HORSE BREEDING

The Horse Breeding Rules, 1948

1948 No. 2677

Made - - - - 6th December, 1948
Coming into Operation 1st January, 1949

The Minister of Agriculture and Fisheries and the Secretary of State for Scotland, in exercise of the powers conferred on them by section 9 of the Horse Breeding Act, 1918(**a**), as amended by the Animals Act, 1948(**b**), and of all other powers enabling them in that behalf, and with the approval of the Treasury as to fees, hereby make the following rules:—

Short title and commencement.

1. These rules may be cited as the Horse Breeding Rules, 1948, and shall come into operation on the 1st day of January, 1949.

Interpretation.

2.—(1) In these rules, unless the context otherwise requires, the following expressions have the respective meanings hereby assigned to them:—

" the Act " means the Horse Breeding Act, 1918;
" the amending Act " means the Animals Act, 1948;
" the Minister " means, in relation to England and Wales, the Minister of Agriculture and Fisheries and, in relation to Scotland, the Secretary of State;
" pedigree stallion " and " non-pedigree stallion " have the respective meanings assigned to them in rule 8 hereof.

(2) The Interpretation Act, 1889(**c**), applies to the interpretation of these rules as it applies to the interpretation of an Act of Parliament.

Prescribed age of stallions.

3. For the purposes of the Act and the amending Act (other than subsection (5) of section 8 of the amending Act) the prescribed age shall be the age of two years.

Prescribed breeds of ponies.

4. For the purposes of:

(i) paragraph (*b*) of subsection (2) of section 2 of the amending Act (which excepts from the provisions of subsection (1) of that section ponies of prescribed breeds unless travelled or exhibited for use for breeding purposes), and

(ii) paragraph (*b*) of the proviso to subsection (1) of section 7 of the amending Act (which excepts from the provisions of that subsection ponies of prescribed breeds)

a prescribed breed shall be any of the breeds specified in the first column of the First Schedule to these rules:

Provided that ponies of any of the breeds so specified shall be treated as of a prescribed breed only so long as they are within the district named in the second column of the said Schedule opposite to the name of the breed specified in the said first column.

(**a**) 8 & 9 Geo. 5. c. 13. (**b**) 11 & 12 Geo. 6. c. 35.
(**c**) 52 & 53 Vict. c. 63.

Applications for licences or permits.

5.—(1) An application for a licence shall be made in the form set out in Form A in the Second Schedule to these rules or in a form to the like effect.

(2) An application for a permit shall be made in the form set out in Form B in the Second Schedule to these rules or in a form to the like effect.

Time for making applications.

6.—(1) Subject to the provisions of the Act and the amending Act, an application for a licence in respect of a stallion

(*a*) which at the date of coming into operation of these regulations is of the prescribed age but has not attained the age of four years shall be made within one month of that date;

(*b*) which attains the prescribed age after the year 1949 shall be made not later than the 30th day of September and not earlier than the 1st day of July in the year preceding the year in which the stallion attains that age;

(*c*) which is imported and which at the date of import is of the prescribed age shall be made within two months before that date;

(*d*) which at the date of coming into operation of these rules is of the age of four years, or which is a thoroughbred or a pony of a prescribed breed and of the prescribed age, shall, where the stallion is to be travelled or exhibited for use for breeding purposes on or before the 1st day of March, 1949, on any premises not in the occupation of the owner, be made not later than the 15th day of January, 1949; and, where the stallion is not to be so travelled or exhibited until after the 1st day of March, 1949, be made at least two months before the stallion is to be so travelled or exhibited;

(*e*) which being of the prescribed age ceases to be treated as of a prescribed breed shall be made before the stallion ceases to be treated as of a prescribed breed.

(2) The provisions of paragraph (1) of this rule, with the exception of sub-paragraph (*d*) thereof, shall apply in the case of an application for a permit in respect of a stallion in like manner as they apply in the case of an application for a licence.

(3) Where a licence in respect of a stallion has been refused or revoked or has ceased to be in force under subsection (2) of section 3 of the Act (which relates to transfer of ownership), any application for a permit in respect of that stallion shall be made within twenty-eight days from the date of such refusal or revocation, or from the date on which the licence so ceases to be in force, as the case may be:

Provided that nothing in this paragraph shall be construed as affecting the provisions of paragraph (*a*) of subsection (4) of section 7 of the amending Act with respect to notices served under that section.

Inspection of stallions.

7. The owner or any other person having the control of a stallion in respect of which application for a licence or permit has been made shall provide all reasonable facilities for the inspection and examination of the stallion by any person authorised by the Minister to make such inspection and examination.

Forms of licences and permits.

8.—(1) In the case of a pedigree stallion the licence shall be in the form set out in Form C in the Second Schedule to these rules and in the case of a non-pedigree stallion shall be in the form set out in Form D in the said Second Schedule.

(2) A permit shall be in the form set out in Form E in the said Second Schedule.

(3) For the purpose of this rule " pedigree stallion " means a stallion entered or accepted for entry in a recognised Stud Book of its breed and " non-pedigree stallion " means a stallion not so entered or accepted.

(4) A certified copy of a licence or permit shall be signed by an officer of the Minister authorised by him to sign in that behalf.

Diseases or defects of stallions.

9. The following diseases or defects shall render a stallion unsuitable for use for breeding purposes, namely, cataract, roaring, whistling, ring bone (high or low), side bone, bone spavin, navicular disease, shivering, stringhalt or defective genital organs.

Notice imposing conditions on licences.

10. A notice under subsection (2) of section 3 of the amending Act (which provides that the Minister in certain circumstances may, by notice, make it a condition of a licence that a stallion is not, for a specified period or until further notice, to be used, or used in a particular way, for breeding purposes) shall be in writing and shall be served on the applicant for the licence or on the person stated in the licence to be the owner of the stallion, as the case may be.

Stallions affected in the wind.

11. For the purposes of subsection (5) of section 8 of the amending Act a licence shall not be revoked on the ground only of the stallion being affected in its wind if the stallion has attained the age of nine years, and a licence in respect thereof has been in force for two years.

Application for referees' inspection.

12. If the Minister:—

(*a*) refuses to grant a licence in respect of a stallion, or

(*b*) revokes any such licence, or

(*c*) serves, under subsection (2) of section 3 of the amending Act, such a notice as is referred to in rule 10 hereof,

the owner may, by application in manner hereinafter mentioned, require within 28 days of receipt of the notification from the Minister of the refusal or revocation of the licence, or of the service of the notice, as the case may be, that the stallion be inspected and examined by a referee or referees. Any such application shall be made in the form set out in Form F in the Second Schedule to these rules or in a form to the like effect. On receipt of such an application the stallion shall be inspected and examined accordingly, and the Minister, after consideration of the report by the referee or referees, shall notify to the owner of the stallion his decision to confirm or vary the decision or notice to which the application relates.

Fees.

13.—(1) The fees payable for licences or permits (including certified copies thereof if required) or for inspection and examination by a referee or referees, shall be

(*a*) in the case of a licence—one guinea;

(*b*) in the case of a permit—10s. 6d.; and

(*c*) in the case of inspection and examination by a referee or referees—5 guineas.

(2) The appropriate fee shall be payable to the Minister at the time when any such application as aforesaid is made.

(3) If any application for an inspection and examination by a referee or referees is withdrawn by the applicant notifying the Minister in writing prior to such inspection and examination being carried out under rule 12 hereof, the Minister may, if he thinks fit, refund to the applicant any fee paid at the time of application.

Service of notices, etc.

14. Any notice or other document which is required or authorised by the Act, the amending Act, or these rules, to be given to or served on any person, may be given or served as follows:—

(*a*) in the case of the Minister of Agriculture and Fisheries by delivering it or sending it addressed to the Secretary, Ministry of Agriculture and Fisheries, London;

(*b*) in the case of the Secretary of State, by delivering it or sending it addressed to the Secretary, Department of Agriculture for Scotland, St. Andrew's House, Edinburgh, 1;

(*c*) in the case of an applicant for a licence or a permit, by delivering it or sending it addressed to him at the address stated in the application;

(*d*) in the case of a person stated in a licence or permit to be the owner of a stallion to which the notice or other document relates, by delivering it or sending it addressed to him at the address stated in the licence or permit, or if a change of address has been notified, at the address which was last so notified;

(*e*) in the case of any other person, by delivering it or sending it addressed to him at his usual or last known place of abode or business.

Revocation of existing regulations.

15. The Horse Breeding (England and Wales) Regulations, 1919(**a**), the Horse Breeding (England and Wales) Regulations, 1921(**b**), and the Horse Breeding (Scotland) Regulations, 1921(**c**), are hereby revoked, but such revocation shall not affect the validity of any notice served thereunder or any proceedings undertaken by virtue of those regulations, which shall have effect as if served under or undertaken by virtue of the corresponding provisions of these rules.

In witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this twenty-ninth day of November nineteen hundred and forty-eight.

Donald E. Vandepeer,
Secretary, Ministry of Agriculture and Fisheries.

Given under the Seal of the Secretary of State for Scotland this sixth day of December nineteen hundred and forty-eight.

P. R. Laird,
Secretary, Department of Agriculture for Scotland.

We approve,

R. J. Taylor,
William Hannan,
Two of the Lords Commissioners of His Majesty's Treasury.

(**a**) S.R. & O. 1919 (No. 1439) I, p. 764.
(**b**) S.R. & O. 1921 (No. 1406) I, p. 298.
(**c**) S.R. & O. 1921 (No. 1576) I, p. 299.

FIRST SCHEDULE

Name of Breed (1)	*District* (2)
Dartmoor	So much of the administrative county of Devon as comprises the rural districts of Tavistock, Newton Abbot, Plympton St. Mary, Totnes and Okehampton. So much of the administrative county of Cornwall as comprises the rural districts of Wadebridge, Liskeard, Camelford and Launceston.
Exmoor	So much of the administrative county of Devon as comprises the rural districts of Barnstaple, South Molton and Tiverton. So much of the administrative county of Somerset as comprises the rural districts of Dulverton, Williton and Bridgwater.
Fell	The administrative county of Cumberland except the boroughs of Whitehaven and Workington. The administrative county of Westmorland except the boroughs of Appleby and Kendal. So much of the administrative county of Durham as comprises the rural districts of Weardale and Barnard Castle. So much of the administrative county of Lancaster as comprises the rural districts of Burnley, Clitheroe, Lancaster, Garstang, Lunesdale and Ulverston. So much of the administrative county of Northumberland as comprises the rural districts of Haltwhistle and Bellingham. So much of the administrative county of the North Riding of Yorkshire as comprises the rural districts of Aysgarth, Reeth and Startforth. So much of the administrative county of West Riding of Yorkshire as comprises the borough of Todmorden, the urban districts of Hebden Royd and Saddleworth and the rural districts of Hepton, Sedbergh, Bowland and Skipton.
New Forest	So much of the administrative county of Southampton as comprises the rural districts of New Forest, Ringwood and Fordingbridge, and Romsey and Stockbridge.
Shetland	Whole of Great Britain.
Welsh Mountain	Wales. The administrative county of Monmouth. So much of the administrative county of Salop as comprises the rural districts of Atcham and Clun.

SECOND SCHEDULE

FORM A

[*Ministry of Agriculture and Fisheries*]

[*Department of Agriculture for Scotland*]

Horse Breeding Acts, 1918 & 1948

Application for Licence for a Stallion

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 1.....

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 of stallion.....

.....

.....

What is the most convenient place and time for the inspection of the stallion

.....

Nearest railway station.....

Telephone number (if any).....

If stallion is for early sale, state date and place of sale.....

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

I enclose fee of £1-1-0 for licence (Cheques, postal and money orders should be made payable *not to any individual by name,* but to the order [of the Ministry of Agriculture and Fisheries and crossed " Bank of England "] [of the Department of Agriculture 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) 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. Neither the Ministry nor the Department will be responsible for delay caused by inattention to this requirement.

(2) This application should be addressed [to the Secretary, Ministry of Agriculture and Fisheries, London] [to the Secretary, Department of Agriculture for Scotland, St. Andrew's House, Edinburgh.]

FORM B

[*Ministry of Agriculture and Fisheries*]

[*Department of Agriculture for Scotland*]

Horse Breeding Acts, 1918 & 1948

Application for a Permit to keep an Unlicensed Stallion

I, the undersigned, hereby apply for a permit to keep entire the undermentioned stallion.

Name of stallion.....

Breed or type.....

Stud Book number (if any).....

Year foaled.....

Height..... hands..... inches.....

Colour and identification marks.....

Pedigree of stallion: Sire..... Dam..... By.....

Name and address of owner of stallion.....

.....

Address at which it is proposed to keep stallion.....

.....

Purpose for which it is desired to retain stallion.....

Any other information in support of application for a permit.....

.....

I enclose { cheque / postal order / money order } for 10s. 6d. in respect of the prescribed fee.

(No further fee is payable if a fee in respect of an application for a licence that has been refused has already been paid.)

(Cheques, postal and money orders should be made payable *not to any individual by name* but to the order [of the Ministry of Agriculture and Fisheries and crossed " Bank of England "] [of the Department of Agriculture 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 these 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...

NOTE.—This application should be addressed [to the Secretary, Ministry of Agriculture and Fisheries, London] [to the Secretary, Department of Agriculture for Scotland, St. Andrew's House, Edinburgh].

FORM C

[*Ministry of Agriculture and Fisheries*]

[*Department of Agriculture for Scotland*]

Horse Breeding Acts, 1918 & 1948

Licence for a Pedigree Stallion (i.e. a stallion which is entered or accepted for entry in a recognised Stud Book of its breed).

This is to certify that the undermentioned stallion, belonging to

.....of.....in the County of

.....is licensed as a Pedigree Stallion under the above-mentioned Acts.

This licence and any certified copy must be returned to the [Ministry] [Department] within 14 days after the death, castration, or export of the stallion, with the certificate at the foot completed.

Description of Stallion

Name..... Stud Book No..... Breed.....

Foaled in year..... Height.....hands .....inches. Colour.....

Markings { Head ..... / Limbs ..... / ..... / Body ..... / Acquired ..... }

Entered or accepted for entry in the.....Stud Book.

Dated this.....day of.....19.....

.....

Secretary

I hereby certify that the above described stallion

died / was slaughtered / was castrated / was exported } on the.....day of.....19.....

Signature .....

Address.....

Dated.....19.....

FORM D

[*Ministry of Agriculture and Fisheries*]
[*Department of Agriculture for Scotland*]

Horse Breeding Acts 1918 & 1948

Licence for Non-pedigree Stallion (i.e. a stallion which is not entered or accepted for entry in the recognised Stud Book of its breed).

This is to certify that the undermentioned stallion, belonging to

..... of..... in the

County of..... is licensed as a Non-pedigree Stallion under the above-mentioned Acts.

This licence and any certified copy must be returned to the [Ministry] [Department] within 14 days after the death, castration, or export of the stallion with the certificate at the foot completed.

Description of Stallion

Name..... Breed.....

Foaled in year..... Height.....hands .....inches. Colour.....

Markings { Head ..... / Limbs ..... / ..... / Body ..... / Acquired .....

Dated this.....day of.....19.....

.....
Secretary

I hereby certify that the above described stallion

died / was slaughtered / was castrated / was exported } on the.....day of.....19.....

Signature .....

Address.....

.....

Dated.....19.....

FORM E

[*Ministry of Agriculture and Fisheries*]
[*Department of Agriculture for Scotland*]

Horse Breeding Acts 1918 & 1948

Permit to keep an Unlicensed Stallion

The [Minister of Agriculture and Fisheries] [Secretary of State for Scotland] hereby permits the under-mentioned

Stallion belonging to.....

..... of..... in the County of

..... to be retained entire at.....

in the County of..... ..... subject to the following conditions:—

1.

2.

This permit and any certified copy must be returned to the [Ministry] [Department] within 14 days after the death, castration, or export of the stallion with certificate at the foot completed.

Description of Stallion

Name..... Breed.....

Foaled in year..... Height.....hands .....inches. Colour.....

Markings { Head ..... / Limbs ..... / ..... / Body ..... / Acquired ..... }

Dated this.....day of.....19.....

.....
Secretary

I hereby certify that the above described stallion

{ died / was slaughtered / was castrated / was exported } on the.....day of.....19.....

Signature ....

Address.....

.....

Dated.....19.....

FORM F

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

Horse Breeding Acts 1918 & 1948

Application for a Referee's Inspection

Whereas the [Minister of Agriculture and Fisheries] / [Secretary of State for Scotland] has

refused to grant a licence in respect of
revoked a licence in respect of
served a notice imposing a condition prohibiting
temporarily the use for breeding purposes of

} the undermentioned Stallion

I..... of..... in the County of

.....require a referee's inspection of the stallion in accordance with Section 4 of the Horse Breeding Act, 1918 (as amended) and the Rules made thereunder.

The stallion will be kept during the next 28 days at.....

.....in the County of.....

I enclose cheque / postal order / money order } for five guineas, being the amount of

the prescribed appeal fee which is returnable in the event of the refusal or revocation of the licence or service of the notice not being confirmed. (Cheques, postal and money orders should be made payable, *not to any individual by name*, but to the order [of the Ministry of Agriculture and Fisheries and crossed " Bank of England "] [of the Department of Agriculture 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.)

Description of Stallion

Name..... Breed.....

Foaled in year..... Height.....hands .....inches. Colour.....

Markings
- Head.....
- Limbs.....
- Body.....
- Acquired.....

Signature of Applicant.....

Address.....

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

EXPLANATORY NOTE

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

The Horse Breeding Act, 1918, provided for the licensing of stallions which were travelled or exhibited for service away from their owners' premises. Part II of the Animals Act, 1948, which comes into operation on the 1st January, 1949, amends the 1918 Act and requires a licence or permit to be obtained for all stallions (with certain exceptions) and not merely for those which are travelled or exhibited for service. These Rules, which apply to Great Britain, revoke the existing Rules in England and Wales and Scotland, and substitute provisions applicable to the larger class of stallions affected by the amending Act. They define that class by reference to age, and in the case of ponies, by reference to breed, and prescribe the manner of, and time for, making application for licences and permits and the form.

HOUSE TO HOUSE COLLECTIONS, SCOTLAND

The House to House Collections (Scotland) Regulations, 1948

1948 No. 2281 (S. 181)

Made - - - -	*9th October,* 1948
Laid before Parliament	*12th October,* 1948
Coming into Operation	*1st November,* 1948

In pursuance of the powers conferred upon me by section 4 of the House to House Collections Act, 1939, I hereby make the following regulations.

2 & 3 Geo. 6. c. 44.

Title

1.—(1) These regulations may be cited as the House to House Collections (Scotland) Regulations, 1948, and shall come into operation on the first day of November, 1948.

(2) The House to House Collections (Scotland) Regulations, 1939(**a**), as amended by the House to House Collections (Scotland) (Amendment) Regulations, 1940(**b**), are hereby revoked.

Interpretation.

2.—(1) In these regulations, unless the context otherwise requires:—

" the Act " means the House to House Collections Act, 1939;

" chief promoter ", in relation to a collection, means a person to whom a licence has been granted authorising him to promote that collection, or in respect of whom an order has been made directing that he shall be exempt from the provisions of subsection (2) of section 1 of the Act as respects that collection;

" collecting book " means a book issued for the purpose of recording the receipt of contributions;

" collecting box " means a box or other receptacle for monetary contributions, securely closed and sealed in such a way that it cannot be opened without breaking the seal;

" licence " means a licence granted under section 2 of the Act;

" licensing authority " means the authority empowered to grant a licence;

(**a**) S.R. & O. 1939 (No. 1798) I, p. 263.
(**b**) S.R. & O. 1940 (No. 342) I, p. 123.