EXECUTIVE NOTE

THE BOVINE SEMEN (SCOTLAND) REGULATIONS 2007
SSI 2007/330

The above instrument was made under section 10 of the Animal Health and Welfare Act 1984 and section 2(2) of the European Communities Act 1972.

Policy Objective

The objective of this instrument is to replace The Artificial Insemination of Cattle (Animal Health) (Scotland) Regulations 1985 which govern the collection, processing, storage and supply of bovine semen for the domestic market with new Regulations that are less burdensome on the industry, are in keeping with modern industry practice and enforceable.

Main Changes

Under these Regulations the distribution, sale and storage of bovine semen has largely been deregulated. This has done away with the need for 8 types of licences resulting in less bureaucracy and financial savings to the industry in relation to the costs previously associated with the processing of applications for these licences.

Part 2, regulations 4 – 9 stipulate the licences that are now required under the new Regulations, and the form that applications for these must take.

Part 3 of the regulations sets out the rules for the operation of licensed bovine semen centres and at unlicensed centres. In this part Regulation 13 details the records that must be kept of animals that enter collection centres. Regulation 14 details the records that must be kept by anyone who supplies or receives bovine semen. This will ensure the traceability of semen in the event of a disease outbreak.

Part 4 of the regulations contains various provisions relating to the collection, processing and storage of semen. In particular -

- Regulation 19 sets out the conditions that must be satisfied before semen may be collected from a bovine animal;
- Regulation 20 defines the places where semen may be collected;
- Regulation 22 sets out the controls for the movement of animals onto quarantine centres, collection centres or unlicensed premises;
- Regulation 30 sets out the conditions for intra-community trade in semen.

Part 5 of the regulations deals with the administration and enforcement of the regulations. The main provisions are –

- Regulation 32 requires the Scottish Ministers to explain to an applicant the reasons for a refusal to grant a licence, or subjecting an approval to conditions. It also explains an applicant's right to request a review of any such decision;

- Regulation 34 details the circumstances in which Scottish Ministers may suspend or amend an approval or licence. It also contains provision for the person affected by any such decision to request a review of the decision;
- Regulation 35 covers the circumstance in which the Scottish Ministers may revoke an approval or licence and the right of the person affected to apply for a review;
- Regulations 36 sets out how a review requested under Regulation 35 would be dealt with;
- Regulation 41 details the services under these regulations for which a fee is payable and the costs that such fees cover.

Schedule 1 to the Regulations lays down the minimum standards for the construction and design of quarantine, collection and storage centres.

Schedule 2 to the Regulations sets out the responsibilities of centre veterinarians in EC quarantine centres. It details the tests that must be carried out on bovine animals before they are admitted to the centre and afterwards.

Schedule 3 to the Regulations details the duties of centre veterinarians in EC collection centres especially in relation to the tests that must be applied to all bovine animals in EC collection centres. It also sets out the actions that the centre veterinarian must take if the results of any of these tests indicate the presence of disease.

Schedule 5 to the Regulations details the duties of centre veterinarians in domestic collection centres, including the tests to be carried out on bovine animals, and the action required if the results of any of these tests are positive.

Schedule 7 to the Regulations sets out the duties of operators of unlicensed premises (i.e. farms). These include the accommodation to be used and the requirement to move the semen only to an approved centre for processing.

Schedule 9 to the Regulations specifies the information that must be recorded as provided for in Regulation 31.

Consultation

The evolution of these Regulations has been a collaborative effort between Government Departments and the industry. The industry was given the opportunity to comment on the draft Regulations both in writing and at meetings.

Financial Effects

There are no cost implications for Central Government arising from the making of these Regulations. The deregulation aspects will save time and, consequently, costs. The revision of the fee scale has resulted in fees for some activities increasing, and decreasing for others. The reduction in the cost of processing an application for the approval of a bull for on farm collection will be of particular benefit to Scottish farmers.

Rural Directorate
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