STATUTORY INSTRUMENTS

1963 No. 2115

AGRICULTURE

The Horse Breeding (Amendment) Rules 1963

Made - - - -	18*th December* 1963
Laid before the House of Commons - -	1*st January* 1964
Coming into Operation	20*th January* 1964

The Minister of Agriculture, Fisheries and Food and the Secretary of State, in exercise of the powers vested in them respectively under sections 13(1) and 16(1) of the Horse Breeding Act 1958(a), as extended by section 16(4) of the Agriculture (Miscellaneous Provisions) Act 1963(b), and of all other powers enabling them in that behalf, with the approval of the Treasury in respect of fees, hereby make the following rules:—

Citation, commencement and interpretation

1.—(1) These rules may be cited as the Horse Breeding (Amendment) Rules 1963 and shall come into operation on 20th January 1964.

(2) These rules shall be construed as one with the Horse Breeding Rules 1948(c), (in these rules referred to as " the principal rules ").

Increase of Fees

2. For rule 13 of the principal rules (which prescribes fees in respect of stallions of £1 1s. 0d. for a licence, 10s. 6d. for a permit, and £5 5s. 0d. for a referee's inspection and examination, and contains supplemental provisions) there shall be substituted the following rule:—

" 13.—(1) The prescribed fees in respect of an application for the grant of a licence or permit (including certified copies thereof if required) or for a referee's inspection and examination shall be as follows:—

Licence or permit ... ... £5 5s. 0d.

Provided that, if the prescribed fee has been paid in respect of an application for a licence that has been refused, no further fee shall be payable in respect of a permit (or of a licence subsequently granted in place of such permit).

Inspection and examination by referee ... ... £10 10s. 0d.

(Returnable under section 5(5) of the Horse Breeding Act 1958 if the Minister does not confirm the decision to which the application relates).

(2) The prescribed fee shall be remitted to the Minister with the corresponding application.

(3) If, before the inspection and examination referred to in rule 7 or rule 12 (as the case may be) of these rules takes place, the relative application for a licence or permit or for a referee's inspection and examination

(a) 6 & 7 Eliz. 2. c. 43. (b) 1963 c. 11.
(c) S.I. 1948/2677 (Rev. II, p. 707: 1948 I, p. 1573).

is withdrawn by means of a written notice given by the applicant to the Minister, the Minister may return the fee to the applicant."

Application forms

3.—(1) An application in respect of a stallion for a permit under section 3 of the Horse Breeding Act 1958 shall henceforth be made in like manner to an application for a licence under section 2 of that Act.

(2) Accordingly—

(*a*) in rule 5(1) of the principal rules, after the words " An application for a licence ", there shall be inserted the words " or for a permit " ;

(*b*) rule 5(2) of the principal rules shall be omitted ;

(*c*) for the forms (Form A and Form B) prescribed in Schedule 2 to the principal rules there shall be substituted the form (Form A) set forth in the Schedule to these rules.

(3) In Form F in Schedule 2 to the principal rules, for the reference therein to the prescribed appeal fee of £5 5s. 0d. there shall (in accordance with rule 2 of these rules) be substituted a reference to £10 10s. 0d.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 16th December 1963.

(L.S.)

Christopher Soames,
Minister of Agriculture, Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland on 17th December 1963.

(L.S.)

Michael Noble,
Secretary of State for Scotland.

We approve in respect of fees

M. A. Hamilton,
Martin McLaren,
Two of the Lords Commissioners of Her Majesty's Treasury.

18th December 1963.

SCHEDULE

FORM A

[Ministry of Agriculture, Fisheries and Food]
[Department of Agriculture and Fisheries for Scotland]

HORSE BREEDING ACT 1958

APPLICATION FOR LICENCE FOR A STALLION

(or Permit to keep an Unlicensed Stallion—See note (1))

I, the undersigned, hereby apply for a licence in respect of the undermentioned stallion:

Name of stallion	.....
Breed or type	.....
Stud Book number (if any). See note (2) ...	.....
Has the stallion ever been surgically operated on for wind?	.....
Year foaled	.....
Height	.....hands .....inches
Colour and identification marks	.....
Pedigree of stallion	sire ..... dam..... by.....
Name and address of owner	....
When several applications are being forwarded together in respect of stallions on the same premises, these particulars need only be furnished on one form — What is the most convenient place for the inspection of the stallion?	.....
Nearest railway station	.....
Telephone number (if any)	.....
If the stallion is for early sale or show, state date and place of sale or show ...	

I certify that the foregoing particulars are correct, and I undertake to comply with the prescribed conditions as to inspection and examination.

I enclose the prescribed fee of £5 5s. 0d. (five guineas). (Cheques, postal and money orders should be made payable, *not to any individual by name,* but to the order [of the Ministry of Agriculture, Fisheries and Food, and crossed "Bank of England"] [of the Department of Agriculture and Fisheries for Scotland and crossed "and Co."]. Notes of any denomination should not be sent except *by registered post and in one of the registered letter envelopes sold by the Post Office. Postage stamps cannot be accepted.* Failure to comply with the above instructions may result in loss for which the person making the remittance will be held responsible.)

Signature of applicant.....

State whether owner, lessee, or agent.....

Date..... 19.....

NOTES:

(1) By virtue of section 1 of the Horse Breeding Act 1958 it is unlawful (with certain exceptions) to keep a stallion without a licence or permit granted by the Minister (or Secretary of State). Section 3 provides for the grant of a permit in respect of a stallion where the Minister (or Secretary of State) has refused or has power to refuse a licence but it is in his opinion expedient to authorise the stallion to be kept entire.

(2) In the case of a thoroughbred or Arab stallion, volume and page should be stated. If a stallion is accepted for entry but is not entered in a PUBLISHED volume, a certificate from the secretary of the stud book to the effect that it is accepted for entry in a forthcoming volume must accompany the application if a licence in pedigree form is required. Responsibility will not be accepted for delay caused by inattention to this requirement.

(3) This application and the remittance should be sent to [THE SECRETARY (Chief Cashier's Office), MINISTRY OF AGRICULTURE, FISHERIES AND FOOD, Government Buildings, Epsom Road, Guildford, Surrey] [THE SECRETARY, DEPARTMENT OF AGRICULTURE AND FISHERIES FOR SCOTLAND, St. Andrew's House, Edinburgh 1.]

EXPLANATORY NOTE

(This Note is not part of the Rules, but is intended to indicate their general purport.)

These Rules, made under section 13 of the Horse Breeding Act 1958 (as extended by section 16(4) of the Agriculture (Miscellaneous Provisions) Act 1963) increase the fees payable under the Horse Breeding Rules 1948 in connection with applications in respect of stallions—

(i) for a licence under section 2 of the Act—from £1 1s. 0d. to £5 5s. 0d.;

(ii) for a permit under section 3 of the Act—from 10s. 6d. to £5 5s. 0d.; and

(iii) for a referee's inspection and examination under section 5 of the Act—from £5 5s. 0d. to £10 10s. 0d.

The Rules, which require such fees to be paid on application, also prescribe a single form of application for either a licence or a permit in substitution for the two forms (Forms A and B) prescribed under the 1948 Rules.