1974. No. 96 [C]

ANIMALS

Licensing of Boars

RULES, DATED 31ST MAY 1974, MADE BY THE DEPARTMENT OF AGRICULTURE UNDER THE LIVE STOCK BREEDING ACT (NORTHERN IRELAND) 1922, AS AMENDED BY SECTION 2 OF THE AGRICULTURE (MISCELLANEOUS PROVISIONS) ACT (NORTHERN IRELAND) 1960 AND BY SECTION 2 OF THE AGRICULTURE (MISCELLANEOUS PROVISIONS) ACT (NORTHERN IRELAND) 1967.

The Department of Agriculture in exercise of the powers conferred on it by the Live Stock Breeding Act (Northern Ireland) 1922(**a**) as amended by section 2 of the Agriculture (Miscellaneous Provisions) Act (Northern Ireland) 1960(**b**) and by section 2 of the Agriculture (Miscellaneous Provisions) Act (Northern Ireland) 1967(**c**) and of every other power enabling it in that behalf, and with the approval of the Department of Finance as to fees, hereby makes the following Rules:—

Citation and commencement

1. These Rules may be cited as the Live Stock Breeding (Licensing of Boars) Rules (Northern Ireland) 1974 and shall come into operation on the 1st August 1974.

Revocation

2. The Live Stock Breeding (Licensing of Boars) Rules (Northern Ireland) 1968(**d**) and 1969(**e**) are hereby revoked.

Interpretation

3. In these Rules—

"accredited herd" means a pig herd registered under the Accredited Pig Herds and Pig Testing Scheme (Northern Ireland) 1974(**f**) or other Accredited Schemes approved by the Department;

"Act" means the Live Stock Breeding Act (Northern Ireland) 1922, as amended by section 2 of the Agriculture (Miscellaneous Provisions) Act (Northern Ireland) 1960 and by section 2 of the Agriculture (Miscellaneous Provisions) Act (Northern Ireland) 1967, and applied to boars by the Live Stock Breeding Act (Northern Ireland) 1922 (Application to Boars) Order 1933(**g**);

"approved breeding society" means the National Pig Breeders' Association, the British Landrace Pig Society or the Royal Dublin Society;

"Approved progeny tested boar" means a boar which has had the prescribed number of progeny tested for economy of production and carcase quality, at an approved testing station and such progeny has obtained a standard acceptable to the Department in respect of these traits;

(a) 12 & 13 Geo. 5 c. 12 (N.I.).
(b) 1960. c. 19.
(c) 1967. c. 15 (N.I.).
(d) S.R. & O. (N.I.) 1968, No. 183.
(e) S.R. & O. (N.I.) 1969, No. 149.
(f) S.R. (N.I.) 1974, No. 75.
(g) S.R. & O. (N.I.) 1933, No. 70.

"boar" means any uncastrated male pig of the prescribed age;

"Department" means the Department of Agriculture;

"general licence" means a licence for breeding purposes generally, issued in respect of a pedigree boar in accordance with Article 9;

"pedigree" means entered, accepted for entry, or eligible for entry in the Herd Book of an appropriate approved breeding society;

"performance tested boar" means a boar which has been tested for economy of production and carcase quality at an approved testing station and which has attained standards acceptable to the Department in respect of these traits;

"special licence" means a licence issued for such breeding purposes and on such conditions as the Department may determine.

Prescribed age of boar

4. For the purpose of the Act and these Rules a boar shall be deemed to be of the prescribed age when it has attained the age of six months.

Application for licence

5.—(1) An application for a licence to keep a boar in Northern Ireland shall be made in the form set forth in Schedule 1 and shall be lodged, with the Department, together with the prescribed inspection fee, at least fourteen days before the boar attains the prescribed age.

(2) An application for a licence to keep a boar brought into Northern Ireland shall be made in the same manner as in paragraph (1) save that in respect of a boar which at the date of its entry into Northern Ireland has attained the age of five and a half months, application shall be made within fourteen days of such date of entry.

(3) Notwithstanding the requirements of paragraphs (1) and (2) when an application has not been made by the prescribed time the Department may accept such application and undertake inspection for licence on receiving from the applicant the prescribed additional fee.

Fees

6.—(1) The inspection fee to accompany an application for licence lodged under either paragraph (1) or (2) of Rule 5 shall be £1.

(2) The additional inspection fee payable in respect of an inspection undertaken under paragraph (3) of Rule 5 shall be 50 pence for each inspection whether this involves one or more than one boar and shall be additional to the inspection fee required under paragraph (1).

Conditions as to inspection and marking of boars

7. The following shall be the conditions as to inspection and marking of a boar:

(1) The Department may refuse to inspect a boar earlier than one month before it attains the prescribed age.

(2) The boar shall be inspected by an authorised officer of the Department and for this purpose the Department may require the owner of a boar to make it available for inspection at any time or place that has been notified to the owner, and the owner shall provide all reasonable facilities and assistance for the purpose of the inspection and marking of the boar.

(3) At the time of inspection a boar may, for the purpose of identification, be marked by an authorised officer of the Department on the right ear or, if that is impracticable, on some other appropriate place, with such mark as may be determined by the Department for that purpose.

(4) A boar deemed by an authorised officer of the Department to be up to licensing standard shall be marked by tattooing on the right ear or other appropriate place a design consisting of a right hand or such other mark as may be determined by the Department for this purpose.

(5) In the case of a boar in respect of which a licence has been revoked, the mark prescribed in paragraph (4) shall, if the Department considers it advisable to do so, be obliterated by an authorised officer of the Department as soon as possible after the revocation of the licence has been confirmed.

Categories of boars eligible for licence

8.—(1) For the purpose of sub-section (1) of section 2 of the Act pedigree boars as specified in Rule 9 shall be eligible for a general licence in the form specified in Schedule 2.

(2) Such boars as the Department may determine shall be eligible for a special licence in the form specified in Schedule 3.

Licensing standards for prescribed categories of boars

9.—(1) A general licence shall be granted only in respect of a pedigree boar of the Landrace, Large White and Welsh breeds: provided that such a licence shall not be granted unless the boar is of a standard which conforms with the provisions of the Act and fulfils one of the following conditions:

(*a*) has been bred in an accredited herd;

(*b*) is the son of a boar bred in an accredited herd;

(*c*) has been performance tested;

(*d*) is the son of a performance tested or Approved progeny tested boar.

(2) Boars possessing traits which appear to the Department to have some contribution to make to the improvement of the national pig herd shall be eligible for a special licence.

Appeals: General licences

10. Where the Department refuses to grant or transfer a general licence in respect of any boar, or suspends or revokes any such general licence, or requires the slaughtering or castration of any boar, the owner of the boar may, within a period of fourteen days from the date of service on him of notice of such refusal, suspension or revocation or order to slaughter or castrate, and on payment to the Department of a fee of £5.25 lodge an application in the form set forth in Schedule 4 requiring the boar to be inspected by such member or members of the panel of referees constituted under the Act as may be selected by the Department.

Change of ownership, death or castration of boar

11. Notice of any sale or hiring or other change in ownership or control of a boar in respect of which a licence is in force, or has been applied for, shall be given by the owner to the Department within seven days of such sale, hiring, change of ownership or control, castration or death. Such notice shall together with the licence in force be sent to the Department.