

1988 No. 339

ANIMALS

**Artificial Insemination of Cattle Regulations
(Northern Ireland) 1988***Made 20th September 1988**Coming into operation 1st October 1988*

The Department of Agriculture, in exercise of the powers conferred on it by Article 5(1) and (2) of the Artificial Reproduction of Animals (Northern Ireland) Order 1975(a), and of every other power enabling it in that behalf, hereby makes the following regulations:

PART I

INTRODUCTORY

Citation and commencement

1. These regulations may be cited as the Artificial Insemination of Cattle Regulations (Northern Ireland) 1988 and shall come into operation on 1st October 1988.

Interpretation

2. In these regulations—

“approved” means approved by the Department in writing;

“approved bull” means a bull approved by the Department under regulation 10(1);

“artificial insemination service” means the provision, for reward, of the services of the holder of a commercial inseminator licence for the purposes of the artificial insemination of cows on farms for or on behalf of their owner;

“collect” means to obtain semen from a bull by any means but does not include the collection of semen by a veterinary surgeon for the purposes of assessing its suitability for use in artificial insemination;

“commercial inseminator licence” means a licence granted under regulation 3(1)(a);

“cow” includes heifer;

“distribution licence” means a licence granted under regulation 8(1)(a);

“farm inseminator licence” means a licence granted under regulation 3(1)(b);

“farm storage licence” means a licence granted under regulation 5(1)(c);

(a) S.I. 1975/1834 (N.I. 17)

“partially processed” means the partial processing of semen by means of one or more of the processes listed at (a), (b), (c) and (d) in the definition of “processing”;

“processing” means the processing of semen by means of—

(a) dilution;

(b) the addition of any substance which is calculated to prolong its natural life;

(c) the addition of any antibiotic or antimicrobial substance for the purpose of promoting and safeguarding animal health;

(d) packaging it into straws;

(e) freezing; and

(f) storing it after freezing in a quarantine storage depot for 30 days, or such other period as the Department may direct in writing;

“processing centre” means premises specified in and approved for the purposes of a processing centre licence;

“processing centre licence” means a licence granted under regulation 7;

“quarantine storage depot” means premises specified in and approved for the purposes of a quarantine storage depot licence;

“quarantine storage depot licence” means a licence granted under regulation 6(1);

“raw semen” means semen which is neither processed nor partially processed;

“semen” means semen from a bull;

“semen shop” means premises specified in and approved for the purposes of a semen shop licence;

“semen shop licence” means a licence granted under regulation 5(1)(b);

“special movement licence” means a licence granted under regulation 8(1)(b) or (3)(b);

“storage centre” means premises, which may be a main store (whether operated by the holder of a supply licence or otherwise) or a supply centre store, and which are specified in and approved for the purposes of a storage centre licence;

“storage centre licence” means a licence granted under regulation 5(1)(a);

“supply licence” means a licence granted under regulation 4(1);

“the 1975 Order” means the Artificial Reproduction of Animals (Northern Ireland) Order 1975;

“the 1976 Regulations” means the Artificial Insemination (Cattle) Regulations (Northern Ireland) 1976(a); and

“veterinary surgeon” means a person registered in the register of veterinary surgeons.

PART II

LICENCES

Licences to practice artificial insemination

3.—(1) Subject to paragraph (6), a person shall not artificially inseminate a cow with processed semen except under and in accordance with the conditions of—

- (a) a commercial inseminator licence; or
- (b) a farm inseminator licence,

granted by the Department.

(2) The Department shall not grant a commercial inseminator licence unless the applicant is properly trained to the satisfaction of the Department and is an employee of the holder of a supply licence.

(3) The Department shall not grant a farm inseminator licence unless the applicant has to the satisfaction of the Department completed an approved course in the practice of artificial insemination and is—

- (a) the holder of a farm storage licence;
- (b) a member of the immediate family of the holder of a farm storage licence and is normally resident with him; or
- (c) a full-time employee of the holder of a farm storage licence.

(4) A farm inseminator licence—

- (a) shall authorise the holder to perform artificial insemination on cows only in the herd specified in the licence; and
- (b) shall not authorise the holder to artificially inseminate cows for reward.

(5) A person shall not be the holder concurrently of a commercial inseminator licence and a farm inseminator licence.

(6) The prohibition in paragraph (1) shall not apply to a veterinary surgeon who artificially inseminates a client's cow for therapeutic reasons.

Licence to provide an artificial insemination service

4.—(1) A person shall not provide an artificial insemination service except under and in accordance with the conditions of a supply licence granted by the Department.

(2) A supply licence shall authorise the holder to provide an artificial insemination service from premises specified in and approved for the purposes of that licence.

Licences to store semen

5.—(1) A person shall not store processed semen, or cause or permit processed semen to be stored, except under and in accordance with the conditions of—

- (a) a storage centre licence;
- (b) a semen shop licence;
- (c) a farm storage licence; or

(d) a quarantine storage depot licence, granted by the Department.

(2) A semen shop licence shall authorise the holder to store processed semen in premises specified in and approved for the purposes of that licence and to distribute such semen at those premises to a person who is the holder of a farm inseminator licence or a farm storage licence.

(3) A farm storage licence shall authorise the holder to store on a farm owned or occupied by him and specified in that licence processed semen which is to be used in the artificial insemination of cows owned by him.

(4) A storage centre licence shall authorise the holder to store processed semen in premises specified in and approved for the purposes of that licence.

Licence to operate a quarantine storage depot

6.—(1) A person shall not store frozen semen in quarantine except under and in accordance with the conditions of a quarantine storage depot licence granted by the Department.

(2) A quarantine storage depot licence shall authorise the holder in premises specified in and approved for the purposes of that licence—

- (a) to store in quarantine for such period as the Department may direct in writing semen which is imported under and in accordance with the conditions of a licence granted by the Department under Article 6(1) of the 1975 Order; or
- (b) to store in quarantine after freezing for 30 days or for such other period as the Department may direct in writing semen which is collected at a processing centre and which is processed by means of all the processes listed at (a) to (e) in the definition of “processing”.

Licence to operate a processing centre

7. A person shall not—

- (a) keep an approved bull for the purposes of collecting semen therefrom;
- (b) collect semen for processing; or
- (c) process semen,

for the purposes of using that semen in the artificial insemination of a cow except under and in accordance with the conditions of a processing centre licence granted by the Department.

PART III

DISTRIBUTION AND USE OF SEMEN

Distribution of semen

8.—(1) A person shall not distribute processed semen, or cause or permit processed semen to be distributed except under and in accordance with the conditions of—

- (a) a distribution licence;
- (b) a special movement licence; or

(c) a semen shop licence, granted by the Department.

(2) A distribution licence may only authorise the holder to distribute processed semen directly to—

(a) a quarantine storage depot;

(b) a storage centre;

(c) a semen shop; or

(d) a place outside Northern Ireland.

(3) A person shall not distribute, or cause or permit to be distributed raw or partially processed semen except—

(a) between processing centres under and in accordance with the conditions of a processing centre licence; or

(b) under and in accordance with the conditions of a special movement licence granted by the Department.

Use of semen

9.—(1) A person shall not use processed semen in the artificial insemination of a cow unless it has been obtained directly from a storage centre or a semen shop and it has been distributed in accordance with a distribution licence, a special movement licence or a semen shop licence.

(2) Subject to regulation 16, a person shall not use raw or partially processed semen in the artificial insemination of a cow.

PART IV

APPROVAL OF BULLS

Approval of bulls for artificial insemination purposes

10.—(1) A person shall not keep a bull, or cause or permit a bull to be kept, for the purposes of collecting and processing semen therefrom for use in the artificial insemination of a cow except it is approved by the Department for that purpose.

(2) The Department may require an applicant for the approval of a bull under paragraph (1) to permit or cause the bull to be subjected to such isolation and to such tests, examinations or inspections, and to furnish to the Department such information, as it may deem necessary to enable it to determine whether or not to grant the application.

(3) In determining whether or not to grant any application for the approval of a bull the Department—

(a) shall have regard to—

(i) the health and physical characteristics of the bull; and

(ii) any abnormalities or defects of any kind in its progeny; and

(b) may have regard to the health of any other cattle with which the bull has or may have been in contact.

(4) Where the Department has approved a bull under paragraph (1) it may require that—

- (a) the bull be subjected to such further isolation and to such further tests, examinations or inspections as the Department may deem necessary; and
- (b) the amount of semen collected and processed from the bull—
 - (i) be restricted to a quantity specified in the approval; and
 - (ii) be used in the artificial insemination only of cows in such herd or herds as may be specified in the approval.

11. Where the owner of an approved bull or the owner of any semen from such a bull knows or suspects that any progeny of that bull has shown any sign of abnormality or defect, that person shall as soon as practicable inform the Department in writing and if so directed by the Department in writing he shall inform any other person who he knows to be in possession of semen from that bull.

12. The owner of an approved bull shall inform the Department of the death of such bull as soon as practicable thereafter and shall give the circumstances in which it occurred including the results of any postmortem examination.

13. The owner of an approved bull shall inform the Department of any change of ownership of the bull as soon as practicable thereafter.

14.—(1) The Department may at any time by notice on the owner of an approved bull and to any other person it may deem appropriate—

- (a) modify, suspend or revoke any condition subject to which the bull was approved or may subject the approval to any new condition it may consider appropriate; or
- (b) suspend or revoke the approval.

(2) Where the Department has suspended or revoked the approval of a bull under paragraph (1)(b) a person who has been notified of such suspension or revocation shall not use or supply for use in the artificial insemination of a cow such semen collected from that bull as the Department may specify in the notice, except with the consent of the Department in writing.

15.—(1) The Department may by notice on the owner of an approved bull and on any other person it may deem appropriate, prohibit the use in the artificial insemination of a cow of any semen collected from that bull where in the opinion of the Department it appears necessary to do so in order to safeguard animal health or welfare, having regard to the result of any test, examination or inspection of the bull or of any information relating to its progeny.

(2) Any notice issued under paragraph (1) may require that the prohibition shall apply to semen collected during a period specified in that notice, and may require that any person to whom the notice was given shall inform any other person whom he knows to be in possession of semen from that bull which was collected within that period.

PART V

GENERAL PROVISIONS

Application of regulations

16.—(1) These regulations shall not apply to anything done by a permitted person in the course of or for the purpose of the artificial insemination of a cow with raw or partially processed semen which has been collected by such person where, at the time of such insemination, the cow is—

- (a) owned by the same person and kept in the same herd as the bull from which the semen is collected; and
 - (b) kept on land occupied by the owner of the bull.
- (2) In paragraph (1) “permitted person” means—
- (a) the owner of the bull from which semen is collected;
 - (b) a person who is—
 - (i) a regular full-time employee of the owner of the bull; or
 - (ii) a member of the immediate family of the owner of the bull and normally resident with him;
 - (c) a veterinary surgeon; or
 - (d) a person who is licensed to practice ova transplantation in cattle under the Transplantation of Ova (Animals) Regulations (Northern Ireland) 1978(a).

(3) These regulations shall not apply to anything done by any person for the purposes of education or research in an educational or research establishment provided that semen is not used at any time in the artificial insemination of a cow.

Transitional provisions

17.—(1) Subject to paragraph (2)—

- (a) any semen storage licence issued by the Department under regulation 7 of the 1976 Regulations shall be deemed to be a valid semen shop licence for the purposes of these regulations;
- (b) any licence to practice artificial insemination issued by the Department under regulation 4 of the 1976 Regulations (“a DIY licence”) shall be deemed to be a valid farm inseminator licence for the purposes of these regulations;
- (c) where the holder of a DIY licence was the owner of a herd specified thereon and immediately before the coming into operation of these regulations stored processed semen on his farm in accordance with the conditions of that licence, that licence shall also be deemed to be a farm storage licence for the purposes of these regulations.

(2) Any licence held by virtue of paragraph (1) shall be revoked as follows—

- (a) in the case of a semen shop licence, on 31st March 1989; and
- (b) in the case of a farm inseminator licence and a farm storage licence, on 31st December 1988.

Revocation

18. The Artificial Insemination (Cattle) Regulations (Northern Ireland) 1976 and the Artificial Insemination (Cattle) (Amendment) Regulations (Northern Ireland) 1981(a) are hereby revoked.

Sealed with the Official Seal of the Department of Agriculture on 20th September 1988.

(L.S.)

... *D. A. J. Hirrell*

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations, made under Article 5 of the Artificial Reproduction of Animals Order (Northern Ireland) 1975 ("the 1975 Order"), revoke and replace the Artificial Insemination (Cattle) Regulations (Northern Ireland) 1976 as amended by the Artificial Insemination (Cattle) (Amendment) Regulations (Northern Ireland) 1981. They provide for a new system of control of the practice of the artificial insemination of cattle and the provision of a commercial artificial insemination service following the disengagement by the Department of Agriculture from the provision of the Artificial Insemination Service to farmers in Northern Ireland.

The Regulations prohibit the artificial insemination of cattle except by—

- (a) licensed technicians employed by a commercial artificial insemination service licensed by the Department of Agriculture; or
- (b) an individual who is the holder of a farm inseminator licence granted by the Department entitling him to inseminate cows only in a particular herd specified in his licence (Regulations 3 and 4).

The Regulations also prohibit the storage of semen except in certain licensed premises. Licences are also required for the distribution of semen from those premises (Regulations 5 and 8).

Semen may only be used in artificial insemination where it has been obtained from licensed premises and distributed in accordance with the Regulations. Furthermore, only processed semen may be used except in the case of artificial insemination with semen from a bull in the same herd as the cows that are inseminated (Regulations 9 and 16(1) and (2)).

Processed semen may be imported in accordance with the conditions of a licence granted under the 1975 Order or produced in Northern Ireland in licensed processing centres and processed and quarantined in accordance with these Regulations (Regulations 6 and 7).

The Regulations also make provision for the approval by the Department of bulls whose semen may be used in artificial insemination, and for the suspension and revocation of those approvals (Regulations 10 to 15).

The Regulations do not apply to anything done for the purposes of education or research provided that semen is not used at any time in the artificial insemination of a cow (Regulation 16(3)).

The Regulations temporarily continue in force certain licences issued under the 1976 Regulations (Regulation 17).

Any person who fails to comply with any condition subject to which a licence under these Regulations is granted, who contravenes any provision of these Regulations or knowingly or recklessly makes a statement false in a material particular for the purposes of obtaining a licence under these Regulations shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £2,000.