EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations, which come into operation on the 1st July, 1957, revoke and re-enact the Artificial Insemination (Cattle) (England and Wales) Regulations, 1943, with some variations. The general restriction on distribution and sale of bull semen without a licence is retained but the exception allowing insemination of a cow in the same ownership as the bull from which the semen was collected is replaced by one allowing insemination of a cow in the same ownership as the semen and a new exception is added allowing the sale of semen by the old owner to the new owner of a bull. Another amendment makes it no longer obligatory to insert specified conditions in licences issued to artificial insemination centres; under the present Regulations the Minister has discretion as to the number and kind of conditions that he inserts in any licence granted under the Regulations.

An entirely new provision has been added empowering the Minister, if satisfied that a supply of bull semen is not suitable for use for breeding, to require the person in whose ownership or possession it is not to distribute or sell it, even if he holds a licence under the Regulations.

1957 No. 1954 (S. 93)

The Artificial Insemination of Cattle (Scotland) Regulations, 1957

Made - - - -	*7th November*, 1957
Laid before Parliament	*18th November*, 1957
Coming into Operation	*1st December*, 1957

In exercise of the powers conferred on me by section 17 of the Agriculture (Miscellaneous Provisions) Act, 1943(a), and of all other powers enabling me in that behalf, I hereby make the following Regulations:—

Citation and Commencement

1. These Regulations may be cited as the Artificial Insemination of Cattle (Scotland) Regulations, 1957, and shall come into operation on the first day of December, 1957.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say—

"artificial insemination centre" means a centre providing services of artificial insemination for cattle;

"cow" includes heifer;

"distribute" includes use in the operation of artificial insemination and "distributed" and "distribution" shall be construed accordingly;

"Secretary of State" means the Secretary of State for Scotland;

"semen" means the semen of a bull.

(2) The Interpretation Act, 1889(b), shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

(a) 6 & 7 Geo. 6. c. 16. (b) 52 & 53 Vict. c. 63.

Prohibition of Distribution and Sale of Semen

3.—(1) Subject to the provisions of these Regulations, no person shall distribute or sell the semen of any bull unless there is for the time being in force a licence issued by the Secretary of State authorising him to do so.

(2) Nothing in these Regulations shall prohibit—

(*a*) the use of semen owned by any person in the operation of artificial insemination of a cow also owned by that person;

(*b*) the sale or transfer of semen on the sale of the bull from which it was collected to the person to whom the bull is sold;

(*c*) the delivery of semen to an artificial insemination centre, or to a veterinary surgeon or veterinary practitioner for the purpose of deposit for safe custody and the re-delivery of that semen to the person who owns it (whether that person be the person who so delivered it or a person who subsequently became owner of it) by the person to whom it was delivered.

Licences

4.—(1) A licence issued under this Regulation to the person (hereafter in this Regulation referred to as "the licensee") maintaining the artificial insemination centre (hereafter in this Regulation referred to as "the licensed centre") specified in the licence shall—

(*a*) authorise the distribution, sale or transfer otherwise than on sale from the licensed centre of semen collected at the licensed centre or at some other licensed artificial insemination centre (hereafter in this Regulation referred to as "the permitted semen");

(*b*) authorise the distribution of the permitted semen only in the operation of the artificial insemination of cows with it;

(*c*) authorise the sale or transfer of the permitted semen only to the person maintaining some other licensed artificial insemination centre or, with the specific consent of the Secretary of State, to veterinary surgeons or veterinary practitioners,

and the licensee shall comply or secure compliance with such of the conditions specified in the next succeeding paragraph, and with such other conditions (if any), as may be specified in the licence.

(2) The following are the conditions referred to in the last foregoing paragraph—

(*a*) all the operations conducted from the centre, including the collection, processing, storage or use of the permitted semen, shall be under the effective supervision and control of a veterinary surgeon approved by the Secretary of State for the purpose;

(*b*) every person employed by the licensee in the collection, processing or storing of the permitted semen or in the carrying out of the operation of artificial insemination of cows with that semen shall have been approved by the Secretary of State for the purpose;

(*c*) such parts of the licensed centre as are used for the collection, processing or storage of the permitted semen shall be approved by the Secretary of State for the purpose;

(*d*) such parts of the licensed centre as are used for the processing or storage of semen (whether of bulls or of other animals) other than permitted semen shall be approved by the Secretary of State for the purpose;

(*e*) no bull or other animal or any bird shall be moved on to the licensed centre without the consent of the Secretary of State and the Secretary of State may direct the removal from the licensed centre of any such bull or other animal or bird as aforesaid, in accordance with such conditions as the direction may specify ;

(*f*) subject to such exceptions as may be specified in the licence, semen (whether of bulls or of other animals) other than permitted semen shall not be brought into such parts of the licensed centre as have been approved under a condition of the kind set out in sub-paragraph (*c*) of this paragraph and shall not be collected, processed or stored by means of, or in, equipment that is used for the collection, processing or storing of permitted semen ;

(*g*) if a bull from which permitted semen was collected has died or ceased to be kept at any licensed artificial insemination centre, that semen shall not, after the event has come to the knowledge of the licensee, be distributed or sold by him without the consent of the Secretary of State in that behalf ;

(*h*) if the Secretary of State gives a direction that any permitted semen, being semen which was (whether before or after the giving of the direction) collected from a bull specified in the direction, shall not be distributed or sold, then that semen shall not, after the giving of the direction, be distributed or sold by the licensee until the direction is recalled by the Secretary of State ;

(*i*) the licensee shall keep in respect of each occasion on which the permitted semen is distributed in the operation of the artificial insemination of a cow a record of the date and place of the operation, the name and address of the owner of the cow inseminated, the breed or type, colour and earmarks (if any) of the cow and the name and breed of the bull from which the permitted semen so distributed was collected and shall keep in respect of each sale or transfer of semen from the licensed centre, a record of the date of the sale or transfer and the name and address of the licensed artificial insemination centre or the veterinary surgeon or veterinary practitioner to whom the semen was sold or transferred and such records shall be kept available for inspection at all reasonable hours by officers of the Secretary of State :

Provided that this condition shall not require the licensee to retain any record so made longer than a period of two years from the making of the entry.

(3) In this Regulation the expression "licensed artificial insemination centre" means an artificial insemination centre specified in a licence to which this Regulation applies or in a licence to which Regulation 5 of the Artificial Insemination of Cattle (England and Wales) Regulations, 1957(a), applies.

5. The Secretary of State may at his discretion grant a licence—

(*a*) authorising the person maintaining an artificial insemination centre to distribute or sell bull semen other than such as is referred to in paragraph (1) of Regulation 4 hereof or in a way other than that referred to in that paragraph ;

(*b*) authorising any other person to distribute or sell bull semen ;

subject in either case to such conditions (if any) as may be specified in the licence.

(a) S.I. 1957/948 (p. 165 above).

Restriction on Distribution and Sale of Semen unsuitable for Breeding

6. If the Secretary of State is satisfied that any semen in the ownership or possession of any person is not suitable for use for the purpose of breeding and serves a notice on him to that effect and requiring him not to distribute or sell that semen, then that person (notwithstanding that the distribution or sale of the semen is authorised by a licence issued under these Regulations or is exempted from the provisions of paragraph (1) of Regulation 3 hereof) shall not, after service upon him of the notice, distribute or sell that semen. Any such notice may be served by post.

Revocation

7. The Artificial Insemination (Cattle and Horses) (Scotland) Regulations, 1943(a), are hereby revoked but, notwithstanding such revocation, any licence or approval given by the Secretary of State under or by virtue of those Regulations shall, if in force on the coming into operation of these Regulations, be deemed to have been given by the Secretary of State under or by virtue of these Regulations and shall have effect as if so given.

Dated this seventh day of November, 1957.

John S. Maclay,

One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations, which come into operation on the 1st December, 1957, revoke and re-enact the Artificial Insemination (Cattle and Horses) (Scotland) Regulations, 1943, with certain changes and variations.

The control of the distribution and sale of stallion semen is no longer considered necessary and is discontinued.

The general restriction on distribution and sale of bull semen without a licence is retained but the exception allowing insemination of a cow in the same ownership as the bull from which the semen was collected is replaced by one allowing insemination of a cow in the same ownership as the semen and a new exception is added allowing the sale of semen by the old owner to the new owner of a bull. Another amendment makes it no longer obligatory to insert specified conditions in licences issued to artificial insemination centres; under the present Regulations the Secretary of State has discretion as to the number and kind of conditions that he inserts in any licence granted under the Regulations.

An entirely new provision has been added empowering the Secretary of State, if satisfied that a supply of bull semen is not suitable for use for breeding, to require the person in whose ownership or possession it is not to distribute or sell it, even if he holds a licence under the Regulations.

(a) S.R. & O. 1943/1123 (Rev. II, p. 733: 1943 I, p. 45).