1969 No. 1138

AGRICULTURE

LIVESTOCK INDUSTRIES

The Licensing of Boars (England and Wales) (Amendment) Regulations 1969

Made - - -	*4th August* 1969
Laid before Parliament	*15th August* 1969
Coming into Operation	*22nd August* 1969

The Minister of Agriculture, Fisheries and Food, in pursuance of sections 2, 4, 5 and 11 of the Improvement of Live Stock (Licensing of Bulls) Act 1931(**a**), as amended and applied to boars by section 6 of the Agriculture (Miscellaneous Provisions) Act 1944(**b**) and extended by section 16 of the Agriculture (Miscellaneous Provisions) Act 1963(**c**), and of all his other enabling powers, with the approval of the Treasury as to fees, hereby makes the following regulations :—

Citation, commencement and interpretation

1.—(1) These regulations, which may be cited as the Licensing of Boars (England and Wales) (Amendment) Regulations 1969, shall come into operation on 22nd August 1969.

(2) In these regulations the expression "the principal regulations" means the Licensing of Boars (England and Wales) Regulations 1956(**d**), as amended (**e**).

(3) The Interpretation Act 1889(**f**) shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

Distinction between special and general permits

2. Regulation 3(1) of the principal regulations shall be amended as follows:—

(*a*) after the definition of "the Act" the following definition shall be inserted:

'"general permit" means any permit other than a special permit;'

(**a**) 1931 c. 43.
(**b**) 1944 c. 28.
(**c**) 1963 c. 11.
(**d**) S.I. 1956/1428 (1956 I, p. 188).
(**e**) S.I. 1964/128 (1964 I, p. 240).
(**f**) 1889 c. 63.

(*b*) after the definition of "permit" the following definition shall be inserted:

'"special permit" means a permit which, by virtue of the proviso to section 4(4) of the Act as extended to boars (which authorises the granting of permits in respect of boars kept for zoological or experimental purposes), does not include a condition that the boar to which it relates shall not be allowed to serve a sow;'

Inspection not required before a general permit is granted

3. Regulation 8 of the principal regulations (which imposes conditions as to inspection and marking of boars before the grant of a licence or permit) shall be amended in line 2 by insertion of the word "special" before the word "permit".

Alterations in fees

4. For regulation 14 of the principal regulations there shall be substituted the following regulation:—

"**14.**—(1) Fees of the following amounts shall be payable to the Minister in respect of licences, permits and inspections by referees—

(*a*) in respect of a licence to keep a boar	£1 15s.
(*b*) in respect of a special permit	£1 15s.
(*c*) in respect of a duplicate of any licence or permit	5s.
(*d*) in respect of an inspection by a referee—	
(i) except as otherwise prescribed below, for each boar	£7
(ii) where two boars owned by the same person are to be inspected by the same referee at the same premises at the same time, for each boar	£6
(iii) where three or more boars owned by the same person are to be inspected by the same referee at the same premises at the same time, for each boar	£5

Provided that no fee shall be payable in respect of—

(*a*) a licence or special permit to keep a boar where at the time of application therefor a licence or special permit issued by the Secretary of State in respect of Scotland is in force in relation to that boar;

(*b*) a special permit to keep a boar where the prescribed fee has been paid in respect of a licence to keep that boar, and such licence has been refused.

(2) The prescribed fee shall be remitted to the Ministry with the corresponding application.

(3) If, before the inspection referred to in Regulation 8(*a*) or Regulation 13(1) hereof takes place, the relative application for a licence or special permit or for a referee's inspection is withdrawn by the applicant, the Ministry may return the fee to him."

Alterations to forms

5. Schedule 1 to the principal regulations (as amended) shall be further amended as follows :—

(*a*) in Form 1, for "£1 1s." there shall be substituted "£1 15s." ;

(*b*) for Form 2 and Form 4 respectively there shall be substituted the forms referred to as "Form 2" and "Form 4" in the Schedule to these regulations ;

(*c*) in Form 6, for "£5 5s." wherever it occurs, there shall be substituted "£7", for "£4 4s.", "£6", and for "£3 3s.", "£5".

Alterations to list of approved pig breeding societies

6. In Schedule 2 to the principal regulations the references to the Essex Pig Society and the National Long White Lop-Eared Pig Society shall be deleted.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 28th July 1969.

(L.S.) *Cledwyn Hughes,*
Minister of Agriculture, Fisheries and Food.

Approved on 4th August 1969.

E. Alan Fitch,
B. K. O'Malley,
Two of the Lords Commissioners of Her Majesty's Treasury.

SCHEDULE Regulation 5.

FORM 2

MINISTRY OF AGRICULTURE, FISHERIES AND FOOD

Improvement of Live Stock (Licensing of Bulls) Act 1931

Licensing of Boars (England and Wales) Regulations 1956

APPLICATION FOR A PERMIT TO KEEP AN UNLICENSED BOAR

Name of boar Breed or type Date of birth

(day) (month) 19 (year)

Earmarks

Full postal address of premises at which boar is to be kept

County Nearest town or village and distance from farm miles

Parish

Full name of owner (in BLOCK LETTERS)
Address (if different from premises above)

I hereby apply for a $\frac{\text{*special permit (see Note (1))}}{\text{general permit (see Note (2))}}$ to keep the unlicensed boar described above until 19 for the purpose of

I enclose *cheque/postal order/money order for £1 15s. (see Note (3)) in payment of the prescribed fee.

I am the *owner/agent for the owner of the boar.
Full name of applicant (in BLOCK LETTERS)
(if different from owner above)
Address

Telephone No.

Date 19 Signature

*Strike out words that do not apply.

NOTES:

(1) A *special permit* is a permit granted to keep a boar for zoological or experimental purposes which, by virtue of the exemption conferred by the proviso to section 4(4) of the Act, does not include a condition that the boar shall not be allowed to serve a sow or gilt.

(2) A *general permit* is a permit which includes a condition that the boar must not be allowed to serve any sow or gilt.

(3) The prescribed fee for a special permit is £1 15s. A fee is not required for a general permit, nor if the prescribed fee has been paid in respect of an application for a licence that has been refused.

FORM 4

No.

MINISTRY OF AGRICULTURE, FISHERIES AND FOOD

Improvement of Live Stock (Licensing of Bulls) Act 1931

Licensing of Boars (England and Wales) Regulations 1956

*SPECIAL/GENERAL PERMIT TO KEEP AN UNLICENSED BOAR

Name of boar

Breed or type

Date of birth

Earmarks

The Minister of Agriculture, Fisheries and Food hereby permits the unlicensed boar described above belonging to.....

to be kept at.....until.....

for the purpose of.....

subject to the following conditions:—

Dated this day of 19

Secretary

*Strike out words that do not apply.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations further amend the Licensing of Boars (England and Wales) Regulations 1956. The principal changes are:—

(1) a distinction is made between special permits, which allow breeding, and general permits, which do not;

(2) fees for licences, special permits and referees' inspections have been increased, but there will be no fee for a general permit;

(3) the fee can be returned if an application is withdrawn either orally or in writing before the boar is inspected; hitherto the withdrawal has had to be in writing;

(4) a general permit can be issued without inspection of the boar; and

(5) the Essex Pig Society and the National Long White Lop-Eared Pig Society are removed from the list of approved pig breeding societies.