Changes to legislation: *Artificial Reproduction of Animals (Northern Ireland) Order 1975 is up to date with all changes known to be in force on or before 14 July 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

STATUTORY INSTRUMENTS

1975 No. 1834 (N.I. 17)

Artificial Reproduction of Animals (Northern Ireland) Order 1975

[12th November 1975]

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Modifications etc. (not altering text)

C1 Order excluded (1.1.2012) by The Trade in Animals and Related Products Regulations (Northern Ireland) 2011 (S.R. 2011/438), **reg. 41(2)**

C2 Order restricted (24.7.2006) by Products of Animal Origin (Third Country Imports) Regulations (Northern Ireland) 2006 (S.R. 2006/291), **reg. 65(2)**

C3 Order restricted (13.4.2007) by Products of Animal Origin (Third Country Imports) Regulations (Northern Ireland) 2007 (S.R. 2007/199), **reg. 68(2)**

Title and commencement

1. This Order may be cited as the Artificial Reproduction of Animals (Northern Ireland) Order 1975 … *Commencement* …

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954 shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order—

"animals" means cattle, sheep, goats, swine, horses, domestic fowl, turkeys, geese and ducks;

"authorised person" has the meaning assigned to it by Article 7(1);

"the Department" means the Department of Agriculture;

"regulations" means regulations made by the Department subject to negative resolution;

"statutory instrument" has the meaning assigned to it by section 1(*d*) of the Interpretation Act (Northern Ireland) 1954.

Artificial reproduction centres

3. For the purposes of eliminating disease from animals and of developing and improving the breeding of animals by the practice of artificial reproduction, and for the purpose of conducting research and experiment in matters affecting that practice, the Department shall continue to have power to establish and operate such centres as it thinks fit.

Charges for reproduction services

4.—(1) The Department may make and recover such charges in respect of artificial reproduction services as the Department, with the approval of the Department of Finance, may determine.

(2) Any charge under paragraph (1) shall, without prejudice to any other method of recovery, be a debt recoverable summarily by the Department.

Control of artificial reproduction

5.—(1) The Department may make regulations for controlling the practice of artificial reproduction of animals.

(2) Without prejudice to the generality of paragraph (1), regulations may—

(a) prohibit—

(i) the artificial insemination of any animal;

(ii) the transplantation of ova from one animal into another;

(iii) the collection, storage, distribution or sale of the semen or ova of any animal;

except by a person under and in accordance with the conditions of a licence granted by the Department;

(b) prohibit the collection, storage, distribution or sale of the semen or ova of any animal except in premises or vehicles for which a licence has been granted;[F1]. . .

(c) require, for the purpose of identification, the owner of progeny which have been artificially produced from any animal to mark the progeny in such manner and within such period after birth as may be prescribed by regulations**[**[F1] and**]**

[[F1](d) make provision in respect of advertisements in connection with the artificial reproduction of animals.**]**

(3) Where the Department is satisfied—

(a) that the withholding of a licence is necessary as a precaution against the spread of disease; or

(b) that the applicant is not a suitable person to hold a licence; or

(c) that the facilities for the collection, storage, distribution or sale of semen or ova are inadequate;

the Department shall not grant a licence under this Article.

[[F1](3A) A licence under this Article may be granted by the Department on payment of such fee as the Department may determine.**]**

(4) A licence under this Article may at any time be revoked by the Department.

F1 1994 NI 6

Movement of semen or ova into Northern Ireland

6.—(1) Subject to the provisions of this Article, a person shall not bring or cause to be brought into Northern Ireland the semen or ova of any animal except under and in accordance with the conditions of a licence granted by the Department.

(2) Where the Department is satisfied that the withholding of such a licence is necessary as a precaution against the spread of disease the Department shall not grant a licence under this Article.

[[F2](2A) A licence under this Article may be granted by the Department on payment of such fee as the Department may determine.**]**

(3) A licence under this Article may at any time be revoked by the Department.

F2 1994 NI 6

Modifications etc. (not altering text)

C4 Art. 6(1) excluded (1.11.2006) by Animals and Animal Products (Import and Export) Regulations (Northern Ireland) 2006 (S.R. 2006/401), reg. 33, **Sch. 8** (with arts. 3, 34, Schs. 8, 9)

Powers of entry

7.—(1) A person, authorised in writing by the Department (in this Order referred to as an "authorised person") may, on production if required of his credentials, at any reasonable time enter any premises for the purpose of ascertaining whether there is or has been, in or in connection with those premises, a contravention of this Order.

(2) An authorised person may, on production if required of his credentials, at any reasonable time enter—

(a) any ship, hovercraft or aircraft for the purpose of ascertaining whether there is in the ship, hovercraft or aircraft any semen or ova imported in contravention of Article 6;

(b) any vehicle, stall or place other than premises for any purpose for which under paragraph (1) the authorised person would have a right to enter any premises.

(3) Without prejudice to paragraph (1), any authorised person may, on production if required of his credentials, at any reasonable time enter any premises occupied by the holder of a licence granted under Article 5 or 6 and used for or in connection with any activity authorised by the licence.

(4) A power of entry under paragraph (1) or (3) shall not be exercisable in respect of any premises used only as a private dwelling-house except—

(a) with the consent given by or on behalf of the occupier of the premises; or

(b) after at least twenty-four hours' notice of the intended entry has been served on the occupier of the premises; or

(c) under the authority of a warrant granted under paragraph (5).

(5) Where a justice of the peace is satisfied by complaint on oath—

(a) that admission to premises is reasonably required for the purpose specified in the complaint; and

(b) that an authorised person would, apart from paragraph (4), be entitled for that purpose to exercise in respect of the premises a power of entry under paragraph (1) or (3); and

(c) that—

(i) admission to the premises has been refused, or that a refusal is apprehended, and (in either case) that notice of the intention to apply for a warrant has been served on the occupier; or

(ii) the requirements of paragraph (4)(*b*) have been complied with; or

(iii) an application for admission, or the serving of a notice under paragraph (4)(*b*) would defeat the object of the entry; or

(iv) the premises are unoccupied or the occupier is temporarily absent;

he may issue a warrant under his hand authorising any authorised person to enter the premises, by force if necessary.