

Western Australia

Artificial Breeding of Stock Act 1965

Artificial Breeding (Horses) Regulations 1982

Artificial Breeding (Horses) Regulations 1982

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Artificial Breeding (Horses) Regulations 1982

Part I — Preliminary

1. Citation

These regulations may be cited as the *Artificial Breeding (Horses) Regulations 1982*¹.

2. Commencement

These regulations shall come into operation on the 28th day after the day on which they are published in the *Government Gazette*¹.

3. Interpretation

In these regulations, unless the contrary intention appears —
artificial insemination means the artificial insemination of mares;

authorized inseminator means a person who holds a certificate of competency as an authorized inseminator of mares;

certificate of competency means a certificate of competency as an authorized inseminator;

collection in relation to semen, means a quantity collected at any one time;

licence means a licence for the artificial breeding of horses that is current and valid;

r. 3A

processing in relation to semen, means any procedure used in the preparation of collected semen before final use in insemination;

semen means semen obtained from a stallion.

[Regulation 3 amended in Gazette 14 June 1985 p.2171.]

3A. Prescribed stock

Horses are a prescribed species of stock for the purposes of —

- (a) paragraph (b) of the definition of “artificial breeding” in section 4 of the Act; and
- (b) section 5B(3) of the Act.

[Regulation 3A inserted in Gazette 16 October 1987 p.3925.]

Part II — Certificate of competency

4. Certificate of competency

- (1) An application for a certificate of competency as an authorized inseminator shall be in the form of Form 1 in Schedule 2.
- (2) A certificate of competency shall be in the form of Form 2 in Schedule 2.

5. Authorized inseminator

A person shall be issued with a certificate of competency if he —

- (a) attends a course of instruction in the practice of artificial breeding of horses conducted by a person or organization approved by the Chief Veterinary Surgeon; and
- (b) passes an examination on the theory and practice of artificial breeding of horses conducted by a person or organization approved by the Chief Veterinary Surgeon.

6. Conditions of certificate of competency

- (1) The holder of a certificate of competency —
 - (a) shall be nominated in writing by the holder of a licence; and
 - (b) shall not carry out artificial breeding of horses except at the licensed premises of the person referred to in paragraph (a) and specified on the certificate of competency.

Penalty: \$100.

- (2) The holder of a certificate of competency shall not change the name of his nominator unless he has the written approval of the Chief Veterinary Surgeon.

Penalty: \$100.

Part III — Licensed premises

7. Licence forms

- (1) An application for a licence or renewal of a licence shall be in the form of Form 3 in Schedule 2.
- (2) A licence shall be in the form of Form 4 in Schedule 2.
- (3) An application for the transfer of a licence shall be in the form of Form 5 in Schedule 2.

8. Veterinary supervision

- (1) It is a condition of a licence that a veterinary surgeon nominated on the licence shall supervise the procedure of artificial breeding at the licensed premises on at least one occasion in each week, except where artificial breeding is carried out at less frequent intervals than once per week, in which case the veterinary surgeon shall supervise the procedure on each occasion.
- (2) The nominated veterinary surgeon shall certify on each occasion on which he supervises artificial breeding whether the artificial breeding is, in his opinion, being carried out in accordance with these regulations.
- (3) A licensee shall not alter the name of a veterinary surgeon nominated on a licence unless he has the written approval of the Chief Veterinary Surgeon.

Penalty: \$100.

9. Licensed premises

- (1) A licence shall not be issued unless the premises to which the licence applies are provided with —
 - (a) fences and gateways constructed so as to prevent the transmission of disease to stock on the premises, and prevent the unauthorized movement of stock onto, within or out of the premises;

- (b) a quarantine area so situated that the drainage of effluent cannot flow onto or escape from that area to any other part of the premises to which stock have access;
- (c) a hospital area for the housing, diagnosis and treatment of intercurrent diseases of horses which have been admitted to licensed premises; and
- (d) a laboratory equipped with the necessary equipment for the examination, appraisal, dilution and use of semen.

10. Collection of semen

- (1) Semen shall be collected by means of an artificial vagina and not otherwise.

Penalty: \$100.

- (2) Each stallion shall be allocated an artificial vagina which shall be clearly marked with the identity of the stallion.

Penalty: \$100.

11. Equipment

All equipment with which semen may come into contact during collection or any laboratory procedure shall —

- (a) be effectively cleaned and sterilized before any occasion of its use for that purpose; and
- (b) not be used on any other premises without prior consent of the Chief Veterinary Surgeon.

Penalty: \$100.

12. Vessels to be clearly identified

- (1) Any vessel used to hold semen between the time of use or processing shall be clearly marked so as to enable the semen it contains to be identifiable.

Penalty: \$100.

r. 13

- (2) The mark referred to in subregulation (1) shall correspond to the identity number in the records kept pursuant to regulation 15(1)(ii).

13. Semen to be appraised after collection

All semen shall, as soon as possible after collection, be appraised for the concentration, motility and morphology of its contents of spermatozoa.

14. Destruction of semen

A licensee shall destroy, or cause to be destroyed, all semen collected in the same collection for dilution or use if the semen appraised is, in the opinion of the licensee or veterinary surgeon nominated on the licence, not suitable for dilution or use.

Penalty: \$100.

15. Records

The licensee shall cause records to be maintained on the premises at all times showing —

- (a) with respect to the collection of semen —
- (i) the identity of the stallion from which the semen was collected;
 - (ii) the date of collection and the identity number assigned to such collection and batch of semen;
 - (iii) the total quantity collected;
 - (iv) the results of the appraisal with respect to the concentration, motility and morphology of spermatozoa;
 - (v) the degree to which the semen is diluted and the constituents of the diluent used;
 - (vi) the identity of the authorized inseminator who carried out the collection;

- (b) with respect to the use of semen —
 - (i) the identity of the stallion from which the semen originated and the markings on each container received;
 - (ii) the identity of the mare inseminated;
 - (iii) the name and address of the owner of the mare inseminated;
 - (iv) the date on which the semen was used for artificial insemination;
 - (v) the quantity of semen used for each insemination;
 - (vi) the method, date of disposal and particulars of any semen not otherwise accounted for in the records;
 - (vii) the conception rate resulting from the use of semen, identifying the rate in each case with particulars of the stallion from which the semen was collected;

and

- (c) with respect to the movement of horses —
 - (i) the date of entry of each horse to, and its departure from, the premises;
 - (ii) the identity of the horse;
 - (iii) the name and address of the owner of the horse.

Penalty: \$100.

16. Use of semen

An authorized inseminator shall not process or use semen for artificial insemination except on the licensed premises on which it is collected unless the prior written approval of the Chief Veterinary Surgeon has been obtained.

Penalty: \$100.

17. Preservation of spermatozoa

An authorized inseminator shall take all reasonable precautions to maintain the number of live spermatozoa in semen used for artificial insemination at a level compatible with normal fertility.

18. Prevention of transmission of diseases

- (1) An authorized inseminator, when collecting semen from stallions and inseminating mares, shall take every precaution necessary to ensure that disease is not transmitted between horses whether in the same licensed premises or not.
Penalty: \$100.
- (2) Fresh sterile equipment shall be used for each insemination and shall be discarded after use.
Penalty: \$100.
- (3) The equipment used for the collection of semen shall be cleaned and sterilized after use.
Penalty: \$100.

Part IV — Miscellaneous

19. Mixing semen

A person shall not mix semen of one stallion with that of another stallion or mix semen collected on one day with that collected on another day.

Penalty: \$100.

20. Destruction of records

Records required to be kept under these regulations shall not be destroyed until after a period of 3 years from the date of their being made.

Penalty: \$100.

21. Fees

Every application for the issue, renewal or transfer of a licence or an application for a certificate of the competency shall be accompanied by a fee prescribed in Schedule 1.

Schedule 1 Fees

Schedule 1 — Fees

[Sections 6(5) and 10(3)]

	Fee
Grant or renewal of a licence.....	\$600
Transfer of licence.....	\$100
Certificate of competency.....	\$400

[Schedule 1 inserted in Gazette 23 June 1998 p.3317; amended in Gazette 20 June 2000 p.3009; 5 Jun 2001 p. 2845.]

Schedule 2

[Section 10]

Form 1

Artificial Breeding of Stock Act 1965
Artificial Breeding (Horses) Regulations 1982

APPLICATION FOR CERTIFICATE OF COMPETENCY

CHIEF VETERINARY SURGEON
DEPARTMENT OF AGRICULTURE 2
SOUTH PERTH

I.....

of

hereby apply for the issue to me of a certificate as an authorized inseminator of horses.

My qualifications are.....

(Describe and attach evidence of qualifications, if any)

I am nominated as an authorized inseminator by

.....

(Attach nomination of licence holder)

I intend to carry out artificial insemination at

.....

(State name and address of licensed premises)

I CERTIFY that the information given above is true and correct.

Dated this day of 19

.....

Signature of Applicant.

Feeattached.

Schedule 2

Form 2

[Section 10]

Western Australia
Artificial Breeding of Stock Act 1965
Artificial Breeding (Horses) Regulations 1982

Certificate No.

CERTIFICATE OF COMPETENCY

I HEREBY CERTIFY THAT
of
nominated by of
possesses the requisite knowledge and experience as an authorized inseminator
of horses and is hereby authorized to carry out artificial insemination of horses
at
.....
Issued thisday of 19.....

Chief Veterinary Surgeon.
.....

Form 3

[Section 7]

Artificial Breeding of Stock Act 1965
Artificial Breeding (Horses) Regulations 1982

APPLICATION FOR LICENCE OR RENEWAL OF LICENCE

MINISTER FOR AGRICULTURE³
DEPARTMENT OF AGRICULTURE²
SOUTH PERTH

I/We.....

of

hereby apply for * a licence

* the renewal of my/our licence

to use the premises described hereunder for the artificial breeding of horses.

Address of premises.....

Description of premises

The Veterinary Surgeon nominated to supervise is

..... of

Dated thisday of19.....

.....
Signature of Applicant(s).

Feeattached.

* Strike out whichever is not applicable.

Schedule 2

Form 4

[Section 7]

WESTERN AUSTRALIA
Artificial Breeding of Stock Act 1965
Artificial Breeding (Horses) Regulations 1982

LICENCE

.....
(Name of licensee(s))

of

is/are hereby licensed to use the premises described hereunder for the artificial breeding of horses.

Address of premises.....

Description of premises

This licence remains in force until 19 and is issued subject to the *Artificial Breeding of Stock Act 1965* and regulations made thereunder, and to the following conditions —

The Veterinary Surgeon nominated to supervise is.....

..... of

Issued this day of 19.....

.....
MINISTER FOR AGRICULTURE³.

Form 5

[Section 7]

Artificial Breeding of Stock Act 1965
Artificial Breeding (Horses) Regulations 1982

APPLICATION FOR TRANSFER OF LICENCE

MINISTER FOR AGRICULTURE³
DEPARTMENT OF AGRICULTURE²
SOUTH PERTH

I/We.....

of

being the holder(s) of a licence to use the premises described hereunder, apply
for the transfer of that licence to.....

.....of.....

Address of premises licensed for the artificial breeding of horses

Dated thisday of.....19.....

Feeattached.

.....
Signature of Applicant(s).

.....
Signature of Transferee(s).

Notes

- ¹ This is a compilation of the *Artificial Breeding (Horses) Regulations 1982* and includes the amendments made by the other written laws referred to in the following table ^{1a}.

Compilation table

Citation	Gazettal	Commencement
<i>Artificial Breeding (Horses) Regulations 1982</i>	10 Sep 1982 p. 3669-73	8 Oct 1982 (see regulation 2)
<i>Artificial Breeding of Stock (Fees) Amendment Regulations 1985, Part II</i>	14 Jun 1985 p. 2171	1 Jul 1985 (see regulation 2)
<i>Artificial Breeding of Stock (Fees) Amendment Regulations 1986, Part II</i>	27 Jun 1986 p. 2221	1 Jul 1986 (see regulation 2)
<i>Artificial Breeding of Stock Amendment Regulations 1987, Part III</i>	16 Oct 1987 p. 3925	16 Oct 1987
<i>Artificial Breeding of Stock (Fees) Amendment Regulations 1987, Part II</i>	30 Oct 1987 p. 4049	1 Nov 1987 (see regulation 2)
<i>Artificial Breeding of Stock (Fees) Amendment Regulations 1988, Part II</i>	14 Oct 1988 p. 4204	14 Oct 1988
<i>Artificial Breeding of Stock Amendment Regulations 1990, Part 4</i>	17 Aug 1990 p. 4068	17 Aug 1990
<i>Artificial Breeding of Stock Amendment Regulations 1991, Part 4</i>	18 Oct 1991 p. 5311	18 Oct 1991
<i>Artificial Breeding of Stock Amendment Regulations 1992, Part 4</i>	24 Jul 1992 p. 3603	24 Jul 1992
<i>Artificial Breeding of Stock Amendment Regulations 1993, Part 4</i>	17 Sep 1993 p. 5043	17 Sep 1993
<i>Artificial Breeding of Stock Amendment Regulations 1994, Part 4</i>	24 Jun 1994 p. 2832	1 Jul 1994 (see regulation 2)

Citation	Gazettal	Commencement
<i>Artificial Breeding of Stock Amendment Regulations 1995</i> , Part 4	21 Jul 1995 p. 3061	21 Jul 1995
<i>Artificial Breeding of Stock Amendment Regulations 1996</i> , Part 4	3 Sep 1996 p. 4371	4 Sep 1996 (see regulation 2)
<i>Artificial Breeding of Stock Amendment Regulations 1997</i> , Part 4	19 Aug 1997 p. 4716	19 Aug 1997
<i>Artificial Breeding of Stock Amendment Regulations 1998</i> , Part 4	23 Jun 1998 p. 3317	23 Jun 1998
<i>Artificial Breeding of Stock Amendment Regulations 2000</i> , Part 4	20 Jun 2000 p. 3009	1 Jul 2000 (see regulation 2)
<i>Artificial Breeding of Stock Amendment Regulations 2001</i> , Pt. 4	5 Jun 2001 p. 2845	1 Jul 2001 (see r. 2)

^{1a} On the date as at which this compilation was prepared, provisions referred to in the following table had not come into operation and were therefore not included in this compilation. For the text of the provisions see the endnotes referred to in the table.

Provisions that have not come into operation

Citation	Gazettal	Commencement
<i>Biosecurity and Agriculture Management Regulations 2013</i> r. 137(m) and 138 ⁴	5 Feb 2013 p. 465-591	1 May 2013 (see r. 2(b) and <i>Gazette</i> 5 Feb 2013 p. 823)

² Under the *Public Sector Management Act 1994* the names of departments can be changed. At the time of this reprint the former Department of Agriculture is known as Agriculture Western Australia.

³ The designation of Ministers may be altered by the Governor under the *Alterations of Statutory Designations Act 1974*. As at the date of this reprint the former Minister for Agriculture is known as the Minister for Primary Industries.

⁴ On the date as at which this compilation was prepared, the *Biosecurity and Agriculture Management Regulations 2013* r. 137(m) and 138 had not come into operation. They read as follows:

137. Regulations repealed

These regulations are repealed:

- (m) *Artificial Breeding (Horses) Regulations 1982*;

138. Fees and expenses

On and from the commencement day —

- (a) any fees payable under a regulation repealed under regulation 137 and outstanding on the commencement day are to be regarded as payable under these regulations at the time, and in the manner, in which the fees would have been payable under the repealed regulation and may be recovered accordingly; and
- (b) any expenses recoverable under a regulation repealed under regulation 137 and outstanding on the commencement day may be recovered under regulation 128.

Penalty: a fine of \$10 000.