

**RULES FOR THE  
LIVESTOCK PRODUCTION  
ASSURANCE  
PROGRAM  
(LPA)**

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## 1. DEFINITIONS AND INTERPRETATION

### 1.1 Definitions

**Accreditation** means the accreditation of a Producer that is operating in accordance with the requirements of LPA and has implemented management systems to meet the Standards.

**Accredited Producer** means a Producer which has attained and maintained Accreditation in accordance with these Rules for 1 or more PICs under its management.

**Application Form** means an application form in the terms determined by LPA Administration, which may be completed on-line or by telephone.

**Audit** means the systematic and independent examination of an Accredited Producer's management system to determine whether the Accredited Producer is acting in accordance with the requirements set out in these Rules, whether conducted as Site Audits or Document Reviews.

**Auditor** means LPA Administration or a person approved by LPA Administration to conduct Audits.

**Authorised Representative** means a person authorised to act on behalf of LPA Administration.

**Authority** means any government or governmental, quasi-governmental, administrative or judicial body, department, commission, authority, agency or other entity.

**Cattle** means cattle as defined in the *Australian Meat and Live-stock Industry Act 1997*.

**Committee** means the LPA Advisory Committee, comprising industry stakeholder representatives, established to advise LPA Administration in relation to these Rules and the Standards.

**Document Review** means the examination of an Accredited Producer's records, whether conducted at a PIC or otherwise.

**Extended Residue Program (ERP) status** means a T1, T2, T3 or T4 status as notified by a State/Territory Authority under the National Organochlorine Residue Management (NORM).

**Goods and Services Tax (GST)** means a tax payable in accordance the *A New Tax System (Goods and Services Tax) Act 1999*.

**Hormonal Growth Promotants (HGP)** means a veterinary medicine product, registered in Australia to increase the growth or productivity of Livestock through an oestrogenic, androgenic, gestagenic or thyrostatic effect.

**Invalid NVD** means an NVD which has been withdrawn and which is an invalid NVD as set out in Annexure 2.

**Livestock** means live-stock as defined in the *Australian Meat and Livestock Industry Act 1997*.

**Logo** means the LPA trade mark, registration number 976775, a copy of which is set out in Annexure 1.

**LPA** means the Livestock Production Assurance Program.

**LPA Administration** means NLIS Ltd.

**Meat** means the dressed carcass and carcass parts of Livestock as defined in the *Australian Standard for the Hygienic Production and Transportation of Meat and Meat Products for Human Consumption (AS 4696:2007)*.

**MLA** means Meat & Livestock Australia Limited ABN 39 081 678 364.

**ML** means the maximum level of a metal or other contaminant or natural toxicant set out in Standard 1.4.1 of the Australia New Zealand Food Standards Code.

**MRL** means a maximum residue limit set by the Australian Pesticides and Veterinary Medicines Authority.

**NLIS** means the National Livestock Identification System for the identification and traceability of livestock managed by NLIS Ltd.

**NLIS Ltd** means National Livestock Identification System Limited ABN 34 134 745 038.

**Notifiable Residue** means a residue that is detected in Meat at a level that is above the MRL or ML.

**NVD** means a current National Vendor Declaration displaying the Logo, whether in hard copy or electronic form as prescribed by the Committee from time to time as set out in Annexure 2.

**Physical Contaminant** means the presence of injurious physical objects in Meat with the potential to cause an adverse effect in humans.

**PIC** means a property which has been allocated a unique Property Identification Code by the relevant authority.

**Producer** means the legal occupier of a PIC involved in the production of Livestock in Australia.

**Registered Producer** means a Producer which has been registered by LPA Administration.

**Rules** means these rules.

**Show Cause Notice** means a notice issued in accordance with paragraph 14.2.2.

**Site Audit** means an Audit, not being a Document Review, conducted at a PIC.

**Standards** means the LPA On Farm Food Safety Standards issued by NLIS Ltd.

**Terms of Use** means the terms of use for the NLIS database.

## **1.2 Presumptions of interpretation**

1.2.1 For the purpose of these Rules, unless these Rules otherwise provide, all powers to be exercised by the Committee may be exercised by its Chairman (or his nominee).

1.2.2 A reference to a person includes the person's successors and permitted assigns.

1.2.3 A reference to a person who holds an office includes (as the case requires) the person who holds:

- (a) that office from time to time;
- (b) a corresponding office in another jurisdiction; or
- (c) an office that replaces the nominated office from time to time.

1.2.4 A word which denotes:

- (a) the singular denotes the plural and vice versa;
- (b) any gender denotes the other gender; and
- (c) a person includes an individual, a body corporate and a government.

1.2.5 A reference to a paragraph or an annexure is a reference to a paragraph of or an annexure to these Rules.

1.2.6 A reference to any other agreement or instrument, where amended or replaced, means that agreement or instrument as amended or replaced.

## **2. APPLICATION OF RULES**

Each Producer acknowledges that:

- (a) NLIS Ltd administers the LPA;

- (b) these Rules evidence a binding legal agreement between each Producer and NLIS Ltd; and
- (c) any reference to rights or obligations of the Committee under these Rules, includes rights and obligations of NLIS Ltd.

### **3. REFERENCE MATERIAL**

Each Producer must at all times make the following documents available for reference by its relevant personnel:

- (a) these Rules;
- (b) the Standards;
- (c) the relevant NVD; and
- (d) all other documents which the Committee advises must be made available for reference.

### **4. MANAGEMENT RESPONSIBILITY**

#### **4.1 Producer obligations**

Each Producer must:

- (a) ensure that it complies with these Rules and the Standards;
- (b) ensure that Livestock described on an NVD are checked against the relevant requirements and that all information on the NVD is accurate and complete;
- (c) permit an Auditor to Audit its management systems including records, facilities and other relevant information pertaining to these Rules and the Standards;
- (d) provide LPA Administration or its Authorised Representative with access to PICs occupied by the Producer at times reasonably required by LPA Administration, or its Authorised Representative, for the purposes of reviewing the Producer's compliance with these Rules or the Standards;
- (e) generally co-operate with an Auditor by providing any necessary resources and assistance as required by an Auditor to properly perform an Audit;
- (f) train staff in the requirements and application of these Rules and the Standards;
- (g) ensure that all records required by LPA Administration are maintained;
- (h) ensure that its contact information provided to LPA Administration is correct and updated by written notice to LPA Administration within 7 days of any change; and
- (i) ensure that action is promptly taken to remedy any non-conformances which are identified.

#### **4.2 Whole of life claims**

Each Producer must not make to any other person any "whole of life" claims or other assurances regarding PIC history, drugs treatments, animal husbandry conditions, handling, or geographical references of introduced animals unless verifiable documentary evidence supporting those claims (such as written and signed statements from all previous vendors) is available. Each Producer must retain all of this documentary evidence.

## **5. REGISTRATION**

### **5.1 Application for registration**

- 5.1.1 Each Producer must be registered with the LPA and accredited by LPA Administration in accordance with paragraph 6 to utilise NVDs.
- 5.1.2 Each Producer wishing to register 1 or more PICs must provide all information required by LPA Administration for this purpose by completing an Application Form.
- 5.1.3 Each legal occupier of a PIC must register separately under these Rules.
- 5.1.4 Each Producer may be granted registration by LPA Administration for each nominated PIC upon completion of the required registration procedures.

### **5.2 Confirmation of registration**

On confirmation of registration, a Registered Producer will be:

- (a) assigned a User ID and password which must be used in all future contact with LPA Administration;
- (b) required to pay an application fee, as determined by LPA Administration from time to time, for an introductory pack; and
- (c) responsible for ensuring its User ID, password and NVDs are kept secure.

## **6. ACCREDITATION**

### **6.1 Application for Accreditation**

- 6.1.1 Each Registered Producer may apply for Accreditation for 1 or more registered PICs.
- 6.1.2 Each Producer will be notified by LPA Administration of its category in respect of accreditation for each PIC in accordance with paragraph 7.

### **6.2 Obligations of Accreditation**

Each Accredited Producer must ensure that:

- (a) all records relating to these Rules and the Standards are maintained; and
- (b) it complies with these Rules, the Standards and any other requirements of LPA Administration in connection with the LPA.

## **7. CATEGORIES IN RESPECT OF ACCREDITATION**

### **7.1 Each Producer to be categorised**

Each Producer will be categorised by LPA Administration as set out in paragraph 7.2 in respect of each PIC registered with LPA Administration.

### **7.2 Categories in respect of accreditation**

7.2.1 The general categories in respect of accreditation are:

- (a) **N** – Not Accredited - the Producer is not accredited with the LPA in respect of that PIC; and
- (b) **A** – Accredited – the Producer has progressed to Accreditation and is meeting the LPA requirements in respect of that PIC.

7.2.2 The general category of Not Accredited includes the following sub-categories:

- (a) **S** – Suspended – the Committee has applied a sanction to the Producer in respect of that PIC and has issued a Show Cause Notice;

- (b) **W** - Withdrawn – Accreditation has been withdrawn by the Committee;
- (c) **R** - Redundant – LPA Administration has been advised through NLIS that the PIC is no longer valid or active;
- (d) **T** - Property Sold – the Producer has advised that the PIC has been sold or is no longer being leased by the Producer; and
- (e) **C** - Cancelled – the Producer has advised that Accreditation is no longer required and has voluntarily cancelled its Accreditation.

## **8. USE OF THE LPA LOGO**

### **8.1 Use of the LPA Logo**

8.1.1 The Logo may only be used by an Accredited Producer by:

- (a) using an NVD which it has purchased for its PIC and the Accredited Producer may only use NVDs which it has purchased for its PIC; and
- (b) using it on promotional material or advertisements which promote the PIC and the LPA, subject to any directions of LPA Administration from time to time.

8.1.2 An Accredited Producer may only use the Logo and NVDs in accordance with these Rules and must not in any way alter, amend or vary the Logo or NVDs, or use them in any manner which, in the opinion of the Committee or LPA Administration, may adversely affect the goodwill attaching to the Logo or the reputation of the LPA.

### **8.2 Withdrawal or suspension**

If an Accredited Producer's accreditation sub-category is changed to:

- (a) Suspended;
- (b) Withdrawn; or
- (c) Cancelled,

in respect of 1 or more PICs, the Producer must immediately stop using the Logo, including using any NVDs displaying the Logo, in respect of the Suspended, Withdrawn or Cancelled PICs.

## **9. NOTIFICATION OF CHANGE**

A Producer must, within 28 days of the change occurring, notify LPA Administration if it:

- (a) ceases to be the legal occupier of a PIC which was nominated in its original registration or application; or
- (b) receives notification in writing from a relevant authority that its PIC has been changed.

## **10. FEES**

### **10.1 Payment of fees**

Each Producer must pay all fees payable in connection with these Rules (including fees payable to LPA Administration, its Authorised Representatives and Auditors), as determined by LPA Administration from time to time.

### **10.2 GST**

Goods and Services Tax (GST) will be payable by each Producer on all applicable fees and charges.

## **11. NATIONAL VENDOR DECLARATIONS**

### **11.1 Purchase of NVDs**

- 11.1.1 Accredited Producers must purchase NVDs at the prices notified by LPA Administration from time to time.
- 11.1.2 Accredited Producers may only purchase NVDs for a PIC nominated in their Application Forms.
- 11.1.3 Accredited Producers must not alter, reproduce or reuse an NVD.
- 11.1.4 Accredited Producers should only purchase NVDs in reasonable quantities up to a maximum of 12 months' supply, as the Committee may recognise revised versions of NVDs and may withdraw previous versions in accordance with paragraph 11.2.3.

### **11.2 Use of NVDs**

- 11.2.1 Accredited Producers must ensure that an accurately completed NVD accompanies all movements of Livestock from a PIC to any other destination.
- 11.2.2 An NVD must not be distributed or used by an Accredited Producer unless it relates to the PIC for which the NVD was assigned.
- 11.2.3 From time to time, the Committee may recognise revised versions of NVDs and, unless the Committee in its discretion expressly notifies otherwise, upon recognition of a revised version of an NVD, previous versions of NVDs are automatically withdrawn, including for the purpose of facilitating market access requirements of the Australian Meat and Livestock industry.
- 11.2.4 All previous versions of NVDs for which recognition has been withdrawn are invalid and may not be used for the purposes of the LPA.

### **11.3 NVD update**

- 11.3.1 Where a previous version of the NVD is withdrawn in accordance with paragraph 11.2.3, the Accredited Producer must obtain NVDs from LPA Administration and must not use the Invalid NVDs from the date of withdrawal specified in Annexure 2.
- 11.3.2 Accredited Producers must complete and return (at their own cost) the replacement NVD claim form, which is available on the MLA website, together with the relevant unused Invalid NVDs (in hard copy form) to claim replacement of Invalid NVDs.
- 11.3.3 Upon validation and approval of a claim for Invalid NVDs by LPA Administration, an equivalent number of replacement NVDs will, at the request of the Accredited Producer, be provided to the Accredited Producer in accordance with paragraphs 11.3.4 – 11.3.5.
- 11.3.4 Where the Invalid NVDs were purchased before 1 July 2009, replacement NVDs in electronic form will be provided free of charge to the Accredited Producer.
- 11.3.5 Where the Invalid NVDs were purchased from 1 July 2009:
  - (a) if they were purchased in the 12 month period before the date on which LPA Administration announces the withdrawal of the Invalid NVD or any later date notified by LPA Administration, replacement NVDs in electronic form will be provided free of charge to the Accredited Producer; and
  - (b) if they were purchased before the 12 month period specified in paragraph 11.3.5(a), the Accredited Producer must purchase the replacement NVDs at the prices notified by LPA Administration from time to time.
- 11.3.6 If an Accredited Producer requests that replacement NVDs be provided in hard copy form, the Accredited Producer must purchase the replacement NVDs at the prices notified by LPA Administration from time to time.

#### **11.4 Introduced Livestock**

Accredited Producers must ensure that:

- (a) all Livestock introduced onto the PIC are accompanied by an accurately completed NVD and are only sourced from an Accredited Producer;
- (b) the NLIS database is updated for all Livestock introduced onto the PIC in accordance with statutory requirements; and
- (c) in relation to Cattle sourced from a PIC with a designated Extended Residue Program (ERP) status ('T' Status) as notified by a State or Territory authority that:
  - (i) such Cattle are separately identified and sufficient records are maintained to enable traceability at all times; and
  - (ii) a separate NVD and declaration is used where such Cattle are moved from the PIC within six (6) months of introduction.

#### **11.5 HGP declarations**

Accredited Producers using HGPs in Livestock must ensure that:

- (a) the application of HGPs is in accordance with statutory requirements including that treated Livestock are permanently identified by a triangular ear punch and traceable; and
- (b) full records of the use of HGPs are maintained.

#### **11.6 Retaining NVDs and other records**

Accredited Producers must ensure that NVDs and other records for all introduced and dispatched Livestock are retained for a minimum of three (3) years or in accordance with statutory requirements; or for the duration of the Livestock on a PIC whichever is the longer period.

### **12. LPA AUDITS**

#### **12.1 Audit conduct**

12.1.1 Accredited Producers will be selected for Audit by LPA Administration from time to time.

12.1.2 Audits of Accredited Producers may be conducted as Site Audits or Document Reviews or a combination of both in the manner described in paragraphs 12.2 and 12.3 and in accordance with the requirements set out in the audit checklist which is available on the MLA website.

12.1.3 When conducting Site Audits or Document Reviews, the Auditor will evaluate non-conformances in accordance with Table 1 set out below.

#### **12.2 Site Audits**

12.2.1 One or more Auditors may undertake Site Audits of Accredited Producers.

12.2.2 A Site Audit will be conducted in the following manner, or as directed by LPA Administration from time to time:

- (a) the Accredited Producer will be notified that the PIC has been selected for a Site Audit, including an explanation of the audit process and provided with an opportunity to contact LPA Administration if the Accredited Producer has any questions regarding the Site Audit;
- (b) on arrival at the PIC an Auditor will contact the Accredited Producer's management representative and conduct an entry meeting to explain the scope



- of the Audit and the manner in which it will be conducted and endeavour to answer any questions that management may have in respect of the Audit;
- (c) the Auditor will Audit the Accredited Producer's management systems including records, facilities and other information relevant to these Rules and the Standards to ensure that the Producer is complying with these Rules and the Standards;
  - (d) Audit findings will be documented in an Audit report;
  - (e) the Auditor will conduct an exit meeting with the Accredited Producer's management representative; and
  - (f) the Auditor will provide a copy of the Audit report to the Committee noting:
    - (i) whether the LPA management systems are in place and working effectively;
    - (ii) any non-conformances detected and an evaluation of those non-conformances in accordance with Table 1;
    - (iii) any matters that require rectification and follow-up arrangements if necessary; and
    - (iv) whether the Accredited Producer should be recommended to continue to hold Accreditation.

### **12.3 Document Review**

12.3.1 A Document Review will be conducted in the following manner, or as directed by LPA Administration from time to time:

- (a) the Accredited Producer will be notified that the PIC has been selected for Document Review, including an explanation of the review process and provided with an opportunity to contact LPA Administration if the Accredited Producer has any questions regarding the Document Review;
- (b) LPA Administration will, in consultation with the Accredited Producer, confirm arrangements for the type and format of records required as part of the Document Review;
- (c) the Accredited Producer will provide the Auditor with the records required for the purposes of the Document Review;
- (d) the Auditor will review the records supplied by the Accredited Producer to ensure that matters set out in these Rules and the Standards are being complied with;
- (e) the Document Review findings will be documented as required by LPA Administration; and
- (f) at the conclusion of the Document Review, the Auditor may advise the Accredited Producer of the outcome of the Document Review.

**Table 1: LPA Non-conformance definitions**

Non-conformance	Documented by	Definition
<b>Critical Non-conformance</b>	Documented on a Critical Incident Report (CIR)	In the opinion of the Auditor or the Committee: <ul style="list-style-type: none"> <li>a) may cause loss of integrity of the Australian Meat and Livestock industry or the LPA;</li> <li>b) these Rules or the Standards have been compromised and food safety jeopardised; or</li> <li>c) a reoccurring Major Non-conformance which has not been addressed by corrective action.</li> </ul>
<b>Major Non-conformance</b>	Documented on a Corrective Action Request (CAR)	In the opinion of the Auditor or the Committee: <ul style="list-style-type: none"> <li>a) has the potential to compromise food safety or impinge on the integrity of the Australian Meat and Livestock industry or the LPA;</li> <li>b) there are enough non-conformances in an element to warrant a Major Non-conformance;</li> <li>c) if not addressed there would be potential for the non-conformity to further compromise these Rules or the Standards; or</li> <li>d) reoccurring non-conformances which have not been addressed by corrective action.</li> </ul>
<b>Minor Non-conformance</b>	Documented as an observation on an Audit report	In the opinion of the Auditor or the Committee, there has been a variance from these Rules or the Standards that is not likely to directly impinge on food safety or the integrity of the Australian Meat and Livestock industry or the LPA.

**12.4 Major Non-conformance**

12.4.1 Where a Major Non-conformance is identified, the non-conformance is described on a CAR form.

12.4.2 Where a CAR for a Major Non-conformance is issued:

- (a) the Accredited Producer must:
  - (i) remedy the non-conformance; and
  - (ii) provide any documentation to the Auditor which it may require;
- (b) the Accredited Producer may be subjected to an increased Audit frequency; and
- (c) costs associated with conducting all necessary subsequent Audits may be charged to the Accredited Producer.

12.4.3 Failure by an Accredited Producer to correct a non-conformance within the time frame specified by the Auditor may result in the CAR being elevated to a CIR.

## **12.5 Critical Non-conformance**

- 12.5.1 Where a Critical Non-conformance is identified, the non-conformance is described on a CIR form.
- 12.5.2 Where a CIR is issued:
- (a) costs associated with conducting all necessary subsequent Audits may be charged to the Accredited Producer;
  - (b) the Committee will convene to consider the CIR; and
  - (c) the Committee may do one or more of the following:
    - (i) seek additional information;
    - (ii) issue a Show Cause Notice in accordance with paragraph 14.2.2;
    - (iii) uphold the CIR; or
    - (iv) close the CIR and issue a CAR and determine in consultation with the Accredited Producer a course of action to ensure that the Accredited Producer is operating in accordance with these Rules and the Standards.
- 12.5.3 The Committee may withdraw Accreditation as described in paragraph 14.2 if a Critical Non-conformance is identified.
- 12.5.4 Where the Committee resolves to close the CIR and issue a CAR, paragraph 12.4 will apply.

## **13. RESIDUES AND PHYSICAL CONTAMINANTS**

### **13.1 Notification**

If the presence of potentially injurious Physical Contaminants is detected in Meat or if residues at or above half the level of Notifiable Residues are detected in samples taken within 24 hours before or after slaughter from Livestock, or Meat from Livestock, sent for slaughter by a Producer the Producer irrevocably authorises any Authority having responsibilities relating to residues or physical contamination of Meat to notify LPA Administration of:

- (a) the detection of the residue(s) or Physical Contaminant(s);
- (b) details of the Producer and the affected Livestock;
- (c) the residue level(s) and residue(s) or the nature of Physical Contaminant(s) found;
- (d) the results of any investigation undertaken into the detection; and
- (e) any other information in connection with the detection of such residue(s) or Physical Contaminant(s).

### **13.2 Management strategy**

- 13.2.1 If a Producer is notified of the detection of any Notifiable Residue(s) or Physical Contaminant(s), the Producer must:
- (a) within 7 days of that notification, develop a management strategy to identify and manage any affected Livestock and to minimise the risk of such an event re-occurring, and provide full details of that strategy in writing to LPA Administration;
  - (b) within 7 days after notice from LPA Administration, vary the management strategy as required by the Committee;

- (c) immediately implement the management strategy including any requirements notified by LPA Administration under paragraph (b); and
- (d) participate in any Audit which the Committee or LPA Administration considers appropriate arising out of the detection of the Physical Contaminant(s) or Notifiable Residue(s).

### **13.3 Critical Non-conformance**

Without limiting a Producer's obligations under paragraph 13.1 or 13.2, the detection of the presence of Physical Contaminant(s) in Meat or of Notifiable Residue(s) in samples taken within 24 hours before or after slaughter from Livestock, or Meat from Livestock, sent for slaughter by the Producer constitutes a Critical Non-conformance and paragraph 12.5 will apply.

## **14. CESSATION OF ACCREDITATION**

### **14.1 Cancellation of Accreditation**

- 14.1.1 Each Accredited Producer may, by written notice to LPA Administration, request withdrawal of Accreditation with respect to 1 or more PICs at any time.
- 14.1.2 Upon receipt by LPA Administration of the notice, the Producer's category in respect of accreditation will be changed to Not Accredited and categorised in accordance with paragraph 7.2.2(e).
- 14.1.3 Where an Accredited Producer voluntarily cancels its Accreditation in respect of 1 or more PICs, the Not Accredited Producer may only reapply for Accreditation in accordance with paragraph 15.1.

### **14.2 Withdrawal or suspension of Accreditation**

- 14.2.1 The Committee may withdraw Accreditation from an Accredited Producer for 1 or more PICs if:
  - (a) the Committee becomes aware of a situation which in its view compromises the integrity of the LPA;
  - (b) the Producer fails to permit reasonable access to an Auditor or to co-operate with an Auditor during any Audit;
  - (c) the Producer fails to maintain compliance with these Rules or the Standards or fails to take specified corrective action;
  - (d) the Producer fails to pay any fees associated with the LPA;
  - (e) the Producer supplies false information or documentation;
  - (f) the Producer ceases to have responsibility for Livestock on that PIC;
  - (g) the Committee upholds a CIR;
  - (h) the Committee considers that the Accredited Producer is unable or unwilling to comply with these Rules, the Standards or any LPA requirements; or
  - (i) the Committee considers that matters have occurred, or are likely to occur, on a PIC which may prejudice the reputation of the Committee, or LPA Administration, the interests of the Australian Meat and Livestock industry or the LPA.
- 14.2.2 If any of the matters set out in paragraph 14.2.1 occur, the Committee may elect to suspend Accreditation for 1 or more PICs and issue a Show Cause Notice to the Producer stating:

- (a) the grounds on which the notice is given; and
- (b) that the Producer must give the Committee a written statement within 14 days of receipt of the notice showing cause why Accreditation should not be withdrawn and that, if the Producer fails to respond to the Show Cause Notice, its Accreditation may be withdrawn in accordance with paragraph 14.2.1.

**14.2.3 The Committee:**

- (a) will consider any written statement made by the Producer in accordance with paragraph 14.2.2;
- (b) will obtain and consider any other material that it may consider relevant; and
- (c) may decide:
  - (i) not to take any further action by removing a suspension;
  - (ii) to withdraw Accreditation; or
  - (iii) to take such other steps with regard to Accreditation as the Committee considers appropriate in the circumstances.

**14.2.4** The Committee may adopt such procedures in deciding whether or not to withdraw Accreditation as it considers necessary. These procedures may vary from time to time as, in the opinion of the Committee, the circumstances require.

**14.2.5** If Accreditation for 1 or more PICs is withdrawn, or the Committee makes any other decision in accordance with paragraph 14.2.3(c), the Committee will notify the Producer in writing.

**14.2.6** If Accreditation for 1 or more PICs is withdrawn, the Producer will be removed from the register of Accredited Producers, in respect of those PICs and its category in respect of accreditation will be changed to Not Accredited and categorised in accordance with paragraph 7.2.2(a).

**14.2.7** Where a Producer has had its Accreditation withdrawn by the Committee in respect of 1 or more PICs, the Not Accredited Producer may only reapply for Accreditation in accordance with paragraph 15.2.

## **15. REAPPLYING FOR ACCREDITATION**

### **15.1 Cancellation of Accreditation**

Where a Producer voluntarily cancels its Accreditation, a written application may be made at any time for reinstatement of Accreditation.

### **15.2 Loss of Accreditation as a result of withdrawal by Committee**

**15.2.1** Where a Producer has its Accreditation withdrawn by the Committee for 1 or more PICs, an application for Accreditation for those PICs cannot be made until 28 days after the date Accreditation was withdrawn. After this period has elapsed, an application for Accreditation may be made to the Committee.

**15.2.2** In assessing an Application under paragraph 15.2.1, the Committee will consider those matters that exist or are likely to occur on the PIC which may prejudice the reputation of the Committee, NLIS Ltd or LPA Administration, the interests of the Australian Meat and Livestock industry or the LPA.

**16. RIGHT OF APPEAL**

**16.1 Right of appeal**

- 16.1.1 Any refusal to grant Accreditation or any withdrawal of any such registration or accreditation is subject to a right of appeal by the affected Producer to the Committee.
- 16.1.2 If the dispute is not resolved within 14 days of submission of the dispute to the Committee, or such other time as the Committee determines, paragraph 16.2 will apply.

**16.2 Expert determination**

- 16.2.1 Either party may, within 14 days after expiry of the period referred to in paragraph 16.1.2, request the President of the Law Society or equivalent in their State, or his nominee, to appoint an expert to determine the dispute.
- 16.2.2 In making a determination:
- (a) each expert must be required to determine the dispute taking into account these Rules and the Standards;
  - (b) each expert acts as an expert and not as an arbitrator; and
  - (c) the experts' decision is conclusive, final and binding on the parties (except in the case of manifest error).
- 16.2.3 The parties must pay the costs of the determination as determined by the expert.

**17. USE OF INFORMATION**

**17.1 Use and disclosure of information**

Each Producer acknowledges and agrees that NLIS Ltd, LPA Administration or the Committee may use, disclose or publish information concerning the Producer or the PIC of the Producer obtained in connection with the LPA including information relating to a Producer's category in respect of accreditation:

- (a) as specified in these Rules; or
- (b) as NLIS Ltd, LPA Administration or the Committee considers necessary or desirable for the purposes of the LPA.

**17.2 Disclosure to Authorities and for NLIS database**

Each Producer acknowledges and agrees that NLIS Ltd, LPA Administration or the Committee may disclose information concerning the Producer or the PIC of the Producer obtained in connection with the LPA:

- (a) to any Authority for any lawful purpose; and
- (b) for the purpose of inclusion on the NLIS database, and that any information included on the NLIS database relating to the Producer may be used and disclosed in accordance with the NLIS Terms of Use.

**17.3 Personal information**

- 17.3.1 The NLIS Ltd privacy policy, which can be located on the MLA website, generally governs the collection, use and disclosure of personal information by NLIS Ltd.
- 17.3.2 More specifically, personal information handled by NLIS Ltd, LPA Administration or the Committee in connection with the LPA is handled in accordance with the LPA Privacy Statement set out in paragraph 18.

**18. LPA PRIVACY STATEMENT**

Information collected or otherwise obtained by NLIS Ltd, LPA Administration or the Committee in connection with the LPA may be personal information, as defined in the Privacy Act 1988 (Cth).

Personal information obtained in connection with the LPA by any of NLIS Ltd, LPA Administration or the Committee is collected and disclosed for the purposes of the LPA, the related business purposes of NLIS Ltd, LPA Administration or the Committee and for any other purposes that are disclosed at or about the time of collection or are otherwise notified to an individual, including by virtue of these Rules.

NLIS Ltd, LPA Administration and the Committee respect the privacy of individuals.

Generally NLIS Ltd, LPA Administration and the Committee do not release personal information other than:

- (a) as specified in these Rules;
- (b) in the case of NLIS Ltd, as disclosed in the NLIS Ltd privacy policy;
- (c) to their service providers on a confidential basis for the purposes of conducting the LPA;
- (d) as authorised by the Chairman of NLIS Ltd, LPA Administration, the Committee or a nominee in their discretion, in response to a legal requirement, in an emergency, in the event of any unlawful act or omission, or potential unlawful act or omission, or otherwise in exceptional circumstances; or
- (e) for any purposes to which a Producer has consented.

**19. INDEMNITY**

Each Producer indemnifies NLIS Ltd, the Committee and LPA Administration against all damages, losses, costs and expenses incurred by them arising out of:

- (a) any non-compliance by the Producer with these Rules, the Standards or any other LPA requirements; or
- (b) any act or omission of the Producer in connection with the LPA,

except to the extent such damages, losses, costs and expenses were caused by NLIS Ltd, the Committee or LPA Administration.

**20. REGISTER**

**20.1 Register of Accredited Producers**

LPA Administration will maintain a register of Accredited Producers which will include the relevant contact details including PIC information for each Accredited Producer, the date of accreditation and registration, the User ID allotted to each Accredited Producer and other such details that LPA Administration may wish to include from time to time in the register.

**20.2 Information on register**

Certain information contained in the register will be made available to the general public to enable users to determine the category in respect of accreditation of a Producer.

**21. VARIATIONS AND NOTICES**

**21.1 Amendment of Rules and Standards**

The Committee may from time to time amend these Rules or the Standards.

**21.2 Notification**

21.2.1 Where the Committee proposes to amend these Rules or the Standards, the Committee must notify the Accredited Producers of its intention, which notice may be given on the MLA website. A variation takes effect on the earlier of:

- (a) if the Committee sends a notice, 7 days after the Committee sends the notice, or from any other date specified in the notice; or
- (b) if notice is given on the MLA website, 14 days after the amendments are displayed on the MLA website.

21.2.2 A variation takes effect despite any accidental failure to give notice to an Accredited Producer.

21.2.3 A notice under this agreement must be in writing.

**22. GOVERNING LAW AND JURISDICTION**

The agreement evidenced by these Rules is governed by and must be construed in accordance with the laws of New South Wales.



**Annexure 1 – LPA Logo**



## Annexure 2 – Current NVDs

A current NVD for the purposes of the LPA Program means versions as defined in this Annexure.

From time to time, the Committee may recognise revised versions of NVDs and/or withdraw recognition of previous versions at its discretion to facilitate market access requirements of the Australian Meat and Livestock industry.

All previous versions for which recognition has been withdrawn are invalid and may not be used for the purposes of the LPA Program.

Current NVDs that are recognised by the Committee are prescribed in the table below:

<b>Table 1:</b>		<b>Cattle NVD</b>			
<b>Description</b>	<b>Document Reference</b>	<b>Status</b>	<b>Date of Introduction</b>	<b>Replacement By</b>	<b>Date of Withdrawal</b>
Edition 1 March 2004	First Edition, March 2004	<b>Invalid</b>	Mar-04	First Edition, November 2005	16 Nov 2015
Edition 1 November 2005	First Edition, November 2005	<b>Invalid</b>	Nov-05	C05/07	16 Nov 2015
Edition 1 May 2007	C05/07	<b>Invalid</b>	May-07	C03/09	16 Nov 2015
Edition 1 July 2008	C0708	<b>Invalid</b>	Jul-08	C03/09	Jul-08
March 2009	C03/09	<b>Invalid</b>	Mar-09	C04/10	16 Nov 2015
April 2010	C0410	<b>Invalid</b>	Apr-10	C04/11	16 Nov 2015
April 2011	C0411	<b>Invalid</b>	Apr-11	C04/12	16 Nov 2015
April 2012	C0412	<b>Invalid</b>	Apr-12	C04/13	16 Nov 2015
April 2013	C0413	Current	Apr-13	Current	Current

<b>Table 2:</b>		<b>EU Cattle NVD</b>			
<b>Description</b>	<b>Document Reference</b>	<b>Status</b>	<b>Date of Introduction</b>	<b>Replacement By</b>	<b>Date of Withdrawal</b>
Edition 1 March 2004	First Edition, March 2004	<b>Invalid</b>	Mar-04	First Edition, November 2005	16 Nov 2015
Edition 1 November 2005	First Edition, November 2005	<b>Invalid</b>	Nov-05	E05/07	16 Nov 2015
Edition 1 May 2007	E05/07	<b>Invalid</b>	May-07	E0708	16 Nov 2015
Edition 1 July 2008	E0708	<b>Invalid</b>	Jul-08	E04/10	16 Nov 2015
April 2010	E0410	<b>Invalid</b>	Apr-10	E04/11	16 Nov 2015
April 2011	E0411	<b>Invalid</b>	Apr-11	E04/12	16 Nov 2015
April 2012	E0412	<b>Invalid</b>	Apr-12	E04/13	16 Nov 2015
April 2013	E0413	Current	Apr-13	Current	Current

*Rules for the Livestock Production Assurance Program (LPA)*

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<b>Table 3:</b>		<b>Sheep NVD</b>			
<b>Description</b>	<b>Document Reference</b>	<b>Status</b>	<b>Date of Introduction</b>	<b>Replacement By</b>	<b>Date of Withdrawal</b>
Edition 1 March 2004	First Edition, March 2004	<b>Invalid</b>	Mar-04	First Edition, November 2005	16 Nov 2015
Edition 1 November 2005	First Edition, November 2005	<b>Invalid</b>	Nov-05	S05/07	16 Nov 2015
Edition 1 May 2007	S05/07	<b>Invalid</b>	May-07	S0708	16 Nov 2015
Edition 1 July 2008	S0708	<b>Invalid</b>	Jul-08	S04/10	16 Nov 2015
April 2010	S0410	<b>Invalid</b>	Apr-10	S04/11	16 Nov 2015
April 2011	S0411	<b>Invalid</b>	Apr-11	S04/12	16 Nov 2015
April 2012	S0412	<b>Invalid</b>	Apr-12	S04/13	16 Nov 2015
April 2013	S0413	Current	Apr-13	Current	Current

<b>Table 4:</b>		<b>Goat NVD</b>			
<b>Description</b>	<b>Document Reference</b>	<b>Status</b>	<b>Date of Introduction</b>	<b>Replacement By</b>	<b>Date of Withdrawal</b>
Edition 1 March 2004	First Edition, March 2004	<b>Invalid</b>	Mar-04	First Edition, November 2005	16 Nov 2015
Edition 1 November 2005	First Edition, November 2005	<b>Invalid</b>	Nov-05	G05/07	16 Nov 2015
Edition 1 May 2007	G05/07	<b>Invalid</b>	May-07	G0708	16 Nov 2015
Edition 1 July 2008	G0708	<b>Invalid</b>	Jul-08	G04/10	16 Nov 2015
April 2010	G0410	<b>Invalid</b>	Apr-10	G04/11	16 Nov 2015
April 2011	G0411	<b>Invalid</b>	Apr-11	G04/12	16 Nov 2015
April 2012	G0412	<b>Invalid</b>	Apr-12	G04/13	16 Nov 2015
April 2013	G0413	Current	Apr-13	Current	Current

<b>Table 5:</b>		<b>Bobby Calf NVD</b>			
<b>Description</b>	<b>Document Reference</b>	<b>Status</b>	<b>Date of Introduction</b>	<b>Replacement By</b>	<b>Date of Withdrawal</b>
Edition 1 March 2004	First Edition, March 2004	<b>Invalid</b>	Mar-04	BC0708	16 Nov 2015
Edition 1 July 2008	BC0708	<b>Invalid</b>	Jul-08	BC04/10	16 Nov 2015
April 2010	BC0410	<b>Invalid</b>	Apr-10	BC04/11	16 Nov 2015
April 2011	BC0411	<b>Invalid</b>	Apr-11	BC04/12	16 Nov 2015
April 2012	BC0412	Current	Apr-12	Current	Current

END