
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 99

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

PART 1

General Provisions

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Horses (Zootechnical Standards) (Scotland) Regulations 2008 and come into force on 1st April 2008.

(2) These Regulations extend to Scotland only.

Interpretation

2.—(1) In these Regulations—

“horse” means an animal of an equine or asinine species or a crossbreed of those species, but does not include a zebra;

“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 that purpose under regulation 3; and

“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.

(2) Unless the context requires otherwise, any expressions that are not defined in these Regulations and occur in—

(a) Commission Decision [92/353/EEC](#) laying down the criteria for the approval or recognition of organisations and associations which maintain or establish stud-books for registered equidae⁽¹⁾,

(b) Commission Decision [92/354/EEC](#) laying down certain rules to ensure co-ordination between organisations and associations which maintain or establish stud-books for registered equidae⁽²⁾, or

(c) Commission Decision [96/78/EC](#) laying down the criteria for entry and registration of equidae in stud-books for breeding purposes⁽³⁾,

have the same meaning in these Regulations as they have for the purposes of those Decisions.

(1) O.J. No. L 192, 11.7.92, p.63.

(2) O.J. No. L 192, 11.7.92, p.66.

(3) O.J. No. L 019, 25.1.96, p.39.

(3) Any reference in these Regulations to anything done in writing or produced in written form includes a reference to an electronic communication, within the meaning of the Electronic Communications Act 2000(4), which has been recorded and is subsequently capable of being reproduced.

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.

(4) 2000 c. 7; Section 15(1) contains a definition of “electronic communication”, and was amended by paragraph 158 of Schedule 17 to the Communications Act 2003 (c. 21).

(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.

PART 3

Form and Content of Stud Book

Division of the main section of stud book

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

(2) Where the main section of a stud book has been divided, a recognised organisation must enter a horse from another stud book, upon application, into the class of the stud book whose criteria it meets.

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 that stud book; and
- (c) is identified as foal at foot in accordance with the rules of that 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.

Entry in stud book for an animal imported from another member State

9.—(1) Where a horse entered in a stud book in another member State is entered by a recognised organisation in its stud book following import from that State—

- (a) the horse must, subject to paragraph (2), be entered under the same name as that in the first stud book; and

(b) the entry in the second stud book must be accompanied with an indication, in accordance with international agreements, of the initials of the country of foaling of the horse.

(2) The name of the animal as entered in the first stud book may be entered into the second stud book preceded or followed by another name provided that the original name is, at a minimum, retained in brackets as part of the entry in the second stud book.

Cross breeding programmes

10. 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.

Revocation

11. The Horses (Zootechnical Standards) Regulations 1992(5) are revoked.

St Andrew's House,
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