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STATUTORY RULES OF NORTHERN IRELAND

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**1997 No. 35**

**ANIMALS**

**Artificial Insemination of Cattle (Amendment)  
Regulations (Northern Ireland) 1997**

*Made* - - - - *3rd February 1997*

*Coming into operation* *17th March 1997*

The Department of Agriculture, in exercise of the powers conferred on it by Article 5(1) and (2) of the Artificial Reproduction of Animals (Northern Ireland) Order 1975(1) and of every other power enabling it in that behalf, hereby makes the following Regulations:—

**Citation and commencement**

1.—(1) These Regulations may be cited as the Artificial Insemination of Cattle (Amendment) Regulations (Northern Ireland) 1997 and shall come into operation on 17th March 1997.

(2) In these Regulations “the 1988 Regulations” means the Artificial Insemination of Cattle Regulations (Northern Ireland) 1988(2).

**Amendment of Artificial Insemination of Cattle Regulations (Northern Ireland) 1988**

2. The 1988 Regulations shall be amended as provided in Regulations 3 to 12.

**Interpretation**

3.—(1) Regulation 2 shall be renumbered as regulation 2(1) and in that paragraph—

(a) after the definition of “artificial insemination service” there shall be inserted the following definition—

““centre veterinarian” means the veterinarian approved by the Department under regulation 7(4);”;

(b) after the definition of “cow” there shall be inserted the following definition—

““the Directive” means Council Directive 88/407/EEC((3)) laying down the animal health requirements applicable to intra-Community trade in and imports of deep-

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(1) S.I.1975/1834 (N.I. 17) as amended by S.I. 1994/1891 (N.I. 6) Arts. 17 and 18

(2) S.R. 1988 No. 339 as amended by S.R. 1990 No. 418

(3) O.J. No. L194, 22.7.88, p. 10

frozen semen of domestic animals of the bovine species, as amended by Council Directives [90/120/EEC\(4\)](#), [90/425/EEC\(5\)](#) and [93/60/EEC\(6\)](#)”;

- (c) after the definition of “farm storage licence” there shall be inserted the following definition—

““Member State” means any member state of the European Communities other than the United Kingdom;”;

- (d) the definition of “partially processed” shall be deleted;

- (e) for the definition of “processing” there shall be substituted—

““processing” means the processing of semen by means of—

- (a) dilution;
- (b) the addition of any substance which is calculated to prolong its natural life;
- (c) the addition of any antibiotic or any antimicrobial substance for the purpose of promoting and safeguarding animal health;
- (d) packaging it into straws;
- (e) freezing; and
- (f) storing it after freezing in a quarantine storage depot for 30 days, or such other period as the Department may direct in writing,

or by means of one or more of the processes listed at (a), (b), (c) and (d) of this definition;”;

- (f) for the definition of “raw semen” there shall be substituted the following definition—

““raw semen” means semen which is not processed;”;

- (g) for the definition of “special movement licence” there shall be substituted the following definition—

““special movement licence” means a licence granted under regulation 8(1)(b);”;  
and

- (h) for the definition of “veterinary surgeon” there shall be substituted the following definition—

““veterinary surgeon” means a veterinary surgeon (or veterinary practitioner) registered or recognised under the Veterinary Surgeons Act 1966(7).”.

- (2) After regulation 2(1) there shall be inserted the following paragraph—

“(2) Any other expressions used in these Regulations have the meaning they bear in the Directive.”.

## Licences

4. After regulation 2 there shall be inserted the following regulation—

### “Licences

2A. A licence granted under these Regulations—

- (a) shall be in writing; and

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(4) O.J. No. L71, 17.3.90, p. 37

(5) O.J. No. L224, 18.8.90, p. 29

(6) O.J. No. L186, 28.7.93, p. 28

(7) 1966 c. 36

- (b) may be suspended or varied by a notice in writing served by the Department upon the holder thereof.”.

### **Licences to store semen**

#### **5. In regulation 5—**

- (a) for paragraph (1) there shall be substituted the following paragraph—

“5.—(1) A person shall not store processed semen, or cause or permit processed semen to be stored, except under and in accordance with the conditions of—

- (a) a storage centre licence;
- (b) a semen shop licence;
- (c) a farm storage licence; or
- (d) a quarantine storage depot licence,

granted by the Department.”; and

- (b) after paragraph (4) there shall be inserted—

“(5) A storage centre licence or a quarantine storage depot licence shall not authorise the storage of processed semen intended for export to a Member State unless it meets the general conditions set out in Article 3(a) to (c) of the Directive.”.

### **Licence to operate a quarantine storage depot**

#### **6. For regulation 6 there shall be substituted the following regulation—**

“6.—(1) A person shall not store frozen semen in quarantine except under and in accordance with the conditions of a quarantine storage depot licence granted by the Department.

(2) A quarantine storage depot licence shall authorise the holder, in premises specified in and approved for the purposes of that licence, to store in quarantine after freezing, for 30 days or for such other period as the Department may direct in writing, semen which—

- (a) has been collected at a processing centre which complies with the requirements of the Directive; or
- (b) which has been imported in accordance with the conditions of a licence granted by the Department under Article 6(1) of the Artificial Reproduction of Animals (Northern Ireland) Order 1975 or Article 4 of the Landing of Carcasses and Animal Products Order (Northern Ireland) 1985(8), and is processed by means of all the processes listed at (a) to (e) in the definition of “processing”.”.

### **Licence to operate a processing centre**

#### **7. For regulation 7 there shall be substituted the following regulation—**

“7.—(1) A person shall not—

- (a) keep an approved bull for the purposes of collecting semen therefrom;
- (b) collect semen for processing; or
- (c) process semen,

for the purposes of that semen being used in the artificial insemination of a cow except under and in accordance with the conditions of a processing centre licence granted by the Department.

(2) The Department shall not grant a processing centre licence unless it is satisfied that the processing centre to which it relates complies with the provisions of the Directive (and, in particular, Annex A thereof).

(3) Where the Department has granted a processing centre licence it shall issue a distinguishing registration number in respect of the processing centre to which the licence relates.

(4) The Department shall approve a centre veterinarian to supervise each processing centre and that veterinarian shall report to the Department any breach of any provision of the Directive in relation to those premises.”.

### **Distribution of semen**

8. In regulation 8, for paragraph (3) there shall be substituted—

“(3) A person shall not distribute, or cause or permit to be distributed raw semen except under and in accordance with the conditions of a special movement licence granted by the Department under paragraph (1)(b).

(4) A distribution licence granted under paragraph (1) shall not authorise the distribution of any semen intended for export to a Member State, unless it meets the general conditions set out in Annex 3(a) to (c) of the Directive and is accompanied by an animal health certificate complying with Article 6(1) of the Directive.

(5) A special movement licence, a semen shop licence or a farm delivery licence shall not authorise the holder to distribute semen directly to any place outside Northern Ireland.”.

### **Use of semen**

9. In regulation 9(2) the words “or partially processed” shall be deleted.

### **Approval of bulls**

10. For regulation 10 there shall be substituted—

“10.—(1) A person shall not keep a bull or cause or permit a bull to be kept for the purposes of collecting semen therefrom for use in the artificial insemination of a cow, except it is approved by the Department for that purpose and is kept at a processing centre.

(2) The Department shall not approve any bull for the purposes of paragraph (1) unless it complies with the requirements of Annex B to the Directive.

(3) The Department may require an owner or person in charge of a bull to—

(a) permit or cause the bull to be subjected to such isolation and to such tests, examinations or inspections; and

(b) furnish to the Department such information,

as it may deem necessary to enable it to determine whether or not to approve the bull for the purposes of paragraph (1).

(4) Where the Department has approved a bull under paragraph (1) it may require that the bull be subjected to such further isolation and to such further tests, examinations or inspections as it may from time to time deem necessary.

(5) An approval granted under paragraph (1) in relation to any bull may—

- (a) restrict to an amount specified in the approval the quantity of semen to be collected from the bull; and
- (b) restrict the use of any semen collected from the bull only to cows in such herd or herds as may be specified in the approval.”.

**11.** For regulation 15 there shall be substituted the following regulation—

“**15.**—(1) The Department may by notice served on the owner of an approved bull and on any other person it may deem appropriate, prohibit the use or distribution for use in the artificial insemination of a cow of any semen collected from that bull where in the opinion of the Department it appears necessary to do so in order to safeguard animal health or welfare, having regard to the result of any test, examination or inspection of the bull or of any information relating to its progeny.

(2) Any notice issued under paragraph (1) may require that the prohibition shall apply to semen collected during a period specified in that notice, and may require that any person to whom the notice was given shall inform the Department of the identity of any person to whom he has distributed semen from that bull which was collected within that period.”.

**Application of Regulations**

**12.** For regulation 16(2) there shall be substituted the following paragraph—

“(2) In paragraph (1)—

(a) “permitted person” means—

- (i) the owner of the bull from which semen is collected;
- (ii) a person who is—
  - (i) a regular full-time employee of the owner of the bull; or
  - (ii) a member of the immediate family of the owner of the bull and normally resident with him;
- (iii) a veterinary surgeon; or
- (iv) a person who is licensed to practice ova transplantation in cattle under the Transplantation of Ova (Animals) Regulations (Northern Ireland) 1982<sup>(9)</sup> or a person who is a member of a bovine embryo transplantation team under the Bovine Embryo Collection, Production and Transplantation Regulations (Northern Ireland) 1996<sup>(10)</sup>; and

(b) “partially processed” means semen which has been collected in a place other than a processing centre licenced under regulation 7(1) from a bull, whether or not it complies with the requirements of Annex B of the Directive, and which has been processed by means of one or more of the processes listed at (a), (b), (c) and (d) of the definition of “processing”.”.

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<sup>(9)</sup> S.R. 1982 No. 395

<sup>(10)</sup> S.R. 1996 No. 389

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Sealed with the Official Seal of the Department of Agriculture on

L.S.

3rd February 1997.

*R. S. Johnston*  
Assistant Secretary

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## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These Regulations implement the provisions of Council Directive [88/407/EEC](#) (“the Directive”) as amended by Council Directives [90/120/EEC](#), [90/425/EEC](#) and [93/60/EEC](#). For that purpose they further amend the Artificial Insemination of Cattle Regulations (Northern Ireland) 1988 (“the 1988 Regulations”) in relation to the collection, processing, storage and transport of bovine semen. In particular they require that semen for export to a Member State of the European Community must comply with Article 3 of the Directive.

The principal changes to the 1988 Regulations are as follows:

- (a) the definition of processing has been amended to include either all of the processes listed in (a) to (f) of the definition, (fully processed) or one or more of the processes listed at (a) to (d), (partially processed) (regulation 3);
- (b) a storage centre or quarantine storage depot licence will not authorise the storage of processed semen intended for export to a Member State unless that semen complies with the requirements of the Directive (regulation 5);
- (c) a quarantine storage depot licence will authorise the holder to store semen which has been collected in a processing centre which complies with the requirements of the Directive (regulation 6);
- (d) the licensing of processing centres is dependent upon them complying with the provisions of the Directive. Each processing centre must be supervised by a veterinarian approved by the Department (“the centre veterinarian”) (regulation 7);
- (e) raw semen must be distributed under the conditions of a special movement licence granted by the Department. A distribution licence will not authorise the distribution of semen intended for export to a Member State unless such semen complies with the requirements of the Directive (regulation 8);
- (f) the approval of a bull for the purpose of collecting semen for use in the artificial insemination of a cow is dependent upon it complying with the provisions of the Directive (regulation 10);
- (g) the exemptions from the controls set out in the 1988 Regulations granted by regulation 16 thereof have been extended to include a person who is a member of a bovine embryo transplantation team under the Bovine Embryo Collection, Production and Transplantation Regulations (Northern Ireland) 1996 (regulation 12).