

**ORDINANCE**  
**OF THE STATES OF ALDERNEY**

ENTITLED

**The Bovine Semen and Artificial Insemination (Alderney)**  
**Ordinance, 1976 \***

*[CONSOLIDATED TEXT]*

**NOTE**

*This consolidated version of the enactment incorporates all amendments listed in the footnote below. However, while it is believed to be accurate and up to date, it is not authoritative and has no legal effect, having been prepared in-house for the assistance of the Law Officers. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from the Greffier, The Court of Alderney, Queen Elizabeth II Street, Alderney, GY9 3TB.*

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\* Alderney Ordinance No. IV of 1976; as amended by the Uniform Scale of Fines (Alderney) Law, 1989 (Ordres en Conseil Vol. XXXI, p. 306); the States Committees (Transfer of Functions) (Alderney) Ordinance, 1997 (Alderney Ordinance No. II of 1997). See also the Police Force (Bailiwick of Guernsey) Law, 1986 (Ordres en Conseil Vol. XXIX, p. 207).

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ARRANGEMENT OF SECTIONS

1. Restriction on import of bovine semen.
2. Committee permitted to import bovine semen in certain cases.
3. Restriction on the export of bovine semen.
4. Committee permitted to export bovine semen in certain cases.
5. Restriction on artificial insemination.
6. Provisions relating to artificial insemination by means of semen imported under paragraph (b) of section 2.
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*(Made on the 7th April, 1976.)*

## **The Bovine Semen and Artificial Insemination (Alderney) Ordinance, 1976**

**THE STATES**, in pursuance of their Resolution of the fifth day of November, nineteen hundred and seventy-five, hereby order: –

### **Restriction on import of bovine semen.**

1. Subject to the provisions of the next succeeding section, a person shall not import, attempt to import or cause to be imported, bovine semen into the Island.

### **Committee permitted to import bovine semen in certain cases.**

2. The Committee may import, or cause to be imported, bovine semen into the Island –

- (a) from any of the Islands of Guernsey, Sark, Brecqhou, Herm or Jethou,
- (b) from Great Britain, from such breed of bovines as may, from time to time, be specified by the Committee by order.

### **Restriction on the export of bovine semen.**

3. Subject to the provisions of the next succeeding section, a person shall not export, attempt to export or cause to be exported, bovine semen from the Island:

Provided that the Committee may, from time to time, by order, permit the exportation of bovine semen from the Island to any country named in the order subject to such conditions, if any, as the Committee may consider necessary or expedient.

**Committee permitted to export bovine semen in certain cases.**

4. The Committee may export, or cause to be exported, bovine semen from the Island –

- (a) for the purposes of the pathological examination and testing of that semen,
- (b) to any of the Islands of Guernsey, Sark, Brecqhou, Herm or Jethou.

**Restriction on artificial insemination.**

5. Subject to the provisions of the next succeeding section, a person shall not inseminate artificially any bovine animal in the Island by means of imported bovine semen otherwise than by means of bovine semen imported by the Committee under the provisions of paragraph (a) of section two of this Ordinance.

**Provisions relating to artificial insemination by means of semen imported under paragraph (b) of section 2.**

6. (1) A person, being a person authorised in writing in that behalf by the Committee may inseminate artificially any bovine animal in the Island by means of any bovine semen imported under the provisions of paragraph (b) of section two of this Ordinance.

(2) A person authorised under the last preceding subsection shall not inseminate artificially a bovine animal with bovine semen imported under the provisions of paragraph (b) of section two of this Ordinance other than a bovine animal registered in the Herd Book of the Royal Guernsey Agricultural and Horticultural Society or a bovine animal which has been marked with an identification mark approved by the Committee.

(3) A person authorised under subsection (1) of this section shall

not inseminate artificially a bovine animal with bovine semen imported under the provisions of paragraph (b) of section two of this Ordinance unless the owner or the person in charge of the animal produces to the satisfaction of such person, for the purposes of identification of the animal to be artificially inseminated, either the identification sketch and the Certificate of Registry issued by the Royal Guernsey Agricultural and Horticultural Society in respect of that animal, or the identification mark referred to in the last preceding subsection in respect of that animal.

(4) The owner of a progeny of a bovine animal produced from artificial insemination involving the use of bovine semen imported under the provisions of paragraph (b) of section two of this Ordinance shall, before the expiration of the period of seven days next following the date of the birth of that progeny, cause that progeny to be tattooed in the right ear with an identification mark approved by the Committee at such owner's expense.

(5) The owner of a progeny of a bovine animal produced from artificial insemination involving the use of bovine semen imported under the provisions of paragraph (b) of section two of this Ordinance shall, before the expiration of the period of seven days next following the date of the birth of that progeny, cause that progeny to be tattooed in the right ear with an identification mark approved by the Committee at such owner's expense.

(6) A person shall not use for breeding, or cause to be artificially inseminated with any bovine semen, a progeny of a bovine animal produced from artificial insemination involving the use of bovine semen imported under the provisions of paragraph (b) of section two of this Ordinance.

(7) The owner or the person in charge of a bovine animal artificially inseminated with bovine semen imported under the provisions of paragraph (b) of section two of this Ordinance or of a progeny produced from such an animal shall, before the expiration of the period of forty-eight hours next following

the happening of any of the following events, that is to say –

- (a) the abortion of the animal artificially inseminated with such semen,
- (b) the birth of every progeny produced from artificial insemination with such semen whether the progeny is born alive or dead,
- (c) the death of an animal which has been artificially inseminated with such semen and the death of every progeny of such animal,
- (d) the change in the ownership or transfer by way of sale or otherwise of an animal which has been artificially inseminated with such semen and of every progeny of such animal,

notify the Committee in writing of such event, giving such details thereof as the Committee may, from time to time, require.

(8) A person authorised in writing in that behalf by the Committee, on production of his authority if so required, may at any time during the period commencing one hour before sunrise and ending one hour after sunset on any day require the owner or the person in charge of a bovine animal which has been artificially inseminated with bovine semen imported under provisions of paragraph (b) of section two of this Ordinance, or of any progeny of such animal to allow such animal or progeny to be inspected by such person.

(9) A person shall not, during the period of three months next following the date of the artificial insemination of a bovine animal with bovine semen

imported under the provisions of paragraph (b) of section two of this Ordinance, further inseminate artificially that animal otherwise than with bovine semen imported under the provisions of paragraph (b) of section two of this Ordinance.

(10) The owner of a progeny of a bovine animal produced from artificial insemination involving the use of bovine semen imported under the provisions of paragraph (b) of section two of this Ordinance shall cause the progeny to be slaughtered before the expiration of the period of two years next following the date of the birth of that progeny at such owner's expense.

(11) The owner of a progeny of a bovine animal produced from artificial insemination involving the use of bovine semen imported under the provisions of paragraph (b) of section two of this Ordinance shall cause any progeny that may be produced by that progeny by any means whatsoever, whether natural or artificial, to be slaughtered before the expiration of the period of ten days next following the date of the birth of such progeny of that progeny at such owner's expense.

**Further provisions relating to artificial insemination.**

7. (1) During the continuance in force of any order made under the provisions of section six of the Foot and Mouth Disease (Alderney) Ordinance, 1952, a person shall not inseminate artificially, or attempt to inseminate artificially, any bovine animal except under the authority of a licence issued in that behalf by the Committee.

(2) A licence shall not be issued by the Committee under the provisions of this section unless, in the opinion of the Committee, the future milk supply of the Island may be seriously prejudiced if the artificial insemination of bovine animals is not permitted.

(3) The Committee in issuing any licence under the provisions of

this section may attach to the issue of any such licence such conditions as it may deem necessary or expedient and may vary or revoke such conditions and may revoke any such licence.

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**NOTE**

*The Foot and Mouth Disease (Alderney) Ordinance, 1952 has since been repealed by the Animal Health Ordinance, 2002, section 35(1), Schedule 4, with effect from 1st October, 2002, subject to the transitional provisions in section 36 of and Schedule 5 to the 2002 Ordinance.*

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**Powers of officers of police and authorised persons.**

8. An officer of police or any person authorised in writing in that behalf by the Committee, on production of his authority if so required, may seize any bovine semen if he has reasonable cause to believe that such semen has been imported into, or has been or appears to be intended to be exported from, the Island in contravention of any of the provisions of this Ordinance or of any order made hereunder.

**Offences and penalties.**

9. Any person who –
- (a) contravenes any of the provisions of this Ordinance or of any order made hereunder or of any of the conditions of a licence issued hereunder, or
  - (b) knowingly and wilfully aids, abets, counsels or procures another person to contravene any of the provisions of this Ordinance or of any order made hereunder or to infringe any of the conditions of a licence issued hereunder, or
  - (c) knowingly accepts delivery of any bovine semen

imported in contravention of any of the provisions of this Ordinance or of any order made hereunder, or

- (d) wilfully obstructs any officer of police or any person duly authorised by the Committee in the exercise of any of their powers under any provisions of this Ordinance,

shall be guilty of an offence and liable, on conviction, to a fine not exceeding [level 4 on the Alderney uniform scale] and –

(1) where the offence relates to the importation or exportation of any bovine semen, the Court may, in addition, order the seizure, destruction or other disposal of the semen to which the conviction relates at the expense of the convicted person;

(2) where the offence relates to the artificial insemination of a bovine animal with any imported bovine semen, the Court shall, in addition, order that every progeny of the animal to which the conviction relates either born or which may be born from such artificial insemination shall be seized and slaughtered and the carcass thereof destroyed or otherwise disposed of at the expense of the owner of the animal to which the conviction relates;

(3) where the offence relates to an offence under the provisions of subsection (10) or subsection (11) of section six of this Ordinance, the Court shall, in addition, order that the animal to which the conviction relates shall be seized and slaughtered and the carcass thereof destroyed or otherwise disposed of at the expense of the owner of the animal to which the conviction relates.

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**NOTE**

*In section 9, the words and figure in square brackets were substituted by the*

*Uniform Scale of Fines (Alderney) Law, 1989, section 2(2), with effect from 1st October, 1989.*

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**Orders.**

**10.** (1) Every order made by the Committee under any of the provisions of this Ordinance shall be laid before a meeting of the States as soon as may be after the making thereof and if, at that meeting or at the next subsequent meeting, the States resolve that the order be annulled the order shall cease to have effect but without prejudice to anything previously done thereunder or to the making by the Committee of a new order.

(2) The Committee shall, as soon as may be after the making of any order under this Ordinance and not less than seven days before the coming into force of the order, cause a notice to the effect that the order has been made and setting out its general purport –

- (a) to be published on at least two occasions in La Gazette Officielle in the newspaper known as "Guernsey Evening Press and Star",
- (b) to be affixed on the Notice Board at the Courthouse and near the gate of the Parish Church and to remain so affixed for not less than seven days.

(3) Any power conferred by this Ordinance to make any order shall be construed as including a power exercisable in the like manner to vary or repeal the order.

**Interpretation.**

**11.** (1) In this Ordinance, except where the context otherwise requires, the following expressions have the meanings respectively assigned to them, that is to

say –

**"the Committee"** means the States [General Services Committee],

**"the Island"** means the Island of Alderney,

**"officer of police"** means a member of the salaried police force of the Island of Guernsey or a member of any police force which may be established by the States of Alderney.

(2) Any reference in this Ordinance to any other enactment shall, except where the context otherwise requires, be construed as including a reference to that enactment as amended, repealed or replaced, extended or applied by or under any other enactment including this Ordinance.

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**NOTES**

*In section 11, the words in square brackets in the definition of the expression "the Committee" in subsection (1) were substituted by the States Committees (Transfer of Functions) (Alderney) Ordinance, 1997, section 2, Schedule 2, Part II, paragraph 14, with effect from 2nd April, 1997.*

*The functions of the Agriculture and Fisheries Committee under this Ordinance were transferred to the General Services Committee by the States Committees (Transfer of Functions) (Alderney) Ordinance, 1997, section 2, Schedule 2, Part II, paragraph 14, with effect from 2nd April, 1997, subject to the savings and transitional provisions in section 3 of the 1997 Ordinance.*

*In accordance with the provisions of the Police Force (Bailiwick of Guernsey) Law, 1986, section 2(2), with effect from 19th August, 1986, the reference herein to a member of the salaried police force of the Island of Guernsey shall include a reference to a member of a force present in the Island by virtue of an agreement made under section 1 of the 1986 Law.*

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**Citation.**

**12.** This Ordinance may be cited as the Bovine Semen and Artificial Insemination (Alderney) Ordinance, 1976.

**Commencement.**

**13.** This Ordinance shall come into force on the seventh day of April, nineteen hundred and seventy six.