CHAPTER 97

CATTLE BREEDING ORDINANCE*

To provide for the licensing of bulls and for purposes connected therewith.

(13th December, 1938)†

ORDINANCE XXXII of 1938, as amended by Ordinance XVII of 1943; Emergency Ordinance XV of 1958; Ordinance XXV of 1962; Legal Notice 4 of 1963; Acts: XXXIII of 1966 and XIII of 1983; and Legal Notice 408 of 2007.

Short title.

1. The short title of this Ordinance is the Cattle Breeding Ordinance.

Interpretation.
Amended by: XVII. 1943.2

2. In this Ordinance -

"bull" means an uncastrated male bovine animal intended for service purposes;

"cow" means any female bovine animal;

"Director" means the Director of Agriculture;

"owner" in relation to a bull or to a cow means the person who for the time being, is in possession or has control of the animal whether as owner or part owner, lessee or otherwise;

"service" means the mating of a bull with a cow and shall be deemed to have been effected when the act of mating takes place notwithstanding that such service remains ineffectual; and "to serve" shall be construed accordingly.

Bulls for service to be licensed, etc.
Amended by: XVII. 1943.3; XIII. 1983.5; L.N. 408 of 2007.

3. (1) It shall not be lawful for the owner of any bull to use such bull or to permit, suffer or exhibit the same to be used for service unless such bull -

(*a*) is of the age of twelve months or over; and

(*b*) is at the time licensed by the Director for service.

(2) It shall not be lawful for the owner of any cow to cause or allow it to be served by a bull which is not at the time licensed by the Director for service, or to attempt to have it served by such a bull.

(3) Any person who acts in contravention of the provisions of this article shall be liable, on conviction, to a fine (*multa*) not exceeding forty-six euro and fifty-nine cents (46.59), and the court may moreover order the slaughter or castration of any bull to which the offence relates, at the expense of the owner.

(4) The Director may grant, refuse or revoke a licence in accordance with rules to be made under this Ordinance.

(5) In any proceedings for an offence under this article the

*This Ordinance has been repealed by Act XXXIV of 2023.
†*See* Proclamation No. XXXVIII of the 13th of December, 1938.

burden of proving that a licence under this Ordinance in respect of any bull was in force at the time when the offence was committed, shall lie on the person charged with the offence.

Death or disease of bull to be notified.

4. Where a bull which has been licensed for service as hereinbefore provided dies or becomes affected with disease or otherwise becomes unfit for service, the owner thereof shall forthwith notify the fact to the Director.

Publication of lists of licensed bulls. *Amended by: XXXIII. 1966.2.*

5. The Director shall, in the month of July of each year, affix to the notice-board of his department a list of bulls licensed under article 3, specifying in respect of every such bull, the breed, the place where the bull is kept, the address of the owner, and the date of issue or renewal of the licence, together with a list of the districts in which, in his opinion, there is an adequate number of bulls so licensed.

Power of entry and inspection.

6. The Director and any other officer acting on his behalf, shall, for the purpose of the execution of this Ordinance, have power -

(*a*) to enter, at all reasonable times, any premises or place where he has reasonable grounds for believing that any of the provisions of this Ordinance or of any rules made thereunder are being contravened;

(*b*) to examine, either alone or in conjunction with any other person, whom he may appoint, any bovine animal which he finds in any such premises or place, and which he has reasonable cause to believe to be or to have been used contrary to any of the provisions of this Ordinance or of any rules made thereunder.

Subsidies. *Amended by XV.1958.2. XXV.1962.2,4; L.N. 4 of 1963.*

7. The Director with the approval of the Minister responsible for agriculture may, under such conditions as may be deemed fit, grant subsidies to owners of bulls licensed under article 3.

Penalties for using infected bulls or cows for service. *Amended by: XIII. 1983.5; L.N. 408 of 2007.*

8. Any person who knowingly uses for service any bull or cow affected with bovine tuberculosis, contagious granular vaginities, foot and mouth disease, or any other infectious or contagious disease, shall be liable, on conviction, to a fine (*multa*) not exceeding one hundred and sixteen euro and forty-seven cents (116.47), and the court may moreover order the destruction of any such bull or cow at the expense of the owner.

Penalty for obstruction. *Amended by: XIII. 1983.5; L.N. 408 of 2007.*

9. Any person who refuses to permit the Director or any other officer acting on his behalf to enter or inspect any premises or place, or hinders or obstructs the Director or any such officer in the exercise of his powers under this Ordinance, shall, on conviction, be liable to a fine (*multa*) not exceeding forty-six euro and fifty-nine cents (46.59).

General penalty. *Amended by: XIII. 1983.5; L.N. 408 of 2007.*

10. Any person who contravenes or fails to comply with any of the provisions of this Ordinance in respect of which no special penalty is provided, or who contravenes or fails to comply with any rule made under this Ordinance shall, on conviction, be liable to a fine (*ammenda*) not exceeding eleven euro and sixty-five cents

(11.65).

Prosecutions.

11. Prosecution for any offence under this Ordinance shall be barred after the lapse of three months from the commission of the offence:

Provided that, when a cow has been served contrary to the provisions of this Ordinance, action shall not be barred before the lapse of eighteen months from the commission of the offence.

Rules.
Amended by: XV. 1958.2; XXV.1962.2,4; L.N. 4 of 1963.

12. The Minister responsible for agriculture may make rules -

(*a*) prescribing the manner and form in which the application for a licence shall be made;

(*b*) as to the conditions (including payment of fees) under which the Director may grant, refuse, suspend, or revoke a licence;

(*c*) in regard to the loan of bulls from the Government Stud Farm to persons in any district in which the supply of bulls licensed under this Ordinance is inadequate;

(*d*) fixing the rate of fees payable for service; and

(*e*) generally, for carrying the provisions of this Ordinance into effect.