
STATUTORY INSTRUMENTS

1984 No. 1325

AGRICULTURE

LIVESTOCK INDUSTRIES

The Importation of Bovine Semen Regulations 1984

Made - - - 17th August 1984

Laid before Parliament 23rd August 1984

Coming into Operation 13th September 1984

The Minister of Agriculture, Fisheries and Food, in relation to England, the Secretary of State for Scotland, in relation to Scotland, and the Secretary of State for Wales, in relation to Wales, in exercise of the powers conferred on them by section 10 of the Animal Health and Welfare Act 1984(a) and of all other powers enabling them in that behalf, hereby make the following regulations:—

Title and Commencement

1. These regulations may be cited as the Importation of Bovine Semen Regulations 1984 and shall come into operation on 13th September 1984.

Interpretation

2. In these regulations —

“the Act” means the Animal Health and Welfare Act 1984;

“appropriate Minister” means, in relation to England, the Minister of Agriculture, Fisheries and Food and, in relation to Scotland or to Wales, the Secretary of State;

“authorised officer” means an officer of the appropriate Minister;

“licence” means a licence issued under regulation 3(1) of these regulations;

“semen” means semen collected from a bull.

Prohibition of importation of semen except under licence

3.—(1) The importation into Great Britain of any semen is hereby prohibited except under the authority of a licence in writing issued by the appropriate Minister and in accordance with the conditions, if any, of that licence.

(2) The appropriate Minister may modify, revoke or suspend a licence by a notice in writing served on the person to whom the licence was issued.

(a) 1984 c.40.

Action in case of contravention of the regulations

4.—(1) An authorised officer may seize and detain, or cause to be seized and detained, any semen imported, or which appears to him to have been imported, in contravention of any provision of these regulations or any conditions of a licence.

(2) Any semen seized and detained under paragraph (1) of this regulation shall be detained at the owner's risk in such place and manner as an authorised officer may determine.

(3) Where any semen is imported in contravention of any provision of these regulations or any conditions of a licence an authorised officer may by notice in writing served on the owner or the person in charge of the semen require him, at the owner's expense —

- (a) to destroy the semen; or
- (b) to take the semen out of Great Britain; or
- (c) to deal with the semen in such other way,

as may be specified in the notice and in such manner and within such time and according to such conditions as may be so specified.

(4) Where the owner or the person in charge of the semen fails to comply with the requirements of a notice served under paragraph (3) of this regulation an authorised officer may, without prejudice to any proceedings for an offence arising out of such failure, seize or cause to be seized the semen to which the notice relates and destroy it or cause it to be destroyed.

(5) The provisions of this regulation extend to any container in which semen is carried.

Miscellaneous provisions

5.—(1) No compensation shall be payable to any person in respect of any semen or container seized, detained, destroyed, taken out of Great Britain or otherwise dealt with under regulation 4 above.

(2) Any reasonable expenses arising out of or in connection with the exercise of any power conferred on an authorised officer by these regulations shall, without prejudice to any proceedings for any offence against the Act, be recoverable on demand by the appropriate Minister as a civil debt from the owner or the person in charge of the semen in respect of which the power was exercised.

(3) Any reasonable expenses incurred by the person in charge of the semen in complying with a notice served under regulation 4(3) above, and any expenses he has incurred by virtue of paragraph (2) of this regulation, shall be recoverable on demand by him as a civil debt from the owner of the semen in respect of which the notice was served.

(4) An authorised officer may modify, revoke or suspend a notice served under regulation 4(3) above by a notice in writing served on the person on whom the notice to be modified, revoked or suspended was served.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 8th August 1984.

(L.S.)

Michael Jopling,
Minister of Agriculture, Fisheries and Food.

George Younger,
Secretary of State for Scotland.

14th August 1984.

Nicholas Edwards,
Secretary of State for Wales.

17th August 1984.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations prohibit the importation into Great Britain of bovine semen except under the authority of a licence.

Regulation 4 enables officers of the appropriate Minister to take action in the case of contravention of a provision of the regulations or of a condition of a licence, including the seizure and destruction of the semen in respect of which the contravention has occurred. This is without prejudice to any court proceedings for an offence arising out of the contravention of the regulations under section 10(6) of the Animal Health and Welfare Act 1984.

The importation of bovine semen was previously regulated by licences under section 17(3) of the Agriculture (Miscellaneous Provisions) Act 1943 (c.16). Section 17 of the 1943 Act was repealed by the Animal Health and Welfare Act 1984 but by virtue of section 11(3) of the latter Act any licence issued under section 17(3) of the 1943 Act continues to have effect as if issued under these regulations.

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