
STATUTORY INSTRUMENTS

1995 No. 2148

**The Wild Game Meat (Hygiene
and Inspection) Regulations 1995**

PART II

LICENSING OF WILD GAME PROCESSING FACILITIES

Issue of licences

3.—(1) No person shall use any wild game processing facility for the purpose of dressing or cutting up wild game, the meat derived from which is intended for consignment, or sale for consignment, to a relevant EEA State for human consumption, unless that wild game processing facility is currently licensed under these Regulations.

(2) Without prejudice to paragraph (6) below, the Minister, on application made to him under this regulation, shall license the wild game processing facility to which the application relates if he is satisfied that—

- (a) where only wild game meat is handled, it complies with the requirements of Schedule 1 or the occupier of the premises has agreed a work plan with the Minister to carry out and complete works at the premises necessary to comply with those requirements on or before 31 December 1995, the method of operation in those premises complies with the requirements of Schedules 2 to 6 and there is no significant risk either that facilities for inspection under Schedule 4 will be denied or that any wild game meat condemned under those Schedules will be used for human consumption; or
- (b) where fresh meat and wild game meat are handled, it is an establishment licensed under the Hygiene Regulations and—
 - (i) the method of operation in the establishment, in relation to wild game meat, complies, in so far as is necessary for the type of operations carried out in the establishment, with the requirements of Schedules 2 to 6 and there is no significant risk either that the facilities for inspection under Schedule 4 will be denied or that any wild game meat condemned under those Schedules will be used for human consumption; and

- (ii) wild game meat will be handled separately or at different times from fresh meat and measures will be taken to identify clearly the different types of meat;

and shall refuse to grant a licence if he is not so satisfied.

(3) Each application for a licence under this regulation shall be made in writing to the Minister by the occupier of the premises to which the application relates.

(4) The Minister shall notify the applicant in writing of his decision on the application and of his reasons for any refusal to grant a licence.

(5) Any licence granted in respect of any premises under this regulation shall be subject to the condition that any significant alteration to the premises or the equipment or method of operation in those premises shall comply with the provisions of these Regulations.

(6) In granting a licence in respect of any premises under this regulation the Minister may make that licence subject to conditions—

- (a) in respect of the type or species of wild game which may be processed there; and
- (b) as to the operations which may be carried out there.

(7) Where the Minister has refused to grant a licence under this regulation or granted a licence subject to any condition imposed pursuant to paragraph (6) above, the notification under paragraph (4) above shall state the right of appeal to a Meat Hygiene Appeals Tribunal, for which provision is made in regulation 5, and the time within which an appeal shall be lodged.

Revocation of licences

4.—(1) The Minister may revoke a licence granted by him under regulation 3 in respect of any premises and, where appropriate, require the withdrawal of the equipment for application of the health mark if, after an inspection of, or an inquiry into, the operation or structure of the premises and a report by an OVS or veterinary officer, he is satisfied that—

- (a) the conditions of hygiene at those premises are inadequate and the occupier has failed to take the necessary measures to make good the shortcomings within such period as the Minister may specify;
- (b) any requirement of these Regulations as to hygiene has not been complied with and inadequate or no action has been taken to ensure that a similar breach does not occur in future;
- (c) any agreement made by the occupier with the Minister to carry out and complete any works referred to in regulation 3(2)(a) has not been complied with;
- (d) any condition attached to the licence in accordance with regulation 3(5) or (6) has not been complied with; or
- (e) the premises no longer fall within these Regulations because the business carried on at the premises has ceased to include the consignment or sale for consignment to a relevant EEA State of wild game meat for human consumption.

(2) The Minister shall forthwith notify the occupier in writing of his decision under paragraph (1) above to revoke any licence granted under these Regulations, of the date on which any revocation is to take effect and of the reasons for such revocation.

(3) Any notification under paragraph (2) above must state the right of appeal to a Meat Hygiene Appeals Tribunal, for which provision is made in regulation 5, and the time within which an appeal must be lodged.

(4) In paragraph (2) above “occupier”, in relation to a proposed revocation by virtue of paragraph (1) (e) above where the premises are vacant, means the last person known to the Minister to have carried on at the premises the business for which the licence was granted or his successor in respect of that business.

Appeals

5.—(1) Where the Minister has refused to license any premises or granted a licence with conditions under regulation 3, or revoked the licence of any premises under regulation 4, the occupier of those premises may, within 28 days of the date of the refusal, grant or revocation, appeal to a Meat Hygiene Appeals Tribunal.

(2) The provisions of Schedule 12 shall apply in respect of the constitution, appointment of members, remuneration of members and staffing of a Meat Hygiene Appeals Tribunal.

(3) Where on an appeal under paragraph (1) above a Meat Hygiene Appeals Tribunal determines that the grant of a licence should not have been refused, that unreasonable conditions have been

attached to a licence or that a licence should not have been revoked, the Minister shall give effect to the determination of the Tribunal.

(4) Without prejudice to sections 9 to 13 of the Act, where the Minister has refused to license any premises under regulation 3 or revoked the licence of any premises under regulation 4, a person who, immediately before such refusal or revocation, had been lawfully using those premises for the dressing or cutting up of wild game may continue to use them for that purpose, subject to any reasonable conditions imposed by the Minister for the protection of public health, until the time for appealing has expired and, if an appeal is lodged, until the appeal is finally disposed of or abandoned.