STATUTORY RULES OF NORTHERN IRELAND

2009 No. 251

EUROPEAN COMMUNITIES
ANIMALS

The Horses (Zootechnical Standards) Regulations (Northern Ireland) 2009

Made - - - - *29th June 2009*

Coming into operation *14th September 2009*

The Department of Agriculture and Rural Development is designated(**1**) for the purposes of the European Communities Act 1972(**2**), in relation to the common agricultural policy of the European Community. The Department of Agriculture and Rural Development, makes the following Regulations in exercise of the powers conferred upon it by Section 2(2) of the European Communities Act.

PART 1

General Provisions

Citation and commencement

1. These Regulations may be cited as the Horses (Zootechnical Standards) Regulations (Northern Ireland) 2009, and come into operation on 14th September 2009.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954(**3**) shall apply to these Regulations as it applies to an Act of the Assembly.

In these Regulations—

"the Department" means the Department of Agriculture and Rural Development.

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

(**1**) S.I. 2000/2812.
(**2**) 1972 c. 68.
(**3**) 1954 c. 33 (N.I.)

"recognised organisation" means an organisation or association which—

(i) maintains or establishes a stud book in which horses are entered or registered; and

(ii) has been recognised for this purpose under regulation 3.

"stud book" means any book, register, file or data medium—

(iii) which is maintained by a recognised organisation; and

(iv) in which horses are entered or registered with mention of all their known ancestors.

(2) Expressions that are not defined in these Regulations and occur in Commission Decision 92/353/EEC(**4**) or Commission Decision 96/78/EC(**5**) 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 a recognised organisation, an organisation or association must—

(a) submit an application for recognition as a recognised organisation to the Department;

(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 Department 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 Department 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 Department may refuse to recognise an organisation or association representing the same breed of horse if—

(a) it 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.

(**4**) O.J. No. L 192, 11.7.92, p.63.
(**5**) O. J. No. L 019, 25.1.96, p.39

(3) Where the Department 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.

Representation to the Department

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 Department.

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

(3) The Department must give written notification of its 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.