
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 496

**Wild Game Meat (Hygiene and Inspection)
Regulations (Northern Ireland) 1997**

Part II

Licensing of Wild Game Processing Facilities

Issue of licences

3.—(1) A person shall not use any wild game processing facility for the purpose of dressing or cutting up wild game, the meat derived from which is intended for consignment, or sale for consignment, to a relevant EEA State for human consumption, unless that wild game processing facility is currently licensed under these Regulations.

(2) Without prejudice to paragraph (6), the Department, on application made to it under this regulation, shall license the wild game processing facility to which the application relates if it is satisfied that—

- (a) where only wild game meat is handled, it complies with the requirements of Schedule 1 or the occupier of the premises has agreed a work plan with the Department to carry out and complete works at the premises necessary to comply with those requirements on or before 8th March 1998 the method of operation in those premises complies with the requirements of Schedules 2 to 6 and there is no significant risk either that facilities for inspection under Schedule 4 will be denied or that any wild game meat condemned under those Schedules will be used for human consumption; or
- (b) where fresh meat and wild game meat are handled, it is an establishment licensed under regulation 4 of the Fresh Meat Regulations or, as the case may be, regulation 4 of the Poultry Meat Regulations and—
 - (i) the method of operation in the establishment, in relation to wild game meat, complies, in so far as is necessary for the type of operations carried out in the establishment, with the requirements of Schedules 2 to 6 and there is no significant risk either that the facilities for inspection under Schedule 4 will be denied or that any wild game meat condemned under those Schedules will be used for human consumption; and
 - (ii) wild game meat will be handled separately or at different times from fresh meat and measures will be taken to identify clearly the different types of meat;

and shall refuse to grant a licence if it is not so satisfied.

(3) Each application for a licence under this regulation shall be made in writing to the Department by the occupier of the premises to which the application relates.

(4) The Department shall notify the applicant in writing of its decision on the application and of its reasons for any refusal to grant a licence.

(5) Any licence granted in respect of any premises under this regulation shall be subject to the condition that any significant alteration to the premises or the equipment or method of operation in those premises shall comply with the provisions of these Regulations.

(6) In granting a licence in respect of any premises under this regulation the Department may make that licence subject to conditions—

- (a) in respect of the type or species of wild game which may be processed there; and
- (b) as to the operations which may be carried out there.

Revocation of licences

4.—(1) The Department may revoke a licence granted by it under regulation 3 in respect of any premises and, where appropriate, require the withdrawal of the equipment for application of the health mark if, after an inspection of, or an inquiry into, the operation or structure of the premises and a report by an OVS or veterinary officer, it is satisfied that—

- (a) the conditions of hygiene at those premises are inadequate and the occupier has failed to take the necessary measures to make good the shortcomings within such period as the Department may specify;
- (b) any requirement of these Regulations as to hygiene has not been complied with and inadequate or no action has been taken to ensure that a similar breach does not occur in future;
- (c) any agreement made by the occupier with the Department to carry out and complete any works referred to in regulation 3(2)(a) has not been complied with;
- (d) any condition attached to the licence in accordance with regulation 3(5) or (6) has not been complied with; or
- (e) the premises no longer fall within these Regulations because the business carried on at the premises has ceased to include the consignment or sale for consignment to a relevant EEA State of wild game meat for human consumption.

(2) The Department shall forthwith notify the occupier in writing of its decision under paragraph (1) to revoke any licence granted under these Regulations, of the date on which any revocation is to take effect and of the reasons for such revocation.

(3) In paragraph (2) “occupier”, in relation to a proposed revocation by virtue of paragraph (1) (e) where the premises are vacant, means the last person known to the Department to have carried on at the premises the business for which the licence was granted or his successor in respect of that business.

Right of appeal

5.—(1) Any person who is aggrieved by the refusal or revocation of a licence or by any condition of a licence may appeal to a magistrates' court against the decision.

(2) Article 37(2) and (3) of the Order shall have effect in relation to an appeal against a condition of a licence as they have effect in relation to an appeal under that Article.

(3) Without prejudice to Articles 8 to 12 of the Order, where the Department has refused a licence under regulation 3 or revoked the licence of any premises under regulation 4, a person who, immediately before such refusal or revocation has been lawfully using them as a wild game processing facility for the dressing or cutting up of wild game, the flesh of which is subsequently consigned or sold for consignment to relevant EEA State for human consumption, may continue to use them for that purpose, subject to any reasonable condition imposed by the Department for the protection of public health, until the time for appealing has expired and, if an appeal is lodged, until the appeal is finally disposed of or abandoned.