L.N. 280 of 2003

VETERINARY SERVICES ACT, 2001
(ACT NO. XXIII OF 2001)

Trade in Equidae intended for Competitions and laying down Conditions for Participation Regulations, 2003

IN exercise of the powers conferred by article 34(e) of the Veterinary Services Act, 2001 the Minister for Rural Affairs and the Environment has made the following regulations:-

Title and Scope.

1. (1) The title of these regulations is the Trade in Equidae intended for Competitions and laying down Conditions for Participation Regulations, 2003.

(2) These regulations lay down the conditions governing trade in equidae intended for competitions and the conditions governing their participation therein.

(3) The scope of these regulations is to implement the provisions found under European Union Council Directive 90/428/EEC on trade in equidae intended for competitions and laying down the conditions for participation therein.

Definitions.

2. For the purposes of these regulations, the definitions set out in article 2 of European Union Council Directive 90/427/EEC on the zootechnical and genealogical conditions governing trade with Member States in equidae shall apply.

Furthermore, "competition" means any equestrian competition, including horse racing, show-jumping, events, dressage, events reserved for horse-drawn vehicles and showing classes.

Moreover, "Trading Partner" in the meaning of article 2 of the Veterinary Services Act shall mean –

(a) Member State of the European Community;

(b) Third country to the European Community.

Competition rules.

3. (1) The rules of competitions may not discriminate between equidae which are registered in the territory of Malta and equidae registered in a Member State.

(2) The rules of competitions may not discriminate between equidae originating in the territory of Malta and equidae originating in a Member State.

Application of rules set out in regulation 3.

4. (1) The obligations set out in regulation 3 shall apply in particular to –

(a) the requirements for entering the competition, in particular the minimum or maximum requirements;

(b) the judging of the competition;

(c) the prize money or profits which may accrue from the competition.

(2) However, the obligations referred to in regulation 3 shall not affect the organisation -

(a) competitions reserved for equidae registered in a specific studbook for the purpose of permitting the improvement of the breed;

(b) regional competitions with a view to selecting equidae;

(c) historic or traditional events.

For each competition or type of competition it shall be authorised to reserve, through the bodies officially approved or recognised for that purpose, a certain percentage of the prize money or profits referred to in (1)(c) of this regulation for the safeguard, development and improvement of breeding. The percentage may not exceed 20 %. The criteria for the distribution of these funds shall be communicated to the Member States and to the European Commission.

(3) The general rules for the application of this regulation shall be adopted in accordance with requisites of the European Community and in accordance with the procedure laid down in article 34(e) of the Veterinary Services Act.

Article 4, European Union Council Directive 90/427/EEC

5. (1) Until relevant decisions are adopted pursuant to Article 4 of European Union Council Directive 90/427/EEC, the grounds on which an animal registered in

a Member State is refused entry to a competition must be communicated in writing to the owner or his authorised representative.

(2) In the circumstances described in sub-regulation (1), the owner or his authorised representative is entitled to obtain an expert opinion in accordance with the conditions laid down in Article 8(2) of European Union Council Directive 89/662/EEC, which shall apply *mutatis mutandis*.