



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.

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.

- (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.

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].

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 person who is guilty of an offence under any provision of subsection (1), other than paragraph (a) thereof, or under the provision contained in paragraph 11(4) of the Schedule shall be liable on summary conviction^{F3} . . . to a fine not exceeding^{F3} level 3 on the standard scale^{F3}
- (4) The Ministry may in any scheme made under this Act or in any regulations provide for the imposition in respect of any contravention of any provision of the scheme or, as the case may be, of the regulations, or any failure to comply with any requirement made thereunder, of a lower maximum penalty than the penalty specified in paragraph (a) or (b) of subsection (3), and where the Ministry so provides that paragraph shall have effect in relation to any such contravention or failure as if the reference therein to that penalty were a reference to that lower penalty.
- (5) Where a person is convicted of an offence under subsection (1)(d) and the contravention or failure in respect of which he was convicted is continued after conviction, he shall be guilty of a further offence and shall be liable on summary conviction, in addition to any other penalty, to a fine not exceeding^{F3} level 1 on the standard scale] for each day on which the contravention or failure is so continued.
- (6) An offence under subsection (5) shall be a continuing offence and accordingly fresh proceedings in respect thereof may be taken from time to time.
- (7) No proceedings for an offence under any of the provisions of this Act may be instituted except—
- (a) by the Ministry, or
 - (b) by, or with the consent of, the Attorney General.

F3 1984 NI 3

11 Defence of act of third party mistake, accident, etc.

In any proceedings for an offence under section 10 it shall be a defence for the person charged to prove—

- (a) that the commission of the offence was due to the act of some other person, or to a mistake, or to an accident or some other cause beyond his control; and
- (b) that he took all reasonable precautions and exercised all due diligence to avoid the commission of such an offence by himself or any person acting on his behalf.

12 General provisions with respect to schemes and regulations.

(1) Before making—

- (a) any poultry improvement scheme, or
- (b) any regulations under section 4 prescribing conditions subject to which poultry stock licences are to have effect, or
- (c) any poultry testing scheme empowering the imposition of, or varying, any charges such as are mentioned in section 8(3).

the Ministry shall consult with any bodies which appear to the Ministry to be substantially representative of interests concerned.

(2) Poultry improvement schemes and poultry testing schemes—

Para. (a) rep. by 1979 NI 12

- (b) shall be subject to affirmative resolution.
- (3) Regulations shall be subject to negative resolution.
- (4) Any scheme or regulations made under this Act may contain such incidental or supplementary provisions as appear to the Ministry to be expedient for the purposes thereof.

13 General financial provision.

...^{F4} all sums received by the Ministry under this Act shall be paid into the Exchequer.

F4 SLR 1976

14 Interpretation.

In this Act—

- “the Act of 1950” has the meaning assigned to it by section 15(1);
- “authorised officer” means an officer of the Ministry generally or specially authorised in writing by the Ministry for the purposes of this Act;
- “chicks” means young poultry not more than two days old;
- “eggs” means the eggs of poultry;
- “hatchery” means any premises used for hatching eggs brought into the premises for the purpose of producing chicks for sale, supply or distribution by the occupier of the premises or by any other person at whose request the eggs are hatched;
- “licence-holder” means a person to whom a poultry stock licence has been issued;
- “the Ministry” has the meaning assigned to it by section 1(1);
- “poultry” means domestic fowl and such other domesticated birds as may be prescribed;
- “poultry improvement scheme” has the meaning assigned to it by section 1(1);
- “poultry stock licence” has the meaning assigned to it by section 3(1);
- “poultry testing scheme” has the meaning assigned to it by section 8(1);
- “premises” includes any land used in connection with premises for the purposes of the activities carried on in the premises;
- “prescribed” means prescribed by regulations;
- “the prescribed standards” means standards prescribed under section 5;
- “regulations” means regulations made by the Ministry under this Act.

15 Repeal and transitional provisions.

- (1) The Poultry Hatcheries Act (Northern Ireland) 1950^{MI} (in this Act referred to as “the Act of 1950”) is hereby repealed.

Subs. (2)(3) rep. by SLR 1980

- (4) A licence issued by the Ministry under the Act of 1950 which is in force at the passing of this Act shall continue in force according to its tenor and shall be deemed to be a poultry stock licence.

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

Marginal Citations

M1 [1950 c. 18](#)

16 Short title.

This Act may be cited as the Poultry Improvement Act (Northern Ireland) 1968.

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

SCHEDULE

Section 3 (1)(2).

POULTRY STOCK LICENCES

ISSUE OF LICENCES

- 1 An application for a licence shall be in such form as the Ministry may require, and shall be made to the Ministry at such time and in such manner as may be prescribed.
- 2 (1) An applicant for a licence with respect to premises where a business involving an activity of any class or description to which section 2(1) applies is carried on shall, at the time at which the application is made, pay to the Ministry a fee of such amount as may, with the approval of the Ministry of Finance, be prescribed for licences with respect to premises used in connection with businesses involving activities of that class or description.
(2) A fee prescribed under sub-paragraph (1) may be of a specified amount or may be calculated by reference to the amount or quantity of poultry or eggs produced, or capable of being produced, in the premises in question.
(3) The Public Offices Fees Act 1879 (fees payable in public offices to be collected in money or by stamps as the Ministry of Finance by order published in the Belfast Gazette directs) shall not apply to a fee payable under this paragraph.
- 3 The Ministry may refuse to issue a licence—
 - (a) to an applicant who in his application gives information which is false or incomplete in a material particular; or
 - (b) to an applicant who formerly held a licence and whose licence has been revoked or renewal of whose licence has been refused; or
 - (c) if the premises with respect to which the application is made are wholly or partly the same as those used for purposes in connection with which a licence previously held by another person has been revoked or refused to be renewed and the Ministry is not satisfied that the business in connection with which the licence is applied for is not carried on or to be carried on wholly or partly for the benefit of that other person; or
 - (d) if the Ministry is not satisfied—
 - (i) that the premises with respect to which application for the licence is made and the plant, equipment and utensils to be used in or in connection with the premises comply with the prescribed standards; and
 - (ii) that the standard of husbandry practised or likely to be practised in the premises is adequate.

DURATION OF LICENCES

- 4 A licence shall, unless suspended under paragraph 6 or revoked under paragraph 7, be in force for such year or such other period as the Ministry may direct, but shall be renewable; and, subject to paragraph 7, this Schedule shall apply to the renewal of a licence as it applies to the grant thereof.

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

AMENDMENT OF CONDITIONS

- 5 The Ministry may amend any conditions specified in a licence but no such amendment shall have effect until it has been brought to the notice of the licence-holder.

SUSPENSION

- 6 (1) The Ministry may suspend a licence where, following an inspection by an authorised officer of the premises, plant, equipment, utensils or practice of the licence-holder, it appears to the Ministry that the prescribed standards are not being observed or that the standard of husbandry is inadequate, but that the prescribed standards could be observed, or that there is reason to believe that the standard of husbandry will be rendered adequate, within a reasonable period.
- (2) When the Ministry suspends a licence, the Ministry shall serve on the licence-holder—
- (a) notice in writing of the suspension; and
 - (b) particulars of the action which appears to the Ministry to be necessary to bring his premises, plant, equipment or utensils into conformity with the prescribed standards or to render his standard of husbandry adequate;
- and shall also inform him of his right to require a fresh inspection under sub-paragraph (3).
- (3) Where the licence-holder is of the opinion that any action of which particulars are served on him under head (b) of sub-paragraph (2) is unreasonable, he may require a fresh inspection of his premises, plant, equipment, utensils or practice by an authorised officer other than the officer who made the inspection mentioned in sub-paragraph (1); and on receipt of the report of such other officer the Ministry shall review the suspension and the particulars served under the said head (b), having regard to that officer's report and any further representations which may be made by the licence-holder.
- (4) The suspension of a licence under this paragraph shall, in the first instance, have effect for twenty-eight days or such shorter period as the Ministry may direct, and may be extended; but, except for the purpose mentioned in paragraph 8(2), no such extension shall be made so as to continue the suspension for a period exceeding fifty-six days in all.

REVOCATION OF, AND REFUSAL TO RENEW, LICENCES

- 7 The Ministry may revoke or refuse to renew a licence—
- (a) where the Ministry is satisfied that the licence-holder or any person acting on his behalf has contravened or failed to comply with any condition of the licence; or
 - (b) where the licence-holder is convicted of an offence under any provision of this Act; or
 - (c) where the Ministry is not satisfied that the prescribed standards are being observed or that an adequate standard of husbandry is being practised, and it

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

- does not appear to the Ministry that those standards can or will be observed or (as the case may be) that the standard of husbandry will be rendered adequate within a reasonable period; or
- (d) where the licence has been suspended and any action of which particulars have been served under sub-paragraph (2)(*b*) of paragraph 6, or any such action as modified in consequence of the review mentioned in sub-paragraph (3) of that paragraph, has not been completed to the satisfaction of the Ministry within the period, or any extended period, of the suspension; or
- (e) on any ground on which the Ministry might have refused to issue a licence.
- 8 (1) Where the Ministry proposes to revoke or to refuse to renew a licence, the Ministry shall serve on the licence-holder—
- (a) in the case of a licence other than a suspended licence, at least twenty-eight days, or
- (b) in the case of a suspended licence, at least fourteen days,
- prior notice in writing of its intention to do so and of the grounds upon which the proposed revocation or refusal is contemplated; and before revoking or, as the case may be, refusing to renew the licence the Ministry shall consider any representations in writing in relation thereto made by the licence-holder before the expiration of the period of the notice.
- (2) Notwithstanding the limitation imposed by paragraph 6(4), the period of suspension of any licence may be extended until the expiration of the period of the notice mentioned in sub-paragraph (1)(*b*).

NOTICE OF REFUSAL OR REVOCATION

- 9 Where the Ministry refuses to issue a licence or revokes or refuses to renew a licence the Ministry shall serve a notice in writing to that effect on the person whose application for a licence has been refused or, as the case may be, whose licence has been revoked or the renewal of whose licence has been refused; and,—
- (a) the notice shall specify the grounds on which the application has been refused or the licence revoked or its renewal refused; and
- (b) except where the application has been refused on any of the grounds mentioned in paragraph 3(*d*) or the licence has been revoked or the renewal thereof has been refused on any of the grounds mentioned in paragraph 7(*c*) or (*d*), the notice shall inform that person of his right, if he questions the grounds of the refusal or revocation, to demand a reference upon the matters in question in pursuance of paragraph 10, and of the time within which the demand may be made.

REFERENCE OF DISPUTES

- 10 (1) A person whose application for a licence has been refused (except on any of the grounds mentioned in paragraph 3(*d*) or whose licence has been revoked or refused to be renewed (except on any of the grounds mentioned in paragraph 7(*c*) or (*d*)) and who questions the existence or sufficiency of the grounds of the refusal or revocation may demand a reference thereupon in accordance with the succeeding provisions of this Schedule.

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

- (2) The Minister of Agriculture shall from time to time prepare a panel of not less than three persons each of whom shall be a practising barrister-at-law or a practising [^{F5}solicitor of the Supreme Court of Judicature in Northern Ireland], in either case of not less than seven years standing.
- (3) Where a person, not later than the expiration of fourteen days from the date of the service on him of notice of the refusal or revocation, serves on the Ministry notice in writing of his intention to demand a reference under this paragraph, the Ministry shall send to him a copy of the panel mentioned in sub-paragraph (2) which is for the time being in force, and that person may select from the panel the name of a member thereof and may, not later than twenty-eight days from the date on which the copy of the panel was so sent to him, serve on the Ministry a demand for a reference, naming the member selected and stating the matters which he questions; and on the receipt by the Ministry of a demand so served those matters, to the extent that they are within the application of sub-paragraph (1), shall stand referred to the member of the panel so named.
- (4) [^{F6}Part I of the Arbitration Act 1996] shall not apply in relation to any reference under this paragraph.
- (5) The Ministry may pay to a person acting as referee on a reference under this Schedule fees and travelling and other allowances in respect of his services in accordance with such scales and subject to such conditions as the Ministry may determine with the approval of the Ministry of Finances.

F5 By [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 59(5), 148(1), Sch. 11 para. 5 and [S.I. 2009/1604](#), [art. 2\(d\)](#) it is provided that wherever they occur in any enactment, for the words "solicitor of the Supreme Court of Judicature of Northern Ireland" there is substituted (1.10.2009) the words "solicitor of the Court of Judicature of Northern Ireland".

F6 [1996 c.23](#)

- 11 (1) A referee acting under this Schedule may by notice in writing require any person—
 - (a) to attend at the time and place set forth in the notice to give evidence or to produce any books or documents in his custody or under his control which relate to any matter in question on the reference; or
 - (b) to furnish within such reasonable period as is specified in the notice such information relating to any matter in question on the reference as the referee may think fit and as the person so required is able to furnish;
 so however that—
 - (i) no person shall be required in obedience to such a notice to attend at any place which is more than ten miles from the place where he resides unless the necessary expenses are paid or tendered to him; and
 - (ii) nothing in this sub-paragraph shall empower the referee to require any person to produce any book or document or to answer any question which he would be entitled, on the ground of privilege or otherwise, to refuse to produce or to answer if the hearing of the reference were a proceeding in a court of law.
- (2) The expenses mentioned in paragraph (1)(i) shall be paid or tendered—
 - (a) where the notice is issued on the application of any party to the reference, by that party;
 - (b) where the notice is issued without any such application, by the Ministry.

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 referee may administer oaths and examine witnesses on oath and may accept in lieu of evidence on oath by any person a statement in writing by that person.
- (4) Any person who refuses or wilfully neglects to attend in obedience to a notice under sub-paragraph (1), or to give evidence, or who wilfully alters, suppresses, conceals, destroys or refuses to produce any book or document which he may be required to produce by any such notice, or who refuses or wilfully neglects to furnish any information which he is required to furnish under head (b) of sub-paragraph (1), shall be guilty of an offence.
- 12 The parties to the reference may appear—
- (a) in the case of the person demanding the reference, in person, or by solicitor or counsel; or
- (b) in the case of the Ministry, by an authorised officer, or by solicitor or counsel;
- and may cross-examine witnesses.
- 13 (1) The following provisions shall have effect with respect to the confirmation or quashing of any refusal or revocation in relation to which a reference has been demanded under paragraph 10, namely—
- (a) subject to head (b), if no ground of objection to the refusal or revocation which is relevant having regard to the provisions of paragraph 10(1) is established to the satisfaction of the referee, he shall confirm the refusal or revocation;
- (b) if no such ground of objection is so established, but the referee is nevertheless of opinion that the grounds upon which the refusal or revocation was made (not being grounds excepted from the application of paragraph 10(1)) are insignificant, or so trivial that the refusal or revocation should not be upheld, he may quash the refusal or revocation;
- (c) if such a ground of objection is so established, the referee shall quash the refusal or revocation.
- (2) Where the referee quashes a refusal or revocation as mentioned in head (b) of sub-paragraph (1) he shall state his reasons for the opinion mentioned in that head.
- (3) Where a refusal or revocation is quashed under this paragraph, the Ministry shall issue or, as the case requires, restore or renew, the licence in question.
- (4) The quashing under this paragraph of the revocation of a licence shall not effect the previous operation of that revocation.
- 14 (1) A referee acting under this Schedule may make orders as to the expenses incurred by the parties to the reference, and the parties by whom any such expenses (including any expenses incurred by the Ministry under paragraph 10(5) or 11(2)(b)) shall be paid.
- (2) Any expenses awarded to the Ministry under sub-paragraph (1) shall be recoverable by the Ministry summarily as a civil debt.

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

DEATH OF LICENCE-HOLDER

- 15 (1) Where a person who holds a licence dies, the licence shall enure for the benefit of his personal representative or of any person beneficially interested in his estate until the expiration of—
- (a) a period of two months from his death; or
 - (b) such longer period as the Ministry may allow;
- unless it expires or is revoked before the expiration of that period.
- (2) Where the licence in question stands suspended under paragraph 6, the reference in sub-paragraph (1) to the licence enuring shall be construed as a reference to its enuring as a suspended licence.

OTHER PROVISIONS

- 16 The Ministry shall, on the payment of a fee of [^{F7} 5p], issue to any person a certified copy of a licence held by him.

F7 1969 c.19

- 17 When a licence is suspended or revoked, the holder shall, within fourteen days of receiving a request for its return to the Ministry, return the licence to the Ministry together with any certified copies thereof issued to him under paragraph 16.
- 18 (1) Subject to sub-paragraph (2), in this Schedule “licence” means a poultry stock licence.
- (2) The references to a licence in head (*b*) of paragraph 3, and the first such reference in head (*c*) of that paragraph include references to a licence under the Act of 1950.

Changes to legislation:

There are currently no known outstanding effects for the Poultry Improvement Act (Northern Ireland) 1968.