DEPARTMENT OF AGRICULTURE

No. R.1682 21 November 2003

ANIMAL IMPROVEMENT ACT, 1998
(ACT No. 62 OF 1998)

REGULATIONS

The Minister of Agriculture has, in terms of section 28 of the Animal Improvement Act, 1998 (Act No. 62 of 1998), made the regulations set out in the Schedule hereto.

SCHEDULE

(Note: The figures and letters specified in square brackets at the headings of regulations denote the numbers of applicable sections in the Act serving as authority thereto).

Definitions

1. Any word or expression in this Schedule to which a meaning has been assigned in the Act, shall have that meaning and –

"**the Act**" means the Animal Improvement Act, 1998 (Act No. 62 of 1998);and

"**the SAVC**" means the South African Veterinary Council established in terms of section 2 of the Veterinary and Para-Veterinary Professions Act, 1982 (Act No. 19 of 1982).

Registration of certain persons

2. (1) Subject to subregulation (3), an application for registration as an inseminator, semen collector, embryo collector or embryo transferor shall be submitted to the registrar on a form that is obtainable from the office of the registrar for this purpose.

(2) Such an application shall be accompanied by –

(a) the documentary proof referred to in regulation 3(6);

(b) proof that the applicant has passed the relevant practical examination referred to in regulation 3(3); and

(c) the application fee specified in item 1 of Table 1 in the Annexure.

(3) Notwithstanding the provisions of subregulation (1) and subject to the provisions of subregulation (4), persons registered in terms of the Livestock Improvement Act, 1977 (Act No. 25 of 1977), as inseminator, semen collector, inoculators or embryo transferor need not apply for the corresponding registration in terms of the Act.

(4) Upon termination of the registration referred to in subregulation (3), the applicant shall renew such registration in terms of section 9 of the Act.

Requirements for registration [7, 8(1)(a)]

3. (1) A person intending to register, in terms of the Act, as an inseminator, semen collector, embryo transferor or embryo collector shall complete the appropriate course of instruction.

(2) The course of instruction referred to in subregulation (1) is conducted at the facilities specified in column 1 of Table 2 in the Annexure, which facilities' curriculum with regard thereto, shall be approved by the registrar after consultation with the SAVC and any other relevant body.

(3) Successful completion of the course of instruction referred to in subregulation (1) shall be followed by the relevant practical examination.

(4) The practical examination referred to in subregulation (3) shall –

(a) be attempted after a period of at least six (6) months practical experience;

(b) be conducted in areas specified in column 2 of Table 2 in the Annexure during the periods specified in column 3 of the said table; and

(c) be conducted by persons appointed by the registrar after consultation with the SAVC and any other relevant body.

(5) The course of instruction referred to in subregulation (1) shall, in the case of a course of instruction to register as –

(a) an inseminator, include instructions with reference to the following:

(i) The theory and technique of the non-surgical artificial insemination of animals.

(ii) The anatomy of the genital system of male and female animals.

(iii) Physiology and diseases of reproduction.

(iv) The principles of veterinary hygiene.

(v) The elementary theory of livestock breeding and genetics.

(vi) The theory and practice of the conveyance of semen.

(vii) The Act with regard to the collection, sale and conveyance of semen and the artificial insemination of animals.

(b) a semen collector, include instructions with reference to the following:

(i) The theory and practice of the collection, evaluation, processing, labelling and storage of semen.

(ii) The Act with regard to the collection, evaluation, processing, labelling, storage and sale of semen.

(c) an embryo transferor, include instructions with reference to the following:

(i) The theory and technique of the non-surgical embryo transfer in animals.

(ii) The anatomy of the genital systems of male and female animals, paying more attention to specific detail to those of female animals.

(iii) Physiology of reproduction and endocrinology, more specifically in relation to female animals.

(iv) The principles of embryology, fertilisation, fission, zygote physiology and nidation.

(v) The elementary theory of the collection, thawing and conveyance of embryos.

(vi) The theory and practice of the selection and preparation of recipient animals.

(vii) The Act with regard to the collection, sale and conveyance of semen and ova and embryos, the fertilisation of ova for the collection of embryos, the artificial insemination of animals and embryo transfer.

(d) an embryo collector, include instructions with reference to the following:

(i) The instructions referred to in paragraphs (a) and (c), but on an advanced level.

(ii) The theory and practice of the selection and preparation of animals for the collection of ova and embryos and animals for embryo transfer.

(iii) The theory and practice of the collection of ova and embryos.

(6) Subject to the provisions of subregulation (7), an independent veterinarian who is for this purpose appointed by the registrar, shall issue documentary proof certifying that such person has successfully completed a course of instruction referred to in subregulation (5) and the relevant practical examination referred to in subregulation (3).

(7) Documentary proof referred to in subregulation (6) shall be in the form determined by the registrar.

(8) Documentary proof that a person –

(a) has successfully completed a course of instruction referred to in subregulation (5)(b) or (c), shall only be issued if such person has already previously successfully completed the course of instruction referred to in subregulation (5)(a); and

(b) has successfully completed a course of instruction referred to in subregulation (d), shall only be issued if such person

(i) is registered in terms of the Veterinary and Para-Veterinary Professions Act, 1982 (Act No. 19 of 1982) to practice a veterinary or relevant para-veterinary profession, or

(ii) in the case of non-veterinarians, is registered in terms of the Natural Scientists Act, 1982 (Act No. 55 of 1982), as a natural scientist or as a natural scientist-in-training in subjects that, in the opinion of the registrar, are applicable to that course of instruction.

(9) A person who has not attended a course of instruction referred to in subregulation (5)(b) may be registered as a semen collector if –

(a) on the date of commencement of these regulations he or she is legally registered as an inseminator in terms of the Livestock Improvement Act, 1977 (Act No. 25 of 1977);

(b) such person, in addition to the artificial insemination of animals, has for a continuous period of at least two years prior to such date of commencement undertaken the collection, evaluation, processing, packing or storage of semen; and

(c) the application for registration as a semen collector is submitted to reach the registrar within six (6) months of the date of commencement of these regulations and such application is accompanied by –

(i) a certificate by an independent veterinarian that has been appointed by the registrar for this purpose, wherein the facts referred to in paragraph (b) are confirmed;

(ii) written proof, where applicable, of membership of the South African Veterinary Semen and Embryo Group (SAVSEG); and

(iii) the application fee specified in item 1 of Table 1 in the Annexure.

(10) A person who is not a South African citizen, and who has not attended the appropriate course of instruction referred to in subregulations (5)(a), (b), (c) or (d) may be registered as an inseminator, semen collector, embryo collector or embryo transferor respectively if –

(a) such person may legally perform the actions of an inseminator, semen collector or embryo transferor, as the case may be, in his or her country of origin;

(b) such person has successfully completed a theoretical and practical test to determine his or her knowledge on the theory and practice of –

(i) the collection, evaluation, processing, packing and storage of semen, or ova and embryos;

(ii) artificial insemination; or

(iii) embryo transfer,

is adequate for registration as an inseminator, semen collector, embryo collector or embryo transferor, as the case may be: Provided that such test is conducted by a competent authority recognised for this purpose by the registrar;

(c) in the case of an embryo collector or a semen collector, such person is registered in terms of the Veterinary and Para-Veterinary Professions Act, 1982 (Act No. 19 of 1982) to practice a veterinary or relevant para-veterinary profession;

(d) such person's application for registration is submitted to reach the registrar within 30 days of the date on which the results of the practical examination has been made known to the applicant; and

(e) the application referred to in paragraph (d) is accompanied by –

(i) an affidavit wherein the applicant confirms the facts referred to in paragraph (a);

(ii) written proof of the successful completion of the test referred to in paragraph (b); and

(iii) the application fee specified in item 1 of Table 1 in the Annexure.

Registration of premises as centres [7(2); 8(1)(b)(i); 8(4), 28]

4. (1) First time application for the registration of premises as a centre shall –

(a) be made on a form that is obtainable from the office of the registrar for this purpose;

(b) be made before genetic material destined for sale in terms of section 14(2) of the Act, is collected on the premises concerned; and

(c) be accompanied by –

(i) the application fee specified in item 2 of Table 1 in the Annexure; and

(ii) two (2) copies of a site plan of the premises concerned; and

(iii) two (2) copies of the detailed ground plans.

(2) An application referred to in subregulation (1) shall lapse within two years after the date of such application if the premises concerned do not comply with the requirements for registration as set out in these regulations.

(3) A site plan referred to in subregulation (1)(c)(ii) shall indicate the location of the facilities specified below in relation to other buildings on the same premises and surrounding properties, and building complexes and places, if any, where other animals are kept:

(a) Office and laboratory complexes.

(b) Stables, pens, collecting stocks and crushes in which animals will be kept and handled in quarantine with a view to their approval to be admitted to the centre.

(c) Stables, pens, crushes, kraals and, if applicable, collecting stocks, as well as any other places where approved as well as other animals, shall be kept and handled at the centre.

(d) Public roads and thoroughfares on and around the premises.

(e) The public entrance to the premises.

(4) A detailed ground plan referred to in subregulation (1)(c)(iii) shall indicate the measurements and descriptions of –

(a) every room that will be used as offices and laboratories including –

(i) the location of rooms for the evaluation, processing, packing, labelling or storage of genetic material;

(ii) the location of rooms for the cleaning and sterilisation of equipment;

(iii) the location of cloakrooms and toilets; and

(b) stables, pens, collecting stocks, crushes and places referred to in subregulation (3); and

(c) kraals and barns.

(5) Premises shall be registered as a centre if it complies with the following requirements:

(a) It shall be fenced in such a manner that animals that are kept therein shall not have physical contact with any other animals.

(b) The premises shall be large enough to provide for the exercising of animals therein.

(c) The quarantine area shall –

(i) be designed and fenced in such a manner that the animals concerned shall not be able to make physical contact with each other nor with any other animal;

(ii) be equipped with the necessary stables, pens, collecting stocks and crushes for the keeping, examination and testing of the animals kept therein; and

(iii) be so situated or screened off that effluent cannot flow from one quarantine stable or pen to another. or from that area over any other portion of the premises.

(d) In the case of a centre for pigs, persons working in the quarantine area shall have no contact with other workers in that centre.

(e) Excess water shall drain rapidly and efficiently from camps, crushes and other places where animals are to be kept on the premises.

(f) Separate rooms for the following shall be provided for at a centre:

(i) Administrative activities.

(ii) Apparatus required for the evaluation, processing, packing, labelling and storage of genetic material, as the case may be.

(iii) The cleaning, disinfecting, sterilising and preparation of the equipment used for the collection of genetic material and the activities referred to in subparagraph (ii).

(g) The rooms for the different activities referred to in paragraph (f) shall be effectively screened off from each other if they are in the same building.

(h) The place at a centre where genetic material is sold, or from which they are despatched, shall be so situated that the persons being served there shall have no access to the rooms referred to in paragraph (f)(ii) and (iii).

(i) Floors, walls and ceilings of rooms where genetic material is handled at a centre, shall be finished off in such a manner, and the work- benches therein shall be of such a standard, that they can be cleaned and disinfected effectively.

(j) Floors and walls of stables, pens and collecting stocks at a centre shall be impenetrable and shall be finished off in such a manner that-

(i) they can be cleaned and disinfected effectively; and

(ii) the animals kept therein, will not be injured thereby.

(k) All stables, pens, kraals, camps and other places where animals are kept at a centre shall provide adequate space, ventilation, light and protection for shelter from heat, cold or inclement weather for the animals kept therein.

(l) Measures, that are not detrimental to the animals kept in a centre, shall be taken at a centre to control flies, animal parasites, other insects and rodents.

(m) The facilities at a centre that are used for the collection, evaluation, processing, packing, labelling and storage of genetic material shall be maintained in such a condition that the genetic material handled therewith or therein shall not be contaminated or the quality thereof be detrimentally affected in any way.

(6) The continued registration of premises as a centre shall be subject to the following additional conditions:

(a) The person in charge of the centre shall notify the registrar in writing of –

(i) any proposed structural alteration in respect of the building complexes or other construction on the premises of the centre concerned, as indicated on the site plan and detailed ground plan submitted in terms of subregulation (1);

(ii) any proposed change in the maximum number and kinds of animals kept at the centre concerned;

(iii) any change in respect of the person to whom the certificate of registration has been issued;

(iv) the termination of services at the centre concerned; and

(v) the date on which an animal approved for the collection of semen is removed from that centre, and the reason for such removal.

(b) A notice referred to in paragraph (a) shall be submitted to the registrar by registered post within 14 days after the change took place, services have been terminated or an animal has been removed from the centre.

(c) The animals at the centre shall be kept and cared for in accordance with the requirements set out in regulation 15.

(d) The technical activities at the centre in respect of the collection, evaluation, processing, packing, labelling and storage of genetic material shall be carried out in terms of the requirements set out in regulation 16.

(e) Records in a centre shall be kept and preserved in accordance with the requirements set out in regulation 17.

Approval of animals as donors of genetic material and applicability of Act [7(4); 8(1)(b)(ii); 28]

5. (1) An application for approval of an animal for the collection of genetic material shall -

(a) be submitted to the registrar on a form that is obtainable from the office of the registrar for this purpose; and

(b) be accompanied by –

(i) the application fee specified in item 3 of Table 1 in the Annexure;

(ii) an extended two generation pedigree of the animal concerned;

(iii) a blood typing or DNA profile certificate as required by the animal breeders' society concerned confirming parentage or individual identification;

(iv) a certificate referred to in section 15(3)(a) of the Act, based on the pedigree of the animal concerned, as issued by the relevant registering authority; and

(v) the performance data or estimated breeding values of the animal certified by the organisation referred to in section 15(3)(a) of the Act or by an independent registering authority operating a performance testing scheme, approved by the registrar, for the breed of animal concerned.

(2) After the documentation referred to in subregulation (1)(b) has been furnished to the registrar, the registrar shall –

(a) verify the information supplied with the animal breeders' society concerned; and

(b) notify the applicant to arrange for the examination of the animal concerned by a veterinarian, in order to obtain a certificate required in terms of section 7(4)(a) of the Act.

(3) An examination referred to in subregulation (2)(b) shall be conducted under the conditions set out in the certificate obtainable from the registrar.

(4) An animal of a kind referred to in column 1 of Table 3 in the Annexure that is intended for the collection of genetic material, shall only be approved by the registrar for this purpose in the absence of hereditary defects referred to in column 2 of the said table.

(5) Where known chromosomal abnormalities occur in a specific breed, a karyotype certificate of clearance shall be submitted.

(6) An animal of a breed referred to in column 1 of Table 4 in the Annexure shall have proven performance data or estimated breeding values with reference to at least the required performance parameters referred to in column 2 of the said table opposite thereto, in order to be considered for approval for the collection of genetic material.

(7) The Act shall be applicable to all breeds of animals specified in Table 7 in the Annexure.

Registration of import agents [8(1)(a); 28]

6. (1) An application for registration as an import agent shall be submitted to the registrar on a form that is obtainable from the office of the registrar for this purpose.

(2) An application referred to in subregulation (1) shall be accompanied by –

(a) the application fee specified in item 4 of Table 1 in the Annexure;

(b) certification by a competent authority approved by the registrar for this purposes that -

(i) the applicant has all the prescribed equipment;

(ii) that the applicant or a person in the employ of the applicant is competent in the handling of semen; and

(c) certification by a veterinarian, who is an officer, that the laboratory and customs clearing facility comply with the minimum standards as referred to in subparagraph (b).

Registration of animal breeders' societies [8(2), 11(1); 28]

7. (1) An application for registration as an animal breeders' society shall –

(a) be submitted to the registrar on a form that is obtainable from the office of the registrar for this purpose;

(b) be signed by at least seven persons who individually own animals of the breed and kind of animals to be promoted by the envisaged animal breeders' society and each signature shall be confirmed by two witnesses; and

(c) be accompanied by –

(i) the application fee specified in item 5 of Table 1 in the Annexure;

(ii) a copy of the constitution of the society concerned;

(iii) certification by the organisation referred to in section 15(3)(a) of the Act, that provision has been made for the registration of prefixes, suffixes and herd designation marks; and

(iv) certification by the organisation referred to in subparagraph (iii) that the constitution makes provision for the recording of pedigree data in a manner that is in line with internationally acceptable specifications.

Registration of registering authorities [8(3); 11(2); 28]

8. (1) An application for registration as a registering authority shall–

(a) be made on a form that is obtainable from the office of the registrar for this purpose; and

(b) be accompanied by –

(i) the application fee specified in item 6 of Table 1 in the Annexure;

(ii) a copy of the constitution that is amended and approved by a general meeting of the animal breeders' society or a copy of the constitution as compiled and approved by the group of animal breeders' societies;

(iii) written proof that all the provisions of section 11 (2)(b) of the Act have been complied with;

(iv) proof that the applicant is able to comply with internationally acceptable methods in which registration records are created and kept;

(v) proof that the registration system complies with international registration norms and standards;

(vi) proof that the registration system makes provision for long term scrutiny and random parentage testing; and

(vii) if the applicant uses - or intends making use of an animal or breed evaluation facility on the INTERGIS, documentary confirmation of compatibility to ensure that it will be possible to download the data needed for the service required.

(viii) if the applicant intends operating an independent performance recording and testing scheme, proof from an internationally recognised authority on animal recording that the data recording and processing system to be used complies with internationally accepted norms and standards.

(2) On receipt of the application, the registrar may refer the application to a competent authority for verification of the certifications referred to in subregulations (1)(b)(v), (vi) and (viii)).

(3) If a breeders' society or group of breeders' societies intend to become independent of an existing registering authority, at least 60 days notice thereof shall be given in writing to the registering authority concerned.

Renewal of registrations and approvals [5; 28]

9. (1) An application may be made to the registrar for the renewal of -

(a) the registration as an inseminator, semen collector, embryo collector, embryo transferor or import agent;

(b) the registration of a premises as a centre; or

(c) the approval of an animal as a donor animal for the collection of genetic material.

(2) An application referred to in subregulation (1) shall –

(a) be submitted to the registrar on a form that is obtainable from the office of the registrar for this purpose;

(b) be accompanied by the applicable fee specified in item 7 of Table 1 in the Annexure;

(c) be submitted to reach the registrar not later than 30 days prior to the expiry date of the registration or approval concerned.

(3) An application referred to in subregulation (1) that reaches the registrar after the expiry date of the registration or approval concerned shall not be considered unless –

(a) it has been received within 90 days after the expiry date of such registration or approval; and

(b) such application, in addition to being accompanied by the fee referred to in subregulation (2)(b), is accompanied by the applicable further fee specified in item 8 of Table 1 in the Annexure.

(4) If an application for the renewal of registration or approval is not received by the registrar within 90 days after the expiry date thereof and the continuation of the registration or approval is desired, an application for such registration or approval shall be made anew as required in terms of regulation 2, 4 or 5, as the case may be.

(5) The renewal of –

(a) the registration as an inseminator, semen collector, embryo collector, embryo transferor or import agent shall be valid for a period of 12 months;

(b) the registration of a centre shall be valid for a period of 36 months; and

(c) the approval of an animal for the collection of semen shall be valid for a period of 72 months.

(6) The validity periods specified in subregulation (5) shall be calculated from the date of renewal specified on the renewal certificate concerned.

(7) The provisions of this regulation shall apply *mutatis mutandis* to an application for the further renewal of the registration specified in subregulation (1).

Return of certificates of registration and approval [10; 13(3); 28]

10. (1) When a centre ceases to function as such, the certificate of registration of that centre shall be returned to the registrar together with a written notification thereof.

(2) When an animal approved for the collection of semen is removed from a centre, the certificate of approval shall be returned to the registrar together with the notice referred to in regulation 4(6)(b).

(3) When the registration of an inseminator, semen collector, embryo collector, embryo transferor, import agent or of premises as a centre is terminated in terms of section 19(1) of the Act, or the approval of an animal for the collection of semen is similarly withdrawn, the person to whom the certificate of registration or approval concerned has been issued, shall return it by registered post to the registrar within 14 days of the date of notification in writing by the registrar in terms of section 10(2) of the Act.

Sale of genetic material [8; 14; 28]

11. (1) Genetic material collected in the Republic or imported into the Republic shall, at the time of sale in the Republic, be accompanied by a written warranty.

(2) The warranty referred to in subregulation (1) shall –

(a) include certification by a veterinarian that the donor animals, at the time of collection, were acceptable as far as the conditions in section 7(4)(a) of the Act are concerned;

(b) guarantee that diluents in the genetic material do not contain any micro-organisms that could be injurious or detrimental to such genetic material or to any animal that is inseminated or to which an embryo is to be transferred;

(c) stipulate that the genetic material has been packed, marked and labelled in accordance with international standards or in accordance with regulations 16(5), (6), (7) and (8);

(d) in the case of semen, stipulate that the number of unfrozen (live) spermatozoa per dose complies with the minimum amount specified in Table 5 in the Annexure;

(e) in the case of semen, certify that the spermatozoa have been examined microscopically and comply with the minimum amount of frozen semen as specified in Table 5 in the Annexure;

(f) in the case of genetic material where the resultant progeny may be recorded or registered in terms of any breeders' society, include –

(i) certification by the animal breeders' society concerned that the genetic material was collected from approved stud book animals; and

(ii) certification by the animal breeders' society concerned that the performance of the donor animal complies with the minimum standards set by that breeders' society; and

(g) specify identification details of the donor animal or animals; and

(h) in the case of semen, stipulate that the spermatozoa comply with the minimum standards for structural abnormalities as specified in Table 6 in the Annexure.

(3) The relevant form for a certificate of warranty referred to in subregulation (1) is obtainable from the office of the registrar.

Artificial insemination and embryo transfer [8; 13(2); 28]

12. (1) The certificate referred to in section 13(2) of the Act, shall contain the following particulars:

(a) The name, address and registration number of the person who carried out the procedure concerned;

(b) The identification of the animal that has been artificially inseminated or to which an embryo has been transferred.

(c) The particulars referred to in regulation 17, with which the container used for the semen, embryos or ova is marked or labelled: Provided that –

(i) if unfrozen semen is used, the applicable particulars in respect of that semen and the collection thereof shall appear on such certificate; and

(ii) if an unfrozen embryo is transferred to an animal, the applicable particulars in respect of the donor of the ovum concerned as well as the semen for the fertilisation thereof, shall appear on such certificate.

(d) The date on which the animal concerned has been artificially inseminated or on which an embryo has been transferred.

(2) The person who issued a certificate referred to in subregulation (1) shall keep a copy thereof for at least two (2) years after the date of issue thereof.

Importation of animals and genetic material [16; 28]

13. (1) Application for authorisation for the importation of animals and genetic material in terms of section 16(1) of the Act shall be submitted to the registrar on a form obtainable from the office of the registrar.

(2) (a) Application for authorisation referred to in subregulation (1) shall be accompanied by –

(i) an extended two generation pedigree record and, where applicable, the performance data, as reflected in Table 4 in the Annexure, and estimated breeding values in respect of the animal concerned;

(ii) subject to subparagraph (b), a certificate issued by a competent authority in the country of origin of the animal concerned, recognised for this purpose by the registrar, on which the blood type or DNA profile of such animals is indicated.

(b) Notwithstanding the provisions of paragraph (a)(ii), an application may also be submitted without a blood typing or DNA profile certificate on condition that the animal concerned, when imported, shall immediately upon arrival in the Republic be subjected to blood typing or DNA profile analysis at a laboratory approved by the registrar and the relevant information shall be submitted to the registrar within 30 days after the arrival of such animal.

(c) An application referred to in paragraph (a) shall –

(i) be submitted to reach the registrar at least 30 days prior to the intended date of importation of the animal concerned; and

(ii) be accompanied by the application fee specified in item 9 of Table 1 in the Annexure.

(d) The registrar shall not grant such application unless the performance records in respect of the animal concerned comply with the minimum standard for importation as supplied by the animal breeders' society concerned.

(e) An authorisation to import an animal is, in addition to any condition determined in terms of section 16(4)(b) of the Act, subject to the condition that the holder of such authorisation shall provide the relevant registered authority with full particulars of the animal concerned with a view to the registration or recording of that animal.

(3) In the case of an application for the importation of an embryo, the documents referred to in subregulation (2) in respect of the animal whose semen is to be used for the insemination of the donor of that embryo, shall also be provided.

(4) An authorisation for the importation of genetic material shall be subject to the following conditions:

(a) The genetic material concerned shall be collected by a person who is qualified to do so.

(b) The genetic material concerned shall be packed, marked and labelled in accordance with regulations 16(5), (6), (7) and (8).

(c) The holder of the authorisation concerned shall provide the breed society and registering authority concerned with full particulars of each animal begotten from semen or born from such ovum, with a view to the registration or recording of the animal.

(5) Application for authorisation to import poultry or fertile eggs in terms of section 16(1) of the Act, shall be accompanied by –

(a) a certificate issued by the foreign supplier of the poultry or eggs in which the generation status of such poultry or eggs is confirmed;

(b) a comprehensive motivation by the applicant concerned in respect of the reasons why the importation of new pure breeding lines or breeds is necessary; and

(c) a written confirmation by the Director: Veterinary Services of the Department that accommodation for the poultry concerned is available at a quarantine facility approved by the said Director, or at a quarantine facility under the control of the said Director.

(6) An application referred to in subregulation (5) shall –

(a) be submitted to the registrar at least 30 days prior to the intended date of importation of the poultry or eggs concerned; and

(b) be accompanied by the applicable application fee specified in item 9 of Table 1 in the Annexure.

(7) An authorisation for the importation of poultry or eggs shall be subject to the following conditions:

(a) The consignment of poultry or eggs concerned shall be marked in accordance with internationally accepted practices and methods.

(b) Each consignment shall be transported, under the supervision of a veterinarian or in a vehicle sealed by a state veterinarian, from the port of entry thereof into the Republic to the quarantine facility referred to in subregulation (5)(c).

(c) Written recommendation from the South African Poultry Association.

Exportation of landraces [17; 34(1)(i)]

14. (1) An application for an authorisation referred to in section 17(1) of the Act for the exportation of landraces shall be submitted to the registrar on a form that is obtainable from the office of the registrar for this purpose;

(2) An application referred to in subregulation (1) shall–

(a) be accompanied by -

(i) the application fee specified in item 10 of Table 1 in the Annexure; and

(ii) authorisation by the relevant breed society that the genetic material is required to be certified as suitable for registration.

(b) be submitted to reach the registrar at least 30 days prior to the intended date of exportation of the genetic material of the landrace breed concerned.

Keeping and care of animals at centres (34(1)(e))

15. (1) Subject to the provisions of subregulation (2), –

(a) only animals that are approved for the collection of genetic material may be admitted to or kept in a centre other than in the quarantine area thereof; and

(b) an animal shall be removed from a centre within 14 days of the date of a written notice by the registrar that –

(i) an application in terms of regulation 9(1) for the renewal of the approval of such animal has been refused;

(ii) the approval of such animal has been withdrawn in terms of section 10(1) of the Act; or

(iii) the registrar has withdrawn an approval granted in terms of subregulation (2).

(2) The registrar may on application approve in writing that an animal other than one referred to in subregulation (1)(a), may be kept at a centre for the purpose specified in such approval.

(3) An application referred to in subregulation (2) shall –

(a) be submitted to the registrar on a form that is obtainable from the office of the registrar for that purpose; and

(b) be accompanied by –

(i) the application fee specified in item 11 of Table 1 in the Annexure; and

(ii) a certificate issued by a veterinarian who is an officer, setting out the general state of health of the animal concerned and confirming that the animal is free of any disease.

Technical activities at centres (34(1)(e))

16. (1) The technical activities at a centre shall –

(a) in so far as they apply to the state of health of the animals kept therein, be under the control of a veterinarian: Provided that if a veterinarian is not in the full time employment of the centre, the centre shall be visited on a regular basis by a veterinarian for the said purpose; and

(b) in so far as they apply to the collection, evaluation, processing, packing, labelling and storage genetic material, be under the control of a veterinarian, a registered semen collector or a registered embryo collector, as the case may be.

(2) The equipment at a centre for the collection on genetic material shall be cleaned, sterilised and prepared prior to their use and the apparatus to be used for the evaluation, processing, labelling and packing thereof, shall be clean and sterile.

(3) Equipment and apparatus shall be used in such a manner that genetic material of different animals shall not become mixed, and that such genetic material shall not be contaminated or damaged.

(4) The diluents for semen and the medium in which an embryo is prepared or preserved for transfer, shall not contain any micro-organisms or substance injurious or detrimental to such semen, embryo or animal that is inseminated or to which an embryo is transferred.

(5) Each dose of semen, excluding semen packed in pelleted form, and each embryo or ova or batch of embryos or ova shall be packed in separate container that shall be sealed in such a manner that the semen, embryo or ovum shall not spill or become contaminated.

(6) When semen is packed in pelleted form, the semen of each animal from which it is collected shall be packed separately in the manner explained in subregulation (5).

(7) Each container in which a dose of genetic material is packed shall be marked or labelled either in codified form or otherwise, with the following particulars:

(a) The name or code number of the centre where such genetic material has been collected.

(b) The identification of the animal from which it has been collected.

(c) The date on which such genetic material has been collected, or the batch number of the genetic material from which such dose genetic material has been obtained.

(d) In the case of an embryo, the identification of both the donor of the semen and the ovum used in the fertilisation and nidation thereof.

(8) The particulars referred to in subregulation (7), shall be marked or labelled in a manner that is clear and legible and that shall not be effaced during storage, conveyance or handling.

(9) Each dose of semen from an animal of a kind specified in column 1 of Table 5 in the Annexure shall contain at least the number of unfrozen spermatozoa specified in column 2 of the said table.

Records to be kept at centres [28]

17. (1) The holder of a registration certificate in respect of a centre shall keep the following records in respect of animal from which genetic material is collected and of such genetic material:

(a) The identification of the animal from which the semen or ova are collected and, in the case of an embryo, the identification of the animal from which semen has been used for the fertilisation of the ovum concerned as well as the identification of the donor animal of the ovum concerned.

(b) The dates on which genetic material has been collected from each such animal and, if applicable, the batch number allocated to such genetic material: Provided that if a batch of genetic material is unfit for use, the date on which it is destroyed shall be recorded.

(c) The number of doses of genetic material packed from each such batch.

(d) The name and address of each person to whom genetic material from each such animal have been sold, the date of such sale and the number of doses of genetic material thus sold.

(2) The records referred to in subregulation (1) shall be kept on the premises of the centre concerned for at least two years after the date on which the last genetic material of the animal concerned has been sold or destroyed.

Register of particulars [5]

18. (1) The registrar shall keep a register in which the information specified in these regulations is recorded.

(2) The following information in respect of registered inseminators, semen collectors, embryo collectors and embryo transferors shall be recorded in the register:

(a) The name, address and identity number of each such inseminator, semen collector, embryo collector or embryo transferor;

(b) Particulars of the course of instruction referred to in regulation 3 that each such person successfully completed, the authority that presented such course and the date on which he or she thus completed it.

(c) The number and date of the certificate of registration issued to each such person.

(d) The expiry date of the registration of each such person, the date on which it has been renewed, and the expiry date of such renewal.

(3) The following information in respect of import agents registered in terms of section 8 of the Act shall be recorded in the register:

(a) The name and address of each import agent;

(b) The number and date of the registration of each import agent;

(c) The expiry date of the registration of each such import agent, the date of renewal and the expiry date of such renewal.

(4) The following information in respect of animal breeders' societies shall be recorded in the register:

(a) The name of each livestock breeders' society;

(b) The kind and breed with which such livestock breeders' society is concerned.

(c) The number and date of the certificate of registration issued to such livestock breeders' society.

(d) The address of the registered office of such livestock breeders' society.

(5) The following information in respect of independent registering authorities shall be recorded in the register:

(a) The name of each registering authority;

(b) The kinds and breeds with which the independent registering authority is concerned;

(c) The address of the registered office of such registering authority; and

(d) The date of registration of the registering authority.

(6) The following information in respect of premises registered as centres in terms of section 7 of the Act shall be recorded in the register:

(a) The name and address of each such centre;

(b) The number and date of the certificate of registration issued in respect of each such centre.

(c) The expiry date of the registration of each such centre, the date on which it has been renewed and the expiry date of such renewal.

(7) The following information with reference to animals approved in terms of section 7 of the Act for the collection of semen shall be recorded in the register:

(a) The kind and breed of each such animal.

(b) The identification of each such animal and, if applicable the number allocated to that animal by the relevant registering authority;

(c) The blood typing laboratory number of each such animal.

(d) The name of the centre where each such animal is kept.

(e) The number and date of the certificate of approval issued in respect of each such animal.

(f) The expiry date of the approval of each such animal, the date on which it has been renewed and the expiry date of such renewal.

(8) The registrar shall be notified in writing by the person concerned of any change in the information recorded in the register referred to in subregulation (1).

(9) Upon notification referred to in subregulation (8), the registrar shall update the information recorded in the register.

(10) The applicable fee specified in item 13 of Table 1 in the Annexure is payable in respect of –

(a) access to the register;

(b) copies of any information recorded in the register; and

(c) a certificate in respect of information recorded in the register.

Appeals [23]

19. (1) An appeal in terms of section 23 of the Act shall –

(a) be lodged with the Director-General in writing within 60 days from the date on which the registrar has given the appellant written notice of the decision or action concerned;

(b) state the reference number and the date of the document by means of which such appellant was notified of that decision or action;

(c) state the grounds on which the appeal is based; and

(d) be accompanied by the fee specified in item 12 of Table 1 in the Annexure.

(2) If an appeal is submitted by a person other than the person at whom the direction or action was address to, such appeal shall be accompanied by a statement in which such other person discloses his or her interest in decision or action concerned.

(3) The appeal shall –

(a) when forwarded by post, be addressed to:

The Director-General: Agriculture
Private Bag X250
PRETORIA
0001

(b) when delivered by hand, be delivered to:

The Director-General: Agriculture
30 Hamilton Street
Dirk Uys Building
PRETORIA

Payment of fees

20. (1) Postage on and delivery costs of any application or document submitted in terms of these regulations, as well as anything pertaining thereto, shall be prepaid by the applicant.

(2) Any fee payable in terms of these regulations shall be paid by means of a cheque, postal order or money order made in favour of the Director-General: Provided that if such fees is delivered by hand, it may be paid in cash.

(3) Subject to section 23(12) of the Act, fees paid in terms of these regulations shall not be refunded.

Offences and penalties [28(3)]

21. Any person who contravenes or fails to comply with any provision or requirement of these regulations shall be guilty of an offence and on conviction shall be liable to a fine or to imprisonment for a period not exceeding six months.

Address for the submission of documents

22. (1) Any application, notice, or other document that is to be submitted to the registrar in terms of these regulations shall –

(a) when forwarded by post, be addressed to:

The Registrar: Animal Improvement
Private Bag X138
PRETORIA
0001

(b) when delivered by had, be addressed to or delivered to –

The Registrar: Animal Improvement
Directorate: Genetic Resources
Delpen Building
C/o Annie Botha and Union Avenue
PRETORIA

(2) Application forms may also be requested at the above-mentioned addresses.