



Animal Health and Welfare Act 1984

1984 CHAPTER 40

Controls over Breeding of Livestock

10 Artificial breeding of livestock.

- (1) The appropriate Minister may make regulations for controlling the practice of artificial breeding of livestock.

In this section “artificial breeding” includes artificial insemination and transfer of ova or embryos.

- (2) Regulations under this section—

- (a) may, for the purpose of controlling the use for artificial breeding of any specified kind of livestock or of semen, ova or embryos of such livestock, prohibit the carrying on of any specified activity in connection with such livestock or with such semen, ova or embryos except under the authority of a licence or approval issued under the regulations;
- (b) may, for the purpose of controlling their use for artificial breeding, prohibit the importation of semen, ova or embryos of any specified kind of livestock except under the authority of such a licence;

and, accordingly, the regulations may make such provision as appears to the appropriate Minister to be expedient in respect of the issue, modification, suspension and revocation of licences or approvals under the regulations including the conditions subject to which they may be issued.

- (3) Regulations under this section may include provision—

- (a) in respect of advertisements in connection with artificial breeding;
- (b) for the seizure and detention of anything imported in contravention of any provision of the regulations or any conditions of any licence under them or anything which appears to any person authorised in that behalf to have been so imported and for dealing with anything so imported (whether by requiring it to be destroyed or taken out of Great Britain or otherwise);
- (c) for the payment of fees in connection with—
 - (i) the issue of licences or approvals under the regulations, and

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(ii) tests or examinations carried out for the purposes of the regulations, and, where the regulations provide for an appeal against a refusal to issue any such licence or approval, in connection with such an appeal, being (in all cases) fees determined with the approval of the Treasury;

but subsection (2) above and this subsection are without prejudice to the generality of subsection (1) above.

(4) For the purpose of ascertaining whether the provisions of regulations under this section or the conditions of any licence or approval under them are being or have been contravened, a person authorised in writing in that behalf by the appropriate Minister may, on producing his authority, enter at all reasonable times—

- (a) any premises used by the holder of a licence or approval under the regulations, being premises used for or in connection with any of the purposes authorised by the licence or approval; and
- (b) any premises on which he has reasonable grounds for suspecting that an offence under this section is being or has been committed;

and may inspect the premises and any livestock or articles on them and carry out such test or other investigation as he thinks fit.

(5) For the purposes of any test or investigation under subsection (4) above, the person so authorised may require any person on the premises to give such information as it is in his power to give.

(6) A person who—

- (a) contravenes any provision of regulations under this section or any conditions of a licence or approval under such regulations;
- (b) intentionally obstructs any person in the exercise of the powers conferred on him by or under this section; or
- (c) refuses to give any such person any information which he is required to give under subsection (5) above;

is guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding level 3 on the standard scale, or both.

F1 . . .

(7) It is a defence to a charge of committing an offence under subsection (6)(a) above to prove that the accused took all reasonable steps and exercised all due diligence to avoid committing the offence.

(8) In this section—

“appropriate Minister” means, in relation to England, the Minister of Agriculture, Fisheries and Food and, in relation to Scotland or to Wales, the Secretary of State;

“contravention” includes failure to comply and “contravene” is to be construed accordingly;

“livestock” includes any animal or bird not in the wild state;

“premises” includes any description of vehicle;

“specified” means specified in regulations under this section;

and anything brought to Great Britain from a country out of Great Britain and landed here [^{F2}or brought here through the tunnel system as defined in the Channel Tunnel Act 1987] is imported for the purposes of this section.

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Textual Amendments

- F1** Words in s. 10(6) repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. XIV** Group2.
- F2** Words inserted by **S.I.1990/2371**, art.2(1), **Sch. 1**

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Changes and effects yet to be applied to :

- s. 10(6) words substituted by [2003 c. 44 Sch. 26 para. 34](#)