

LIVESTOCK MARTS REGULATIONS 1968

I, NEIL T. BLANEY, Minister for Agriculture and Fisheries, in exercise of the powers conferred on me by section 6 of the Livestock Marts Act, 1967 (No. 20 of 1967), hereby make the following regulations :

REG 1

1. These Regulations may be cited as the Livestock Marts Regulations, 1968.

REG 2

2. These Regulations shall come into operation on the 1st day of March, 1969, or, in relation to a mart at which sales have been carried on before such day and in respect of which the Minister considers it reasonable that these Regulations should come into operation on a day after such day, on such day not later than three months after the said 1st day of March, 1969, as the Minister may specify.

REG 3

3. In this Order—

"mart" means a place where the business of a livestock mart is carried on;

"licensee" in relation to a mart, means the holder of the licence relating to the mart;

"sale" means a sale of livestock.

REG 4

4. Such accommodation (which shall include protection from the weather, and heating and lighting) shall be provided at a mart by the licensee thereof as will afford reasonable comfort to such number of persons as normally attend sales at the mart.

REG 5

5. Such cleansing and disinfecting equipment and space for the use thereof and such a supply of water shall be provided at a mart by the licensee thereof as will enable—

(a) the mart to be thoroughly cleansed and disinfected after every sale held there, and

(b) any vehicles used for the carriage of livestock to or from the mart to be thoroughly cleansed and disinfected on the occasion of any journey to the mart.

REG 6

6. A constant supply of drinking water shall be made available for the livestock at the mart by the licensee thereof.

REG 7

7. Such drainage facilities shall be provided at a mart by the licensee thereof as will remove hygienically from the mart all waste matter and effluent.

REG 8

8. Such facilities shall be provided at a mart by the licensee thereof as will in normal circumstances enable the livestock entered for any sale at the mart to be loaded and unloaded at the mart onto or from any vehicle used for the carriage of livestock safely, speedily, efficiently and without undue discomfort to the livestock.

REG 9

9. (1) A crush or chute for use in the inspection of livestock and ear tags on livestock and having the place provided for the person or persons carrying out the inspections protected from the weather and lighted shall be provided at a suitable and convenient place at a mart by the licensee thereof.

(2) Adequate office accommodation (including facilities for the safe keeping of documents) for the use of the persons referred to in paragraph (1) of this Regulation shall be provided at a mart by the licensee of the mart.

REG 10

10. (1) Such number of pens soundly constructed from suitable material and capable of being thoroughly cleansed and disinfected and such number of lairs shall be provided at a mart by the licensee thereof as will accommodate securely and without overcrowding or discomfort the livestock entered for sale at the mart.

(2) Such number of covered pens soundly constructed from suitable material and capable of being thoroughly cleansed and disinfected and equipped with facilities for watering, feeding and resting sick or unfit livestock or livestock detained on veterinary grounds shall be provided at a mart by the licensee thereof as will accommodate securely and without overcrowding or discomfort such livestock.

REG 11

11. It shall be the duty of the licensee to ensure that entire adult male livestock are penned separately from other livestock.
1966, No. 6.

REG 12

12. (1) It shall be the duty of the licensee of a mart to ensure that any livestock which are required by or under the Diseases of Animals Act, 1966, to be accompanied at a time of exposure for sale by a specified document shall not be accepted for sale at the mart unless such document is produced to the licensee of the mart at the time of such acceptance by the owner of the livestock.
1925, No. 3.

(2) It shall be the duty of the licensee of a mart to ensure that a bull or boar in respect of which there is not in force a licence or permit under the Livestock Breeding Act, 1925, shall not be accepted for sale at the mart.

REG 13

13. It shall be the duty of the licensee of a mart to ensure that, as soon as is practicable following a sale at the mart and before any subsequent sale takes place there, the mart is thoroughly cleansed and disinfected.

REG 14

14. It shall be the duty of the licensee of a mart to ensure that a person having reasonable cause to enter the mart shall not unreasonably be refused entry to it during normal business hours or while a sale is in progress there.

REG 15

15. (1) A licensee of a mart shall, within two months after the date of the grant to him of a licence and once a year thereafter, either—

1936, No. 45.

(a) deposit with the Minister a guarantee bond issued by an assurance company which is the holder of an assurance licence under the Insurance Act, 1936, in a form approved of by the Minister whereby the company guarantees in favour of the Minister up to a limit of two per cent. of the total of the prices of livestock sold at the mart in the previous financial year of the mart (or, in the case of a mart which has not been in operation for a year, such limit as may be specified by the Minister having regard to the expected volume of sales at the mart in its first year of operation) the due performance by the licensee of the obligations incurred by him in the carrying on of such business in relation to the receipt and payment of money and the safety and safe custody of livestock, or

(b) show to the satisfaction of the Minister that he has made other arrangements which, in the opinion of the Minister, are adequate to guarantee the due performance of the said obligations.

(2) The Minister may, if he so thinks fit, accept a single guarantee bond in respect of two or more licensees of different marts.

REG 16

16. (1) A person conducting a sale at a mart shall not unreasonably refuse to accept a bid at the sale.

(2) It shall not be unreasonable to refuse to accept a bid at a sale if the refusal is, in the circumstances, in accordance with normal auctioneering practice and is based only on normal commercial considerations.

REG 17

17. A licensee of a mart shall furnish to the Minister such returns of statistical information in relation to sales at the mart as the Minister may from time to time require.

REG 18

18. (1) It shall be the duty of the licensee of a mart to ensure that the acceptance of any livestock for sale at the mart is not unreasonably refused.

1966, No. 6

(2) Acceptance of livestock for sale at a mart may be refused if any of the livestock is affected with a disease mentioned in Part III of the First Schedule to the Diseases of Animals Act, 1966, or if entries for the sale have already reached the number which can reasonably be dealt with at the sale.

(3) It shall be the duty of the licensee of a mart to ensure that, except in the circumstances specified in paragraph (2) of this Regulation, the acceptance for sale at the mart of livestock submitted by a county registrar or sheriff is not refused.

(4) Nothing in this Regulation shall prevent a co-operative society which carries on the business of a livestock mart and of which membership is open to all persons of the kind eligible for membership from refusing to accept for sale at the mart livestock submitted by a person who is not a member of the society so as to enable livestock submitted subsequently by members of the society to be accepted for entry.

(5) It shall be the duty of the licensee of a mart to ensure that the order of sale of livestock at the mart shall be determined in accordance with normal auctioneering practice and normal commercial considerations.

REG 19

19. (1) It shall be the duty of the licensee of a mart to ensure that entries for sales at the mart shall be received and such sales shall be carried out subject to and in accordance with conditions of sale approved of by the Minister.

(2) (a) Conditions of sale governing the matters mentioned in paragraph (1) of this Regulation in relation to a mart shall be submitted to the Minister for examination and if he approves of the conditions the licensee of the mart shall be informed in writing of the approval.

(b) If the Minister is not satisfied with any proposed conditions of sale submitted to him for his approval under this paragraph or

with any conditions of sale previously approved of by him under this paragraph, he may withhold or withdraw, as the case may be, his approval thereof, and, if he does so, he shall notify the licensee of the relevant mart of the fact and of the reasons for his not being satisfied with the conditions, and revised conditions of sale may be submitted to the Minister within one month of the notification for examination.

(3) It shall be the duty of the licensee of a mart to ensure that conditions of sale in relation to the mart which stand approved of under this Regulation are displayed, with a statement indicating that they have been approved of by the Minister, in a prominent position which is near the place where sales are held at the mart and is accessible to the public at the mart.

GIVEN under my Official Seal, this 5th day of December, 1968.

(Signed) NEIL T. BLANEY,
Minister for Agriculture and Fisheries.

EXPLANATORY NOTE.

These Regulations prescribe the provisions to apply to livestock marts as regards suitable accommodation and facilities, the maintenance of hygienic and veterinary standards, the acceptance and sale of livestock and the guaranteeing of the performance of the marts' financial obligations.