

1984 No. 1326

ANIMALS

ANIMAL HEALTH

**The Importation of Embryos, Ova and Semen (Amendment) Order
1984**

<i>Made - - - -</i>	17th August 1984
<i>Laid before Parliament</i>	23rd August 1984
<i>Coming into Operation</i>	13th September 1984

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred on them by sections 1 and 10(1), (2) and (4) of the Animal Health Act 1981(a), and of all other powers enabling them in that behalf, hereby order as follows:—

Title and commencement

1. This Order may be cited as the Importation of Embryos, Ova and Semen (Amendment) Order 1984 and shall come into operation on 13th September 1984.

Amendment of principal order

2.—(1) The Importation of Embryos, Ova and Semen Order 1980(b) shall be amended in accordance with the following provisions of this article.

(2) In article 4 (prohibition of landing of embryos, ova or semen), for paragraph (2) there shall be substituted the following paragraph—

“(2) The prohibition in paragraph (1) above shall not apply to the landing of any embryos, ova or semen which are imported into Great Britain under the authority of a licence issued under regulations made under section 10 of the Animal Health and Welfare Act 1984(c) for the time being in force(d)”.

(3) After article 5 there shall be inserted the following article—

“Action in case of disease

5A.—(1) When a veterinary inspector suspects that any embryos, ova or semen—

(a) which have been landed in Great Britain, or

(a) 1981 c. 22. (b) S.I. 1980/12. (c) 1984 c. 40.
(d) The relevant regulations currently in force are the Importation of Bovine Semen Regulations 1984 (S.I. 1984/1325).

(b) which may have been in contact with embryos, ova or semen so landed, are or may be affected with disease, he may by notice in writing served on the owner or person in charge thereof require him, at the owner's expense and as the person on whom the notice is served may elect—

(a) to destroy such embryos, ova or semen in such manner and within such period as may be specified in the notice; or

(b) to export such embryos, ova or semen in such manner and within such period as may be specified in the notice.

(2) Where the owner or person in charge of the embryos, ova or semen fails to comply with the requirements of a notice served under paragraph (1) above, a veterinary inspector may, without prejudice to any proceedings for an offence arising out of such failure, seize or cause to be seized the embryos, ova or semen to which the notice relates and carry out or cause to be carried out the requirements of the notice.

(3) In this article the powers of a veterinary inspector in relation to any embryos, ova or semen extend to any container in which the embryos, ova or semen are carried."

(4) In paragraphs (1), (3), (4) and (5) of article 6 (miscellaneous provisions) and in article 8 (summary offences) after the words "under article 5" there shall be inserted "or 5A".

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



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 Order.)

This Order amends the Importation of Embryos, Ova and Semen Order 1980 ("the 1980 Order") which prohibits the landing in Great Britain of the embryos, ova or semen of certain animals from a place outside Great Britain except under a licence. The prohibition does not however apply to any semen landed in Great Britain in accordance with the provisions of section 17(3) of the Agriculture (Miscellaneous Provisions) Act 1943 (c. 16) which prohibited the importation into Great Britain of any bovine semen or any porcine semen except under a licence issued under that section.

Section 17(3) of the 1943 Act was repealed by the Animal Health and Welfare Act 1984 (which repeal takes effect on 13th September 1984) and under section 10 of that Act regulations may be made by the appropriate Minister (as defined in that Act) prohibiting, for the purpose of controlling their use for artificial breeding, the importation into Great Britain of semen, ova or embryos of any specified kind of livestock except under a licence issued under those regulations. This Order amends the 1980 Order so that the prohibition of the landing of embryos, ova or semen in Great Britain contained in it does not apply to any embryos, ova or semen which are imported into Great Britain under the authority of a licence issued under regulations made under section 10 of the 1984 Act (Article 2(2)).

Regulations made under section 10 of the 1984 Act currently in force are the Importation of Bovine Semen Regulations 1984 (S.I. 1984/1325) which, for the purpose of controlling its use for artificial breeding, prohibit the importation of bovine semen into Great Britain except under a licence issued under those regulations. Thus the landing in Great Britain of any porcine semen is now regulated by the 1980 Order.

The other change of substance made to the 1980 Order is that veterinary inspectors are now able to require the owner or person in charge of any embryos, ova or semen which have been landed in Great Britain or of any embryos, ova or semen already in Great Britain which have been in contact with any embryos, ova or semen so landed and which (in either case) are suspected of being diseased to destroy or export (as that person may elect) such embryos, ova or semen or any containers in which they are carried (Article 2(3)).

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