1963. No. 88 **[NC]**

AGRICULTURE

Appointed Day

ORDER, DATED 25TH APRIL 1963, MADE BY THE MINISTER OF AGRICULTURE UNDER SECTION 2 OF THE AGRICULTURE (MISCELLANEOUS PROVISIONS) ACT (NORTHERN IRELAND), 1960.

Whereas it is provided by sub-section (6) of Section 2 of the Agriculture (Miscellaneous Provisions) Act (Northern Ireland), 1960(a), that Section 2 of that Act shall come into operation on such day as the Minister of Agriculture may by order appoint:

Now, therefore, I, the Right Honourable Henry W. West, Minister of Agriculture, do hereby appoint the 1st May 1963, to be the date on which Section 2 of the said Act shall come into operation.

Dated this 25th day of April 1963.

H. W. West,
Minister of Agriculture for
Northern Ireland.

1963. No. 89 **[C]**

ANIMALS

Licensing of Bulls

RULES, DATED 26TH APRIL, 1963, MADE BY THE MINISTRY 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.

The Ministry of Agriculture in exercise of the powers conferred on it by the Live Stock Breeding Act (Northern Ireland), 1922(b), as amended by Section 2 of the Agriculture (Miscellaneous Provisions) Act (Northern Ireland), 1960(c), and of every other power enabling it in that behalf, and with the approval of the Ministry 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 Bulls) Rules (Northern Ireland) 1963, and shall come into operation on 1st July, 1963.

(a) 1960. c. 19. (b) 12 & 13 Geo. 5. c. 12 (N.I.) (c) 1960. c. 19.

Revocation

2. The Live Stock Breeding (Licensing of Bulls) Rules (Northern Ireland), 1950(a), the Live Stock Breeding (Licensing of Bulls) (Amendment) Rules (Northern Ireland), 1952(b), the Live Stock Breeding (Licensing of Bulls) (Amendment) Rules (Northern Ireland), 1957(c), and the Live Stock Breeding (Licensing of Bulls) (Amendment) Rules (Northern Ireland), 1959(d), are hereby revoked.

Interpretation

3. In these Rules—

"the Act" means the Live Stock Breeding Act (Northern Ireland), 1922, as amended by Section 2 of the Agriculture (Miscellaneous Provisions) Act (Northern Ireland), 1960;

"Bull" means any uncastrated male of the bovine species of the prescribed age;

"Certified" means certified by a duly authorised officer of the Ministry;

"Non-pedigree Shorthorn" means an animal which is of Shorthorn type in all respects and shows no character indicative of cross-breeding but which is not entered in the Herd Book of the Shorthorn Society;

"Shorthorn" in these Rules includes Lincoln Red;

"Official Milk Record" means a statement in writing giving particulars of the calvings and yields of milk and butterfat of a heifer or cow, and which is issued by the Ministry or by a body or organisation recognised by the Ministry as competent to supervise the recording of milk yields of heifers and cows;

"Full Licence" means a dairy or beef licence granted under Section 2(1)(*a*) of the Act;

"Restricted Licence" means a licence granted under Section 2(1)(*b*) of the Act;

"Permit" means a permit issued under Section 2A of the Act;

"Pedigree" means either entered, accepted for entry or eligible for entry in the Herd Book of the breed concerned.

Prescribed Age of Bull

4. For the purposes of the Act and these Rules, a bull shall be deemed to have reached the prescribed age when it has attained the age of eleven months.

Application for Licence

5.—(1) An application for a licence to keep a bull born in Northern Ireland shall be in the form set forth in the First Schedule and shall be lodged with the Ministry together with the prescribed inspection fee at least two months before the said bull reaches the prescribed age.

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

(3) Notwithstanding the requirements of paragraphs (1) and (2), where an application has not been made by the prescribed time or where the bull to which it relates has not been brought for inspection at the time and place directed by the Ministry, the Ministry may accept such application and undertake

(a) S.R. & O. (N.I.) 1950, No. 134.
(b) S.R. & O. (N.I.) 1952, No. 8.
(c) S.R. & O. (N.I.) 1957, No. 15.
(d) S.R. & O. (N.I.) 1959, No. 196.

inspection for licence on receiving from the applicant the prescribed additional inspection fee.

Application for Permit

6. An application for a permit to keep an unlicensed bull for the purpose of fattening it off for slaughter shall be made in the form set forth in the Second Schedule and shall be lodged with the Ministry within 14 days of receipt by the owner of the bull of a notice from the Ministry refusing or revoking the licence for such bull or where an application for a licence has not previously been made, an application for a permit shall be lodged with the Ministry before the bull reaches the prescribed age.

Fees

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

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

(3) The fee to accompany an application lodged under Rule 6 for a permit to keep an unlicensed bull shall be five shillings save that, where an inspection fee in respect of such bull has already been lodged under Rule 5 no further fee shall be payable.

(4) Where an applicant by means of a written notice to the Ministry, withdraws an application lodged under Rule 5, the Ministry may return to the said applicant the inspection fee lodged with the application provided that such notice is received by the Ministry at least two days before the date of inspection of the bull notified to the applicant by the Ministry.

Conditions as to inspection and marking of Bulls

8.—(1) A bull shall be inspected by an authorised officer of the Ministry and, for this purpose, the Ministry may require the owner of a bull to make it available for inspection at any time and place that has been notified to the owner and the owner shall provide reasonable facilities and assistance for the purpose of inspecting and marking the bull.

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

(3) A bull deemed by an authorised officer of the Ministry to be suitable for a licence shall, in addition to any mark determined as in paragraph (2), also be marked with such mark as may be registered by the Ministry for this purpose.

(4) In the case of a bull in respect of which a licence has been revoked, the mark prescribed in paragraph (3) shall, if the Ministry considers it advisable to do so, be obliterated by an authorised officer of the Ministry as soon as possible after the revocation of the licence has been confirmed.

Forms of Licence and Permit

9.—(1) A full licence shall be in one of the forms L.1 or L.2 set forth in the Third Schedule as the Ministry may deem to be appropriate.

(2) A restricted licence shall be in the form L.3 set forth in the Third Schedule

(3) A permit shall be in the form P.1 set forth in the Third Schedule.

Categories of Bulls eligible for Licence

10.—(1) For the purposes of sub-section (1) of Section 2 of the Act, pedigree bulls as specified in paragraphs (1) and (2) of Rule 11 and non-pedigree Shorthorn bulls as specified in paragraphs (3) and (4) of Rule 11 shall be eligible for a full licence in one of the forms specified in paragraph (1) of Rule 9.

(2) Such bulls as the Ministry may determine shall be eligible for a restricted licence.

Licensing standards for prescribed categories of Bulls

11.—(1) A licence in the form L.1, hereinafter known as a "Beef Licence", shall be granted only in respect of a pedigree bull of any of the following breeds:—

Aberdeen Angus	Hereford
Dun and Belted Galloway	Shorthorn
Galloway	

Provided that such a licence shall not be granted unless the bull is of a standard which conforms with the provisions of the Act.

(2) A licence in the form L.2, hereinafter known as a "Dairy Licence", shall be granted only in respect of a pedigree bull of any of the following breeds:—

Ayrshire	Jersey
British Friesian	Kerry
Guernsey	Red Poll
Irish Moiled	Shorthorn

Provided that such a licence shall not be granted in respect of any such bull unless the applicant for the licence shall submit to the Ministry for examination, or produce for examination by an authorised officer of the Ministry when so required, the official milk records of such of the ancestors of the bull as shall from time to time be determined by the Ministry and shall establish to the satisfaction of the Ministry or an authorised officer that those ancestors have attained the standards of milk and butterfat production which shall for the time being be fixed by the Ministry, and unless the bull otherwise conforms with the provisions of the Act. Unless the Ministry shall otherwise determine, the said ancestors shall be the dam of the bull in respect of which application is made, and the dam of the bull's sire, and the standards of milk and butterfat production shall be the appropriate standards as set forth in the Fourth Schedule.

(3) Notwithstanding the provisions of paragraphs (1) and (2), the Ministry may, prior to the 1st January, 1965, grant a "Beef Licence" or a "Dairy Licence" in respect of any approved non-pedigree Shorthorn bull.

(4) Notwithstanding the provisions of paragraph (2), the Ministry may, at any time, grant a "Dairy Licence" in respect of any non-pedigree Shorthorn bull which is the progeny of—

(*a*) a pedigree Dairy Shorthorn bull whose dam has attained the standards of milk and butterfat laid down in the Fourth Schedule; and

(*b*) a non-pedigree Shorthorn dam which, in the Ministry's opinion, is typical of the Dairy Shorthorn breed and has attained the standards of milk and butterfat laid down in the Fourth Schedule.

Notices and Services thereof

12. Any notice required or authorised by these Rules shall be in writing and shall be deemed to be sufficiently served if it is sent by post addressed to the person to be served at his last known place of abode or business.

Appeals

13. Where the Ministry refuses to grant or transfer a licence in respect of any bull or revokes or suspends any licence, or requires the slaughtering or castration of any bull the owner of the bull may, within a period of fourteen days from the date of service on him of notice of such refusal, revocation or suspension or order to slaughter or castrate, and on payment to the Ministry of a fee of £2 2s. 0d., lodge an application in the form set forth in the Fifth Schedule requiring the bull to be inspected by such member or members of the Panel of Referees constituted under the Act as may be selected by the Ministry.

Change of Ownership, Death or Castration of Bull

14.—(1) Notice of any sale or hiring or other change in the ownership or control of a bull in respect of which a licence is in force, or has been applied for, or of its castration or death shall be given by the owner to the Ministry within seven days of such sale, hiring, change of ownership or control, castration or death. Such notice shall be delivered at or forwarded by post to the Ministry.

(2) Notice as in paragraph (1) shall be given in the manner therein specified in respect of a bull which at the date of its entry into Northern Ireland had attained the age of nine months but in respect of which at the date of such sale, hiring, change of ownership or control, castration or death no licence was in force.

Surrender of Licence or Permit

15. The owner of a bull in respect of which a licence or permit was issued shall, in the event of the licence or permit having expired or being revoked or suspended return such licence (together with the certified copy, if any) or permit to the Ministry within seven days from the date of expiry thereof, or within seven days from the date of service on him of notice of revocation or suspension of such licence or permit.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this 26th day of April, nineteen hundred and sixty-three.

(L.S.) *J. C. Baird,*
Assistant Secretary.

The Ministry of Finance hereby approves of the fees prescribed in the foregoing Rules.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 26th day of April, nineteen hundred and sixty-three.

(L.S.) *K. R. Shimeld,*
Assistant Secretary.