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STATUTORY INSTRUMENTS

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**2020 No. 1388**

The Animals, Aquatic Animal Health, Invasive Alien Species, Plant Propagating Material and Seeds (Amendment) (EU Exit) Regulations 2020

PART 7

Amendments to domestic legislation not due to EU Exit

CHAPTER 1

Equines

**The Horses (Free Access to Competitions) Regulations 1992**

**39.**—(1) The Horses (Free Access to Competitions) Regulations 1992(1) are amended as follows.

(2) After regulation 5, insert—

**“Reservation of prize money or profits**

**6.**—(1) For each competition or type of competition, the competent authority may reserve, through bodies officially approved or recognised for that purpose, a certain percentage (which must not exceed 20%) of the prize money or profits for the safeguard, development and improvement of breeding.

(2) For the purposes of paragraph (1), “the competent authority” means—

(a) in relation to a competition or type of competition taking place in—

(i) England, the Secretary of State;

(ii) Wales, the Welsh Ministers;

(iii) Scotland, the Scottish Ministers;

(b) but the competent authority is the Secretary of State in relation to any competition or type of competition taking place in Great Britain where the exercise of the function referred to in paragraph (1) is outside devolved competence.

(3) For the purposes of paragraph (2)(b), the exercise of the function referred to in paragraph (1) is outside devolved competence—

(a) in relation to Wales, if it would not be within the legislative competence of Senedd Cymru if it were contained in a provision of an Act of Senedd Cymru (assuming, in the case of a provision that could only be made with the consent of a Minister of the Crown within the meaning in the Ministers of the Crown Act 1975, that such consent were given);

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- (b) in relation to Scotland, if it would not be within the legislative competence of the Scottish Parliament if it were contained in a provision of an Act of that Parliament.”.