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SCOTTISH STATUTORY INSTRUMENTS

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**2008 No. 99**

**The Horses (Zootechnical Standards)  
(Scotland) Regulations 2008**

**PART 2**

**Recognition of Organisations**

**Criteria for recognition**

**3.—(1)** In order to become a recognised organisation an organisation or association must—

- (a) submit an application in writing for recognition as a recognised organisation to the Scottish Ministers;
- (b) maintain or establish a stud book; and
- (c) satisfy the criteria referred to in the Schedule.

(2) Subject to regulation 4, the Scottish Ministers must recognise any organisation or association which satisfies the criteria set out in paragraph (1).

**Refusal to recognise and withdrawal of recognition**

**4.—(1)** The Scottish Ministers must refuse to recognise, or must withdraw recognition from, an organisation or association which fails to—

- (a) satisfy the criteria set out in regulation 3(1)(b) or the Schedule; or
- (b) comply with regulations 6, 7 or 9.

(2) Where a recognised organisation already exists in respect of a particular breed of horse, the Scottish Ministers may refuse to recognise an organisation or association representing the same breed of horse if—

- (a) they consider that recognising the organisation or association would—
  - (i) endanger the preservation of that breed of horse;
  - (ii) jeopardise the operation of the existing recognised organisation; or
  - (iii) jeopardise an improvement or selection programme of the existing recognised organisation; or
- (b) an existing recognised organisation allows horses of that breed to be entered in a section of its stud book which it maintains in accordance with the rules laid down by the recognised organisation maintaining the stud book of the origin of that breed.

(3) Where the Scottish Ministers refuse to recognise, or withdraw recognition from, an organisation or association in accordance with paragraph (1) or (2), the reasons for that refusal or withdrawal must be given to that organisation or association in writing.

## **Review**

5.—(1) A person may apply in writing to the Scottish Ministers for a review of any decision under regulation 4, within 21 days of the notification of the decision.

(2) On an application under paragraph (1) the Scottish Ministers must appoint such person as they think fit to consider the decision and make such recommendation (if any) as that person considers appropriate.

(3) The appointed person may include a member of the staff of the Scottish Administration.

(4) The applicant and the Scottish Ministers may make written submissions to the appointed person concerning the decision of the Scottish Ministers.

(5) The appointed person must report in writing to the Scottish Ministers.

(6) The Scottish Ministers must give to the applicant written notification of their determination of the application for review, and the reasons for it.