

1989 No. 2

AGRICULTURE

**Artificial Insemination of Cattle (Assistance) Scheme
(Northern Ireland) 1989**

Made 3rd January 1989

Coming into operation 3rd February 1989

The Department of Agriculture, in exercise of the powers conferred on it by sections 1(1) and 2(1) of the Agriculture (Temporary Assistance) Act (Northern Ireland) 1954(a) and of every other power enabling it in that behalf, with the approval of the Department of Finance and Personnel(b), hereby makes the following Scheme:—

Citation and commencement

1. This Scheme may be cited as the Artificial Insemination of Cattle (Assistance) Scheme (Northern Ireland) 1989 and shall come into operation on 3rd February 1989.

Interpretation

2.—(1) In this Scheme:—

“the Act” means the Agriculture (Temporary Assistance) Act (Northern Ireland) 1954;

“approved semen” means processed semen which—

(a) is from a bull of such beef breed as the Department has approved for the purposes of Article 5, and

(b) has been collected, stored, distributed and used in accordance with the 1988 Regulations;

“authorised officer” means an officer of the Department authorised for the purposes of Article 9;

“beef breed” means any breed of cattle intended for meat production;

“Department” means the Department of Agriculture;

“insemination fee” means the fee charged to the owner of a cow by the holder of a supply licence for the provision to him of an artificial insemination service;

“payment” means a payment under section 1(1) of the Act made in accordance with this Scheme;

“quarter” means any period of 3 months, ending on 31st March, 30th June, 30th September or 31st December; and

(a) 1954-c. 31 (N.I.) as amended by 1957 c. 3 (N.I.) and S.I. 1984/702 (N.I. 2) Art. 7

(b) Formerly the Department of Finance: see S.I. 1982/338 (N.I. 6) Art. 3

“the 1988 Regulations” means the Artificial Insemination of Cattle Regulations (Northern Ireland) 1988(a);

(2) Other expressions used in this Scheme have the same meaning as in the 1988 Regulations.

Payments

3. For the purpose of assisting the agricultural industry in Northern Ireland and for the benefit (whether direct or indirect) of farmers producing cattle, the Department may, on application made to it, make payments, in accordance with and subject to the provisions of this Scheme, towards the cost of the artificial insemination of a cow carried out in accordance with Article 5.

Rates of payment

4. The Department shall determine and publish the rate of payments.

Artificial inseminations eligible for payments

5. Payments may be made towards the cost of the artificial insemination of cows with approved semen:—

- (a) by the holder of a farm inseminator licence carried out under the authority and in accordance with the conditions of that licence; or
- (b) by the holder of a commercial inseminator licence carried out under the authority and in accordance with the conditions of that licence.

Applications for payments

6.—(1) Where a cow has been artificially inseminated in accordance with Article 5(a), the owner of that cow may apply to the Department for a payment.

(2) Where a cow has been artificially inseminated in accordance with Article 5(b) the holder of the supply licence who supplied the services of the person who carried out that insemination may apply to the Department for a payment provided the amount of any insemination fee payable to him for that insemination has been reduced by the amount of the payment he expects to receive.

7.—(1) Applications for a payment shall be in such form and contain such information as the Department may determine.

(2) Each application under Article 6(1) shall be made for all the payments for which the applicant is eligible in a quarter.

(3) Each application under Article 6(2) shall be made for all the payments for which the applicant is eligible in a month.

(4) The Department shall not make a payment in any case where the application therefor is received more than 28 days after the end of the period to which it relates.

Records

8.—(1) For the purposes of securing the due administration of this Scheme and for preventing fraud in connection with this Scheme;

- (a) any person who applies for a payment under Article 6(1) shall keep a record of the information specified in Part I of the Schedule;
- (b) any person who applies for a payment under Article 6(2) shall keep a record of the information specified in Part II of the Schedule.

(2) The records required to be kept under paragraph (1) shall be retained for a period of 3 years from the date of the payment to which they relate.

Powers of entry and inspection

9.—(1) Any person who has received a payment during the previous 3 years shall permit an authorised officer, on production if requested of his authority, at all reasonable times to enter any premises owned or occupied by him, where records are kept in pursuance of Article 8 and to inspect those records.

(2) An authorised officer shall be entitled to make copies of any entries in the records inspected pursuant to paragraph (1).

Recovery of payments

10.—(1) Where any person, with a view to obtaining a payment to himself or to another person—

- (a) makes a statement which is untrue or misleading in material particular; or
- (b) furnishes the Department with inaccurate information;

the Department shall be entitled to recover on demand as a civil debt the whole or any part of that payment.

(2) Where any person to whom Article 9 applies fails to comply with the provisions of that Article the Department shall be entitled to recover on demand as a civil debt the whole or any part of a payment made to him during the three years immediately preceeding such failure.

Sealed with the Official Seal of the Department of Agriculture on 3rd January 1989.

(L.S.)

D. A. J. Hirrell

Assistant Secretary

The Department of Finance and Personnel hereby approves the foregoing Scheme.

Sealed with the Official Seal of the Department of Finance and Personnel on 3rd January 1989.

(L.S.)

Joan O. M. Frame

Assistant Secretary

Information to be kept by an Applicant for Payments**PART I**

1. For the purposes of Article 8(1)(a), the following information is specified in respect of each artificial insemination of a cow:

- (a) the date on which the artificial insemination was conducted;
- (b) the ear-tag number or tattoo mark of the cow artificially inseminated;
- (c) the name and breed of the bull whose semen was used in the artificial insemination;
- (d) the name of the person who conducted the artificial insemination and his farm inseminator licence number.

PART II

2. For the purposes of Article 8(1)(b), the following information is specified in respect of each artificial insemination of a cow:

- (a) the name and address of the owner of the herd in which the artificial insemination was conducted;
- (b) the identification number of that herd;
- (c) the ear-tag number or tattoo mark of the cow artificially inseminated;
- (d) the date on which the artificial insemination was conducted;
- (e) the name and breed of the bull whose semen was used in the artificial insemination; and
- (f) the name of the holder of the commercial inseminator licence who conducted the insemination.

EXPLANATORY NOTE

(This note is not part of the Scheme.)

This Scheme provides for a system to control and administer the payment of financial assistance to cattle producers who artificially inseminate their cows. It provides that such assistance is payable in the case of artificial insemination of cows carried out by:

- (a) an individual who is the holder of a farm inseminator licence granted by the Department of Agriculture ("the Department") entitling him to inseminate cows only in a particular herd specified in his licence (Article 5(a)); or
- (b) licensed technicians employed by a commercial artificial insemination service licensed by the Department (Article 5(b)),

where that insemination is carried out with processed semen from bulls of certain beef breeds approved by the Department for the purpose which has been collected, stored, distributed and used in accordance with the Artificial Insemination of Cattle Regulations (Northern Ireland) 1988.

Where assistance is payable under Article 5(a), the owner of the cattle inseminated is eligible for the payment. Where it is payable under Article 5(b) the holder of the commercial inseminator's licence is eligible for the payment provided he passes the benefit of that payment on to the owner of the cattle inseminated in the form of a reduced fee (Article 6).

The Scheme also provides for:

- (a) the Department to set and publish the rates of payment (Article 4);
- (b) the form of applications (Article 7(1)) and the period to which they must relate (Article 7(2) and (3));
- (c) the time-limit for making applications (Article 7(4));
- (d) the records an applicant for payments is required to keep (Article 8(1) and the Schedule);
- (e) the period for which those records are required to be retained (Article 8(2));
- (f) the powers of entry and inspection of an authorised officer of the Department (Article 9); and
- (g) the recovery of payment in certain cases (Article 10).

Application forms are available from the Department at Dundonald House, Upper Newtownards Road, Belfast BT4 3SB.