STATUTORY INSTRUMENTS

# 1975 No. 1777

## AGRICULTURE

### LIVESTOCK INDUSTRIES

# The Horse Breeding (Amendment) Rules 1975

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| *Made* - - - - - - - | *3rd November* 1975 |
| *Laid before the House of Commons* | *12th November* 1975 |
| *Coming into Operation*— | |
| (*a*) *except as to rule* 4(1) - - | *3rd December* 1975 |
| (*b*) *as to rule* 4(1) - - - | *1st November* 1976 |

The Minister of Agriculture, Fisheries and Food, as respects England and Wales, and the Secretary of State, as respects Scotland, in exercise of the powers conferred on them by sections 2(1), 3(1), 5(1), 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 and commencement*

**1.** These rules may be cited as the Horse Breeding (Amendment) Rules 1975 and shall come into operation except as to rule 4(1) on 3rd December 1975 and as to rule 4(1) on 1st November 1976.

*Interpretation*

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

(2) The Interpretation Act 1889**(e)** shall apply for the interpretation of these rules as it applies for the interpretation of an Act of Parliament and as if these rules and the rule hereby revoked were Acts of Parliament.

*Increase of fees*

**3.** For rule 13 of the principal rules (which prescribes fees for the grant of a licence or permit to keep a stallion and for a referee's inspection and examination

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**(a)** 1958 c. 43.
**(b)** 1963 c. 11.
**(c)** S.I. 1948/2677 (Rev. II, p. 707: 1948 I, p. 1573).
**(d)** S.I. 1963/2115, 1969/1137, 1974/1962 (1963 III, p. 4695; 1969 II, p. 3378; 1974 III, p. 6771).
**(e)** 1889 c. 63.

of a stallion, and contains supplemental provisions) there shall be substituted the following rule:—

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

(*a*) For the grant of a licence or permit £32.00;

(*b*) For a referee's inspection and examination £47.50.

(2) The prescribed fee shall be remitted to the Minister at the same time as the application to which it relates is made.

(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 application for a licence or permit or for a referee's inspection and examination is withdrawn by the applicant, the Minister may return to the applicant the fee paid by him."

*Amendment of prescribed forms*

**4.**—(1) In each of the Forms A, C, D and E in Schedule 2 to the principal rules, for the words "Height ..... hands ..... inches" there shall be substituted the words "Height (see footnote) ..... centimetres (..... hands ..... inches)", and the following note shall be added to the foot of each of those Forms: "Note—Height: The height of the stallion *must* be stated in centimetres; (it *may* in addition be stated in hands and inches, but this latter statement will have no significance for the purposes of the Horse Breeding Act and Rules). The statement of the height of a stallion in a licence or permit is intended solely to assist in identification of the stallion."

(2) In the said Form A, for the reference to the prescribed fee of £14.50 there shall be substituted a reference to the prescribed fee of £32.00.

(3) In Form F in the said Schedule, for the reference to the prescribed appeal fee of £23.50 there shall be substituted a reference to the prescribed appeal fee of £47.50.

*Revocation*

**5.** Rule 2 of the Horse Breeding (Amendment) Rules 1974**(a)** is hereby revoked.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 30th October 1975.

(L.S.)

*Frederick Peart*,
Minister of Agriculture, Fisheries and Food.

*William Ross*,
Secretary of State for Scotland.

31st October 1975.

(a) S.I. 1974/1962 (1974 III, p. 6771).

We approve in respect of fees.

3rd November 1975.

*M. Cocks,*
*Donald R. Coleman,*
Two of the Lords Commissioners
of Her Majesty's Treasury.

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## EXPLANATORY NOTE

(*This Note is not part of the Rules.*)

These Rules substitute a new rule for rule 13 of the Horse Breeding Rules 1948, as amended, and thereby increase the fees payable under those Rules in connection with applications in respect of stallions:—

(i) for a licence under section 2 of the Horse Breeding Act 1958 or a permit under section 3 thereof, from £14.50 to £32.00; and

(ii) for a referee's inspection and examination under section 5 of that Act, from £23.50 to £47.50.

Such of the forms prescribed by the Horse Breeding Rules 1948, as amended, as refer to the height of a stallion are amended so as to require the height of the stallion to be stated in those forms in centimetres instead of in hands and inches; a measurement in hands and inches may continue to be given in those forms in addition to the metric measurement, but will have no significance for the purposes of the Horse Breeding Act and Rules.

SI 1975/1777
ISBN 0-11-051777-6

