

## **EXECUTIVE NOTE**

### **The Horses (Zootechnical Standards) (Scotland) Regulations 2008 SSI/2008/99**

The above instrument was made under Section 2(2) of the European Communities Act 1972.

#### **Policy Objective**

The objective of this instrument is to revoke and replace for Scotland the Horses (Zootechnical Standards) Regulations 1992 to give force to Commission Decision 96/78/EC, and link them with the requirements that recognised equine studbooks have to meet as laid out in Commission Decision 92/353/EEC.

#### **Main Changes**

Directive 90/427/EEC sets out zootechnical and genealogical conditions governing intra-Community trade in horses (equidae).

It provides for –

- The harmonisation of entries in studbooks,
- The harmonisation of characteristics of studbooks with regard to the use of off-farm mating and the use of semen and ova,
- A harmonised zootechnical/identification certificate, and
- The harmonisation of the rules regarding the naming of equidae.

Article 4 of the Directive sets out that the Commission shall, through comitology, provide for further harmonisation measures relating to the maintenance or establishment of, and criteria for entry in, studbooks.

There are three relevant Commission Decisions, as follows:-

1. Commission Decision 92/353/EEC, made having regard to Article 4(2)(a) of Directive 90/427/EEC, lays down the criteria for the approval or recognition of organisations and associations which maintain or establish studbooks.
2. Commission Decision 92/354, made having regard to Article 4(2)(a) of Directive 90/427/EEC, lays down rules to ensure collaboration between organisations that maintain a studbook of origin of a breed and other organisations that maintain studbooks for the same breed.

3. Commission Decision 96/78/EC, made having regard to Article 4(2)(b) of Directive 90/427/EEC, lays down the criteria for entry and registration in studbooks.

Directive 90/427/EEC and the Commission Decisions are currently implemented for this purpose by The Animals and Animal Products (Import and Export) (Scotland) Regulations 2007 (SSI 2007/194) and the Horses (Zootechnical Standards) Regulations 1992.

The Scottish Government considers that it is appropriate to revoke and remake, with amendments, the 1992 Regulations. It believes that doing so is necessary to ensure full and effective transposition of the Directive and implementation of the Decisions, in particular Commission Decision 96/78/EC.

The present instrument will also make the Community rules applicable to studbooks more transparent and, therefore, easier for the lay reader to understand, by consolidating them in a single new instrument.

### **Consultation**

As this is not an implementation of new obligations, no consultation is necessary. However, those affected by these Regulations have been informed of our intentions.

### **Financial Effects**

There are no cost implications for Central or Local Government from the making of these Regulations, nor will there be any costs accruing to the organisations affected by them.

### **Rural Directorate**