
 STATUTORY INSTRUMENTS

1978 No. 1748

ANIMALS

**The Export of Horses and Ponies (Increase in Minimum Values)
Order 1978**

Made - - - - - 30th November 1978

Coming into Operation 27th December 1978

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred by sections 37(3), 37(4A) and 85(1) of the Diseases of Animals Act 1950(a) as amended by section 1(a) of the Ponies Act 1969(b), and now vested in them(c), and of all other powers enabling them in that behalf, hereby order as follows:—

Citation, extent and commencement

1. This order, which may be cited as the Export of Horses and Ponies (Increase in Minimum Values) Order 1978, shall apply to Great Britain and shall come into operation on 27th December 1978.

Interpretation

2.—(1) In this order “the Act” means the Diseases of Animals Act 1950 as amended or extended by any subsequent enactment.

(2) The Interpretation Act 1889(d) shall apply to the interpretation of this order as it applies to the interpretation of an Act of Parliament and as if this order and the order hereby revoked were Acts of Parliament.

Increase in minimum values

3.—(1) For the purposes of section 37(3) of the Act, the minimum value of a horse of a category referred to in that subsection shall be, in the case of—

(a) a heavy draft horse	£715
(b) a vanner, mule or jennet	£495
(c) an ass	£220.

(2) For the purposes of section 37(4A)(a) of the Act, the minimum value of a pony of a category referred to in that paragraph shall be, in the case of a pony—

(a) over 12 hands in height	£300
(b) not exceeding 12 hands in height (other than a pony of the Shetland breed not exceeding 10½ hands in height)	£220
(c) of the Shetland breed not exceeding 10½ hands in height	£145.

(a) 1950 c. 36.

(b) 1969 c. 28.

(c) By the Transfer of Functions (Animal Health) Order 1955 (S.I. 1955/958) and the Transfer of Functions (Wales) (No. 1) Order 1978 (S.I. 1978/272).

(d) 1889 c. 63.

Revocation

4. The Export of Horses and Ponies (Increase in Minimum Values) Order 1973(a) is hereby revoked.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 23rd November 1978.

(L.S.)

John Silkin,
Minister of Agriculture, Fisheries and Food.

Bruce Millan,
Secretary of State for Scotland.

27th November 1978.

T. Alec Jones,
Parliamentary Under Secretary of State for Wales.

30th November 1978.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order increases the minimum value of certain horses and of ponies for the purposes of section 37(3) and section 37(4A) of the Diseases of Animals Act 1950. Horses to which section 37(3) applies cannot lawfully be exported from Great Britain unless, amongst other things, a veterinary inspector is satisfied that they are not of less than the minimum value prescribed. In the case of export of ponies, the Minister of Agriculture, Fisheries and Food in England, or the Secretary of State for Scotland in Scotland, or the Secretary of State for Wales in Wales, must be similarly satisfied in accordance with section 37(4A) of the Act.

For the purposes of the Act and of this Order a pony is a horse not more than 14½ hands in height. However, a foal travelling with its dam is treated as a horse if the dam is over 14½ hands in height.

(a) S.I. 1973/1178.

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