

S.I. No. 381 of 2001.
Diseases of Animals Act, 1966 (Foot-and-Mouth Disease) (Control on Artificial Insemination and Embryo Transfer in Sheep) Order, 2001

I, Joe Walsh, Minister for Agriculture, Food and Rural Development, in exercise of the powers conferred on me by sections 3, 5 and 13 of the Diseases of Animals Act, 1966 (No. 6 of 1966) (as adapted by the Agriculture and Food (Alteration in Name of Department and Title of Minister) Order, 1999 (S.I. No. 307 of 1999)), for the purposes of preventing the spreading of foot-and-mouth disease, hereby order as follows:

1. This Order may be cited as the Diseases of Animals Act, 1966 (Foot-and-Mouth Disease) (Control on Artificial Insemination and Embryo Transfer in Sheep) Order, 2001.

2. In this Order-

"animal" means an animal of the ovine species;

"authorised officer" means a person authorised pursuant to section 17A (inserted by section 2 of the Diseases of Animals (Amendment) Act, 2001 (No. 3 of 2001)) of the Diseases of Animals Act, 1966 (No. 6 of 1966);

"ovine embryo licence" means a licence granted by the Minister or a person designated by the Minister under Article 8(1)(a)(ii);

"ovine semen licence" means a licence granted by the Minister or a person designated by the Minister under Article 8(1)(a)(i);

"registered veterinary surgeon" means a person currently entered on the register maintained pursuant to the Veterinary Surgeons Act, 1931 (No. 36 of 1931).

- 3.(1) A person shall not have -

- (a) ovine semen, or
 - (b) any equipment or other thing made or used to transport or administer ovine semen,

in his or her possession or under his or her control save under and in accordance with an ovine semen licence.

- (2) A person shall not -

- (a) collect, sell or supply or attempt to collect, sell or supply ovine semen, or
 - (b) sell or supply or attempt to sell or supply any equipment or other thing made or used to transport or administer ovine semen,

save under and in accordance with an ovine semen licence.

- (3) A person shall not cause or permit another person to administer ovine semen to an animal other than under and in accordance with an ovine semen licence.

- (4) A person shall not have in his or her possession or under his or her control, sell or supply an animal to which ovine semen has been administered in contravention of this Article.

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4.(1) A person shall not have -

- (a) an ovine embryo, or
- (b) any equipment or other thing made or used to transport or transfer an ovine embryo,

in his or her possession under his or her control save under and in accordance with an ovine embryo licence.

- (2) A person shall not collect, transfer, sell or supply or attempt to collect, transfer, sell or supply an ovine embryo save under and in accordance with an ovine embryo licence.
- (3) A person shall not sell or supply or attempt to sell or supply any equipment or other thing made or used to transport, collect or transfer an ovine embryo save under and in accordance with an ovine embryo licence.
- (4) A person shall not cause or permit another person to collect, transfer, sell or supply or attempt to collect, transfer, sell or supply an ovine embryo save under and in accordance with an ovine embryo licence.
- (5) A person shall not cause or permit another person to sell or supply or attempt to sell or supply any equipment or other thing made or used to transport, collect or transfer an ovine embryo save under and in accordance with an ovine embryo licence.
- (6) A person shall not have in his or her possession or under his or her control, sell or supply an animal to which an ovine embryo has been transferred in contravention of this Article.

5. A person shall not bring or cause to be brought -

- (a) any container containing, or that has contained, ovine semen,
- (b) any thing made or used to transport ovine semen, or
- (c) any equipment or other thing made or used to administer ovine semen to an animal,

into or onto any land or premises where animals are kept for farming purposes save under and in accordance with an ovine semen licence.

6. A person shall not bring or cause to be brought -

- (a) any container containing, or that has contained, an ovine embryo,
- (b) any thing made or used to transport an ovine embryo, or
- (c) any equipment or other thing made or used to collect or transfer an ovine embryo from or into an animal,

into or onto any land or premises where animals are kept for farming purposes save under and in accordance with an ovine embryo licence.

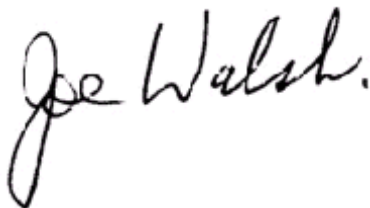
7. A person shall not engage in -

- (a) artificial insemination of animals in any place in the State, save under and in accordance with an ovine semen licence and in respect of animals in a flock specified in the licence, or

- (b) embryo transfer in any place in the State, save under and in accordance with an ovine embryo licence and in respect of animals in a flock specified in the licence.
- 8.(1) The Minister or a person designated by the Minister ("designated person") may, on receipt of a written application that contains such information as the Minister or designated person may consider appropriate -
 - (a) grant an-
 - (i) ovine semen licence, or
 - (ii) ovine embryo licence,and attach conditions thereto, or
 - (b) refuse an application.
- (2) Without prejudice to the generality of paragraph (1)(b), the Minister or a designated person may refuse an application or revoke a licence where the person has been convicted of, or committed an offence, whether he or she has been convicted or not, contrary to the Diseases of Animals Acts, 1966 to 2001 or has failed to comply with the conditions of a licence.
- (3) The Minister shall not grant an -
 - (a) ovine embryo licence that permits a person to collect an ovine embryo or transfer an ovine embryo into an animal, or
 - (b) ovine semen licence that permits a person to engage in artificial insemination involving a surgical procedure,unless the person is a registered veterinary surgeon.
- 9. Where an authorised officer, member of the Garda Síochána or officer of Customs and Excise has reasonable cause to suspect that a person-
 - (a) is selling or supplying ovine semen or an ovine embryo,
 - (b) is selling or supplying any equipment or other thing used to transport ovine semen or administer ovine semen to an animal,
 - (c) is selling or supplying any equipment or other thing used to transport, collect or transfer an ovine embryo, or
 - (d) has, or has had, ovine semen or an ovine embryo in his or her possession or under his or her control,he or she may request the person to produce the licence relating to the sale, supply, possession or, as the case may be, control of the ovine semen or ovine embryo to the officer or member and the person shall produce the licence.
- 10. This Order is in addition to, and not in substitution for, the European Communities (Trade in Animals and Animals Semen, Ova and Embryos) Regulations, 1996 (S.I. No. 12 of 1996).

GIVEN under my Official Seal,3

August, 2001

A handwritten signature in black ink that reads "Joe Walsh." The signature is written in a cursive style with a large, looping initial "J" and a trailing period.

Joe Walsh
Minister for Agriculture, Food and
Rural Development.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

This Order provides for licensing of Artificial Insemination and Embryo Transfer in sheep on the same basis as for cattle.

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