

L.N. 289 of 2003

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

Trade with Member States in Equidae Regulations (Zootechnical and Genealogical Conditions), 2003

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

**Chapter I
General provisions**

Title and scope.

1. (1) The title of these regulations is Trade with Member States in Equidae Regulations (Zootechnical and Genealogical Conditions), 2003.

(2) The scope of these regulations is to implement the provisions found under European Union Council Directive 90/427/EEC on the zootechnical and genealogical conditions governing trade with Member States in equidae. These regulations lay down the zootechnical and genealogical conditions governing trade with Member States in equidae, their semen, ova and embryos.

Definitions.

2. For the purposes of these regulations –

(a) “Equidae” means domestic animals of the equine or asinine species or crossbreeds thereof;

(b) “Registered equidae” means equidae which are entered or registered and eligible for entry in a studbook, in accordance with the rules laid down pursuant to regulation 4 (2)(b) and identified by means of the identification document provided for in regulation 8 (1);

(c) “Studbook” means any book, register, file or data medium –

(i) which is maintained either by an organisation or an association officially approved or recognised by the territory of Malta or a Member State or by an official agency of the territory of Malta or Member State concerned, and,

(ii) in which equidae are entered or registered, with mention of all their known ascendants.

(d) “Trading Partner” in the meaning of article 2 of the Veterinary Services Act shall mean –

(a) Member States of the European Community;

(b) Third countries to the European Community.

Intra-Community trade with Member States.

3. Trade with Member States in equidae and their semen, ova and embryos may not be prohibited or restricted on zootechnical or genealogical grounds other than those resulting from application of these regulations.

However, in the case of intra-Community trade in registered equidae, their semen, ova and embryos, national provisions which comply with the general rules of the Treaty concerning intra-Community trade, shall be maintained pending the entry into force of the relevant European Community requirements referred to in regulations 4 and 8.

Chapter II

Genealogical rules relating to registered equidae

Recognition of organisations and registration in stud books.

4. (1) The following principles shall be taken into account when the rules referred to in sub - regulation 2 are adopted –

(a) the recognition or approval of organisations and associations which maintain or establish studbooks shall be subject to compliance with the principles laid down by the organisation or association which maintains the studbook of the origin of the breed;

(b) the criteria for entry and registration in studbooks shall be laid down on the basis of the characteristics of the breed and in particular for certain pure breeds of the need to regulate the entry and registration of equidae produced using artificial reproduction methods.

(2) There shall be established in accordance with the requirements of the European Community under the procedure laid down in article 34(d) of the Veterinary Services Act and in accordance with the principles set out in sub-regulation (1) of this regulation–

(a) the criteria for the approval or recognition of organisations and associations which maintain or establish studbooks;

(b) the criteria for entry and registration in studbooks;

(c) if necessary, the criteria and methods used to identify registered equidae;

(d) the criteria for drawing up the certificate of origin and the identification document referred to in regulation 8;

(e) if necessary, rules to ensure co-ordination between the organisations or associations referred to in regulation 5.

List of organisations and associations.

5. The list of organisations and associations maintaining or establishing studbooks, which are recognised on the basis of the criteria to be determined in accordance with regulation 4(2)(a) and subsequent up-dating, shall be communicated to the Member States and the European Commission.

Registration of equidae.

6. (1) In trade with Member States, equidae which are registered in the Member States of dispatch must, except where a derogation has been agreed by common accord between the two organisations or associations concerned, be registered or entered in the appropriate studbook of the territory of Malta when arriving at destination under the same name, with an indication, in accordance with international agreements, of any initial of the country of foaling.

(2) Where the constitution of the organisations or associations so permits, the original name of the animal may be preceded or followed by another name on a

provisional or permanent basis, provided that throughout the animal's life the original name is retained in brackets and that the country of birth is indicated by means of initial recognised by international agreements, alternative measures may be taken to safeguard the continued identity of the animal in accordance with the requirements of the European Community and in accordance with procedures laid down in article 34 (d) of the Veterinary Services Act.

Chapter III

Zootechnical rules relating to registered equidae

Monitoring performance and assessment of genetic value of breeding animals.

7. In compliance with the principles laid down in regulation 4(1), it may be determined in accordance with requirements of the European Community and in accordance with the procedure laid down in article 34(d) of the Veterinary Services Act

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(a) the methods of monitoring performance and assessing the genetic value of breeding animals;

(b) on the basis of the methods referred to in paragraph (a) hereof, the general criteria for the approval of a male breeding animal or, if appropriate, of a female breeding animal for the purposes of breeding and using their semen, ova or embryos.

Identification document of equidae.

8. The competent authority shall ensure that –

(a) in their movements, registered equidae are accompanied by an identification document drawn up in accordance with the requirements of the European Community and in accordance with the procedure laid down in article 34(d) of the Veterinary Services Act and issued by the organisations or associations referred to in regulation 5 of these regulations and article 2(c) of European Union Council Directive 90/426/EEC, on animal health conditions governing the movement with Member States and import from third countries of equidae.

The identification document, to be drawn up in Malta's and Member States' languages, for registered horses must include at least the information indicated in the Schedule; that information may be supplemented or amended in accordance with the requirements of

the European Community and in accordance with the procedure laid down in article 34(d) of the Veterinary Services Act;

(b) when they are marketed, the semen, ova and embryos of registered equidae are accompanied by a zootechnical certificate of origin and identification issued by the competent authority at least in the language of the country of destination and conforming to a model to be drawn up in accordance with requirements of the European Community and in accordance with the procedure laid down in article 34(d), of the Veterinary Services Act.

Conditions applicable to imports of equidae and their semen, ova and embryos from third countries.

9. Pending implementation of relevant European Community rules, the conditions applicable to imports of equidae and their semen, ova and embryos from third countries must not be more favourable than those governing intra-Community trade between Member States of the European Union.

SCHEDULE

Minimum information in the identification document

- (1) Identification No
- (2) Name
- (3) Sex
- (4) Colour
- (5) Breed
- (6) by
- (7) and
- (8) Date of foaling
- (9) Place where bred
- (10) Name of the competent authority
- (11) Address
- (12) Breeder (s)
- (13) Telephone number
- (14) Origin certificate validated on:
- (15) by:
- (16) Telecopy number:
- (17) Signature (Name in capital letters and capacity of signatory)
- (18) Stamp
- (19) taken by
On
Body
- (20) Description with dam Markings
Head
Ant. G
Foreleg L
Ant. D
Foreleg R

Post. G
Hindleg L
Post. D
Hindleg R

- (21) District
- (22) Signature and stamp of qualified veterinary surgeon (or competent authority) (in capital letters)