

Artificial Insemination (AI) Regulations 2005 December 1, 2005

S.I. No. of 2005

ARTIFICIAL INSEMINATION OF GREYHOUNDS REGULATIONS, 2005

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Bord na gCon, in exercise of the powers conferred on it by section 39 of the Greyhound Industry Act, 1958, after consultation with the Irish Coursing Club and with the consent of the Minister for Arts, Sport and Tourism, hereby makes the following regulations:

1. Requirement for practice of artificial insemination of greyhounds.

No person may engage in the practice of artificial insemination of greyhounds, including without limitation the collection, processing, storage or distribution of greyhound semen, save under and in accordance with a licence granted by the Board, in these regulations referred to as an AI Licence. The artificial insemination of a greyhound with chilled semen or frozen semen shall only be effected in an approved centre registered pursuant to these regulations.

2. Application of other legislation (on animal health, remedies and welfare, animal breeding and trade in animals and their semen).

Notwithstanding any provision of these regulations, the importation and exportation of greyhounds and their semen from any source, the treatment of greyhounds, their breeding and registration, and the trade, storage, treatment and distribution of greyhound semen are subject to the provisions of all applicable veterinary and zootechnical legislation both of the State and of the European Union, and in particular, without prejudice to the generality of the foregoing, to the provisions of the Diseases of Animals Acts, 1966 to 2001, the Animal Remedies Act, 1993, the Protection of Animals Acts, 1911 and 1965, the Importation of

Animal Semen (Prohibition) Order, 1972 (S.I. No. 299 of 1972), the European Communities (Registration of Pedigree Animals) Regulations, 1994 (S.I. No. 150 of 1994) and the European Communities (Trade in Animals and Animal Semen, Ova and Embryos) Regulations, 1996 (S.I. No. 12 of 1996), as may be amended, extended or substituted by later legislation.

3. Definitions.

(1) In these regulations -

“the Act” means the Greyhound Industry Acts, 1958 and 1993, and includes any amending or substituting legislation, and references to individual acts are referred to as “the Act of” followed by the year of its enactment;

“AI” means artificial insemination;

“AI Licence” means a licence issued by the Board pursuant to regulation 5 hereunder;

“Appeals Sub-Committee” means a sub-committee so called of the Executive Committee set up pursuant to the provisions of regulation 17;

“the Artificial Insemination Administration Sub-Committee” (or, for brevity, “the AIA Sub-Committee”) means the sub-committee so called to be established pursuant to regulation 8;

“the Board” means Bord na gCon;

“approved centre” means a facility or premises so designated by the Board and registered with the Club as an approved centre, either in Class A or in Class B, pursuant to regulation 7;

“artificial insemination” means the insertion of semen into the reproductive tract of a greyhound bitch, other than by natural service, and includes surgical implantation of semen;

“approved inseminator” means a natural person duly qualified and approved as such by the Club under these regulations, and whose name is registered in the register recording particulars of approved inseminators referred to in regulation 4(1);

“authorised officer” means an authorised officer as defined in section 2 of the Act of 1958;

“chilling” means the process, other than freezing, whereby the fertilising power of fresh semen is prolonged, whether by the addition of nutrients or otherwise;

“the Club” means the Irish Coursing Club so named in the Act, being the controlling authority for the breeding and coursing of greyhounds subject to the provisions of the Act and of the Constitution of the Club, and subject to the general control and direction of the Board;

“collection” in relation to semen means the drawing of semen from a sire, and “to collect” and “collected” have cognate meanings;

“consultant” means a natural person retained by any of the Board, the Club, the AIA Sub-Committee, or the Appeals Sub-Committee, either occasionally or on a consistent basis, who is not an employee of either the Board or the Club, to provide services within his/her area of expertise for agreed fees, and who in the opinion of the Board, or the Club, or of the Sub-Committee making the appointment, as the case may be, has the professional qualification or the experiential expertise to qualify him/her to provide the required services;

“DNA” means deoxyribonucleic acid;

“draw” means a full ejaculate of semen collected from a stud sire;

“Executive Committee” means the Executive Committee of the Club;

“freezing” means subjecting semen, after collection, dilution, extension and/or other processing, to a process of temperature reduction to a final temperature not greater than 0° Celsius with the intention of prolonging its fertilising power;

“frozen semen” means semen which has been subject to freezing;

“FI” means frozen semen insemination;

“greyhound bitch” means a sexually mature female greyhound;

“imported” in relation to semen, whether chilled or frozen, means semen imported into the State from outside Ireland;

“the International Alliance” means the International Alliance of Greyhound Registries , a voluntary alliance established by an international conference of the greyhound registering authorities of Australia and New Zealand, Great Britain, Ireland and the United States of America, and includes any expansion of the membership of such alliance;

“Ireland” means the islands of Ireland, including the Province of Northern Ireland, in which Province by historical convention the greyhound industry has been regulated by the Club, including registration in the Irish Greyhound Stud Book of greyhounds bred in Northern Ireland;

“the Irish Coursing Club Rules” means the rules of the Club in force from time to time as approved by the Board;

“the Irish Greyhound Stud Book” means the book of recorded data so named and maintained and published by the Club pursuant to and in accordance with the Irish Coursing Club Rules;

“the Keeper” means the Keeper of the Irish Greyhound Stud Book, being the person appointed by the Club to be responsible for the maintenance and publication of the Irish Greyhound Stud Book;

“litter” means one or more greyhound puppies resulting from the same conception and from the same parturition;

“the Minister” means the Minister for Arts, Sport and Tourism;

“natural service” means the natural physical mating of a stud sire and a greyhound bitch for the purpose of breeding and excludes any form of artificial insemination;

“Northern Ireland” means that part of the United Kingdom of Great Britain and Northern Ireland which geophysically forms part of Ireland;

“notification of service” means, in relation to an artificial insemination, a notice in a form approved by the Club containing at least the following information:

- (a) the name of the stud sire;
- (b) the name, earmarks, colour and registration certificate number of the greyhound bitch inseminated;
- (c) the name and address of the owner of the greyhound bitch inseminated;
- (d) the date of the service;
- (e) the signature of the approved inseminator;
- (f) whether the service was with fresh, chilled or frozen semen; and
- (g) the name and address of the approved centre at which the artificial insemination was effected;

“owner”, in reference to an approved centre, means the legal and beneficial owner of the lowest estate or interest in an approved centre who is in actual occupation thereof;

“premises” in relation to an approved centre, means a building or a specified part of a building, for which approval is being or has been sought for its use as an approved centre, and in any other reference means a place or location identified by its postal address;

“prescribed fee” and “prescribed charge” refer to and mean such fees and charges as may be prescribed by the Board or the Club with the consent of the Board from time to time pursuant to these regulations and published in “The Sporting Press” newspaper;

“registered service” means a service by a stud sire of a greyhound bitch which has been duly notified to and registered by the Club in the Irish Greyhound Stud Book, and shall

include a mating performed either by natural service or by artificial insemination;
“Relevant Authority” means, in the State, and in Northern Ireland for the implementing of the historical convention whereby the greyhound industry is regulated by the Club, and in relation to any other country or state (including the United Kingdom of Great Britain and Northern Ireland but excluding Northern Ireland for the purpose of the application of this definition), the organisation, association, society or other body which has authority pursuant to law or established practice to control and regulate the breeding of greyhounds and their admission to the record of data, corresponding to the Irish Greyhound Stud Book, of that other country or state, and which is a member in good standing of the International Alliance, and shall include any organisation, association, society or other body outside the International Alliance which the Club may consider to be an acceptable equivalent to a Relevant Authority in a country where there is no Relevant Authority;

“semen” means greyhound semen;

“semen container” means a container which holds, or which is designed to hold, a single draw of semen or a part thereof;

“sire” means a sexually mature male greyhound;

“split” means the physical division of a full ejaculate of semen into parts to be stored in separate semen containers and also each part which results, and “splitting” has a cognate meaning;

“stud sire” means a sire registered as a stud sire in the Irish Greyhound Stud Book;

“veterinary surgeon” means a person duly qualified as such, and who is in good standing professionally by having his or her name on the Register of Veterinary Surgeons for Ireland, (pursuant to the Veterinary Surgeons Act, 1931), and proof of such good standing shall be a certificate from the Veterinary Council of Ireland that he/she is currently registered on the Register of Veterinary Surgeons for Ireland.

(2) In these regulations, unless otherwise indicated, a reference to a regulation is to a regulation of these regulations, and a reference to a paragraph or sub-paragraph is a reference to a paragraph or a sub-paragraph of the regulation in which the reference occurs, unless the reference is to a specified other paragraph or sub-paragraph.

(3) Each certificate from a Relevant Authority required under these regulations shall be issued on the official stationery and signed by a duly authenticated representative of the appropriate Relevant Authority. The Keeper shall not be obliged to but may at his discretion require legalisation of any such certificate in accord with the standard international practice for the legalisation of documents from abroad.

4. The registers.

(1) The Club shall maintain separate registers recording particulars of -

(a) approved inseminators, and

(b) approved centres, including in each case the class for which the centre has been approved, the name and address of the owner, the name and address of the person nominated as the manager responsible for the approved centre pursuant to regulation 7 (7), and the veterinary surgeon appointed to supervise and control operations at the approved centre pursuant to regulation 7 (8).

(2) Registration of stud sires available for artificial insemination purposes shall be effected in the Irish Greyhound Stud Book. Subject to the provisions of regulation 9 (1) and 10 (1), no stud sire shall be available or used for artificial insemination purposes until he shall have been registered in the Irish Greyhound Stud Book as a stud sire available for artificial insemination purposes.

(3) Applicants for entry in any of the registers referred to herein shall, on making application to the Club, pay such fee as may be prescribed by the Club, and no such application shall be considered until the prescribed fee is paid. The Club shall be entitled to charge an annual fee of such amount as it may prescribe to maintain the entry in each of the respective registers.

(4) It shall be the responsibility of the Keeper to maintain to a standard acceptable to the Club all registers and records required by these regulations to be kept by the Club.

(5) Notifications and materials required by these regulations to be submitted or sent to the Club shall be submitted or sent to the Keeper.

(6) The Keeper shall enter and record, subject to these regulations, all data which the Club shall direct to be entered in the registers the subject of this regulation 4 in the Irish Greyhound Stud Book.

5. The AI Licence.

(1) An AI Licence shall authorise the holder to carry on the practice of artificial insemination of greyhounds with all or any of fresh semen, chilled semen or frozen semen, and may be granted subject to such conditions and restrictions as the Board considers appropriate. The Board, following consultation with the Club, and with the consent of the Minister, may establish general terms, conditions and restrictions to be attached to all AI Licences.

(2) An AI Licence shall be valid for one year from the date of its issue, and shall be renewable annually in accordance with these regulations.

(3) The conditions to be complied with by applicants for an AI Licence are as follows:

(a) that the applicant shall be a natural person;

(b) that the applicant shall, in the opinion of the Board, be a suitable person to hold the AI Licence;

(c) that the applicant shall be an approved inseminator in good standing;

(d) the applicant shall have proved to the satisfaction of the Board that he/she has the knowledge, capability and experience in dealing with greyhounds to discharge the obligations on the holder of an AI Licence, including, without limitation, knowledge of the obligations and duties imposed by these regulations.

(4) An approved inseminator shall be in good standing unless he/she has held an AI Licence which was revoked, or the renewal of which was refused, at any time within the previous three years, or unless he/she shall not be entitled to make a valid application by virtue of the provisions of paragraph (6) of this regulation 5.

(5) Applications for AI Licences shall be made on the prescribed form, which shall be delivered by the Applicant to and processed by the Club. The Club shall prepare a report and recommendation on each application and submit the same to the Board for a decision as is hereinafter provided. If the proposed recommendation of the Club on the application in the first instance is against the applicant, the Keeper shall notify the applicant of this result by post, giving the reasons for the decision of the Club. The applicant shall have a right to appeal against the proposed recommendation of the Club in accordance with Section 51 of the Act of 1958.

(6) No person may make a valid application for an AI Licence who, at the time of making an application,

(a) is specified in a disqualification order made by the Board under Section 45 of the Act of 1958,

(b) is the subject of an exclusion order made by the Board or the Club under Section 47 of the Act of 1958, or

(c) has been convicted within the previous three years of any offence in relation to a greyhound under the Act or under any of the legislation referred to in regulation 2 above.

(7) If the holder of an AI Licence should, after the issue of the AI Licence, be specified in a disqualification order made under Section 45 of the Act of 1958 or should be the subject of an exclusion order under Section 47 of the Act of 1958, or should be convicted of any offence in relation to a greyhound under the Act or under any of the legislation referred to in regulation 2 above, then, on being notified of the existence of either order or of the conviction aforesaid, the Board, unless the specified order or the conviction shall have been set aside on appeal, shall revoke the AI Licence granted to that person with effect from the date of the specified order or conviction. Further, if the holder of an AI Licence should, after the issue of the AI Licence, be found guilty by the Control Committee of the Board established pursuant to the Greyhound Race Track (Racing) Regulations 1993 (S.I. No. 158 of 1993) of a breach of those regulations, or of any other regulations made under the Act, or of the Act itself, and if the Control Committee should recommend in its decision that the AI Licence be revoked or suspended, then the Board shall revoke or suspend the AI Licence granted to that person with effect from the date of the decision of the Control Committee, and in the case of a recommendation for suspension shall suspend the AI Licence for any period not exceeding the period recommended by the Control Committee in its decision.

(8) An AI Licence may be suspended for any period up to the date of its expiry, its renewal may be refused, or the Licence may be revoked, as well as pursuant to the provisions of paragraph (7), in the following circumstances –

(a) if the Board is not satisfied that the requirements specified in paragraph (3) of this regulation 5 are continuing to be fully met, or

(b) if the Board shall so decide after investigation of any alleged breach of these regulations, or

(c) if the Board shall so decide after an investigation resulting in a recommendation by the Club that the holder of the AI Licence has shown such a degree of ineptitude, incapacity or incompetence during the currency of the AI Licence that it is in the interests of the greyhound industry that the Licence should be revoked or suspended or that its renewal should be refused, or

(d) if the Board shall so decide after an investigation resulting in a recommendation by the Club that the AI Licence should be revoked, suspended, or a renewal refused, as the case may be, on any appropriate grounds other than as specified in any of sub-paragraphs (a), (b) and (c).

Any investigation under this paragraph (8) shall be carried out by the Club. If the Board shall decide not to revoke or suspend or refuse a renewal of the AI Licence despite a contrary recommendation of the Executive Committee of the Club, it shall refer the investigation back to the Club for further consideration, and such reference may or may not be accompanied by direction or comment of the Board. On completion of such further investigation, the Club shall again refer the matter back to the Board for a decision, with or

without a recommendation, and the Board shall then decide and issue its decision.

(9) Where the Board proposes to refuse an application for an AI Licence, or to suspend or revoke an AI Licence, other than pursuant to the provisions of paragraph (7), the Board shall serve notice of the proposal on the applicant or holder by post, and shall, if any representations are made in writing by the Applicant or holder within fourteen days of posting the said notice, consider the representations prior to making its decision.

(10) Each applicant for an AI Licence shall be deemed to have submitted to the jurisdiction of the Club for all regulatory and disciplinary purposes, whether connected with these regulations, or with the Irish Coursing Club Rules. The following condition shall be included in the grant of each AI Licence:

“The Licence-holder shall be bound by the Rules of the Irish Coursing Club as well as by the Artificial Insemination of Greyhounds Regulations, 2004, for all regulatory and disciplinary purposes connected with this AI Licence and the exercise by the Licence-holder of any function hereunder. Jurisdiction in regard to such regulatory and disciplinary purposes is exercisable by the Irish Coursing Club, either alone or in tandem with Bord na gCon, as the case may be.”

(11) Applicants shall be liable to pay to the Board the prescribed charges in respect of the grant, retention and renewal of AI Licences.

(12) If an AI Licence should be revoked or suspended under any of the provisions of this regulation 5, none of the prescribed charges shall become repayable to the holder of the AI Licence the subject of any revocation hereunder.

(13) The Board shall establish and maintain a register in which shall be recorded particulars of all AI Licences issued, revoked and suspended pursuant to these regulations.

6. Approved inseminators.

(1) It shall be the responsibility of the Club to ensure that persons seeking to be qualified as approved inseminators meet the criteria prescribed by these regulations.

(2) (a) A person seeking to be qualified as an approved inseminator for all artificial insemination purposes (“ordinary qualification”) shall be a natural person who shall have proved to the Club his or her capability -

(i) to draw fresh semen from a stud sire for use,

(ii) to evaluate semen and perform a semen count,

(iii) to split a full ejaculate into parts capable of being stored in separate containers for subsequent use,

(iv) to chill and to freeze semen,

(v) to render chilled semen and frozen semen to a state in which it can be used for artificial insemination,

(vi) to carry out the dilution, extension and/or other processing, storage and freezing of semen,

(vii) to know the criteria by which he or she should make a judgment that the artificial insemination be carried out by one insemination or by a series of inseminations with the same ejaculate,

(viii) to carry out the artificial insemination of a greyhound bitch both by one insemination

and by a series of inseminations,

(ix) to carry out the artificial insemination of a greyhound bitch with any one of fresh semen or chilled semen or frozen semen duly rendered to the state in which it can be used for artificial insemination,

(x) to keep such records in relation to these processes as are required by these regulations;

(xi) to have appropriate knowledge of and ability to use all equipment which an approved centre would require to deliver the service appropriate to each of a Class A Centre and a Class B Centre; and

who shall also, where appropriate, comply with the provisions of paragraph (iii) of this regulation 6.

(b) In order to satisfy the Club that the applicant does know the criteria in paragraph (vii) above, the applicant will need to demonstrate –

(i) a basic knowledge of endocrinology of the reproductive cycle and anatomy of the male and female canine reproductive tracts,

(ii) an ability to perform a progesterone assay (ovulation timing test) and a cervical cytology smear test, and an ability to evaluate both the assay and the test,

(iii) an ability to recognise an abnormal oestrus cycle and to evaluate what would be the appropriate response in such a situation, and

(iv) an ability to perform and evaluate a cervical bacterial culture and sensitivity test.

(c) A person seeking to be qualified as an approved inseminator for the limited purpose of practising artificial insemination with fresh semen only, may apply to the Club for such a qualification, to be called a “limited qualification”, and in considering such application, the Club shall require the applicant to prove capability under the provisions of items (i), (vii), (viii) and (x) only of paragraph (2) (a) above.

(3) Any artificial insemination requiring surgical intervention may only be carried out by a veterinary surgeon who is also an approved inseminator with the ordinary qualification under paragraph 2 (a) of this regulation 6.

(4) A person initially qualified to hold an AI Licence shall not be obliged to qualify afresh as an approved inseminator for any renewal of an AI Licence, but if the applicant was the holder of an AI Licence which was revoked or suspended, or the renewal of which was previously refused, or if the application shall be made more than 12 months following the expiry of a previous AI Licence, this provision shall not apply, and fresh qualification will be required.

(5) Persons applying to be qualified as approved inseminators shall be liable to pay to the Club the prescribed charges in respect of any such application.

(6) Within twelve months of being qualified as an approved inseminator, a person may apply to be entered on the register of approved inseminators maintained by the Club pursuant to regulation 4, and on payment of the fee prescribed in regulation 4 (3) the Club shall enter the name, address, qualification and date of qualification (specifying “ordinary qualification” or “limited qualification”) of such person on the said register.

7. Approved Centres.

(1) No artificial insemination with chilled semen or with frozen semen shall take place other than in a premises which has been designated and registered as an approved centre pursuant to these regulations.

(2) There shall be two classes of approved centre as follows:

(a) approved centre Class A, wherein the full range of artificial insemination practice may be carried out;

(b) approved centre Class B, wherein the following activities only in relation to the practice of artificial insemination may be carried out, namely,

(i) collection of fresh semen

(ii) chilling of semen

(iii) storage of chilled semen

(iv) insemination of greyhound bitches with fresh or chilled semen

(v) delivery of chilled semen to an approved centre.

When making application for registration of a premises as an approved centre, the applicant shall specify the class designation sought for such premises.

(3) (a) All applications to have a premises registered as an approved centre shall be made to the Club. The application shall be made on the prescribed form and it shall be the responsibility of the Club to ensure that the prescribed conditions have been complied with by the applicant prior to registration of a premises as an approved centre.

(b) Before making a decision, the Club shall seek the opinion of the Board on the application, and shall take the opinion of the Board into account in making its own decision.

(c) Following completion of all the procedures outlined in this regulation 7, if the Club should decide that the premises in question is entitled to registration as an approved centre in the appropriate class, the Club shall notify the applicant and the Board of its approval of the application and of its intention to register the premises as an approved centre. The Club shall thereupon register the premises accordingly and send to the owner of such approved centre the certificate of registration.

(d) With effect from the registration of the premises as an approved centre, the person nominated as manager may operate the premises as an approved centre in accordance with the terms of such registration.

(e) If the decision of the Club is to refuse the application, the applicant may appeal this decision in accordance with the provisions of regulation 17. If, on the conclusion of such appeal, the application should be granted, then the Club shall register the premises accordingly.

(f) A decision to register a premises may be made subject to such conditions as the AIA Sub-Committee or the Appeals Sub-Committee shall decide, as the case may be.

(4) In considering the suitability and adequacy of a premises for registration as an approved centre in the class sought in the application, the Club shall consider whether the following prescribed conditions are complied with to a standard which is at least sufficiently adequate to enable the proposed approved centre to function as such during its period of registration:

(a) the nature and quality of the building or buildings, including cleaning, washup and lavatory facilities for staff and others, the feasibility of direct access for staff, visitors, greyhounds and their handlers, and of authorised persons;

(b) consideration of the proposed hygiene standards and how they are to be maintained, including the capability to deliver a high quality of husbandry and welfare of greyhounds, including a consideration of the quality of accommodation for greyhounds and the availability of isolation kennels;

(c) the quality, condition and appropriateness of the laboratory and other equipment and

materials that will or may be required for the performance of all procedures, including storage, and, in addition, for applications for inclusion in Class A, the availability of such extra laboratory and other equipment and materials which will ensure that the applicant will be able to deliver the service appropriate to a Class A approved centre;

(d) that the design and construction of, and the proposed procedures for the management and conduct of the business of artificial insemination in, the premises are in accordance with all relevant or related veterinary, animal health, welfare and zootechnical legislation both of the State and of the European Union, including without limitation the legislation specified in regulation 2;

(e) written confirmation from the veterinary surgeon engaged by the applicant (pursuant to the requirement under paragraph (8) hereof) that he/she has accepted the appointment (subject to approval of the premises as an approved centre) and will be, during the period of registration, responsible for the effective supervision and control of the premises and facility if it should be registered as an approved centre;

(f) the production of evidence in writing, signed by the owner and/or the manager (as the case may be) that a manager has been appointed (subject to approval of the premises as an approved centre), or that the owner is acting as the manager, pursuant to paragraph (7) of this regulation 7.

(5) On receipt of an application to have a premises registered as an approved centre, or on receipt of a complaint about a premises, or on determining to carry out an inspection of a premises for any reason, the Club shall notify the Board, and the Board shall appoint an authorised officer to inspect any such premises and the equipment therein with a view to making reports and recommendations as appropriate to the Club. Such authorised officer shall, upon appointment, be vested with authority to enter (as often as may be necessary) any place the subject of an application for approval as or being an approved centre for the purpose of carrying out his / her functions hereunder, and shall produce his / her appointment if required. The authorised officer shall prepare a report in which the suitability, adequacy and compliance of the premises and the equipment therein shall be critically measured and evaluated against the prescribed conditions in paragraph (4) of these regulations and of any applicable rules, protocols and criteria made hereunder.

(6) The authorised officer shall present his/her report and recommendations to the Keeper, who shall present to the Artificial Insemination Administration Sub-Committee the report and recommendations of the authorised officer and any representation or communication that may have been received from the owner of the premises. In making the presentation, the Keeper shall review and comment on the application, the report and recommendations of the authorised officer, and on any representation or communication from the owner of the premises, and shall give such assistance as the Sub-Committee may request. The Artificial Insemination Administration Sub-Committee shall take into consideration all these matters when making a decision as to the eligibility of the premises for entry in or continuing an existing entry in the register of approved centres. If the applicant is dissatisfied with the decision of the AIA Sub-Committee, he/she may appeal the decision in accordance with regulation 17.

(7) An approved centre shall be managed by a person nominated by the owner thereof (who may nominate himself or herself) and such manager shall be the holder of an AI Licence. The owner of an approved centre may appoint a new or replacement manager from time to time, on giving to the Board and the Club reasonable written notice, specifying in full the

reason for replacement and the name, address and qualifications of the new manager. The new or replacement manager shall be the holder of an AI Licence and shall have authority to manage the approved centre at the expiry of the notice period unless the Board or the Club shall in the meantime raise an objection to his/her appointment. If such a notice of objection shall be raised by the Board or the Club, the Board shall appoint an authorised officer to carry out an investigation as to the suitability of the proposed appointee, and such authorised officer shall proceed to investigate and report in a manner similar to that outlined in paragraphs (5) and (6) of this regulation 7, *mutatis mutandis*, and the remaining procedures outlined in those paragraphs shall also be followed through until a decision is made by the Artificial Insemination Administration Sub-Committee as to the suitability of the proposed appointee. Such authorised officer shall produce his / her appointment if required.

(8) All operations conducted at or from an approved centre shall, as regards the matters provided for in paragraph (3) of regulation 15, be under the effective supervision and control of a veterinary surgeon engaged by the approved centre on an ongoing basis and approved by the Club for this purpose. If, for any reason, the designated veterinary surgeon shall cease to be in effective supervision and control of the approved centre, the person nominated as manager shall forthwith notify the Club of this fact and of the full name, address and qualification of the replacement veterinary surgeon, together with his/her written consent to act as such. Until such notification and consent will have been received by the Club, the premises may not operate as an approved centre.

(9) Any certificate of registration issued under this regulation shall be valid for a period up to but not exceeding two years, and shall be renewable for successive periods of two years, upon application by the owner of the approved centre, subject to compliance with these regulations. The Club may carry out a full inspection of an approved centre on any application for renewal of registration.

(10) The person nominated as the manager responsible for each approved centre shall ensure that the approved centre is managed in compliance with the provisions of these regulations, and, without limitation of his/her responsibilities, shall:

(a) keep records, in a form acceptable to the Club, of each draw of semen collected at the centre giving the identity of the stud sire, the date of collection, the number of splits, if any, and the AI Licence-holder involved;

(b) keep records, in a form acceptable to the Club, showing the ownership of all semen collected and/or stored in the centre, and any transfer of ownership of chilled or frozen semen must be notified to the Club in writing within fourteen (14) days of such change of ownership;

(c) keep records, in a form acceptable to the Club, of all movements of semen into and out of the centre and shall notify the Club within fourteen (14) days of any such movement;

(d) keep records, in a form acceptable to the Club, of all artificial inseminations conducted in the centre;

(e) ensure that the storage of semen is carried out in the manner prescribed by the Club and that the storage, inventory and record systems used can readily identify to the Club any and all the semen held in the centre;

(f) ensure that each container of semen produced or stored in that centre is in the form prescribed by the Club and in a permanent manner marked with sufficient particulars to identify clearly the premises at which each draw of semen was taken, the stud sire, the

particular draw and each split thereof (if any) and the date of collection of each draw;
(g) hold all records and documents required to be kept, made, maintained or stored hereunder until such time as the Club shall determine that they may be destroyed;
(h) notify the Club of the destruction of any frozen semen stored in the approved centre, as soon as shall be practicable thereafter;
(i) notify the Club in a timely manner of any termination of the engagement of a veterinary surgeon duly appointed pursuant to these regulations, and of the replacement of such veterinary surgeon.

(11) All records, documents and registers required to be kept and maintained at an approved centre pursuant to this regulation 7 shall be and remain at all times the property of the Club, and shall be held by the manager responsible for the approved centre in the approved centre, so that all such records, documents and registers shall be made available to the Club or to the Board at any time for examination or for such other purposes as the Club or the Board or the Minister may determine.

(12) Inseminations carried out with fresh semen or chilled semen shall be designated "AI" in all relevant records, and inseminations carried out with frozen semen shall be designated "FI" in all relevant records.

(13) All applications for the grant, retention and renewal of registration as an approved centre shall be accompanied by payment of the prescribed charges.

8. Artificial Insemination Administration Sub-Committee.

(1) The Club shall establish a sub-committee of the Executive Committee to be known as the Artificial Insemination Administration Sub-Committee, and shall delegate to that sub-committee the task of deciding in the first instance on the acceptability or otherwise of applications in respect of the following matters:

- (a) for entry in any of the registers required to be maintained pursuant to regulation 4;
- (b) for appointment as approved inseminators; and
- (c) for the approval of premises as approved centres in accordance with regulation 7.

The Club shall delegate to the AIA Sub-Committee the task of processing all applications for AI Licences. The Club may delegate to the AIA Sub-Committee other tasks or functions as it may consider appropriate.

(2) The AIA Sub-Committee shall be a standing sub-committee of the Executive Committee, and the Executive Committee may delegate to it from time to time such other functions of the Club under these regulations as it may consider appropriate. Decisions and actions of the AIA Sub-Committee in such other matters shall ordinarily not be subject to review by the Executive Committee and shall be effective and binding in their own right, but the Executive Committee may in any particular allocation of a task or function withdraw this status and require that an act or decision shall be subject to review by the Executive Committee.

(3) The AIA Sub-Committee shall comprise not less than three members of the Executive Committee, and the quorum for a meeting of the AIA Sub-Committee shall be three. When considering an application in respect of a premises, the AIA Sub-Committee may appoint a consultant in relation to the application, and in making any decision shall take into

consideration the advices of such consultant. The consultant shall not have a vote and shall not be a member of the AIA Sub-Committee. The chairperson of the AIA Sub-Committee shall be nominated and appointed by the Executive Committee and shall hold office at the pleasure of the Executive Committee. In the event of an equality of votes on the making of any decision, the chairperson of the AIA Sub-Committee shall have a second or casting vote.

(4) Following the making of a decision on any application under these regulations by the AIA Sub-Committee, the Keeper shall notify the applicant of the result by post. In the event of the refusal of the application, the notification of the decision shall give the reasons for such refusal. The applicant shall have a right to appeal against the decision of the AIA Sub-Committee. Any appeal shall be lodged and conducted in compliance with regulation 17.

(5) Subject to these regulations, and to the requirements of natural justice, the AIA Sub-Committee with the consent of the Executive Committee, may adopt such procedural rules as they may deem appropriate to enable them to carry out their functions hereunder, and may with like consent amend such rules.

(6) The Keeper shall not be appointed either to the Artificial Insemination Administration Sub-Committee or to any Appeals Sub-Committee.

(7) The decision of the AIA Sub-Committee, if not appealed, and the decision of the Appeals Sub-Committee on any appeal, shall be final, and decisions by either sub-committee shall not be subject to confirmation by the Executive Committee but shall be effective and binding in their own right.

9. Maximum permissible number of registered services.

(1) The maximum permissible number of registered services per calendar year for any stud sire, including a stud sire to which regulation 14 applies, and whether the semen is drawn inside or outside Ireland, shall not exceed 240 (two hundred and forty).

(2) The Club, with the consent of the Board, shall have authority from time to time to alter the maximum permissible number of registered services hereunder, and any such alteration shall be published in "The Sporting Press" newspaper and shall become effective on the date specified in such advertisement.

10. Notification of registration of service by artificial insemination.

(1) After an artificial insemination with fresh semen, the approved inseminator who has carried out that service, or the owner of either the stud dog or the greyhound bitch, or (if the insemination took place at an approved centre) the manager of the approved centre at which the artificial insemination was carried out, shall file a notification of the service with the Club.

2) After any artificial insemination with chilled semen or frozen semen, the manager of the approved centre at which the artificial insemination was carried out shall -

(a) file a notification of the service with the Club for registration,

(b) retain in that approved centre, for at least six years, the used semen containers identifying the draw and any split or splits and indicating whether they have been used or destroyed, or partly used and partly destroyed, and

(c) notify the Club of the retention of such containers.

(3) The following Table sets out the fees payable to the Club on giving notification of service. The Club, with the approval of the Board, may vary the amount of any of the fees from time to time, and each such variation shall be published in “The Sporting Press” newspaper and shall become effective on the date specified in such advertisement.

Notification within 14 days	€20
Notification between 15 and 30 days	€30
Notification between 30 and 180 days	€130
Notification after 180 days	€130

If notification of service is given after 180 days, then in addition to the fee payable under the above table, the litter shall be debarred from participation in puppy events.

(4) Following notification of the service and payment of the prescribed fee in accordance with this regulation, the Keeper shall register the service in the Irish Greyhound Stud Book.

11. Eligibility for registration of a litter conceived in Ireland by artificial insemination.

A litter conceived in Ireland by means of artificial insemination will be eligible for registration in the Irish Greyhound Stud Book only if:

- (a) the insemination was carried out by the holder of an AI Licence acting in accordance with these regulations,
- (b) the sire from which the semen was drawn was registered as a stud sire in accordance with regulation 4(2) at the time of collection of the semen, except in the case of conception resulting from the use of imported semen when the sire must be so registered at the time the semen is first delivered to an approved centre,
- (c) in the case of chilled semen or frozen semen, the semen was collected at (or in the case of imported semen, delivered to) and used at an approved centre,
- (d) at the time of the registration of the service from which the litter resulted, the registered services of the stud sire from which the semen was drawn had not exceeded the maximum permissible number of registered services as specified in regulation 9,
- (e) the requirements of regulation 13 and regulation 14 have been complied with,
- (f) in the case of a litter conceived in Ireland resulting from the use of imported semen, a certificate in the prescribed format is provided from the Relevant Authority in the country of origin of the semen confirming that:
 - (i) at or prior to the date on which the semen was collected, and specifying such date, the sire from which the semen was drawn was registered as a stud sire with that Relevant Authority,
 - (ii) the sire had been DNA tested according to the norms of best practice approved by the Relevant Authority, and giving the information from such testing in the required format,

(iii) the semen had been drawn from that sire and processed, and stating the location of the premises at which and the date on which the semen had been drawn and processed in accordance with the rules or requirements of such Relevant Authority, and,
(iv) the sire was alive at the date of the certificate, or if dead, specifying the date of death;
(g) the application for registration of the litter was made to the Keeper on the prescribed form, accompanied by the prescribed fee,
(h) that the insemination has taken place within two years of the date of the death of the stud sire from which the semen was drawn, if the certificate from the Relevant Authority specifies that the stud sire has died,
and if these conditions are complied with, then the Keeper shall register such litter in the Irish Greyhound Stud Book. On registration of a litter, the registration shall be designated “AI” (in the case of inseminations carried out with fresh semen or chilled semen) or “FI” (for inseminations carried out with frozen semen), as the case may be, in all appropriate records.

12. Eligibility for registration of a litter conceived outside Ireland by means of artificial insemination.

A litter conceived outside Ireland by means of artificial insemination will be eligible for registration in the Irish Greyhound Stud Book only if:

- (a) the application for such registration is accompanied by a certificate in the prescribed format from the Relevant Authority in the country in which the artificial insemination took place, that,
- (i) the insemination was carried out in accordance with the rules of that Relevant Authority governing the artificial insemination of greyhounds,
(ii) at the date of the drawing of the semen, and specifying such date, the sire from which the semen was drawn was registered as a stud sire with that Relevant Authority,
(iii) the semen used for the conception had been collected and processed in accordance with the rules of that Relevant Authority, and specifying the date of such collection and processing and the premises in which such collection and processing took place,
(iv) the sire had been DNA tested according to the norms of best practice approved by the Relevant Authority, and giving the information from such testing in the required format, and
(v) the sire was alive at or had not died more than two years prior to the date of the artificial insemination;
- (b) the stud dog is already registered as a stud sire or the application is accompanied by a valid application for registration of the stud dog as a stud sire in a format acceptable to the Keeper and accompanied by the prescribed fee,
(c) the application for registration of the litter was made to the Keeper on the prescribed form accompanied by the prescribed fee, and
(d) at the date of the proposed registration of the service from which the litter resulted, the registered services of the stud sire from which the semen was drawn had not exceeded the maximum permissible number of registered services as specified in regulation 9.

If these conditions are complied with, then the Keeper shall register the litter in the Irish Greyhound Stud Book. On registration of a litter, the registration shall be designated “AI” (in the case of inseminations carried out with fresh semen or chilled semen) or “FI” (for inseminations carried out with frozen semen), as the case may be, in all appropriate records.

13. DNA testing of greyhounds bred by artificial insemination.

- (1) Any litter conceived in Ireland by artificial insemination may, prior to or at any time

after registration in the Irish Greyhound Stud Book, be required by the Club to be certified as having undergone the DNA test procedure authorised by the Rules.

(2) The Club shall, in its Rules, establish the procedure to be followed in respect of the drawing and collection of any sample for DNA testing, and any such procedure shall require that an authorised officer (who shall be appointed by the Board) shall be present to supervise the procedure, and to receive the sample, immediately upon its being drawn, in a duly sealed container, which shall be signed by the authorised officer and the greyhound's owner or agent as relating to the named animal, and the authorised officer shall be responsible to deliver such sample for DNA testing to the Club in accordance with the Rules.

(3) All costs and charges relating to the operation of each DNA test shall be paid as follows:

- (a) where the sample is from the greyhound bitch, by the owner or lessee of the greyhound bitch;
- (b) where the sample is from the stud sire, by the owner or agent of the stud sire or, where the sample has been requested by the stud keeper at which the stud sire is standing, by that stud keeper;
- (c) where the sample is from the litter, by the owner of the litter;
- (d) where the sample is from a greyhound conceived by artificial insemination and which is not a sample specified in sub-paragraphs (a), (b) or (c), by the owner of such greyhound.

14. Death of stud sire.

(1) On the death of a stud sire, the owner or his/her agent shall notify the Club of the death on the prescribed form within fourteen days. The Club shall publish notification of such death in "The Sporting Press" as soon as is practicable. Failure to notify any such death within the time limited hereby shall render the person responsible for such notification liable to pay a fine or penalty to the Club of an amount to be determined by the Club in accordance with its Rules.

(2) Immediately on the death of a stud sire, or as soon thereafter as shall be practicable, but not in any circumstance later than twenty-one days after the publication referred to in paragraph (1) of such death, the manager of any approved centre where frozen semen of the dead stud sire is preserved shall notify the Club of the quantity of such frozen semen, and such notification shall be in such a format and with such detail as the Club shall prescribe from time to time.

(3) Subject to compliance with the maximum number of registered services as specified in regulation 9, the frozen semen of a stud sire may be used for artificial insemination for up to two years from the date of death of the stud sire. For each movement of such frozen semen, the Manager of the approved centre shall record the same details, mutatis mutandis, as are required under regulation 7 (10). At the end of the two year period, all unused frozen semen of a stud sire shall be destroyed by the manager of the approved centre in which it is stored. The manager shall notify the Club of such destruction in such manner and format as may be prescribed by the Club from time to time.

(4) No greyhound or its progeny may be registered in the Irish Greyhound Stud Book which is the progeny of a conception which took place by means of artificial insemination

after the sire had been dead for more than two years.

(5) Where it is proposed to use for artificial insemination imported frozen semen which, though drawn after the operative date of these regulations and so certified by the Relevant Authority, was imported more than two years prior to such proposed use, it shall be the responsibility of the manager of the approved centre in question, prior to such proposed use, to seek a further certificate from the Relevant Authority that the stud sire from which the semen was drawn either remains alive at the date of such further certificate, or has died and, if dead, certifying the date of death. If the Relevant Authority should not be able to furnish a certificate as required, then the frozen semen in question shall be destroyed.

(6) No person may lawfully implement or be involved in the implementing of a frozen insemination procedure where the stud sire is known, or could on reasonable enquiry be known, to that person to be dead for more than two (2) years.

(7) The Board, having regard to the improvement and development of the greyhound industry in Ireland, and in the light of both national and international developments, and following consultation with the Club, may vary the Period for use of frozen semen of a dead stud sire as limited by this regulation 14. Notice of any such variation and the date of its effectiveness shall be given by advertisement published in "The Sporting Press".

15. Animal health, welfare and hygiene.

(1) All persons licensed or approved under these regulations shall ensure that any greyhound owned by them, under their control, in their charge, or in their care in any place, premises or vehicle, is not caused any unnecessary pain, suffering or injury.

(2) All persons licensed under regulation 5 or approved under regulation 6 shall, with regard to general animal health and welfare, adhere to all hygiene practices, techniques and procedures as set down from time to time by the Club with the consent of the Board and the Minister.

(3) A veterinary surgeon approved under regulation 7 (8) shall be responsible to ensure that, in respect of all operations conducted at or from the approved centre, all relevant national and European Union legislation, and all veterinary and related conditions or criteria applicable to the approved centre concerned, and all hygiene practices, techniques and procedures required to be adopted by the persons referred to in paragraph (2), are fully complied with.

16. Inspections by the Board.

(1) The Board may appoint an authorised officer who may at any time inspect an approved centre or any premises, facilities, equipment, records and procedures used or adopted by any person engaged in the handling, control or movement of semen or the practice of artificial insemination of greyhounds licensed or approved or required to be licensed or approved under these regulations. Such authorised officer shall produce his / her appointment if required. Following completion of such investigation, the authorised officer will make a written report to the Board.

(2) Where the Board, following receipt of the report of the authorised officer, proposes to revoke or suspend an AI Licence, or to order the closure of an approved centre, or to order

the revocation or cancellation of the licence to operate a premises as an approved centre, the Board shall notify in writing the licence holder or the manager of the approved centre, as the case may be, of the proposed decision, and shall before making a decision consider any representations made to it in writing within fourteen days of the actual delivery or posting by prepaid post of such notification. .

17. Appeals from the AIA Sub-Committee.

(1) Where it is stated in these regulations that a decision of the AIA Sub-Committee may be appealed, the following provisions shall apply.

(2) An appellant may appeal from the whole or any part of a decision or order, and the notice of appeal shall state whether the whole or part only of such decision or order is complained of and, in the latter case, shall specify such part.

(3) The notice of appeal shall in every case be served not later than fourteen days after the date of publication of the decision to the appellant. Publication shall be in writing, and may be effected by actual delivery of the decision to the appellant or by sending the decision by prepaid post to the appellant, and, in the latter case, the decision will be deemed to have been published to the appellant on the date of posting.

(4) Every notice of appeal shall be accompanied by payment of a deposit of €500 (five hundred euro). The said fee shall be refunded in full if the appeal is successful, and may be refunded in whole or in part at the discretion of the appellate forum if that forum should consider that the appeal was not without merit and was not vexatious or frivolous.

(5) The notice of appeal shall in every case state the grounds of the appeal and the relief sought in lieu of the decision or order appealed from.

(6) The notice of appeal shall be served on the Secretary of the Club.

(7) (a) On receipt of a notice of appeal, the Secretary of the Club shall notify the President of the Club and the Chairman of the Executive Committee of the Club of receipt of the appeal. The said President and Chairman shall unanimously nominate an Appeals Sub-Committee, comprising not more than five members of the Club, to hear and determine the appeal.

(b) Appeal Sub-Committees shall be occasional sub-committees of the Club, whose members shall be nominated on each occasion by the President of the Club and the Chairman of the Executive Committee, acting unanimously. Neither the Keeper nor any member of the AIA Sub-Committee shall be eligible for nomination to an Appeal Sub-Committee. An Appeal Sub-Committee shall comprise not more than five members of the Club.

(c) The appeal shall be heard as a full rehearing de novo of the application, including the presentation of all reports, recommendations, any initial response or representation, as well as the grounds of appeal and the advices and views of the Keeper. The Appeals Sub-Committee may also appoint a consultant to advise them on any matter arising in the course of the appeal. Any consultant so appointed shall not have a vote, shall not be a member of the Appeals Sub-Committee, and shall not have been the consultant appointed at the hearing before the Artificial Insemination Administration Sub-Committee.

(d) The Appeals Sub-Committee shall notify the appellant of the date and place for the

hearing of the appeal, and of any adjournment thereof. The appellant shall be entitled to appear and make representations before the Appeals Sub-Committee, with or without legal representation, and including the presentation of witnesses.

(8) Subject to these regulations, and to the requirements of natural justice, the Appeals Sub-Committee may, in carrying out their functions, have regard to any appropriate rules or procedures in the Irish Coursing Club Rules.

(9) Any notice of appeal may be amended at any time on such terms as the Appeals Sub-Committee may think fit.

(10) On the hearing of any appeal, the Appeals Sub-Committee shall have full discretionary power to receive further evidence on questions of fact, such evidence to be either by oral examination before it, by Affidavit, or by deposition taken as the Appeals Sub-Committee may direct. The Appeals Sub-Committee shall have power to draw inferences of fact and to give any order or decision which ought to have been made and to make such further order as the case may require. The said powers may be exercised by the Appeals Sub-Committee, notwithstanding that the notice of appeal asks that part only of the decision or order be reversed or varied.

(11) On the conclusion of the hearing before it, the Appeals Sub-Committee shall deliver its decision in writing, and cause the same to be published to the appellant and to each of the Board and the Club.

(12) An appellant shall be liable for his or her own costs and expenses of any appeal, and neither appellate forum shall have power to make any order for costs.

(13) An appeal properly taken under these regulations shall operate as a stay of implementation of any decision or order appealed from, until the determination of the appeal.

(14) An appeal which is not lodged within the time limited by this regulation, which is not accompanied by the deposit hereinbefore provided, or which does not set out the grounds of appeal, shall be invalid.

18. Entitlement to charge fees.

The Club, with the approval of the Board, shall be entitled to prescribe fees to be payable to it by applicants and other persons for the performance of its functions under these regulations. Such fees shall be published in "The Sporting Press" following approval by the Board. The Club shall not be obliged to execute any specified function if the prescribed fee shall not be paid in advance. Where no fee is prescribed for a particular function of the Club hereunder, then none shall be payable in respect of that function.

19. Offences and breaches of regulations.

(1) It shall be a breach of these regulations for any person -

(a) to effect or to attempt to effect the artificial insemination of a greyhound bitch,

(b) to facilitate or procure or to attempt to facilitate or procure the artificial insemination of a greyhound bitch,

other than on foot of and in accord with the terms of an AI Licence, and in compliance with

the provisions of these regulations.

(2) It shall be a breach of these regulations for any person to carry on or attempt to carry on the practice of artificial insemination other than in compliance with these regulations.

(3) It shall be a breach of these regulations for any person to carry on or to attempt to carry on the practice of artificial insemination in contravention of an order of revocation or suspension under paragraph (7) or paragraph (8) of regulation 5.

(4) Without prejudice and in addition to any other sanction that may be imposed by the Club under the Irish Coursing Club Rules, the Club on being notified of the conviction of any person for a breach of these Regulations, shall be entitled to refuse registration of any stud sire, service or litter involved in the proceedings leading to the conviction, or to withdraw or cancel any such registration already effected in favour of the convicted person.

20. Citation and commencement.

These regulations may be cited as the Artificial Insemination of Greyhounds Regulations, 2005, and shall come into operation on the day which is three months after the date on which the Minister shall have consented to these regulations.

GIVEN under the Seal of Bord na gCon
This day of 2005

Chairman of the Board

Chief Executive of the Board

An Officer authorised by the Board to authenticate the Seal of the Board

I hereby consent to the regulations

MINISTER for Arts, Sport and Tourism.