



Poultry Improvement Act (Northern Ireland) 1968

1968 CHAPTER 12

An Act to enable provision to be made for the assistance or improvement of the poultry industry; to secure improvements in the produce of establishments for the breeding, hatching or rearing of poultry by making fresh provision for the regulation of such establishments; to authorise schemes for the testing of poultry; and for purposes connected with those matters. [11th June 1968]

POULTRY IMPROVEMENT SCHEMES

1 Poultry improvement schemes.

^{F1} Without prejudice to the powers exercisable by the Ministry of Agriculture (in this Act referred to as “the Ministry”) under any other enactment, the Ministry may make schemes (in this Act referred to as “poultry improvement schemes”) for the purposes of—

- (a) assisting the development of the poultry industry;
- (b) improving the profitability of poultry production and the quality of poultry products;
- (c) promoting the breeding and distribution of stocks of healthy poultry of good quality;
- (d) assisting the adaptation of poultry production to economic and technical change.

Annotations:

F1 1979 NI 12

Changes to legislation: There are currently no known outstanding effects for the Poultry Improvement Act (Northern Ireland) 1968. (See end of Document for details)

REGULATION OF THE HATCHING AND REARING OF POULTRY

2 Restriction on operation of hatcheries, etc., without licence.

- (1) Subject to the succeeding provisions of this section, a person shall not in the course of any business of his carry on any of the following activities, that is to say,—
- (a) operate a hatchery in any premises; or
 - (b) on or after such day as may be appointed by order of the Minister of Agriculture, operate an incubator in any premises; or
 - (c) on or after such day or days as may be so appointed, use any premises for—
 - (i) the production for sale, supply or distribution of eggs for hatching; or
 - (ii) the rearing of poultry for sale, supply or distribution before they attain the age of six months;

except under the authority of, and in accordance with the conditions of, a licence issued to him by the Ministry under section 3 with respect to those premises.

- (2) Paragraph (b) of subsection (1) shall not apply with respect to premises in which an incubator is operated solely for the purpose of providing stock for the business of the person who operates the incubator, if no part of that business involves any of the activities mentioned in paragraph (c) of that subsection.
- (3) Subsection (1)(c)(ii) shall not apply with respect to any premises from which poultry is sold, supplied or distributed solely for immediate slaughter.
- (4) The Ministry may by permit in writing grant an exemption with respect to any premises from the provisions of subsection (1) to any person who satisfies the Ministry that, so far as the premises are or will be used for—
- (a) the rearing for sale, supply or distribution of poultry, or
 - (b) the production for sale, supply or distribution of eggs for hatching, or
 - (c) the hatching of eggs,
- they are or will be used only in connection with poultry intended solely for the purposes of show or display.

3 Poultry stock licences.

- (1) Subject to the provisions of the Schedule, where a person, in accordance with those provisions, makes application to the Ministry for a licence with respect to any premises where an activity of a class or description to which section 2(1) applies is, or is proposed to be, carried on, the Ministry shall issue such a licence (in this Act referred to as a “poultry stock licence”) to him authorising him to carry on an activity of that class or description in those premises.
- (2) The provisions of the Schedule shall have effect in relation to poultry stock licences.

4 Conditions of poultry stock licences.

- (1) The Ministry may prescribe conditions subject to which poultry stock licences shall have effect, and any conditions so prescribed which by virtue of the regulations are applicable to, or to the premises of, the holder of any such licence, together with the

Changes to legislation: There are currently no known outstanding effects for the Poultry Improvement Act (Northern Ireland) 1968. (See end of Document for details)

further conditions, if any, specified in the licence shall, for the purposes of this Act, be the conditions of the licence.

- (2) The conditions which may be prescribed include conditions with respect to—
- (a) the classes, descriptions and age of poultry to be kept in the premises with respect to which a poultry stock licence is in force (in this subsection referred to as “the premises”);
 - (b) the bringing of eggs or poultry into the premises;
 - (c) the identification of eggs or poultry in the premises;
 - (d) the keeping of records of eggs or poultry in, brought into or sent from the premises;
 - (e) the keeping of records of illness and death of poultry kept in the premises;
 - (f) the furnishing of returns to the Ministry;
 - (g) the notification by the licence-holder to the Ministry of abnormal numbers of deaths of poultry in the premises or of circumstances from which the existence of any poultry disease in the premises may be inferred;
 - (h) the observance of any rules made or directions given by the Ministry in connection with the disposal of carcasses, faeces and any other infective material;
 - (i) the submission of samples of carcasses for examination by the Ministry;
 - (j) the cleansing and disinfection of the premises and of any plant, equipment or utensils therein.

5 Standards for premises, etc.

- (1) The Ministry may prescribe standards which must be observed by licence-holders with respect to—
- (a) premises where there is carried on any activity to which section 2(1) applies; and
 - (b) the plant, equipment and utensils used in or in connection with the premises.
- (2) The standards which may be prescribed under this section include standards for securing—
- (a) that the premises are suitable, structurally and otherwise, for the activity in question, and are situated in such a position and have available to them such services and facilities and generally comply with such requirements (including requirements as to hygiene) as appear to the Ministry to be appropriate for that activity; and
 - (b) that the plant, equipment and utensils are efficient and comply with requirements such as are mentioned in paragraph (a).

6 Register of premises.

- (1) The Ministry shall for the purposes of this Act cause to be kept one or more than one register of premises with respect to which poultry stock licences are issued, and shall cause to be entered in the register (or, if more than one register is kept, the appropriate register) with respect to each such licence—
- (a) the full name and address of the licence-holder;
 - (b) particulars of the premises with respect to which the licence is issued;
 - (c) the class or description of activity carried on in the premises;

Changes to legislation: There are currently no known outstanding effects for the Poultry Improvement Act (Northern Ireland) 1968. (See end of Document for details)

- (d) such other particulars as may be prescribed.
- (2) Any register under this section may be kept either by making entries in a bound book or by recording the matters in question in any other manner.
- (3) The Ministry may make arrangements for the publication of any register kept under this section, or any extract therefrom, in such manner as the Ministry thinks fit.

7 Inspection.

- (1) An authorised officer shall for the purposes of this Act have power (on production, if required, of his credentials)—
 - (a) to enter, at any reasonable time,—
 - (i) any premises with respect to which an application for a poultry stock licence has been made, or
 - (ii) any premises with respect to which a poultry stock licence is in force, or
 - (iii) any premises with respect to which no poultry stock licence is in force but which he has reasonable cause to believe to be premises in which there is carried on any activity requiring such a licence by virtue of section 2;
 - (b) to inspect any such premises and the services and facilities available thereto and any plant, equipment, utensils, eggs or poultry, and the working procedures practised, therein, and without payment (except as provided in subsection (2)) to take reasonable samples of any eggs or poultry found in any such premises, or samples of blood or mucus of any such poultry;
 - (c) to inspect and take extracts from and to verify any records required to be kept by virtue of any provision of this Act.
- (2) Where, under subsection (1)(b), an authorised officer takes any poultry not suffering from any illness the Ministry shall, if so requested by the owner of the poultry within fourteen days from the date on which the poultry was taken, pay to the owner a sum equivalent to the market value thereof.

TESTING OF POULTRY

8 Poultry testing schemes.

- (1) ^{F2} With a view to benefiting persons carrying on businesses in the poultry industry and making such businesses more profitable, and in particular to securing improvements in the produce of businesses in the course of which there is carried on any activity to which section 2(1) applies, the Ministry may make schemes (in this Act referred to as “poultry testing schemes”) for the purposes of carrying out tests of poultry in order to determine the comparative profitability of different types, breeds or strains, and to implement any such scheme may, with the approval of the Ministry of Finance, acquire land and establish and operate, or continue to operate, testing stations.
- (2) A poultry testing scheme may include provisions for requiring any holder of a poultry stock licence to supply at his own expense hatching eggs or poultry for inclusion in the tests.

Changes to legislation: There are currently no known outstanding effects for the Poultry Improvement Act (Northern Ireland) 1968. (See end of Document for details)

- (3) A poultry testing scheme may also include provisions empowering the Ministry to impose on and recover from holders of poultry stock licences such charges (including charges calculated by reference to an amount or quantity produced) for the purpose of meeting costs incurred in connection with the provision of any service or facility under this section as may with the approval of the Ministry of Finance be specified in the scheme.
- (4) Where a scheme contains any provision such as is mentioned in subsection (2) it shall specify the limitations within which any requirement under that subsection may be imposed.

Annotations:**F2** 1979 NI 12

MISCELLANEOUS

9 Restriction on sale of chicks.

A person shall not, in any shop or market or in any street, road, highway or public place, or in any place to which the public have or are permitted to have access,—

- (a) sell or offer or expose for sale, or
- (b) have in his possession for the purpose of sale, any chicks.

10 Offences.

- (1) Subject to the provisions of section 11, a person shall be guilty of an offence if he or any person acting on his behalf—
- (a) wilfully obstructs or impedes an authorised officer in the exercise of any powers conferred on the officer by virtue of this Act or without reasonable cause fails to give to any authorised officer acting under this Act any assistance or information which the authorised officer may reasonably require of him for the purposes of the performance by the authorised officer of his functions under this Act; or
 - (b) alters or fraudulently uses any licence, permit or other document issued or granted under this Act; or
 - (c) in connection with the application for or the issue of a licence or the grant of a permit, or in any record kept or return made, under this Act knowingly or recklessly makes any statement or entry or furnishes or with intent to deceive makes use of any information which is false in a material particular or in any material respect misleading; or
 - (d) contravenes any provision of this Act or of any scheme or regulation made thereunder, or fails to comply with either any requirement duly made of him by the Ministry in pursuance of any such provision or any condition of a licence issued or permit granted under this Act.
- (2) A person who is guilty of an offence under subsection (1)(a) shall be liable on summary conviction to a fine not exceeding^[F3] level 3 on the standard scale].