

BERMUDA STATUTORY INSTRUMENT
AGRICULTURE (IMPROVEMENT OF LIVESTOCK)
REGULATIONS 1947

*[made under section 12 of the Agriculture Act 1930 [title 25 item 1] on 26
February 1947 and brought into operation on 18 April 1947]*

ARRANGEMENT OF REGULATIONS

- 1 Citation
- 2 Interpretation
- 3 Application for breeding licence
- 4 Appointment for examination of animal
- 5 Examination of animal
- 6 Re-examination
- 7 Appeal
- 8 Duties of owner of animal
- 9 Action where no licence
- 10 Duplicate licence
- 11 Defacement of symbol or number
- 12 Offences

Citation

- 1 These Regulations may be cited as the Agriculture (Improvement of Livestock) Regulations 1947.

Interpretation

- 2 In these Regulations unless the context otherwise requires—

"breeding licence" means a licence in a form prescribed by the
Director authorizing the owner of a bull to cause or allow the
bull to serve or inseminate heifers or cows or the owner of a

**AGRICULTURE (IMPROVEMENT OF LIVESTOCK)
REGULATIONS 1947**

boar to cause or allow the boar to serve or inseminate gilts or sows;

"examine", in relation to any bull or boar, means examine in order to decide whether a breeding licence should or should not be issued in respect of that bull or boar; and the expressions "examined" and "examination" shall be construed accordingly;

"prescribed age" means in respect of a bull the age of nine months and in respect of a boar the age of five months;

"referee" means a person other than an officer of the Department designated by the executive committee of the Bermuda Milk Producers' Association to act as a referee under regulation 7;

"the Veterinary Officer" means the Government Veterinary Officer or any other officer of the Department authorized or required by the Director to examine bulls or boars.

Application for breeding licence

3 (1) [*omitted*] [*spent*]

(2) Every person who owns a bull or boar—

(a) [*omitted*] [*spent*]

(b) which has not been castrated before the date on which it reaches the prescribed age,

shall within the thirty days next succeeding the date upon which the bull or boar, as the case may be, reaches the prescribed age, make application to the Director for the bull or boar to be examined.

(3) The owner of a bull or boar making application for a breeding licence as provided in this regulation shall notify the Director—

(a) of his full name and address; and

(b) of the address of the place at which the bull or boar is being kept.

Appointment for examination of animal

4 (1) Upon receiving the application mentioned in regulation 3, the Director shall cause the bull or boar to be examined, and for that purpose—

(a) shall notify the owner of the bull or boar of the time and place at which the examination will be carried out; and

(b) shall cause the Veterinary Officer to attend at the time and place notified to carry out the examination.

(2) The owner of the bull or boar shall cause the bull or boar to be available for examination at the time and place notified by the Director.

Examination of animal

5 (1) It shall be the duty of the Veterinary Officer on attending at the time and place notified to examine the bull or boar.

(2) Where the Veterinary Officer is satisfied as a result of his examination of a bull or boar that the bull or boar is of a proper standard for breeding, having regard to all the circumstances, then in any such case—

- (a) he shall issue to the owner of the bull or boar a breeding licence in respect of the bull or boar; and
- (b) he shall cause a duplicate breeding licence to be filed in the records of the Department;
- (c) he shall tattoo, or cause to be tattooed, the symbol "L" and a distinguishing number in the right ear of the bull or boar.

(3) Where the Veterinary Officer is satisfied, as a result of his examination of a bull or boar, that the bull or boar is not of a proper standard for breeding, having regard to all the circumstances, then in any such case—

- (a) he shall notify the owner of the bull or boar of his decision;
- (b) he shall not issue a breeding licence in respect of the bull or boar;
- (c) he shall cause a memorandum to that effect to be filed in the records of the Department;
- (d) he shall inform the owner of the bull or boar of his right to appeal to a referee as provided in regulation 7; and
- (e) he shall in a case where no notice of appeal is sent to the Director in conformity with regulation 7(2), tattoo or cause to be tattooed the "X" in the right ear of the bull or boar.

Re-examination

6 (1) Where a breeding licence is issued in respect of a bull or boar, and the bull or boar has not been castrated subsequently to the date of issue of the licence—

**AGRICULTURE (IMPROVEMENT OF LIVESTOCK)
REGULATIONS 1947**

- (a) the owner of the bull or boar shall make application for the re-examination of the bull or boar within thirty days after the expiration of each succeeding period of two years after the date of the first examination of the bull or boar;
 - (b) the Director may order a re-examination of the bull or boar at any time.
- (2) The procedure in respect of any re-examination mentioned in paragraph (1) shall conform generally to the procedure laid down in regulation 3(3) and 4.
- (3) Where the Veterinary Officer, as a result of the re-examination of a bull or boar—
- (a) is satisfied that the bull or boar is of a proper standard for further breeding, having regard to all the circumstances, then in any such case he shall endorse the original and duplicate breeding licence accordingly; or
 - (b) is satisfied that the bull or boar is not of a proper standard for further breeding, having regard to all the circumstances, then in any such case—
 - (i) he shall inform the owner of the bull or boar of the decision and of his right to appeal to a referee as provided in regulation 7; and
 - (ii) he shall, in a case where no notice of appeal is sent to the Director in conformity with regulation 7(2), tattoo or cause to be tattooed the symbol "R" in the right ear of the bull or boar and shall cause the breeding licence held by the owner of the bull or boar and the duplicate licence filed in the records of the Department to be endorsed with the word "Revoked".

Appeal

- 7 (1) Any owner of a bull or boar who is aggrieved by a decision of the Veterinary Officer in respect of any examination or re-examination of the bull or boar may appeal to a referee.
- (2) Written notice of appeal shall be sent to the Director not later than three days after the date on which the decision of the Veterinary Officer is communicated to the owner.
- (3) A fee of two dollars and forty cents shall be forwarded with the notice of appeal.

(4) The Director, on receiving notice of appeal, shall cause a referee to examine the bull or boar, and the procedure relating to such examination shall conform generally to that specified in regulation 4.

(5) A referee examining a bull or boar under paragraph (4) shall be entitled to receive out of the Consolidated Fund a fee of ninety-six cents on production of a certificate signed by the Director.

(6) Where a referee reverses the decision of the Veterinary Officer, the Director, within three days of the examination by the referee—

(a) shall, in respect of an application for the issue of a breeding licence—

- (i) cause a breeding licence to be issued to the owner of the bull or boar;
- (ii) cause a duplicate licence to be filed in the records of the Department;
- (iii) cause the symbol "L" and a distinguishing number to be tattooed in the right ear of the bull or boar; or

(b) shall, in respect of a re-examination by the Veterinary Officer, cause the original and duplicate breeding licence in respect of the bull or boar to be endorsed accordingly; and

(c) shall in either case cause the fee of two dollars and forty cents to be refunded to the owner.

(7) Where the referee upholds the decision of the Veterinary Officer, the Director—

(a) shall, in respect of an application for a breeding licence—

- (i) cause the memorandum mentioned in regulation 5(2) to be endorsed accordingly; and
- (ii) cause the symbol "X" to be tattooed in the right ear of the bull or boar; or

(b) shall in respect of a re-examination by the Veterinary Officer—

- (i) cause the breeding licence held by the owner of the bull or boar and the duplicate licence filed in the records of the Department to be endorsed with the word "Revoked"; and

**AGRICULTURE (IMPROVEMENT OF LIVESTOCK)
REGULATIONS 1947**

- (ii) cause the symbol "R" to be tattooed in the right ear of the bull or boar; and
 - (c) shall in either case cause the fee of two dollars and forty cents to be paid into the Consolidated Fund.
- (8) In respect of all appeals under this regulation the decision of a referee shall be final.

Duties of owner of animal

- 8 (1) It shall be the duty of the owner of a bull or boar—
- (a) to give, to the best of his knowledge and belief any information relating to the bull or boar required at any time by the Director, the Veterinary Officer or a referee;
 - (b) to cause or allow any examination of or demonstration by the bull or boar reasonably required by the Veterinary Officer or a referee;
 - (c) to produce the breeding licence in respect of any bull or boar owned by him—
 - (i) when required to do so by the Director, the Veterinary Officer or a referee;
 - (ii) when requested to do so by the owner of any heifer, cow, gilt or sow to be served or inseminated by the bull or boar, as the case may be, immediately before the service or insemination;
 - (d) in the case of a bull in respect of which there is a valid breeding licence, to cause the bull to have a ring in his nose;
 - (e) to render any assistance reasonably required by the Veterinary Officer or a referee while the bull or boar is being examined, re-examined or tattooed under these Regulations.

Action where no licence

- 9 Where, in respect of a bull or boar which has not been castrated and is of or exceeds the prescribed age, a breeding licence has not been issued, or has been revoked, or has not been endorsed within the period mentioned in regulation 6(1)(a), or has been lost or destroyed and a duplicate licence has not been obtained under regulation 10 within fourteen days after the discovery of such loss or destruction, then in any such case the owner of the bull or boar—

- (a) shall not cause or allow the bull to serve or inseminate any heifer or cow or the boar to serve or inseminate any gilt or sow; and
- (b) shall forthwith cause the bull or boar—
 - (i) to be castrated; or
 - (ii) to be slaughtered; or
 - (iii) to be shipped out of Bermuda, at his expense.

Duplicate licence

10 (1) Where a breeding licence is destroyed or has been lost by the owner of the bull or boar in respect of which the licence was issued, the owner may obtain a duplicate licence—

- (a) upon making written application to the Director certifying that the original breeding licence is lost or destroyed; and
- (b) upon providing sufficient evidence of identity of the bull or boar in respect of which the duplicate breeding licence is required; and
- (c) upon forwarding a fee of sixty cents.

(2) Where a bull or boar, in respect of which there is a valid breeding licence, is sold or otherwise transferred to any person in Bermuda, it shall be the duty of the seller or other transferor to inform the Director within three days of the sale or other transfer; and the Director shall cause the breeding licence to be endorsed with the name of the purchaser or transferee and shall cause it to be forwarded to him.

Defacement of symbol or number

11 No person, without the written consent of the Director—

- (a) shall cause or allow any symbol or distinguishing number tattooed on any live bull or boar under these Regulations to be altered, removed or in any way defaced; or
- (b) shall tattoo, or cause or allow to be tattooed, in the right ear of any bull or boar any symbol or number otherwise than is authorized or required under these Regulations.

Offences

12 Any person who contravenes or fails to comply with any provision of these Regulations, or with any order, instruction or requirement lawfully made, given or imposed by any person under the

**AGRICULTURE (IMPROVEMENT OF LIVESTOCK)
REGULATIONS 1947**

authority of these Regulations, commits an offence against these Regulations:

Provided that where a person engaged or employed in the administration of these Regulations omits to perform any duty imposed upon him as such the omission shall not constitute an offence against these Regulations.