# EXPLANATORY MEMORANDUM TO

# THE HORSES (FREE ACCESS TO COMPETITIONS) (AMENDMENT) REGULATIONS (NORTHERN IRELAND) 2020

## S.R. 2020 No. 328

## 1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Department of Agriculture, Environment and Rural Affairs to accompany the Statutory Rule (SR) and is laid before the Northern Ireland Assembly.

1.2 The SR is made under section 2(2) of the European Communities Act 1972 and is subject to the negative resolution procedure.

## 2. Purpose

2.1 The SR amends The Horses (Free Access to Competitions) Regulations (Northern Ireland) 1992 in order to transpose a derogation in relation to rules on discrimination in competitions between horses.

2.2 This derogation allows for the reservation of up to 20% of prize money for the safeguard, development and improvement of horse breeding.

## 3. Background

3.1 Council Directive 90/428/EEC of 26 June 1990 on trade in equidae intended for competitions and laying down the conditions for participation therein, prohibits discrimination in relation to competitions between horses, with regard to the rules for entering such competitions, judging and the awarding of prize money. This Directive is transposed in Northern Ireland by the Horses (Free Access to Competitions) Regulations (Northern Ireland) 1992.

3.2 The Directive also includes the derogation allowing for the reservation of prize money from certain categories of competition. This SR transposes this derogation in Northern Ireland.

## 4. Consultation

4.1 The SR has not been the subject of a consultation. While the Department would consult on such legislation under normal circumstances, as this legislation was required to be made against an urgent EU Exit deadline a consultation was not possible within this timeline.

4.2 However, making the change to the legislation in itself has no direct impact, and the Department will consult with stakeholders on the use of the derogation in the future.

## 5. Equality Impact

5.1 In accordance with the Department's obligations under Section 75 of the Northern Ireland Act 1998, the equality implications have been assessed. The

Department considers that the SR will not result in any equality differentials amongst Section 75 groups.

## 6. Regulatory Impact

6.1 There are no or negligible impacts on the private, voluntary or public sector as a result of this SR.

## 7. Financial Implications

7.1 There are no financial implications associated with the introduction of this SR.

## 8. Section 24 of the Northern Ireland Act 1998

8.1 The SR does not have any human rights implications, nor are they incompatible with EU law. The SR was screened for impact on human rights and is therefore deemed to comply with the requirements of Section 24 of the Northern Ireland Act 1998.

## 9. EU Implications

9.1 None.

## 10. Parity or Replicatory Measure

10.1 There are equivalent Regulations in Great Britain.

## 11. Additional Information

11.1 N/A.