



# Agricultural Produce (Meat Regulation and Pig Industry) Act (Northern Ireland) 1962

## 1962 CHAPTER 13

### PART III

#### MISCELLANEOUS AND GENERAL

#### **13 General provisions as to licences, permits and registration of premises.**

- (1) A licence granted under this Act shall be in the prescribed form and shall, unless revoked, suspended or surrendered, remain in force for a period of twelve months from the date on which it is granted but shall be renewable annually, and the same provisions shall apply to the renewal of the licence as apply to the original granting thereof.
- (2) <sup>F1</sup> A certified copy of a licence may be issued upon payment of a fee of [<sup>F2</sup> 13p].
- (3) A licence or permit granted under this Act may be revoked or suspended by the Ministry by reason of the non-compliance of the holder of the licence or permit with any of the provisions of this Act or regulations made thereunder or with any condition subject to which the licence or permit was granted.
- (4) Where the Ministry revokes, suspends or <sup>F3</sup>refuses to renew a licence granted under [<sup>F3</sup> sub-section (1) of] section two or section ten or cancels the registration of any premises under section three—
  - (a) the Ministry shall by registered post or by post by means of the recorded delivery service send notice of the revocation, suspension, refusal or cancellation to the holder of the licence or, as the case may be, the person in whose name the premises are registered and such notice shall inform that person of his right of appeal under paragraph (b) and of the time within which the appeal may be brought;
  - (b) the holder of the licence or, as the case may be, the person in whose name the premises are registered may, within twenty-eight days from the date on which

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a notice under paragraph ( a ) is received by him, appeal against such decision to the county court <sup>F4</sup> ...;

- (c) the licence notwithstanding the revocation, suspension or refusal to renew or, as the case may be, the registration, notwithstanding its cancellation, shall continue in force until the expiration of the time within which an appeal may be brought under paragraph ( b ), or where such an appeal is brought, until the determination of the appeal;
- (d) the decision of a county court on an appeal brought under paragraph ( b ) shall be final.

<sup>F5</sup>(5) Where premises registered under section 3(1A) fail to comply with the requirements of the rules of the European Economic Community on health problems affecting trade in meat between Member States of the Community, such premises shall be removed from the register.]

**Annotations:**

- F1** Power to vary or abolish fee, 1968 c. 8 (NI)
- F2** 1969 c. 19
- F3** 1977 NI 12
- F4** Words in s. 13(4)(b) repealed (31.10.2016) by *Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 53, Sch. 9 Pt. 1* (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)
- F5** 1977 NI 12

**[<sup>F6</sup>14 Inspection of meat.**

(1) The Department shall make such arrangement as it thinks fit for the inspection of animals and meat on registered premises and shall publish details of any arrangements so made in such manner as it thinks appropriate for informing persons affected by those arrangements.

[<sup>F7</sup>(2) Fees fixed in accordance with subsection (3) shall be payable to the Department by the person operating registered premises for the inspection on those premises of—

- (a) processed meat; and
- (b) other meat which has been subject to any preservation process other than chilling or freezing.]

(3) The fees payable under subsection (2) shall be of such amount or at such rate as the Department may from time to time determine and notify to persons operating registered premises.

[<sup>F7</sup>(4) Every person who holds a curing licence shall pay to the Department such fees as the Department may from time to time determine for the inspection of—

- (a) processed carcasses of pigs;
- (b) processed pig products; and
- (c) carcasses of pigs and pig products (other than processed carcasses and products) which have been subject to any preservation process other than chilling or freezing.]]

**Annotations:**

- F6** 1984 NI 2
- F7** SR 1991/6

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## 15 Records and returns.

- (1) Every holder of a meat shipping licence shall keep such records and furnish such returns and other information as may be prescribed in relation to meat sent by him [<sup>F8</sup> out of Northern Ireland]...
- <sup>F9</sup>(2) Every licensed bacon curer and every other producer of pig products shall keep such records and furnish such returns and other information as may be prescribed, in relation to—
  - (a) his purchases and sales of pigs; and
  - (b) his production and sales of pig products;and shall permit such records to be inspected and extracts to be taken therefrom by an authorised officer.
- (3) If the holder of a meat shipping licence or a licensed bacon curer or other producer of pig products wilfully makes default in complying with this section, he shall be guilty of an offence under this Act.
- (4) An individual return or part of a return furnished in pursuance of this section shall not be disclosed without the authority of the person by whom the return was made, except—
  - (a) in so far as the disclosure is required for the purposes of a prosecution or other legal proceedings under this Act; or
  - (b) in so far as the disclosure is required or authorised by this Act or regulations made thereunder; [<sup>F10</sup> or
  - (c) to a Department of the Government of Northern Ireland or of the United Kingdom.]
- (5) Any person who, in contravention of this section, discloses any information obtained by him in the exercise of any power conferred on him or on the Ministry by or under this Act shall be guilty of an offence under this Act.

### Annotations:

- F8** 1965 c. 3 (NI)  
**F9** 1965 c. 3 (NI)  
**F10** 1977 NI 12

## 16 Power of entry, inspection, etc.

- (1) An authorised officer shall for the purposes of this Act have power—
  - (a) to enter, at all reasonable times, any premises registered under this Act, or in respect of which an application for registration under this Act has been made, or premises owned, occupied or used or which that officer has reason to believe are owned, occupied or used by any person...<sup>F11</sup> for the slaughter of animals meat from which is, intended for sending [<sup>F12</sup> out of Northern Ireland] [<sup>F13</sup> or the preparation, treatment, storing, processing or packing of such meat] ...<sup>F14</sup>; and
  - (b) to enter at all reasonable times any premises owned, occupied or used by a licensed bacon curer for the purposes of his business as a bacon curer and any premises owned, occupied or used or which that officer has reason to believe are owned, occupied or used by any person for producing, curing, processing, manufacturing, marketing or distributing pig products; and

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- (c) to inspect any animals, meat or pig products ([<sup>F15</sup> and any] materials used in [ connection with the processing of meat or] the production of pig products) [, or any equipment,] found on any premises entered under paragraph ( a) or paragraph ( b), to take without payment, for the purpose of inspection, and to inspect [ or cause to be inspected or tested], reasonable samples of such meat or pig products [ or materials] and to grade or weigh any animals, meat or pig products so found; and
  - (d) to enter, at all reasonable times, the premises of any person engaged in the business of carrying goods for reward, any pier, quay, wharf, jetty, dock, dock premises or airport and any ship, boat, railway wagon, aircraft, motor lorry, cart or other vessel, vehicle or container used for the conveyance of goods and to inspect and to retain, remove or open for the purpose of inspection any packages or consignments found therein which contain, or which that officer has reason to suspect contain, meat or pig products.
- (2) Where any package or consignment is inspected by an authorised officer under paragraph ( d) of sub-section (1), the package or consignment shall be marked or labelled by the officer to that effect and such mark or label shall be deemed to be a sufficient notification to the consignor and consignee that the package or consignment has been so inspected.
- (3) Where an inspection under paragraph ( d) of sub-section (1) is made whilst the package or consignment is in transit and the Ministry or an authorised officer is satisfied that it does not conform to the requirements of this Act or regulations made thereunder, the Ministry or the officer may direct that the package or consignment shall be returned to the consignor at the place from which it was consigned or, if the Ministry or officer approves, at such place as the consignor may elect and thereupon the carrier or the consignor, as the case may require, shall, at the expense of the consignor, proceed to execute such direction with all reasonable speed.
- (4) An authorised officer acting, in the exercise of the powers conferred by this section, on the premises of, or used by, any carrier shall conform to such reasonable requirements of such carrier as are necessary to prevent the working of the traffic thereat being obstructed or interfered with and a carrier shall not be liable for or on account of any loss or damage arising from the exercise by an authorised officer of the powers conferred by this section.
- (5) Nothing in this section shall be construed as authorising anything to be done to the prejudice of any powers of a carrier to secure payment of freight charges in respect of any consignment carried by him.

**Annotations:**

- F11** 1970 c. 20 (NI)
- F12** 1965 c. 3 (NI)
- F13** 1970 c. 20 (NI)
- F14** 1965 c. 3 (NI)
- F15** 1970 c. 20 (NI)

**17 Disposal of meat or pig products unfit for human consumption.**

- (1) Any meat or pig product inspected by, or under the supervision of, a veterinary inspector under the provisions of this Act or regulations made thereunder and found and certified by such inspector to be unfit for human consumption—

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- (a) shall, in accordance with the directions of the veterinary inspector and on the premises where it has been inspected, be sterilised or otherwise so treated by the owner or person in charge thereof as to prevent it being used for human consumption; or
  - (b) shall, under and in accordance with the terms of a movement permit granted by the Ministry, be sent by the owner or person in charge of the premises on which it is found to such premises as may be indicated in the movement permit to be there sterilised or otherwise so treated as to prevent it being used for human consumption; or
  - (c) if so required by the [<sup>F16</sup> district council] for the district within which the meat or pig product has been inspected, shall be surrendered by the owner or person in charge of the premises on which it is found to that [ district council] to be sterilised or otherwise so dealt with as to prevent it being used for human consumption; or
  - (d) may, if a permit is granted under section four in respect of the meat or pig product, be sent [<sup>F17</sup> out of Northern Ireland] in accordance with the terms and conditions of that permit.
- (2) Where the owner or person in charge as aforesaid fails to comply with the provisions of sub-section (1), the veterinary inspector may, either on the premises where it is found or otherwise, cause the meat or pig product to be sterilised or otherwise so treated as to prevent it being used for human consumption and any expenses incurred by the inspector in so doing may be recovered by the Ministry as a civil debt due to the Crown from such owner or person in charge.
- (3) Any person who acts in contravention of the provisions of this section shall be guilty of an offence under this Act.

**Annotations:**

**F16** SRO (NI) 1973/343

**F17** 1965 c. 3 (NI)

## 18 Offences and prosecutions.

- (1) Any person guilty of an offence under this Act for which no special penalty is provided shall be liable on summary conviction<sup>F18</sup> . . . to a fine not exceeding[<sup>F18</sup> level 5 on the standard scale] or imprisonment for a term not exceeding three months or to both such fine and such imprisonment.
- (2) Any person who obstructs or impedes an authorised officer or member of the Royal Ulster Constabulary in the exercise of any powers conferred on him by or under this Act shall be liable on summary conviction to a fine not exceeding[<sup>F18</sup> level 2 on the standard scale].
- (3) If any authorised officer discloses any information obtained by him in the exercise of his powers under this Act, except to persons acting in the execution of this Act, he shall be liable on summary conviction to a fine not exceeding[<sup>F18</sup> level 3 on the standard scale].
- (4) Any person who—
  - (a) in connection with an application for the issue of a licence or permit under this Act makes any statement or furnishes any information which to his knowledge is in any material respect false or misleading; or

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- (b) fraudulently alters or uses or causes to be used or permits to be fraudulently altered or used any licence, permit or other document issued or mark or indication prescribed under this Act; or
- (c) makes any false or fraudulent statement in any record kept by him or return made by him under or by virtue of this Act;

shall be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding twenty pounds or to both such imprisonment and such fine.

- (5) A prosecution for an offence under this Act shall not be instituted except by or with the consent of the Attorney-General or the Ministry, except—
  - (a) a prosecution for an offence committed by an officer of the Ministry; or
  - (b) a prosecution which is required to be taken under the provisions of this Act with respect to the seizure and detention of consignments.

**Annotations:**

**F18** 1984 NI 3

## 19 Savings.

The provisions of this Act shall be, and the powers conferred by or under this Act shall be and be exercised, without prejudice to the provisions of, and to the exercise of the powers conferred by or under, the<sup>F19</sup> Food Safety (Northern Ireland) Order 1991].

**Annotations:**

**F19** 1991 NI 7

## 20 Regulations.

- (1) The Ministry may make regulations prescribing anything which under this Act is to or may be prescribed and anything necessary or expedient for giving full effect to the provisions of this Act.
- (2) Regulations made under this Act shall, so far as they relate to matters which may be dealt with by regulations made under the<sup>F20</sup> Food Safety (Northern Ireland) Order 1991], be made with the concurrence of the Ministry of Health and Local Government<sup>F21</sup>.
- (3) All regulations made under this Act other than regulations under sub-section (3) of section nine shall be subject to negative resolution.

**Annotations:**

**F20** 1991 NI 7

**F21** Now D/HSS, SRO (NI) 1964/205

## 21 Financial provisions.

...<sup>F22</sup> all sums received by the Ministry under this Act shall be paid into the Exchequer.

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**Annotations:**

F22 SLR 1976

## 22 Interpretation.

In this Act the expression—

“animals” means cattle, pigs, sheep, goats and horses;

“authorised” and “recognised” mean, respectively, authorised and recognised by the Ministry;

“bacon” means bacon produced from pigs killed and cured, or from carcasses of pigs cured, in Northern Ireland, and includes any part of a pig (including chaps, and hams) which is in any manner cured (with the exception of heads, without chaps, and of feet, tails and offal) by such salting, pickling, processing or preserving for any period as will in any way alter the character of the meat;

“carrier” means any person carrying goods for hire or reward;

“container” means a covered receptacle used for the transport of meat or pig products;

“curing licence” has the meaning assigned to that expression by sub-section (1) of section ten;

[<sup>F23</sup> “district council” includes an officer authorised by a district council to discharge the functions of the council under this Act];

“grade” means a designation indicating quality;

*Definition rep. by SRO (NI) 1973/343*

“inspector” means an inspector appointed or recognised by the Ministry;

“licensed bacon curer” means the holder of a curing licence under section ten;

[<sup>F24</sup> “meat” means the carcase of an animal or any part of the carcase or offals of an animal, whether processed or not, which is capable of being used for human consumption, . . . <sup>F25</sup>;]

“meat detention officer” means an officer holding a Meat Detention Diploma issued by the Royal College of Veterinary Surgeons or an officer who holds an equivalent qualification accepted by the Ministry;

“meat shipping licence” has the meaning assigned to that expression by sub-section (1) of section two;

“Ministry” means the Ministry of Agriculture;

“offals” means all entrails, fat and parts of an animal, other than the dressed carcase, which are capable of being used for human consumption;

“package” includes any wrapper, case, cask, box, crate or other receptacle;

“pig products” means pork and bacon and anything derived from pigs which is capable of being used for human consumption or in the preparation of food for human consumption;

“pigs” includes the carcasses of pigs;

“prescribed” means prescribed by regulations made by the Ministry under this Act;

[<sup>F26</sup> “processing” means subjecting meat to a process for or incidental to any treatment of the meat by canning, cooking, smoking [<sup>F27</sup> curing], rendering or dehydrating or otherwise howsoever preparing it for food whether in combination with, or without, other materials;]

“producer of pig products” means a person who purchases whole pigs for the purpose of producing pig products therefrom;

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“rabbits” includes hares;

“registered premises” has the meaning assigned to that expression by sub-section (1) [ and (1A)] of section three;

“send” includes taking or carrying or causing to be sent, taken or carried;

[ “treatment”, except in the definition of “processing”, includes cooling, chilling, freezing and preserving;]

“veterinary inspector” means an inspector who is a veterinary surgeon or veterinary practitioner.

**Annotations:**

**F23** SRO (NI) 1973/343

**F24** 1970 c. 20 (NI)

**F25** 1977 NI 12

**F26** 1970 c. 20 (NI)

**F27** 1977 NI 12

*S. 23 rep. by SLR (NI) 1973*

**24 Short title.**

This Act may be cited as the Agricultural Produce (Meat Regulation and Pig Industry) Act (Northern Ireland), 1962.



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