STATUTORY INSTRUMENTS

1969 No. 1155 (S.96)

AGRICULTURE

LIVESTOCK INDUSTRIES

The Improvement of Livestock (Licensing of Boars) (Scotland) Amendment Regulations 1969

Made - - -	*5th August* 1969
Laid before Parliament	*15th August* 1969
Coming into Operation	*22nd August* 1969

In exercise of the powers conferred on me by sections 2, 4, 5 and 11 of the Improvement of Live Stock (Licensing of Bulls) Act 1931(**a**) as amended and applied to boars by section 6 of the Agriculture (Miscellaneous Provisions) Act 1944(**b**) and extended by section 16(4) of the Agriculture (Miscellaneous Provisions) Act 1963(**c**) and of all other powers enabling me in that behalf, with the approval of the Treasury as to fees, I hereby make the following regulations :—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Improvement of Livestock (Licensing of Boars) (Scotland) Amendment Regulations 1969 and shall come into operation on 22nd August 1969.

(2) In these regulations "the principal regulations" means the Improvement of Livestock (Licensing of Boars) (Scotland) Regulations 1949(**d**) as amended (**e**).

(3) The Interpretation Act 1889(**f**) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

Distinction between special and general permits

2. Regulation 2(1) of the principal regulations shall be amended by the insertion, after the definition of "the amending Act", of the following definitions—

" 'general permit' means any permit other than a special permit ;

'special permit' means a permit which, by virtue of the proviso to section 4(4) of the Act (which, as extended by section 6 of the amending Act, relates to the granting of permits in respect of boars kept for zoological or experimental purposes), does not include a condition that the boar to which it relates shall not be allowed to serve a sow."

(**a**) 1931 c. 43.
(**b**) 1944 c. 28.
(**c**) 1963 c. 11.
(**d**) S.I. 1949/1912 (1949 I, p. 482).
(**e**) S.I. 1954/179, 1964/123 (1954 I, p. 152; 1964 I, p. 221).
(**f**) 1889 c. 63.

Dispensation with inspection and marking of boar where application made for general permit.

3. Regulation 7 of the principal regulations (which relates to the inspection and marking of boars) shall be amended by the insertion of the word "special" before the word "permit" in paragraph (*a*) and in paragraph (*c*).

Alterations in fees

4. For regulation 12 of the principal regulations there shall be substituted the following regulation :—

"**12**—(1) Fees of the following amounts shall be payable to the Secretary of State in respect of licences, permits, or duplicates thereof and inspections by referees—

(*a*) in respect of a licence to keep a boar	£1 15s.
(*b*) in respect of a special permit	£1 15s.
(*c*) in respect of a duplicate of any such licence or of a special or general permit	5s.
(*d*) in respect of an inspection by a referee—	
(i) except as otherwise prescribed below, for each boar	£7
(ii) where two boars owned by the same person are to be inspected by the same referee at the same premises at the same time, for each boar ...	£6
(iii) where three or more boars owned by the same person are to be inspected by the same referee at the same premises at the same time, for each boar	£5

Provided that no fee shall be payable in respect of—

(*a*) a licence or special permit to keep a boar where at the time of application therefor a licence or special permit issued by the Minister of Agriculture, Fisheries and Food is in force in relation to the boar;

(*b*) a special permit to keep a boar where the prescribed fee has been paid in respect of a licence to keep that boar and such licence has been refused.

(2) The prescribed fee shall be remitted to the Secretary of State with the corresponding application.

(3) If, before the inspection referred to in regulation 7(*a*) or regulation 11 hereof takes place, the relative application for a licence or special permit or for a referee's inspection is withdrawn by the applicant, the Secretary of State may return the fee to him."

Revocation of approval of pig breeding societies

5. In Schedule 1 to the principal regulations (which names approved pig breeding societies for the purposes of section 6(3) of the Agriculture (Miscellaneous Provisions) Act 1944) the names "Cumberland Pig Breeders' Association", "Essex Pig Society", "Gloucestershire Old Spots Pig Society", "Lincolnshire Curly-Coated Pig Breeders' Society", "National Lop-eared Pig Society", "Royal Ulster Agricultural Society" and "Welsh Pig Society" shall be deleted.

Amendments to forms because of alterations in fees

6. In Schedule 2 to the principal regulations :—

(1) in Form A, for "£1 1s." there shall be substituted "£1 15s." ;

(2) for Form B there shall be substituted the Form B set out in the Schedule to these regulations ;

(3) in Form G, for "**5 guineas* there shall be substituted "**£7*

4 guineas *£6*

3 guineas" *£5*" ;

(4) in Note 1 to Form G, for "£5 5s.", "£4 4s." and "£3 3s." there shall be substituted "£7", "£6" and "£5" respectively.

William Ross,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh.
29th July 1969.

We approve.

E. Alan Fitch,
B. K. O'Malley,
Two of the Lords Commissioners of Her Majesty's Treasury.

5th August 1969.

SCHEDULE

FORM B

DEPARTMENT OF AGRICULTURE AND FISHERIES FOR SCOTLAND

IMPROVEMENT OF LIVESTOCK (LICENSING OF BOARS) (SCOTLAND) REGULATIONS 1949 (as amended)

APPLICATION FOR A PERMIT TO KEEP A BOAR

Description of Boar:

Name..... Farrowed.....19.....
Day of Month Year

Breed or Type.....

Colour.....Ear Mark (if any).....

Other Identification Marks.....

Is the Boar Registered with a Breed Society?.....

If so, state Herd Book reference (if any).....Page.....No. of Volume.....

Full Address of Premises at which Boar will be kept.....

.....

Full name and address of owner of Boar.....

.....

I hereby apply for a *special permit (See Note 1) / general permit (See Note 2) to keep the boar described above until .....

for the purpose of.....

I am *the owner / agent for the owner of the boar in question.

I enclose†.....for £1 15s. in respect of the prescribed fee (delete if inappropriate—See Note 3).

Signature.....

Address.....

.....

.....

Date.....

*Strike out words which do not apply.

†State whether cheque, postal order or money order.

NOTES:

1. A *special permit* is a permit to keep a boar for zoological or experimental purposes which does not include a condition that the boar shall not be allowed to serve a sow (which includes a gilt).

2. A *general permit* is a permit to keep a boar for any other purpose and includes a condition that the boar must not be allowed to serve a sow (which includes a gilt). This type of permit is issued when a boar is to be kept entire to be fattened for slaughter.

3. The prescribed fee for a special permit is £1 15s. There is no fee for a general permit.

EXPLANATORY NOTE

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

These Regulations amend the Improvement of Livestock (Licensing of Boars) (Scotland) Regulations 1949 to 1964. The principal changes are:—

(1) a distinction is made between special permits and general permits for the keeping of boars. (A special permit permits breeding; a general permit does not.)

(2) Fees for licences and special permits to keep boars and for referees' inspections are increased but there will be no fee for a general permit.

(3) There will be no inspection and marking of a boar in respect of which a general permit is issued.

(4) A fee may be returned if the relative application for a licence, special permit or referee's inspection is withdrawn either verbally or in writing before the boar is inspected. (The withdrawal has hitherto had to be in writing.)

(5) Certain pig breeding societies are removed from the list of approved pig breeding societies.