1976 No. 393

AGRICULTURE

Pig Recording Scheme (Northern Ireland) 1976

Made . . . . . 22*nd December* 1976

Coming into operation . . . . . 28*th January* 1977

The Department(a) of Agriculture in exercise of the powers conferred on it by Section 9 of the Agriculture Act (Northern Ireland) 1949(b) and of every other power enabling it in that behalf and with the approval of the Department(a) of Finance hereby makes the following Scheme:—

Citation and commencement

1. This Scheme may be cited as the Pig Recording Scheme (Northern Ireland) 1976 and shall come into operation on 28th January 1977.

Interpretation

2. In this Scheme:—

"accredited elite herd" means a herd entered in the first section of the register;

"approved" means approved by the Department;

"authorised" means authorised by the Department;

"accreditation standards" means such standards of breeding value as the Department after consultation with the Pig Production Development Committee shall from time to time determine as the standards to be attained by a candidate elite herd and an accredited elite herd;

"bacon pigs" has the same meaning as "bacon pigs" in the Pigs Marketing Scheme (Northern Ireland) (Approval) Order 1933(c);

"candidate elite herd" means a herd accepted for entry in the first section of the register but not entered therein;

"commercial herd" means a herd the main purpose of which is the production of pigs for bacon or pork;

"the Department" means the Department of Agriculture;

"herd" means a herd of pigs;

"nominated herd" means a herd or part of a herd consisting of pigs of one breed only in respect of which an application is made under Article 4;

"performance testing" in relation to any boar means testing that boar at the Northern Ireland Testing Station for the purpose of assessing its breeding value by its performance at that station;

"Pig Production Development Committee" means the Committee established in accordance with Section 1 of the Pig Production Development Act (Northern Ireland) 1964(d);

(a) Formerly Ministry: *see* 1973 c. 36 Sch. 5 para. 8(1)
(b) 1949 c. 2 (N.I.) (c) S.R. & O. (N.I.) 1933 No. 93 (p. 14) (d) 1964 c. 25 (N.I.)

"progeny testing" in relation to any boar means testing the progeny from such boar at the Northern Ireland Testing Station for the purpose of assessing the breeding value of the boar on the results achieved by its progeny;

"the register" means the register maintained in accordance with Article 3;

"registered multiplying herd" means a herd entered in the second section of the register;

"registration standards" means such standards of breeding value as the Department after consultation with the Pig Production Development Committee shall from time to time determine as the standards to be attained by a herd to qualify for entry in the register as a registered multiplying herd;

"weaning" means the stage at which young pigs are separated from their dam.

Register of accredited elite and multiplying herds

3. With the object of developing the breeding of pigs in Northern Ireland the Department shall continue to maintain a register of herds in which shall be entered, subject to and in accordance with the provisions of this Scheme, the names of herd owners and particulars of their herds. The register shall be divided into two sections, the first to be called the register of accredited elite herds and the second to be called the register of multiplying herds.

Candidate elite herds

4. Where

(*a*) a herdowner applies to the Department to have a nominated herd entered in the first section of the register; and

(*b*) the Department is satisfied with respect to that herd that the conditions set out in Part I of the First Schedule are satisfied;

the Department shall accept the nominated herd as a candidate elite herd and thereafter the herdowner shall in relation to that herd observe the provisions of Part II of the First Schedule.

Assessment of candidate elite herds

5.—(1) The Department shall assess a candidate elite herd in accordance with the following provisions of this Article for the purpose of determining if the herd has attained the accreditation standards;

(2) The first assessment shall be made not less than twelve months after the herd has been accepted as a candidate elite herd and shall be based on the records, kept in accordance with the First Schedule, in respect of the period since acceptance;

(3) Where a herd fails to attain the accreditation standards on the first assessment or, subject to paragraph (4), on any subsequent assessment under this paragraph, it shall be re-assessed after an interval of approximately three months. Each re-assessment under this paragraph shall be based on the records kept in accordance with the First Schedule in respect of the period of twelve months immediately prior to the re-assessment; and

(4) Where a herd fails to attain the accreditation standards in each of eight consecutive re-assessments, acceptance of the herd under Article 4 shall be revoked.

Registration of accredited elite herds

6. Where, on any assessment or re-assessment mentioned in Article 5, the Department is satisfied with respect to a candidate elite herd that the accreditation standards have been attained, then, provided the provisions of Part II of the First Schedule have been observed, the Department shall register such herd in the first section of the register as an accredited elite herd and that herd shall remain so registered unless the registration is cancelled in accordance with this Scheme.

Re-assessment of accredited elite herds

7. The Department shall re-assess an accredited elite herd at intervals of approximately twelve months after registration for the purpose of determining if the herd has maintained the accreditation standards.

8. Where, on such re-assessment as is mentioned in Article 7, the Department finds that an accredited elite herd has failed to maintain the accreditation standards, the registration of that herd shall be cancelled and the herd shall be re-classified as a candidate elite herd and shall be subject to re-assessment in accordance with paragraphs (3) and (4) of Article 5.

Multiplying herds

9. Where

(*a*) a herdowner applies to the Department to have a herd entered in the second section of the register; and

(*b*) the Department is satisfied that the herd satisfies the conditions set out in Part I of the Second Schedule;

the Department shall accept the herd for such entry and thereafter the herdowner shall in relation to that herd observe the provisions of Part II of the Second Schedule.

10. Where the Department is satisfied with respect to a herd which has been accepted for entry under Article 9 that during the twelve months following acceptance the registration standards have been attained then, provided that the provisions of Part II of the Second Schedule have been observed, the Department shall register such herd in the second section of the register as a registered multiplying herd and that herd shall remain so registered unless the registration is cancelled in accordance with this Scheme.

Performance and progeny testing of boars

11. The owner of a candidate elite herd or accredited elite herd shall sell to the Department such pigs from the herd as the Department shall select for the purpose of performance testing or progeny testing of boars on the following terms and conditions:—

(*a*) the price for each pig shall be calculated by weight at a rate determined from time to time by the Department after consultation with the Pig Production Development Committee;

(*b*) the system of testing and the standards applied shall be determined by the Department after consultation with the Pig Production Development Committee;

(*c*) the owner shall have the right to re-purchase any boar which achieves the approved standard on testing. The price to be paid for such a boar shall be determined by the Department after consultation with the Pig Production Development Committee.

12. Without prejudice to Article 11, the owner of a candidate elite herd or accredited elite herd may request the Department to carry out such testing as is mentioned in that Article in respect of pigs in his herd and the Department may comply with such request.

Cancellation of acceptance or registration

13. Where any herdowner whose herd has been accepted or registered under this Scheme fails to observe or comply with any provisions thereof applicable to that herd, the Department may revoke that acceptance or cancel that registration and, if any acceptance or registration is so revoked or cancelled, the Department may reinstate that acceptance or registration on such terms and conditions as it thinks fit.

Appeals

14. Where the Department refuses any application or any request to carry out testing or revokes or cancels any acceptance or registration in respect of a herd the herdowner may, within a period of fourteen days from the receipt of notice of such refusal, revocation or cancellation, lodge an appeal in writing against such refusal, revocation or cancellation in the form set out in the Third Schedule. Such appeal shall be considered by a tribunal of 3 persons whose members shall be nominated by the Pig Production Development Committee and appointed by the Department. The tribunal shall report to the Department the result of its findings and the Department, after consideration of the report, shall confirm or reverse the decision to which the appeal relates and such confirmation or reversal shall be final.

Publication

15. The Department may publish in such manner as it thinks fit any facts or information obtained by it in the course of the operation of this Scheme.

Revocation

16.—(1) The Accredited Pig Herds and Pig Testing Scheme (Northern Ireland) 1974(e) (hereinafter called "the Scheme of 1974") is hereby revoked.

(2) Herds which at the date of coming into operation of this Scheme were registered under the Scheme of 1974 as accredited elite pig herds or accredited multiplying herds shall continue to be registered under this Scheme as accredited elite herds or registered multiplying herds as the case may be.

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on 22nd December 1976, in the presence of

(L.S.) *W. H. Parker*
Assistant Secretary

The Department of Finance hereby approves the foregoing Scheme.

Sealed with the Official Seal of the Department of Finance for Northern Ireland on 22nd December 1976.

(L.S.) *J. Murray*
Assistant Secretary

(e) S.R. (N.I.) 1974 No. 75 (I, p. 218)