

2006 No. 1757

ANIMALS, ENGLAND

**The Horses (Zootechnical Standards) (England) Regulations
2006**

<i>Made</i> - - - -	<i>3rd July 2006</i>
<i>Laid before Parliament</i>	<i>7th July 2006</i>
<i>Coming into force</i> - -	<i>28th July 2006</i>

The Secretary of State is designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to the common agricultural policy of the European Community.

Exercising the powers conferred on him by that section, he makes the following Regulations—

PART 1

General Provisions

Title, application and commencement

1.—(1) These Regulations may be cited as the Horses (Zootechnical Standards) (England) Regulations 2006.

(2) These Regulations apply in England only and come into force on 28th July 2006.

Interpretation

2.—(1) In these Regulations—

“horse” means an animal of the equine or asinine species or crossbreeds of those species, but does not include zebras.

“recognised organisation” means an organisation or association which—

- (a) maintains or establishes a stud book in which horses are entered or registered; and
- (b) has been recognised for this purpose under regulation 3.

“stud book” means any book, register, file or data medium—

- (a) which is maintained by a recognised organisation; and
- (b) in which horses are entered or registered with mention of all their known ancestors.

(a) S.I. 1972/1811.
(b) 1972 c. 68.

(2) Expressions that are not defined in these Regulations and occur in Commission Decision 92/353/EEC(a) or Commission Decision 96/78/EC(b) have the same meaning in these Regulations as they have for the purposes of those Decisions.

PART 2

Recognition of Organisations

Criteria for recognition

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

- (a) submit an application for recognition as a recognised organisation to the Secretary of State;
- (b) maintain or establish a stud book; and
- (c) satisfy the criteria referred to in the Schedule to these Regulations.

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

Refusal to recognise and withdrawal of recognition from organisations

4.—(1) The Secretary of State must refuse to recognise, or must withdraw recognition from, an organisation or association which—

- (a) fails to satisfy the criteria for recognition set out in regulation 3(1);
- (b) fails to comply with regulation 6; or
- (c) fails to comply with regulation 7.

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

- (a) he considers 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 the 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 studbook 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 Secretary of State refuses to recognise, or withdraws 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.

Representations to the Secretary of State

5.—(1) A person may make representations in writing against a refusal to recognise, or a withdrawal of recognition from, an organisation or association under regulation 4 to a person appointed for the purpose by the Secretary of State.

(2) The appointed person must consider the representations and report in writing to the Secretary of State.

(a) OJ No. L192, 11.7.92, p. 63.

(b) OJ No. L019, 25.1.96, p. 39.

(3) The Secretary of State must give written notification of his final determination and the reasons for it.

PART 3

Form and Content of Stud Book

Division of main section of stud book

6. A recognised organisation must not divide the main section of its stud book except into different classes according to the horses' merits.

Compulsory entry in main section of stud book

7.—(1) A recognised organisation must enter a horse in the main section of its stud book if that horse—

- (a) is descended from parents entered in the main section of a stud book of the same breed;
- (b) has a pedigree established in accordance with the rules of its stud book; and
- (c) is identified as foal at foot in accordance with the rules of its stud book, which rules must at least include a requirement for a covering certificate.

(2) Where a horse is eligible for entry in a supplementary section of a stud book in accordance with the criteria set out in regulation 8, a recognised organisation must allow the progeny of that horse to be entered in the main section of its stud book.

Entry in supplementary section of stud book

8. Where a horse does not satisfy the criteria set out in regulation 7(1), a recognised organisation may enter that horse in a supplementary section of its stud book if that horse—

- (a) has been identified in accordance with the rules of its stud book;
- (b) is judged by the recognised organisation to conform to the breed standard; and
- (c) meets the requirements for minimum performance set out in the rules of its stud book.

Cross breeding programmes

9. Where a horse does not satisfy the criteria set out in regulation 7(1), a recognised organisation may enter that horse in the main section of its stud book for the purpose of it taking part in a cross-breeding programme which—

- (a) has been approved by that organisation in accordance with the rules of its stud book; and
- (b) specifies the breeds which are allowed to take part in that programme.

Entry of horses registered in other stud books

10. Where a recognised organisation—

- (a) receives a request from the owner of a horse registered in another stud book to enter that horse in the main section of its own stud book; and
- (b) has divided the main section of its stud book in accordance with regulation 6,

the recognised organisation must enter the horse into the class of its stud book whose criteria that horse meets.

Revocation

11. The Horses (Zootechnical Standards) Regulations 1992(a) are revoked in England only.

3rd July 2006

Barry Gardiner
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

SCHEDULE

Regulation 3

Criteria for Recognition

Operation of recognised organisations

1.—(1) An organisation or association which maintains or establishes a stud book of the origin of a breed, must have established—

- (a) a system for recording pedigrees and the ability to carry out the checks necessary for recording pedigrees;
- (b) a system for identifying horses;
- (c) a definition of the characteristics of the breed covered by the stud book;
- (d) a definition of its basic objectives of selection; and
- (e) lineages entered in one or more other stud books, where necessary.

(2) An organisation or association which maintains or establishes a stud book, but does not maintain the stud book of the origin of the breed, must comply with the principles established under sub-paragraph (1) by the organisation or association which maintains the stud book of the origin of the breed.

(3) Any organisation or association which maintains or establishes a stud book must satisfy the Secretary of State that it operates efficiently.

Improvement and selection programmes

2. An organisation or association which maintains or establishes a stud book must—

- (a) have registered a sufficient number of horses to carry out an improvement or selection programme or to preserve the breed where this is considered necessary;
- (b) be able to provide the data necessary to carry out an improvement, selection or preservation programme; and
- (c) have established a system for providing data whereby horses can be evaluated for the purpose of improvement, selection and breed preservation.

Non-discriminatory treatment of breeders

3.—(1) Subject to sub-paragraph (2), an organisation or association which maintains or establishes a stud book must have rules of procedure which provide for non-discriminatory treatment of breeders.

(2) Where several organisations or associations already exist within the territory of the Community in respect of a particular breed, the rules of procedure of an organisation or

(a) S.I. 1992/3045.

association may provide that horses must be born in a given territory in order to qualify for entry in its stud book for birth declaration purposes.

(3) The qualification in sub-paragraph (2) does not apply where entry in the stud book is for reproduction purposes.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply in England only, implement Commission Decision 92/353/EEC (OJ No. L 192, 11.07.1992, p. 63) and Commission Decision 96/78/EC (OJ No. L 19, 25.01.1996, p. 39). They revoke and replace The Horses (Zootechnical Standards) Regulations 1992 (S.I. 1992/3045).

These Regulations specify the criteria which an organisation or association must satisfy in order to become recognised by the Secretary of State for the purpose of maintaining a stud book (regulation 3(1) and the Schedule to these Regulations). Any organisation or association which satisfies these criteria must be granted official recognition (regulation 3(2)).

Regulation 4 sets out the circumstances in which the Secretary of State must and may refuse to grant recognition to, or withdraw recognition from, an organisation or association. Any such refusal or withdrawal must be communicated to the organisation in writing.

Regulation 5 allows a person to make representations to the Secretary of State where recognition has been refused or withdrawn under regulation 4.

Regulation 6 permits a recognised organisation to divide the main section of its stud book into different classes according to the horses' merits, but prohibits it from doing so for other purposes.

Regulation 7 specifies the circumstances in which a recognised organisation must enter a horse in the main section of its stud book.

A recognised organisation is permitted to enter a horse in a supplementary section of its stud book where that horse meets certain minimum criteria (regulation 8); to enter a horse in the main section of its stud book to take part in a cross-breeding programme (regulation 9); and to enter a horse registered in another stud book in the main section of its own stud book (regulation 10).

A regulatory impact assessment has not been prepared for these Regulations on the grounds that they do not impose significant burdens on existing organisations, or require such organisations to alter their existing procedures to a significant extent.

STATUTORY INSTRUMENTS

2006 No. 1757

ANIMALS, ENGLAND

**The Horses (Zootechnical Standards) (England) Regulations
2006**

£3.00

© Crown copyright 2006

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of Her Majesty's
Stationery Office and Queen's Printer of Acts of Parliament.

E0899 7/2006 160899T 19585