subject to audit.

Regulatory Capture:

Regulatory capture can be defined as a situation where an officer finds themselves so closely tied to a person, business or sector, even a community, that they cannot apply the rules consistently and make decisions based on what the person or business wants, so the officer can maintain the relationship. Officers may not have experienced regulatory capture, but they must be aware of the potential for it to occur.

BFS and LLS promote and facilitate stronger primary production across NSW and staff regularly engage with livestock owners, saleyard owners and staff, transporters and show and sporting event committees. As a result of regular contact, many industry members and stakeholders become well known to BFS and LLS staff. It is essential that authorised officers apply the Act and NLIS regulations objectively during compliance interactions.

Officers should always:

- be objective, fair and impartial
 - act within their authority, and
 - conduct their enquiries respectfully.
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Roles and responsibilities:

Local Land Services

LLS have primary responsibility for monitoring NLIS requirements in saleyards, on properties, travelling stock reserves (TSR), stock watering places (SWP), and at stock events. LLS also play an important role in providing advisory and extension services on NLIS and Property Identification Code (PIC) requirements.

LLS work together with BFS to monitor NLIS performance, with the aim of encouraging continual improvement in all sectors of the red meat supply chain.

Saleyards: LLS authorised officers monitor and record NLIS compliance at public livestock sales, focussing on higher risk saleyards based on a regional risk assessment and on NLIS reports provided by BFS.

On-property sales: LLS authorised officers provide advice to vendors and livestock agents on how to operate on property sales ensuring that NLIS requirements are met.

P2P Project: LLS assists BFS Compliance with the ongoing P2P project by providing advice to producers on their NLIS responsibilities when buying livestock privately or via an online auction or sale site

TSRs: LLS monitor and manage the movement of livestock moving onto and off TSRs within their regions, ensuring that NLIS requirements are met and biosecurity risks are minimised.

Country shows: LLS assists country show, rodeo and campdraft committees, when possible, to assist them to meet their NLIS requirements.

Reporting: LLS have a responsibility to ensure all compliance and animal health activities are recorded in the Livestock Health Management System (LHMS).

Department of Primary Industries Biosecurity and Food Safety

BFS leads and communicates NLIS policy in NSW. BFS monitors compliance with the NLIS in the processing sectors in conjunction with the commonwealth Department of Agriculture and Water and the Environment (DAWE).

BFS Animal Biosecurity:

- leads, manages, communicates and advises on NLIS policy, procedure and legislation, and develops NLIS related eLearning modules for use by LLS and BFS staff.
 - keeps senior managers, the Director General and the Minister informed of NLIS policy and other issues
 - monitors NLIS performance across the supply chain. AB provides NLIS reports on a regular basis to LLS and BFS Compliance to assist with risk-based operations.
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- individual customised NLIS performance reports are provided to saleyard, abattoir and knackery operators each quarter for their information and action.
- liaises with and reports on NLIS performance to national NLIS industry/government committees such as the SAFMEAT Jurisdictional Traceability Group and Advisory Group representing the views of DPI and LLS as agreed through the NLIS Working Group
- conducts various NLIS committees including the NLIS Working Group (BFS and LLS members) and the NLIS Advisory Committee (BFS, LLS, Police, Industry peak councils and Integrity Systems Company (ISC) Ltd are members), where NLIS performance and compliance is a standing agenda item. The NLIS Working Group reports to the Strategic Animal Biosecurity and Welfare Alliance (SABWA) each quarter.
- represents NSW on the Database Development and Review Committee (DDRC), run by ISC Ltd, whose members comprise other states and territories.
- manages the NSW NLIS Enquiries Email Inbox and works with LLS to resolve NLIS and PIC warnings and error messages.
- advises and solves NLIS database queries and provides extension and advisory services to supply chain users, BFS and LLS.

BFS Compliance:

- develops and implements specific compliance policies, procedures and work instructions.
- provides support to LLS on operational processes of monitoring and compliance activities.
- monitors NLIS compliance with stock and station agents, abattoirs, stock events and goat depots.
- conducts targeted audits, inspection and operations, with LLS, to address specific compliance risks associated with NLIS offending.
- annual audits of goat depots,
- monitors NLIS based goat depot PIC movements and NVD records of goat depots
- monitors non-approved goat depot trading where relevant.
- investigates misuse of the feral goat tag exemption
- Initiates and leads NLIS related investigations where appropriate.
- assists LLS authorised officers with investigations and prosecution action.
- develops and delivers training to improve staff capacity to detect, investigate and take appropriate action for NLIS offences.
- records compliance activities using BYTE and reports on compliance and enforcement outcomes from NLIS activities

Monitoring:

Monitoring activities undertaken by BFS and LLS aim to increase voluntary compliance with NLIS rules and, through a combination of active engagement and appropriate compliance action, achieve a high level of traceability of livestock across NSW. Monitoring also provides an opportunity to give immediate advice to an offender, encouraging future compliance and creating deterrence against reoffending.

Monitoring includes routine checks and audits, extension and advisory activities, directing individuals to take corrective action to address minor offending and the detection and investigation of serious offending. Monitoring could also occur during routine disease and residue monitoring and control activities.

Advisory and extension activities include general or targeted promotion and publicity such as media releases, advertising posters, brochures and newsletters to heighten awareness, detailed NLIS information published on the DPI website, providing information in person at offices, saleyards, shows and field days, over the phone or written correspondence

Priority for monitoring is given to those sectors and activities which present the highest biosecurity and market risks.

Monitoring NLIS requirements in northern NSW should be conducted at the same time as cattle tick surveillance takes place. For more information, see the [cattle tick procedure](#).

The following guidance is provided for monitoring NLIS requirements.

Supply Chain:

Unidentified livestock cannot be sold, including for slaughter, anywhere in NSW. An emergency tag (post-breeder device issued at a saleyard or abattoir) must be attached in the approved manner before the livestock leave the premises where the untagged livestock are located (e.g. a saleyard).

Breeder and post breeder tags should normally only be used by producers. Saleyards and abattoirs should only use emergency tags as issued to them by LLS. Emergency tags are only issued on an as needs basis to cover the number of animals requiring immediate identification. LLS may approve a saleyard operator or abattoir operator as an approved supplier of emergency tags.

When an officer finds unidentified livestock, the officer should resolve the immediate identification issue by directing the person in charge of the livestock to apply the relevant tags (or apply themselves if appropriate) and then encourage future voluntary compliance.

Saleyards:

Authorised officers should regularly monitor sales where NLIS reporting suggests a failure by vendors, agents, buyers and saleyard operators to follow, implement or direct NLIS requirements.

The lowest ranked saleyards highlighted in the quarterly NLIS report should be subject to regular monitoring to ensure NLIS requirements are met.

The NLIS database should be checked to assess if known or irregular sales at smaller saleyards resulted in uploads to the NLIS register.

Where minor discrepancies are found, officers should address these directly with the responsible vendor, agent or saleyard manager to achieve prompt corrective action.

Detailed [guidelines](#) for sheep saleyard operators and stock agents are available.

Pigs should not be sold unless they display a swine brand (the actual numbers comprising the code can be difficult to read on a live pig) or bear a NLIS approved ear tag. Pigs under 25kg are not branded and a breeder or post breeder tag must be applied prior to the pig being sent to a sale.

Property to property movements (P2P):

P2P cattle movements that have/have not been recorded can be monitored to some extent from the level of system transfers included in the NLIS Monthly Report. The sheep and goat mob-based system does not trigger system transfers on the NLIS database. Information provided by producers may be a source of intelligence.

Priority should be given to higher risk aggregations and movements involving feedlots, saleyards and larger properties, which are often identified in the NLIS Monthly Report.

Specific issues include the correct completion of NVDs with other PICs recorded or the post-breeder tags being attached to all sheep when sold, vendors providing, and purchasers retaining, NVD

records for all livestock movements, all movements to and from goat depots and the correct use of the tag exemption for harvested feral goats.

Goat Depots:

A list of approved goat depots, established using the [NLIS Industry Standards for Operating a Goat Depot and User Manual](#), is available from the BFS Licensing Team on 1800 680 244.

On-line Sales:

On-line sales of cattle, sheep and goats are increasing through auction facilitators such as Auctions-Plus, Elite Livestock and other sites including Gumtree and Facebook. Some sites advise it is the buyer's responsibility to comply with NLIS requirements. Many buyers do not complete the NLIS transfer for the livestock they move onto their properties. The NLIS Monthly Report flags PICs that may have been party to an online sale for follow up.

Shows and sporting events:

Show or stock event organisers are required to record livestock attendance at shows/events in the NLIS database. Cattle can be reported by using the 'sighted livestock' function (scan RFID once and only if the cattle reside at the show for less than 3 days) or using the 'Livestock moved onto my property' and 'Livestock moved off my property' functions available on a 'Sporting event' NLIS account.

All movements of sheep and goats to the event are uploaded as a mob-based movement onto and off the PIC.

An NLIS [guideline for shows](#) was developed and sent to the Agricultural Societies Council of NSW (ASC) and Royal Agricultural Society.

Follow up of NLIS reporting requirements for shows and sporting events should be based on the risk presented to the local region. Higher risk movements include where livestock (especially mixed species) are at risk of intermingling other livestock from outside of the region.

Abattoirs and knackeries:

Unidentified livestock cannot be purchased or slaughtered by any abattoir.

Further information for the requirements for abattoirs and knackeries is available on the [NLIS Cattle](#), [NLIS Pigs](#) and [NLIS Sheep and Goats](#) web pages.

NLIS database error and warning messages:

The NLIS database produces error messages or warnings for the following:

- the use of a damaged, replaced, lost or stolen device
 - the replacement of a post-breeder device with a breeder device
 - a transfer from or to a PIC of interest (PI)
 - attempted transfer of a device that is not active on the database
 - use of an inactive (IA), cancelled (disbanded – DB)) or blocked PIC
 - use of an electronic device for one species in a different species (e.g. use of sheep electronic tags on cattle)
 - messages referred by another State for follow up.
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BFS manage database errors and warnings and liaise with LLS and the supply chain to correct database entries. For more information see [Stock identification – Managing statuses, errors and data transfers on the NLIS database](#)

Reporting:

Reporting is an essential component of NLIS monitoring. Data obtained through monitoring is used by:

LLS

- to identify trends in their region,
- to respond to problems at specific saleyards which might require intervention
- to ensure staff apply this procedure and any resulting compliance action consistently, and
- determine the appropriate allocation of resources

BFS

- to detect problems at specific saleyards or abattoirs which might require intervention
 - to monitor state-wide NLIS trends to determine if any changes to legislation, policies or procedures are needed, and
 - to fulfil reporting obligations to state and national NLIS committees
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Compliance action:

All compliance actions must be consistent with the BFS Prosecution Guidelines, the BFS Compliance and Enforcement Policy and specific directions or work instructions. Officers must ensure that compliance action is timely and applied consistently across the state. Where an LLS officer cannot resolve an offence or the offending continues, they can discuss a resolution with BFS Compliance using the [regulatory support arrangements](#).

Offences are generally investigated by the authorised officer who detects the offence. An officer may request the assistance of another experienced officer from LLS or BFS Compliance to provide guidance and mentoring or where the direct involvement of the experienced officer is needed.

To maintain a superior level of industry and community confidence, investigations into serious NLIS offences will be managed by BFS Compliance (nominally the Compliance Investigations Unit (CIU)). Investigations may be jointly undertaken where LLS officers request assistance for the purposes of ensuring procedural fairness and natural justice for the alleged offenders.

A range of guidance materials and templates are available for LLS and DPI staff to undertake compliance actions for NLIS offences.

Definitions and acronyms:

- **Advisory and extension activities:** Activities designed to heighten awareness, acceptance and understanding or to impart knowledge and skills
 - **Audit:** Formal, pre-arranged and systematic measure of conformance with a standard (such as legislation)
 - **BFS:** Biosecurity and Food Safety Division
 - **BFS Compliance:** Compliance & Integrity Systems Branch
 - **Compliance action:** A range of response to alleged offending including but not limited to, advisory letters, warning letters, penalty notices, biosecurity directions and prosecution
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- **Compliance monitoring:** A range of activities designed to enhance compliance with legislation. Includes advisory and extension activities, monitoring, checks, audits and inspections.
- **DPI:** Department of Primary Industries
- **Emergency tag:** means a post breeder device detailing the saleyard or abattoir PIC, applied to unidentified livestock at a saleyard or abattoir.
- **LHMS:** Livestock Health Management System
- **LLS:** Local Land Services
- **NLIS:** National Livestock Identification System
- **Officer:** a BFS or LLS staff member authorised to enforce the Biosecurity Act 2015.
- **P2P:** Property to property
- **Permanent identifier:** Includes RFIDs for cattle, visual tags for pigs, sheep and goats, and brands for pigs. See definition in the Biosecurity (NLIS) Regulation 2017.
- **PIC:** Property Identification Code
- **RFID:** Radio frequency identification device

Legislation:

- [Biosecurity Act 2015](#)
- [Biosecurity \(National Livestock Identification Scheme\) Regulation 2017](#)
- [Biosecurity Regulation 2017](#)
- [Biosecurity Order \(Permitted Activities\) 2019](#)

Documentation:

- Policy - [Biosecurity and Food Safety Compliance and Enforcement Policy](#)
- Policy - [Biosecurity and Food Safety Compliance Prosecution Guidelines](#)
- Policy - [Biosecurity collection, use and disclosure of information](#)
- Procedure - [Biosecurity collection, use and disclosure of information](#)
- Procedure - [Cattle tick](#)
- Procedure - Requests for regulatory support (draft)
- Procedure - [Stock identification – Managing statuses, errors and data transfers on the NLIS database](#)
- Guidance - [Guideline for shows and sporting events](#)
- Guidance - [NLIS Industry Standards for Operating a Goat Depot and User Manual](#)
- Templates - [Compliance and enforcement templates](#)

Revision history:

Version	Date issued	Notes	By
1.0	20 August 2018	New procedure to support the Biosecurity Act 2015	Director, BFS Compliance

2.0	30 May 2022	Updated to reflect risk based, outcome focused approach to monitoring NLIS requirements	Group Director, Animal Biosecurity Director, Compliance & Integrity Systems Executive Director, Regional Operations (LLS)
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Contact:

For NLIS policy, procedure, legislation and database enquiries:

enquiries.nlis@dpi.nsw.gov.au

For general biosecurity matters:

animal.biosecurity@dpi.nsw.gov.au

General biosecurity, invasive plants and animal enquiries: 1800 680 244

Emergency Animal Disease hotline: 1800 675 888

For Local Land Services enquiries 1300 795 299

www.lls.nsw.gov.au