STATUTORY INSTRUMENTS

1964 No. 1171 (S. 79)

AGRICULTURE

LIVESTOCK INDUSTRIES

The Artificial Insemination of Pigs (Scotland) Regulations 1964

Made - - - -	23*rd July* 1964
Laid before Parliament	30*th July* 1964
Coming into Operation	2*nd November* 1964

In exercise of the powers conferred on me by section 17 as read with section 19 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, extent and commencement

1. These regulations, which may be cited as the Artificial Insemination of Pigs (Scotland) Regulations 1964, shall apply to Scotland and shall come into operation on 2nd November 1964.

Interpretation

2.—(1) In these regulations unless the context otherwise requires—

" approved boar " means a boar kept at an artificial insemination centre for the purpose of the production of permitted semen, and approved by the Secretary of State for the purpose, subject to such conditions as the Secretary of State may specify ;

" artificial insemination centre " means premises in respect of which a licence is in force under regulation 4(1) of these regulations ;

" insemination " means the artificial insemination of sows, and " inseminate " shall be construed accordingly ;

" semen " means the semen of boars, and " permitted semen " has the meaning assigned to it by regulation 4(4) of these regulations ;

" sow " includes gilt ;

" English centre " means premises in respect of which a licence is in force under regulation 4(1) of the Artificial Insemination of Pigs (England and Wales) Regulations 1964(b).

(2) For the purpose of these regulations an animal in joint ownership shall not be deemed to be owned by the same person as any other animal or any semen unless all the joint owners of both are the same.

(3) The Interpretation Act 1889(c) 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) S.I. 1964/1172 (1964 II, p. 2676). (c) 52 & 53 Vict. c. 63.

Prohibition of distribution and sale of semen

3.—(1) A person shall not distribute or sell semen except under the authority of a licence issued by the Secretary of State and for the time being in force.

(2) Nothing in this regulation shall require the authority of a licence for—

(*a*) the use of semen to inseminate a sow in the same ownership as that semen;

(*b*) the sale or transfer of semen by a former owner of the boar from which it was collected to the present owner of that boar; or

(*c*) the delivery of semen to an artificial insemination centre or a veterinary surgeon or veterinary practitioner for the purpose of storage and the delivery or re-delivery of that semen to its owner for the time being by the centre or the person with whom it has been deposited.

Licensing of artificial insemination centres

4.—(1) The Secretary of State may grant a licence to a person in respect of premises maintained by him authorising him, subject to the provisions of these regulations and to such conditions as may be specified in the licence,

(*a*) to distribute or sell permitted semen to an artificial insemination centre or to an English centre, or to veterinary surgeons and veterinary practitioners; and

(*b*) to distribute permitted semen by inseminating sows with it.

(2) A person to whom a licence is granted under this regulation shall not contravene or permit a contravention of any provision of regulation 5 hereof in relation to the centre to which the licence relates, or of the conditions of the licence, and shall take all reasonable steps to secure compliance with them by persons employed by him.

(3) A licence granted under this regulation may authorise the person to whom the licence is granted to distribute or sell permitted semen to persons, or in ways, other than those referred to in paragraph (1) hereof.

(4) In these regulations "permitted semen" means, in relation to any artificial insemination centre—

(*a*) semen collected from approved boars at that centre;

(*b*) semen acquired from another artificial insemination centre or from an English centre; and

(*c*) such other semen as the Secretary of State from time to time authorises the licensee of the centre in writing to use as permitted semen,

being in each case semen which is for the time being in the possession or under the control of the licensee of the centre.

Regulation of artificial insemination centres

5.—(1) The following provisions of this regulation shall apply to every artificial insemination centre.

(2) The collection, processing and storage of permitted semen, and insemination with such semen, by or on behalf of the licensee of the centre, shall be carried out under the effective supervision and control of a veterinary surgeon approved by the Secretary of State for the purpose.

(3) No person, unless approved by the Secretary of State for the purpose, shall be employed by the licensee of the centre in the collection, processing or storage of permitted semen, or to inseminate with such semen.

(4) No part of the centre, unless approved by the Secretary of State for the purpose, shall be used for the collection, processing or storage of permitted semen.

(5) No part of the centre, unless approved by the Secretary of State for the purpose, shall be used for the processing or storage of semen (whether of boars or of other animals) other than permitted semen.

(6) Animals or poultry may not be brought into or kept at the centre without the consent of the Secretary of State, or otherwise than in accordance with the terms of such consent.

(7) Subject to such exceptions as may be specified in the licence, semen other than permitted semen shall not be brought into such parts of the centre as have been approved by the Secretary of State for the purposes of paragraph (4) of this regulation, and shall not be collected, processed or stored by means of, or in, equipment which is used for the collection, processing or storage of permitted semen.

(8) If a boar from which permitted semen has been collected at an artificial insemination centre or an English centre has since died or been slaughtered, or has ceased to be kept at such a centre, that semen shall not knowingly be distributed or sold by the licensee of any artificial insemination centre without the consent of the Secretary of State.

(9) The licensee of the centre shall maintain the premises to which the licence relates and the equipment thereof in good condition and repair.

Licences to Veterinary Surgeons

6.—(1) If the Secretary of State is satisfied that, in view of the prevalence of disease amongst swine in any locality or of the remoteness of any locality from an artificial insemination centre or of the existence of other special circumstances in any locality, a veterinary surgeon in the locality should be authorised to distribute semen (being semen obtained by him from an artificial insemination centre) by inseminating sows with it, he may grant a licence to the veterinary surgeon authorising him to do so, and such authority may relate to any sow in the locality or to such sows only therein as the licence may specify.

(2) The Secretary of State may authorise any veterinary surgeon to whom a licence has been granted under this regulation to store any such semen as aforesaid in accordance with such conditions as he may specify.

(3) A veterinary surgeon who holds a licence under this regulation may himself perform the operation of the artificial insemination of a sow with semen to which the licence relates but shall not cause or permit any person other than another veterinary surgeon to perform that operation on such a sow.

(4) Any licence granted under this regulation shall be subject to the following provisions of these regulations and such other conditions as may be specified in it and shall remain in force for such period as may be so specified.

Licences to other persons

7. The Secretary of State may grant a licence to any person, other than a person maintaining an artificial insemination centre, to distribute or sell semen collected from a boar owned by that person to other persons or classes of persons specified in the licence, subject to compliance with such conditions as may be specified in the licence.

Provisions relating to animal health

8.—(1) Semen, whether permitted semen or otherwise, shall not without the written consent of a veterinary officer of the Minister of Agriculture, Fisheries and Food authorised for the purpose by the Secretary of State be—

(*a*) used for insemination in a prohibited area ;

(*b*) despatched from any part of an artificial insemination centre which lies in a prohibited area ; or

(*c*) moved out of a prohibited area ;

Provided that semen may be used without such consent as aforesaid to inseminate a sow in a prohibited area if the semen is in the same ownership as the sow and has never left the possession of the owner.

(2) In this regulation " prohibited area " means—

(*a*) an infected area within the meaning of the Diseases of Animals Act 1950(**a**) for the purpose of preventing the spread of foot-and-mouth disease ; or

(*b*) an infected place within the meaning of the said Act for the purpose of preventing the spread of swine fever ; or

(*c*) premises in relation to which the movement of swine is restricted by virtue of a notice under any order made under the said Act and relating to foot-and-mouth disease or swine fever.

Restriction on distribution and sale of unsuitable semen

9.—(1) If, in the case of any boar, the Secretary of State gives a written direction to a person in that behalf, semen collected from the boar shall not be distributed or sold by him.

(2) A direction under this regulation shall remain in force until such date as the Secretary of State may specify in the direction or until revoked by him in writing.

Duty to keep records

10.—(1) The holder of a licence granted under these regulations shall—

(*a*) keep such records as are set out in the Schedule hereto ;

(*b*) retain each entry in the records for two years after it is made ; and

(*c*) produce all such records for inspection by a veterinary officer of the Minister of Agriculture, Fisheries and Food or an officer of the Secretary of State (being, in either case, an officer authorised by the Secretary of State for the purpose) at any reasonable hour on request.

(2) The holder of a licence granted under regulation 4 of these regulations shall, at such dates as the Secretary of State may direct in writing, make in such form and in relation to such matters as may be so directed, returns of a statistical nature bearing on the operation of the centre to which the licence relates.

Michael Noble,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
23rd July 1964.

(**a**) 14 Geo. 6. c. 36.

Regulation 10

SCHEDULE

Records to be Kept by Licence Holders

1. The following records shall be kept of each distribution or sale of semen by the holder of the licence:—

(1) The date of distribution (otherwise than by direct insemination) or sale.

(2) The name and address of the acquirer.

2. The following records shall be kept of each insemination carried out under the authority of the licence:—

(1) The name and address of the owner of the sow.

(2) The date and place of insemination.

(3) The address at which the sow is normally kept.

(4) Particulars in relation to the sow—

(*a*) breed or type;

(*b*) colour;

(*c*) earmarks (if any).

(5) The name and breed of the boar from which the semen was collected.

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 2nd November 1964, are made under section 17 of the Agriculture (Miscellaneous Provisions) Act 1943. They prohibit the distribution or sale of boar semen without a licence from the Secretary of State except in three cases: insemination of a sow with semen owned by the same person, sale or transfer of semen by the old owner to the new owner of the boar, and delivery to and redelivery from a veterinary surgeon or practitioner or an artificial insemination centre for the purpose of storage.

Special provision is made for the licensing and regulation of artificial insemination centres for pigs, and for enabling the Secretary of State to prohibit the distribution or sale of unsuitable semen by a person, whether he holds a licence or not. Restrictions are placed on the collection, movement and use of semen in certain areas subject to animal health restrictions in connection with the control of foot-and-mouth disease and swine fever.