

The Scottish Government

CODE OF PRACTICE FOR THE WELFARE OF EQUIDAE



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Edinburgh 2009

Codes of Practice for the Welfare of Animals: Equidae

This Code which has been prepared following consultation, is issued with the authority of the Scottish Parliament pursuant to section 37 (Animal welfare codes) of the Animal Health and Welfare (Scotland) Act 2006.

The Code applies in Scotland and has been issued by the Scottish Ministers (following approval by the Scottish Parliament).

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Introduction

- 1. Under the Animal Health and Welfare (Scotland) Act 2006 (the Act) anyone who is responsible for an animal has a legal duty to take reasonable steps to ensure its welfare. The legislation quoted in Appendix A in the boxes throughout this document is not part of the Code but is intended to highlight the relevant legal requirements. The law, as quoted, is that in force on the date of publication or reprinting of the Code.
- 2. Generally, there is a duty to comply with legislation. Although the Code does not have legislative effect, it is intended to promote and give examples of good practice. Failure to comply with a provision of this Code, whilst not an offence in itself, may be relied upon as tending to establish liability where a person has been accused of an offence under Part 2 of the Act. Equally, compliance with a provision of the Code may be relied upon as tending to negate liability by a person in any proceedings for an offence under Part 2 of the Act.
- **3.** This Code covers all domesticated equidae for which a person is responsible, including all horses, ponies, donkeys and hybrids.
- 4. This Code provides a practical guide to those owners and keepers responsible for these animals in Scotland and details a set of underpinning principles of equine care which are designed to cover the differing management techniques required for the many circumstances in which animals are kept in Scotland.
- 5. A horse, pony, donkey or hybrid which is being treated by a veterinary surgeon may have additional or special needs specified by the veterinary surgeon over and above the requirements of this Code.



Horse Passports

- **6.** The Horse Passports (Scotland) Regulations 2005 require all equidae, regardless of age or status, to be accompanied by a passport. All owners must obtain individual passports for each animal owned. Passports can be held by the owner or keeper. Animals without passports cannot:
 - be moved for the purpose of being entered in a competition;
 - be moved for the purpose of being used for breeding;
 - be moved out of Scotland;
 - be moved to the premises of a new keeper;
 - be sold or have ownership transferred; nor
 - be sent to slaughter for human consumption.
- 7. From July 2009 new Regulations are expected to be in force (which implement Commission Regulation (EC) No 504/2008 of 6 June 2008) which will require all animals not currently identified under the current passport requirements to be both microchipped and have a passport. Thus, all foals born after July 2009 must be microchipped by the end of the year of their birth or within 6 months of birth, whichever is later. In addition, all older animals not identified under the current system will also have to be microchipped.
- 8. One of the purposes of horse passports is to record all medicines administered to each animal. It is therefore important that the passport is available whenever your veterinary surgeon treats your animal so that they can record the medicines given. Some medications are dangerous to human health if the animal subsequently enters the food chain at the end of its life. If your animal is given one of these medicines, your veterinary surgeon must sign the passport to state that it is not intended for human consumption. This means that the animal can never enter the human food chain and you should think carefully about the implications of this decision.
- **9.** A list of authorised Scottish Passport Issuing Organisations and contact details are set out in Appendix E.



The Duty of Care

- **10.** Before buying a horse, pony, donkey or hybrid, potential owners need to consider a number of important issues:
 - the cost of keeping the animal, since the purchase cost may be minimal compared to the ongoing costs. The ongoing costs will vary depending on the needs of the individual animal, where it is kept and what it is used for. A potential owner should draw up a budget based on their own circumstances. This is necessary in order to decide whether the ongoing costs are affordable. In drawing up a budget, the owner should remember that along with the day to day costs for keep, there is likely to be additional expenditure for items such as supplementary feeding, worming, insurance, veterinary fees (including regular vaccinations), farriery and equipment, etc.;
 - a full five stage pre-purchase veterinary examination by an independent veterinary surgeon is recommended and should be carefully considered. However, for animals of a lower value it may be sufficient for a two stage pre-purchase veterinary examination or a veterinary examination covering the eyes, heart, mouth and limbs;
 - how much time will need to be spent in looking after the animal and will the owner have the time to exercise it;
 - the skills and knowledge of equine care which they possess;
 - what is the right animal for each situation; and
 - how and where it will be kept.
- 11. It is important to find the right animal when purchasing a horse, pony, donkey or hybrid as this can prevent many problems in the future. There is no way of guaranteeing success but there are a number of steps that can increase the likelihood of making a suitable purchase. It is useful to try a number of different animals and the advice of an experienced horseperson should always be sought. Prior to purchase it is important to try the animal in each aspect of work that it is likely to be asked to perform, for example hacking; jumping and flatwork, and it is advisable to try an animal out at least twice.
- **12.** A potential owner also needs to consider what contingency plans they should put in place; for example: the provision for stabling and transport for grass-kept animals should emergency veterinary treatment be required; having isolation facilities available; and alternative arrangements for the care of the animal should the keeper become incapacitated for any reason. These contingency arrangements should be reviewed when there is any change in the owner, keeper or animal's circumstances.
- **13.** Under section 24 (ensuring welfare of animals) of the Act, persons responsible for an animal must ensure that the needs of the animal are met to the extent required by good practice; failure to do so is an offence. Section 18 (Responsibility for animals) of the Act defines where a person has a responsibility for an animal on a permanent or temporary basis and thus has the duty to ensure that its welfare needs are met. This duty can therefore apply to livery yard owners, transporters and anyone who has agreed temporarily to take care of an animal.

- 14. People are therefore responsible for an animal if they own <u>or</u> manage it. An owner has ongoing responsibility for their animal even if another person is in charge of it. A parent or guardian of a child under 16 years old is responsible for any animal that is owned or cared for by the child. This ensures that an adult can normally be identified as a person responsible for an animal. If an owner leaves an animal in the charge of another person, it is the owner's duty to ensure that the person is competent and has the necessary authority to act in an emergency, as ultimately the owner bears responsibility even if someone else is temporarily caring for the animal.
- **15.** The duty of care placed on an animal owner or keeper is based on the 'Five Freedoms' originally recommended by the Farm Animal Welfare Council, but now generally accepted to cover all animals for which a person is responsible:
 - **Freedom from Hunger and Thirst** for example, by providing ready access to fresh water and a diet to maintain full health and vigour.
 - **Freedom from Discomfort** for example, by providing an appropriate environment, including shelter and a comfortable resting area.
 - *Freedom from Pain, Injury or Disease* for example, by prevention or rapid diagnosis and treatment.
 - **Freedom to Express Normal Behaviour** for example, by providing sufficient space for habitation and exercise, proper facilities and company, as appropriate.
 - **Freedom from Fear and Distress** for example, by ensuring conditions and treatment, which avoid mental suffering.
- **16.** Responsibility for an animal therefore includes having an understanding of the specific health and welfare needs of the animal and having the appropriate knowledge and skills to care for the animal. Those responsible for animals will also have to comply with the legislation and should be aware of the appropriate Codes of Practice, and to know when to seek qualified advice and help and who to approach, e.g. a farrier or a veterinary surgeon.
- 17. More information about the welfare provisions of the Act, and more details of the responsibilities of an owner or keeper, can be found by referring to the documents detailed in the "Sources of Information" at Appendix D.
- 18. These needs are explained in more detail in the Code; however, an individual animal may have other needs that have to be met to ensure its wellbeing. If an owner or keeper is unsure what these needs are it is important that they seek advice from a veterinary surgeon or an organisation such as the British Horse Society, World Horse Welfare, the Donkey Sanctuary or the Scottish Society for the Prevention of Cruelty to Animals (Scottish SPCA). Contact details for these organisations can be found in the "Sources of Information" at Appendix D. Specific welfare advice in relation to competition horses can be sought from the relevant sporting disciplines or governing body.

The Need for a Suitable Environment

19. An owner or keeper must provide their animal with a suitable environment in which to live.

Shelter

20. Not all horses or ponies will need a stable. Some hardy breeds with thick coats are capable of living outdoors throughout the year, provided they can obtain shelter from the prevailing winds, summer sun and flies. Shelter can be natural (for example trees or hedges) or man-made (such as a field shelter) depending on the field environment and type of breed. However, where horses and ponies are of less hardy breeding, clipped, very young or elderly they may require stable accommodation or other housing to protect them from the cold and damp or very hot weather. As donkeys do not have waterproof coats they will always require shelter from the rain.

Stable accommodation/housing

- **21.** Welfare aspects should be considered when constructing or altering buildings to provide housing. The main considerations are the safety and comfort of the animals, ease of access and adequate drainage and ventilation. If poorly designed or managed, stabling can contribute to the rapid spread of disease, cause injury and pose significant fire risks. The following comments apply equally to all forms of housing including individual stables, stalls and communal barns.
 - *Construction:* the building should be constructed soundly, with no exposed surfaces or projections likely to cause injury. All surfaces should be capable of being cleaned and disinfected. If surfaces are treated, non-toxic paints or wood preservatives should be used.
 - *Fixtures and fittings* such as tie rings, hay racks and water bowls should be free of sharp edges and positioned so as to avoid injury, particularly to the eyes. If used, hay nets should be fixed at the animal's head height, allowing it to eat comfortably yet avoiding the risk of getting its feet or head collar caught in the net when empty.
 - *Floors* should be reasonably even, non-slip and designed to give good drainage, taking stable waste away from the animal.
 - *Doors* should be a minimum of 4ft wide and open outwards. They should be capable of being securely fastened with top and bottom bolts.
 - *Roofs* should be high enough to provide adequate ventilation including good air circulation. There should be a minimum clear space to the eaves of 60-90cm (2-3ft) above the ears of the animal in its normal standing position.
 - *Light:* sufficient light is essential within all stabling both for the animal to see adequately and also to enable inspection and safe handling at all times. This can include portable lighting. Light bulbs should be enclosed in safety fittings with cabling secured well out of reach.
 - Windows and ventilation slats should provide adequate air circulation without creating draughts. Perspex or safety glass (with grilles fitted between the animal and the glass) is advisable. One window or top door should normally be open at all times.

- **22.** As horses and ponies vary so greatly in size it is difficult to set an ideal size for loose boxes, barns or stables. However, as a minimum, each animal should have sufficient room to lie down, readily rise and turn around in comfort. Boxes for foaling and for mares with a foal at foot will require additional space. All passageways should be sufficiently wide to enable animals to be led safely past each other and provide sufficient room to enable an animal to be turned round comfortably. The British Horse Society recommend the following stable sizes:
 - Horses 12' x 12' (3.65m x 3.65m)
 - Large Horses 12' x 14' (3.65m x 4.25m)
 - Ponies 10' x 10' (3.05m x 3.05m)
 - Large Ponies 10' x 12' (3.05m x 3.65m)
- **23.** Compatible groups of animals can be kept together in communal barns but care should be taken to ensure that each animal gets adequate access to hay, feed and water. Sufficient space should be provided to allow free movement and to allow all the animals to lie down at the same time. Care should be taken to select groups that are compatible and particularly aggressive animals should be segregated.
- 24. Adequate and suitable bedding material that will absorb urine is necessary in all horse, pony, donkey and hybrid accommodation to provide warmth, protection against injury and to enable the animal to lie down in comfort. Bedding material should be non-toxic, free of dust and mould and should allow effective drainage, or be absorbent enough to maintain a dry bed and assist in keeping the air fresh. Where rubber matting is used, a small amount of disposable bedding should be added to absorb urine. Whatever bedding is used, it should be well-managed and changed or cleaned regularly.
- **25.** Fire is always a risk in stable areas. Advice should be sought from the local Fire Prevention Officer in relation to statutory requirements. All equipment and services (lighting units, fire extinguishers and alarm systems) should be kept clean, inspected annually by a competent person and kept in good working order. All electrical installations at mains voltage should be installed by a competent electrician in accordance with the latest addition of the Institute of Electrical Engineers (IEE) Wiring Regulations. Wiring and fittings should be inaccessible to animals, well insulated, safeguarded from rodents and properly earthed. All metal pipework and structural steelwork should be properly earthed. Highly inflammable liquid material or combustible material should not be stored in or close to stables where animals are housed. Roof beams and other ledges should be cleaned regularly. Smoking in stable areas should be prohibited.
- **26.** Stabled animals should be capable of being released quickly in the event of fire or other emergencies in accordance with a pre-agreed emergency turnout plan.



Pastures

- **27.** As a general rule, each horse requires a minimum of one to one and a half acres of good grazing if no supplementary feeding is being provided, as overcrowding may lead to competition for food, water and space. However, this will depend on the ground conditions, the time of year, type of horse and degree of pasture management employed. Donkeys will require significantly less pasture; as will horses when grazing is plentiful, as over grazing may be detrimental to the animal's health.
- **28.** It is not always practical or possible to remove animals from fields or pastures which become muddy; however, it is essential that they have a comfortable, well drained area on which to stand and lie down, and on which to be fed and watered.
- **29.** Fences should be strong enough and of sufficient height to prevent escape (for example higher fences may be required for stallions) and designed, constructed and maintained to avoid the risk of injury with no sharp projections. Gateways should be designed to allow for the easy and safe passage of animals, and gates should be fastened securely to prevent injury and escape. In some situations gates may need to be padlocked. Sheep wire should not be used. Barbed wire should not be used in fields used by animals but where it is present an inner fence (which could be electric) should be erected to avoid direct contact with the barbed wire. Where plain wire is used measures should be taken to ensure it is sufficiently visible to the animal. It is important that the wire is kept taut to prevent the possibility of animals becoming entangled in loose wire.

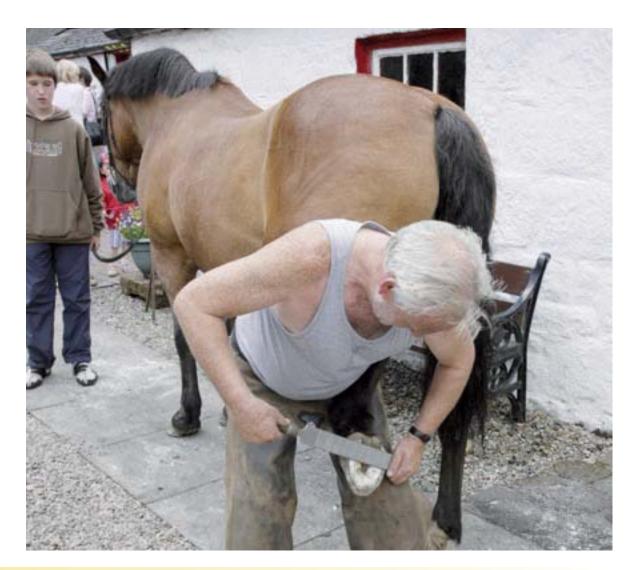
- **30.** The British Horse Society generally recommend that fences should be 4ft (1.25m) high. The specific recommendations are as follows:
 - Horses 3'6" to 4'6" (1.08m 1.38m)
 - Ponies 3'3" to 4'3" (1m 1.3m)
 - Lower rail (in both cases) 1'6" (0.5m) above ground
 - Stallions 4'6" to 6'0" (1.38m 1.8m)
- **31.** Stallions may require a double fence line and possibly an electric fence line along the top of the paddock rail. This is to prevent aggressive and amorous behaviour between paddocks, as well as containing the stallion within the allocated area.
- **32.** Electric fences should be designed, installed and maintained so that contact with them does not cause more than momentary discomfort to the animal; all power units should be correctly earthed. Animals contained by electric fencing need extra supervision until they become accustomed to it. Temporary internal subdivisions created out of electrified tape and plastic posts provides an effective internal barrier, but these should not be used as the sole boundary fence.
- **33.** A good pasture management programme is advisable to avoid over-grazing, to aid worm control, maintain good drainage and control weeds. This may include, for example, picking up droppings, rotating grazing areas and where possible removing animals when the ground is very wet to prevent poaching (where the pasture breaks into wet muddy patches) and health problems.
- **34.** Fields should be kept clear of dangerous objects and poisonous plants. Ragwort is one of the plants covered under the Weeds Act 1959 and should be controlled and disposed of in accordance with the Scottish Government "Guidance on How to Prevent the Spread of Ragwort". Ragwort should be pulled by the root rather than being cut, and should not be left where animals could have access to it as it remains toxic after being uprooted.

Under the Weeds Act 1959 Scottish Ministers can, if satisfied that specified weeds are growing upon any land, serve a notice requiring the occupier to take action to prevent the spread of those weeds. An unreasonable failure to comply with a notice is an offence.

35. Other plants and trees such as privet, box, leylandii, broom, laburnum, oak, beech and yew are also toxic to horses, ponies, donkeys and hybrids therefore, they should not have access to these (or their clippings) at any time. Where fields are adjacent to housing, care should be taken to ensure that they do not gain access to garden waste including lawn cuttings. Safe hedge types for horses, ponies, donkeys and hybrids include hawthorn and hazel; trees that are suitable for use in paddocks include ash, birch, willow, sycamore, lime and poplar. However, in all cases it is prudent to ensure that they cannot damage trees by chewing their bark.

Tethering

- **36.** Tethering can be defined as securing an animal by an appropriately attached chain to a centre point or anchorage, causing it to be confined to a desired area. Tethering is not a suitable method of long-term management of an animal, as it restricts that animal's freedom to exercise itself, to find food and water, or to escape from attacks by dogs, other animals or even people; or the extremes of hot and cold weather. It also risks an animal becoming entangled, or injuring itself, on tethering equipment. Tethering may be useful as an exceptional short-term method of animal management during brief stops during a journey, to prevent danger to the animal, or to humans, whilst proper long-term arrangements are made, or in medical cases where short-term restriction of food intake is required under veterinary advice. The need for regular supervision is paramount. More details on the conditions which should be met when equines are tethered are set out in Appendix B.
- **37.** The term tethering as it is used in the Code does not apply to animals that are stall-tied (a common method of stabling military horses). Any animal which is stall-tied should be closely supervised and receive regular exercise, unless this method is used under veterinary guidance, e.g. as part of the management of an orthopaedic condition.



Rugs

- **38.** Not all animals will need a rug in inclement weather as some hardy breeds with thick coats are capable of living outdoors throughout the year without rugs. Some of these hardy breeds often thrive better without rugs, as rugs can sometimes be a cause of skin irritation. However, where animals are of less hardy breeding, clipped, elderly or infirm they may require a rug to help keep them warm and dry during cold, wet weather or provide protection from flies.
- **39.** Rugs and hoods should be of the correct size, the correct type (i.e. designed for the use to which they are being put), of the correct weight to suit the animal and the weather conditions, and correctly fitted to prevent rubbing, hair loss and abrasions. Rugs should be regularly removed so the animal's body condition and general health can be checked. Ideally this should be done daily.
- **40.** Rugs should be cleaned and, if necessary, repaired regularly and all fastenings kept in good working order. A spare rug should be available to allow a very wet rug to be dried out.

Supervision

- **41.** Animals at grass should be inspected at least once a day, preferably more often. Stabled or group-housed animals should be inspected at least twice a day, again preferably more frequently. Particular attention should be paid to their gait, demeanour, feet, body condition and appetite so that early signs of disease, injury, illness or signs of parasites can be noticed and appropriate treatment promptly provided. Close examinations should also be conducted at regular intervals in order to identify any problems (e.g. skin conditions such as lice, rain scald, mud fever, ringworm and sweet itch) which may not be apparent from a distance.
- **42.** Where practical the hooves of horses, ponies, donkeys and hybrids should be picked out daily and at the same time examined for signs of pain, wounds, injury, loose shoes, impacted foreign material or anything else unusual.
- **43.** Apart from those on turnout with little work, animals should be groomed regularly to ensure the coat is clean, free from wounds or parasites and to detect rug, tack or harness rubbing. Particular attention must be taken to ensure mud and dirt is removed prior to them being tacked up but grooming of animals at grass, particularly in winter, must not be excessive as it could remove protective grease and dirt.

The Need for a Suitable Diet

Feed

- **44.** Horses, ponies, donkeys and hybrids are naturally "trickle" feeders, who eat little and often, whose diet is mainly grasses, which have a high roughage and low energy content. They should be provided with a balanced, predominately fibre-based diet: either grass, hay, haylage or a hay replacement in order to mimic their natural feeding pattern as closely as possible. They should be fed an appropriate diet that reflects their needs and maintains good condition. Consideration should include the age, type, weight, condition, health and level of work of the individual.
- **45.** Good grazing should ensure an adequate intake of roughage and minerals; if grazing is poor supplementary feeding may be required. One way to limit grazing in large areas of grazing land is to divide the land into strips by using electric fencing.
- **46.** All conserved forage should be of good quality; it should be clean (free from soil, debris and poisonous plants), smell fresh and be free from dust and mould. Feeding forage at floor level is good for the animals' respiratory health, provided the underlying ground is kept reasonably clean. It also means that they eat in a similar position to that when grazing naturally.
- **47.** The quantity of cereals fed as supplementary feed in addition to any grazing or similar fodder should be no more than that necessary to provide the required energy for the type of work done and body condition of the animal. Each feed should be well mixed and freshly prepared. Animals should not be asked to perform hard or fast work on a full stomach.
- **48.** Feed should be correctly processed, stored in vermin-proof containers, carefully handled to prevent spoiling and to ensure the nutritional value is maintained. Feed containers and utensils should be kept clean to discourage rodents and protect the health of the animal. Contaminated, mouldy or stale leftover food and forage should not be fed to the animals and should be removed daily.
- **49.** Where loose horses, ponies, donkeys or hybrids are fed in groups there should be one feeder per animal plus an extra feeding point. Two body lengths should be allowed between feeders to minimise the risk of injury through competition for food.
- **50.** The weight and condition of every animal should be monitored regularly to avoid welfare problems and feeding adjusted as necessary for animals that are too fat or too thin. Obesity and over eating remains the major cause of laminitis. At any time of year fat animals will fall into the high risk category for developing laminitis. Fat animals, particularly when the lush spring grass or during an autumn growth of flush with its high energy content is freely available, are particularly at risk. Grazing may therefore need to be restricted at this time. See Appendix C for details of Condition Scoring which can help owners and keepers monitor their animal's weight and condition to avoid both obesity and emaciation. Owners should aim for a condition score of between 2.5 and 3.



Water

- **51.** It is essential that all animals have continuous access to a clean supply of fresh water or that adequate clean water is made available to them on a frequent and regular basis throughout the day. Natural water sources such as streams are not always satisfactory, as they may be contaminated, so an alternative supply may be required unless natural water sources are clean, copious, have easy access and do not have a sandy base which may cause problems if disturbed when the animals drink. Extra care should be taken during hot or icy weather to ensure the water supply is maintained and sufficient, for example, by regularly breaking the ice during cold spells or providing an additional water source during hot weather. Additional water may need to be provided after exercise.
- **52.** The water trough should be securely fixed at a convenient height to allow, if necessary, animals of different size to drink comfortably and it should not be possible for them to paw the water or dislodge the trough and knock it over. There should be no sharp edges, protruding corners or exposed taps they should be boxed in. Water troughs and containers should be cleaned regularly to prevent the build up of algae. Troughs should be positioned in a way so that it would not be possible for an animal to be trapped or cornered in the area of the trough. Where buckets are used, they should be checked regularly to ensure that the animal has water.



The Need to Exhibit Normal Behaviour Patterns

- **53.** Horses and ponies require adequate exercise, or freedom to exercise, and this will require time and effort from the owner or keeper. Animals that are continuously stabled should be either exercised (ridden or in hand) or be given space in which to exercise themselves each day, unless under veterinary advice to do otherwise. Ideally all animals should be permitted a period of free exercise (i.e. not ridden or restrained by lead rein) every day, either via turnout or in a school.
- **54.** Horses, ponies, donkeys and hybrids require calm, consistent and sympathetic handling by competent people. They respond best to a firm but gentle approach and to rewards for correct responses.



The Need to be Housed with, or Apart from, other Animals

- **55.** Being gregarious animals they prefer to live in social groups. Ideally they should be socialised with members of their own species but, where this is not possible, other animals, such as cattle, sheep or goats may be used to provide company. They also enjoy human company so, if kept on their own, they require more frequent human contact and supervision. Donkeys have particular socialisation needs and can, for example, become ill if separated from a companion.
- **56.** They should always be treated as individuals even when kept in large groups. When forming new groups care should be taken to avoid fighting and stress, particularly if they are to be mixed together. This risk can be reduced by increasing the space allowance or by penning the new animal close to the existing group for a short period and/or removing back shoes of all animals during the introduction period. Separation of incompatible animals is particularly important in this system; they should not be mixed in fields or communal barns if any one individual is aggressive. Incompatible individuals, such as entire males (colts, stallions) and "rigs" (a stallion with undescended testicles or a horse which has been incompletely castrated) should be managed in order to prevent fighting or injury. In communal barns mares heavily in foal or with foal at foot should also be separated from other animals. When living in groups they always develop a pecking order, so it is important to be aware of bullying. It is also important that the correct amount of feed and water is provided for all the animals in the group. Care needs to be taken to ensure that those lower down the pecking order are getting the feed and water they require.
- **57.** As a general rule the more animals kept, the more time, effort and resources are required to safeguard their welfare. Individuals in larger groups are likely to encounter more competition for food and water, shelter and social position.



The Need to be Protected from Suffering, Injury and Disease

Discipline and restraint

58. It is an offence to cause an animal unnecessary suffering; therefore, any discipline should be appropriate, timely, reasonable and proportionate. A whip or a stick should only be used as an additional aid, not as a means of punishment. Similarly any restraint method used to assist normal management or treatment of the animal should be the most mild and effective method available and should be applied by a competent person only for the minimum period necessary. Sedatives must only be used under veterinary advice. Roundpens and small electrified fenced areas should not be used to discipline animals and are not suitable for keeping them in for long periods of time.

Prompt recognition of ill health

- **59.** Everyone responsible for the supervision of horses, ponies, donkeys or hybrids should be able to recognise signs of ill health, should have a basic knowledge of first aid and have access to a basic first aid kit. It is also important that owners and keepers have access to a veterinary surgeon to diagnose or treat any illness, injury or disease and have their contact details easily available, including out of hours details. Horse passports should be easily accessible, otherwise some treatments may not be available.
- **60.** Owners and keepers should be able to recognise the normal behaviour of their animals and recognise the signs that indicate poor health. Donkeys can be very stoical and owners need to be even more observant to identify illnesses. The signs of illness include:
 - change in appetite (for food and water);
 - change in droppings;
 - change in demeanour or behaviour;
 - losing body and coat condition; and
 - any signs of pain or the presence of any injury or lameness.
- **61.** When an animal becomes unwell, the cause of this deterioration should be identified and immediate remedial action taken. Veterinary advice should be obtained if the animal appears to be ill or in pain and the cause is not clear or if initial first aid treatment is not effective. In the case of foot problems, advice could be obtained from a registered farrier. Advice from the veterinary surgeon or farrier should be followed diligently.
- **62.** Veterinary advice should be sought immediately if the animal is suffering from severe lameness, recumbency, signs of acute pain, respiratory distress, or deep puncture wounds or large open wounds.

Routine health care

- **63.** A parasite control programme should be put in place following consultation with a veterinary surgeon; this may include the use of wormers, and appropriate faecal worm egg counts. Careful pasture management including the rotation of grazing and dung collection is an important part of an effective parasite control programme. Where groups of horses, ponies, donkeys or hybrids are kept together, worming programmes are most effective if they are all treated simultaneously with the same product (or at the very least different products with the same active ingredient).
- **64.** There should be adequate control of infectious and contagious disease by a programme agreed with a veterinary surgeon, which will include appropriate hygiene and isolation procedures and vaccination. The main diseases for which vaccination is available are equine influenza, tetanus and equine herpes virus.
- **65.** Teeth should be inspected by a veterinary surgeon or qualified equine dental technician at least once a year, and rasped or otherwise treated if necessary. Animals with worn or abnormal teeth are unable to chew their food properly which leads to poor digestion. Owners and keepers should look out for signs of this problem, such as: half-chewed food dropping out of the mouth; poor condition and lack of energy; and abnormal mouth movements when ridden.

The Farriers (Registration) Act 1975 states:

Under this Act it is an offence for an unregistered person to describe himself as a farrier or shoeing smith, and it is an offence for an unregistered person to carry out an act of farriery. An act of farriery is described as "any work in connection with the preparation or treatment of the foot of a horse for the immediate reception of a shoe thereon, the fitting by nailing or otherwise of a shoe to the foot or the finishing off of such work to the foot".

66. Every owner and keeper should have some understanding of the care of an animal's feet, which grow continuously and the need to treat lameness promptly and effectively. Feet should be trimmed by a competent person and attention should be given to their growth and balance. They should not be expected to work at a level above that which the hooves are capable of, whether shod or unshod. In the main, animals ridden or driven on roads or hard, rough surfaces will need to be regularly shod by a registered farrier. However, if they are used unshod they will need to be carefully managed, and receive regular hoof care which ensures their use on difficult surfaces does not cause them to become sore. The Farriers (Registration) Act 1975 requires anyone shoeing horses to register each year with the Farriers Registration Council. This includes those people who only shoe their own animals, although you do not have to be registered if you only trim your own animals' feet unless they are being prepared for shoeing. Loose shoes and those with risen clenches should receive prompt attention from a farrier to prevent possible injury. Hooves should be trimmed or re-shod as advised by the farrier, which should usually be every 4-8 weeks.

67. Flies can cause a great deal of irritation to horses, ponies, donkeys or hybrids, particularly during the summer, and can introduce infection to wounds so an appropriate treatment from a veterinary surgeon should be used. Midges can also be a source of irritation during the spring and summer and can cause sweet itch (an allergic skin condition). Consideration should be given to preventative fly and midge control through the use of fly repellents, fly rugs or masks and, for animals sensitive to fly or midge bites, stabling at dawn and dusk when flies and particularly midges are most active.

Saddlery and harness

- **68.** Saddlery and harness should be suitable for the purpose, being appropriate to the needs and abilities of both the animal and rider. They should be correctly fitted, preferably by a qualified saddler and the fit should be checked when the animal changes condition. Equipment should be regularly cleaned and maintained in good order to ensure comfort, safety and effectiveness. Bits should be appropriate for the individual animal; halters and head collars should not be left on unattended animals for a long period of time. Particular care needs to be taken when used on young or growing animals; and these items should be checked frequently for deterioration, rubbing, wear or damage.
- **69.** Boots and bandages, if used, should be suitable for the purpose, correctly fitted to avoid discomfort or injury and only left on for the minimum time necessary.

Transporting horses, ponies, donkeys and hybrids

70. The transportation of animals should always be as safe and stress free as possible and in accordance with legal requirements.

Annex 1 of Council Regulation (EC) 1/2005 requires that animals are fit to be transported and states that:

No animal shall be transported unless it is fit for the intended journey, and all animals shall be transported in conditions guaranteed not to cause them injury or unnecessary suffering.

Animals that are injured or that present physiological weakness or pathological processes shall not be considered fit for transport and in particular if:

- (a) they are unable to move independently without pain or to walk unassisted;
- (b) they present a severe open wound, or prolapse;
- (c) they are pregnant females for whom 90% or more of the expected gestation period has already passed, or females who have given birth in the previous week;
- (d) they are new born mammals in which the navel has not completely healed.

(c) and (d) do not apply to **registered**¹ equidae if the purpose of the journey is to improve the health and welfare conditions of birth, or for newly born foals with their registered mares, provided that in both cases the animals are permanently accompanied by an attendant, dedicated to them during the journey.

1 Registered equidae have a restricted definition and only applies to those covered by article 2(c) of Directive 90/426 EEC and covers horses registered by a breeding or other authority but excludes those intended for slaughter.

- **71.** The EC Regulation, has direct effect, and is implemented in Scotland by the Welfare of Animals (Transport) (Scotland) Regulations 2006 (S.S.I. 2006/606) and equidae are registered under the Horses (Zootechnical Standards) (Scotland) Regulations 2008 (S.S.I. 2008/99).
- **72.** However, the EC Regulation does not apply to the transport of animals when the journey is not in connection with an economic activity nor to the transport of animals directly to or from veterinary practices or clinics, under the advice of a veterinary surgeon.
- **73.** The EC Regulation also requires everyone transporting animals on any journey to ensure that journey times are kept to a minimum:
 - No one shall transport animals, or cause them to be transported, in a way likely to cause them injury or undue suffering;
 - The vehicle and its loading and unloading facilities are designed, constructed and maintained to avoid injury and suffering to ensure the safety of the animals;
 - Water, feed and rest are given to the animals as needed and sufficient floor space and height is available in the transport;
 - Horses, ponies, donkeys and hybrids older than 8 months must wear halters during transport unless they are unbroken;
 - If they are transported on a multi-deck vehicle they must only be carried on the lowest deck, with no other animals above them. In this circumstance, the compartment height must be at least 75cm higher than the height of the withers of the highest animal;
 - They must be transported in individual stalls when the vehicle is on a RO-RO vessel, with the exception that a mare may travel with her foal;
 - They must not be transported in groups of more than four animals;
 - Unbroken animals must not be transported for more than 8 hours.

Failure to comply with the EC Regulation is an offence under S.S.I. 2006/606.

Euthanasia

- 74. It may be necessary, in the event of incurable illness, old age or permanent unsoundness or, more suddenly, in the event of an accident, to arrange the humane destruction of the animal. The animal's welfare must always come first. Therefore, in the interests of the animal, owners and keepers should give this their full consideration well before the time comes to make a decision to prevent them suffering unnecessary pain and distress.
- **75.** Where, in the opinion of a veterinary surgeon, an animal is significantly suffering, has not responded to treatment for a serious injury or condition involving significant pain, has a disease or injury from which there is no prospect of recovery and for which no treatment is available, or where an animal is in such a condition that it would be inhumane to keep it alive, the animal should be humanely destroyed. In such cases this should be without delay and by a veterinary surgeon or an appropriately experienced and equipped person such as a knackerman or hunt kennel employee by an approved method.

- **76.** In a non-emergency situation, where an animal is permanently unsound or has a recurring or permanent and steadily worsening condition, a rational decision should be made with due regard for the animal's future and welfare.
- **77.** As they become older their needs may become greater, they may well require increased supervision and additional veterinary care. When an animal reaches the end of its active working life, or is very elderly, consideration should be given to whether it can be provided with a good quality of life in retirement. Owners have a responsibility to ensure that they or whoever is entrusted with the care of such an animal is fully aware of the needs of that animal and consideration should be given as to whether it would be kinder to have the animal painlessly destroyed.
- **78.** Following the death of an animal the owner must return the passport to the relevant Passport Issuing Organisation within 30 days of its death indicating the date of death so that records can be updated and the passport cancelled.

Disposal after the death of an animal

79. On the death of an animal the body must be disposed of in accordance with the provisions of the Animal By-Products (Scotland) Regulations 2003 (S.S.I 2003/411). These allow the body of a pet animal to be buried on the owner's land provided this can be done in compliance with the PEPFAA Code (Prevention of Environmental Pollution From Agricultural Activity) and with prior consultation with the Scottish Environment Protection Agency (SEPA). This exception from the general rule does not apply to animals which have not been kept as pets, such as horses used for hire from riding stables or beach donkeys. These animals are treated as "fallen stock" and must be disposed of by an approved rendering or incineration plant, or via a knackery. Carcasses must not be introduced onto land for the purpose of burial.

Richard Lockhert

A member of the Scottish Executive

St Andrew's House Edinburgh

19 February 2009

Appendix A: The Animal Health and Welfare (Scotland) Act 2006

The following sections of the Act are referred to in the Code and are set out here for ease of reference:

The boxes below contain extracts from the relevant sections of the Act.

The box shaded in green summarises the relevant offences and penalties in the Act.

Section 18 of the Animal Health and Welfare (Scotland) Act 2006 provides:

Responsibility for animals

- (1) In this Part [the welfare part of the Act], references to being responsible for an animal mean being responsible for it on a permanent or temporary basis.
- (2) In this Part, references to being responsible for an animal include being in charge of it.
- (3) For the purposes of this Part, a person who owns an animal is always to be regarded as being a person who is responsible for it.
- (4) For the purposes of this Part, a person ("person A") is to be regarded as responsible for any animal for which a person who is under 16 years of age, of whom person A has the actual care and control, is responsible.
- (5) For the purposes of this Part, a person does not relinquish responsibility for an animal by reason only of abandoning it.

Section 19 of the Animal Health and Welfare (Scotland) Act 2006 provides:

Unnecessary suffering

- (1) A person commits an offence if:
 - (a) the person causes a protected animal unnecessary suffering by an act, and
 - (b) the person knew, or ought reasonably to have known, that the act would have caused the suffering or be likely to do so.
- (2) A person who is responsible for an animal commits an offence if:
 - (a) the person causes the animal unnecessary suffering by an act or omission, and
 - (b) the person knew, or ought reasonably to have known, that the act or omission would have caused the suffering or be likely to do so.
- (3) A person ("person A") who is responsible for an animal commits an offence if:
 - (a) another person causes the animal unnecessary suffering by an act or omission, and
 - (b) person A:
 - (i) permits that to happen, or
 - (ii) fails to take steps (whether by way of supervising the other person or otherwise) as are reasonable in the circumstances to prevent that happening.

- (4) The considerations to which regard is to be had in determining, for the purposes of subsections (1) to (3), whether suffering is unnecessary include:
 - (a) whether the suffering could reasonably have been avoided or reduced,
 - (b) whether the conduct concerned was in compliance with any relevant enactment or any relevant provisions of a licence or code of practice issued under an enactment,
 - (c) whether the conduct which caused the suffering was for a legitimate purpose, for example:
 - (i) the purpose of benefiting the animal, or
 - (ii) the purpose of protecting a person, property or another animal,
 - (d) whether the suffering was proportionate to the purpose of the conduct concerned,
 - (e) whether the conduct concerned was in the circumstances that of a reasonably competent and humane person.
- (5) This section does not apply to the destruction of an animal in an appropriate and humane manner.

Section 24 of the Animal Health and Welfare (Scotland) Act 2006 provides:

Ensuring welfare of animals

- (1) A person commits an offence if the person does not take such steps as are reasonable in the circumstances to ensure that the needs of an animal for which the person is responsible are met to the extent required by good practice.
- (2) The circumstances to which, for the purposes of subsection (1), regard is to be had include:
 - (a) any lawful purpose for which the animal is kept,
 - (b) any lawful activity undertaken in relation to the animal.
- (3) For the purposes of subsection (1), an animal's needs include:
 - (a) its need for a suitable environment,
 - (b) its need for a suitable diet,
 - (c) its need to be able to exhibit normal behaviour patterns,
 - (d) any need it has to be housed with, or apart from, other animals, and
 - (e) its need to be protected from suffering, injury and disease.
- (4) This section does not apply to the destruction of an animal in an appropriate and humane manner.

Section 37 of the Animal Health and Welfare (Scotland) Act 2006 provides:

Animal Welfare Codes

- (8) A person's failure to comply with a provision of an animal welfare code does not of itself render the person liable to proceedings of any sort.
- (9) In any proceedings for an offence under this Part, or under regulations made under section 26 or 27:
 - (a) failure to comply with a relevant provision of an animal welfare code may be relied upon as tending to establish liability,
 - (b) compliance with a relevant provision of an animal welfare code may be relied upon as tending to negative liability.

Offences and Penalties

A person who is convicted of an offence under section 19 (Unnecessary suffering) of the Act may be imprisoned for a maximum period of 12 months and/or fined up to £20,000. If they are convicted of an offence under section 24 (Ensuring welfare of animals) or section 29 (Abandonment) they can be imprisoned for a maximum period of 6 months and fined up to level 5 on the standard scale – the maximum is currently £5,000.

Appendix B: Tethering

A Suitability of the animal

- 1. Not all animals are suitable for tethering.
- 2. Young animals under two years old should not be tethered.
- 3. Pregnant animals should not be tethered in the last third of pregnancy.
- 4. Nursing mothers should not be tethered.
- 5. Mares should not be tethered near stallions.
- 6. Stallions should not be tethered.
- 7. Sick animals should not be tethered.
- 8. Old and infirm animals should not be tethered.
- **B** Site (the area to which the tethered animal has access)
- 1. The site should be reasonably level, have good grass cover, and be free of any objects, natural or man made, which could ensnare the tether.
- 2. The site should not allow the horse access to a public roadway.
- 3. A site in which a high proportion of the herbage consists of weeds is not suitable.
- 4. The site should not be waterlogged.
- 5. The site should not be crossed by any public right of way.
- 6. The site should not have anything on it, which might injure an animal.
- 7. The site should not be used without the written permission of the landowner.
- 8. An adequate area for tethering should allow access by any part of the animal's body and with an extra 4 metres between the hind quarters of one animal and another.

C Tethering equipment

- 1. Either a well-fitting leather head collar, or a broad leather neck strap must be used. These should be fitted with a 360° swivel device where the chain is attached.
- 2. The chain should be approximately 20ft in length, and must be strong enough to prevent breakage, but light enough to prevent pressure sores from the tethering equipment. Rope or nylon should not be used.
- 3. The ground stake must not protrude above ground level, and must be fitted with a 360° swivel.

D Food and water

- 1. In many cases the site will provide adequate food in the form of grass; where this is the case the tether site should be changed at least once daily to ensure the quality of the pasture.
- 2. If the grass is not sufficient for the animal's need, sufficient forage food should be available throughout each day.
- 3. Water should be made available, on a regular basis throughout the day, in a spill-proof container.
- 4. Containers for concentrate food should be kept in a clean and safe condition.

E Shelter

- 1. Animals should not be exposed to the full heat of the sun, to heavy rain, snow or hail, or to strong winds for other than very short periods. In extremes of weather shelter should be provided.
- 2. Shelter should, at a minimum, provide shade from the sun and from severe wind. In prolonged rain, a well drained area or hard standing must be available.

F Exercise

1. Animals must be given freedom to exercise off the tether for a reasonable period at least once a day.

G Supervision

- 1. Tethered animals require a high level of supervision, and should be inspected no less frequently than six hourly intervals during normal waking hours.
- 2. Provision should be made to deal with situations where extremes of weather or other circumstances occur.

H Identification

- 1. All tethered animals should be marked in such a way as to be permanently identifiable, and from this identification the keeper or owner should be able to be readily contacted.
- 2. This could be achieved by use of a freeze-brand or microchip registered with a 24-hour access database.
- 3. Alternatively the animal could have some form of identification attached to the head collar or neck strap giving full details of the keeper or owner.
- 4. It will be a requirement that all animals born after 1st July 2009 will have to be microchipped. All details will appear on the National Equine Database.

I Other requirements

1. Animals may need protection from ill-intentioned persons.

Appendix C: Body Score Charts

Body condition scoring of horses

Very Poor 0 1114 1 Poor Min. 2 Moderate 6 7.7 3 Good 6 4 Fat 6 Very Fat 5 _

Body condition scoring of horses

C/S	Pelvis	Back and Ribs	Neck
0 Very Poor	Angular, skin tight. Very sunken rump. Deep cavity under tail.	Skin tight over ribs. Very prominent and sharp backbone.	Marked ewe neck. Narrow and slack at base.
1 Poor	Prominent pelvis and croup. Sunken rump but skin supple. Deep cavity under tail.	Ribs easily visible. Prominent back bone with sunken skin on either side.	Ewe neck, narrow and slack base.
2 Moderate	Rump flat either side of backbone. Croup well defined, some fat. Slight cavity under tail.	Ribs just visible. Backbone covered but spines can be felt.	Narrow but firm.
3 Good	Covered by fat and rounded. No gutter. Pelvis easily felt.	Ribs just covered and easily felt. No gutter along the back. Backbone well covered but spines can be felt.	No crest (except for stallions) firm neck.
4 Fat	Gutter to root of tail. Pelvis covered by fat. Need firm pressure to feel.	Ribs well covered – need pressure to feel. Slight crest.	Wide and firm.
5 Very Fat	Deep gutter to root of tail. Skin distended. Pelvis buried cannot be felt.	Ribs buried, cannot be felt. Deep gutter along back. Back broad and flat.	Marked crest very wide and firm. Fold of fat.

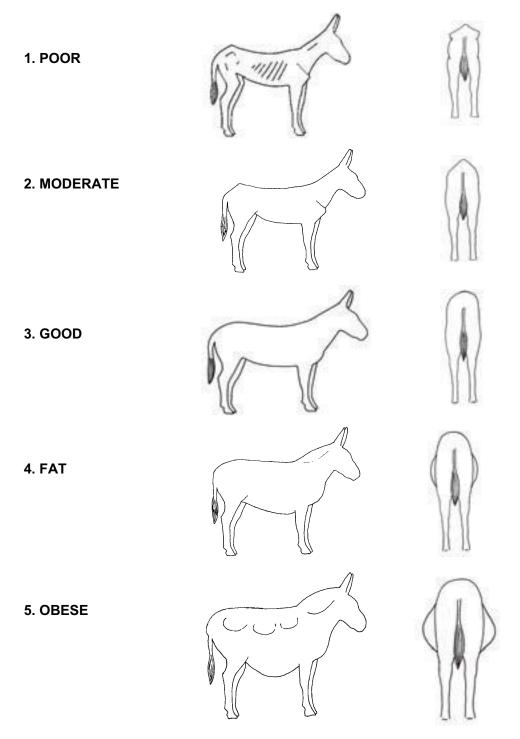
(Based on the Carroll and Huntington Method)

To obtain a body score, score the pelvis first, then adjust by half a point if it differs by one point or more to the back or neck.

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Body condition scoring of donkeys



Fat deposits may be unevenly distributed especially over the neck and hindquarters. Some resistant fat deposits may be retained in the event of weight loss and/or may calcify (harden). Careful assessment of all areas should be made and combined to give an overall score

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Body condition scoring of donkeys

	Neck and Shoulders	Withers	Ribs and Belly	Back and Loins	Hindquarters
1 Poor	Neck thin, all bones easily felt. Neck meets shoulder abruptly, shoulder bones felt easily, angular.	Dorsal spine of withers prominent and easily felt.	Ribs can be seen from a distance and felt with ease. Belly tucked up.	Backbone prominent, can feel dorsal and transverse processes easily.	Hip bones visible and felt easily (hock and pin bones). Little muscle cover. May be cavity under tail.
2 Moderate	Some muscle development overlying bones. Slight step where neck meets shoulders.	Some cover over dorsal withers, spinous processes felt but not prominent.	Ribs not visible but can be felt with ease.	Dorsal and transverse processes felt with light pressure. Poor muscle development either side midline.	Poor muscle cover on hindquarters, hip bones felt with ease.
3 Good	Good muscle development, bones felt under light cover of muscle/fat. Neck flows smoothly into shoulder, which is rounded.	Good cover of muscle/fat over dorsal spinous processes withers flow smoothly into back.	Ribs just covered by light layer of fat/muscle, ribs can be felt with light pressure. Belly firm with good muscle tone and flattish outline.	Cannot feel individual spinous or transverse processes. Muscle development either side of midline is good.	Good muscle cover in hindquarters, hip bones rounded in appearance, can be felt with light pressure.
4 Fat	Neck thick, crest hard, shoulder covered in even fat layer.	Withers broad, bones felt with firm pressure.	Ribs dorsally only felt with firm pressure, ventral ribs may be felt more easily. Belly over developed.	Can only feel dorsal and transverse processes with firm pressure. Slight crease along midline.	Hindquarters rounded, bones felt only with firm pressure. Fat deposits evenly placed.
5 Obese	Neck thick, crest bulging with fat and may fall to one side. Shoulder rounded and bulging with fat.	Withers broad, unable to feel bones.	Large, often uneven fat deposits covering dorsal and possibly ventral aspect of ribs. Ribs not palpable. Belly pendulous in depth and width.	Back broad, unable to feel spinous or transverse processes. Deep crease along midline bulging fat either side.	Cannot feel hip bones, fat may overhang either side of tail head, fat often uneven and bulging.

Half scores can be assigned where donkeys fall between scores. Aged donkeys can be hard to condition score due to lack of muscle bulk and tone giving thin appearance dorsally with dropped belly ventrally, while overall condition may be reasonable.

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Appendix D: Sources of information

Legislation

- Animal Health & Welfare (Scotland) Act 2006
- The Farriers (Registration) Act 1975
- Riding Establishments Acts 1964 and 1970
- The Weeds Act 1959
- Council Regulation (EC) No 1/2005 on the protection of animals during transport and related operations
- The Welfare of animals (Transport) (Scotland) Regulations 2006
- Horse Passports (Scotland) Regulations 2005

Copies of the above legislation can be found on the Office of Public Sector Information (OPSI) website www.opsi.gov.uk/legislation/uk.

Websites of relevant organisations

- British Horse Society Scotland
- www.bhsscotland.org.uk
- World Horse Welfare
- www.worldhorsewelfare.org

British Horse Society

• www.bhs.org.uk

Scottish SPCA

- www.scottishspca.org
- National Equine Welfare Council
- www.newc.co.uk

The Pony Club

www.pcuk.org

British Veterinary Association

www.bva.co.uk

British Equine Veterinary Association

• www.beva.org.uk

World Environment Foundation

• www.wef.org.uk

The Farriers Registration Council

• www.farrier-reg.gov.uk

The Donkey Sanctuary

www.thedonkeysanctuary.org.uk

Humane Slaughter Association

• www.hsa.org.uk

Publications relevant to topics covered by the Code

Scottish Government Publication
Horse Passports: Guidance for all horse owners.
Guidance on How to Prevent the Spread of Ragwort

• British Horse Society Publications:

The Complete Horse & Pony Care BHS Guide to Grassland management The BHS Complete Manual of Stable Management The BHS Veterinary Manual The BHS First Horse Owner Pack The BHS Fire Safety in Equine Premises

BHS Welfare leaflets covering a wide range of topics can be downloaded via the BHS website listed on the previous page follow the links to Welfare then leaflets.

• The Donkey Sanctuary

A Guide to Caring for your Donkey The Professional Handbook of the Donkey

• Pony Club Publications:

Manual of Horsemanship Keeping a Pony at Grass

National Equine Welfare Council

Equine Industry Welfare Guidelines Compendium Code of Practice for Markets and Sales involved with the selling of Horses, Ponies and Donkeys Code of Practice for the Tethering of Horses, Ponies, and Donkeys Code of Practice for Welfare Organisations involved in the keeping of Horses Ponies and Donkeys

British Equine Veterinary Association

Horse Care Guide

Further information

For further information relating to this Code please contact the Scottish Government Animal Welfare Policy Team, Tel No: 0131 556 8400, 0845 774741 (local rate) or by Email: animal.health@scotland.gsi.gov.uk.

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Appendix E: Scottish Passport Issuing Organisations

Clydesdale Horse Society: Tel No: 01575 570900 Email: secretary@clydesdalehorsesociety.com

Eriskay Pony Mother Studbook Society – Comann Each Nan Eilean: Tel No: 01878 700130 Email: eriskaypony@btinternet.com or eps-cene@btinternet.com

Eriskay Pony Society: Tel No: 0131 441 7785 Email: susanwalker@tinyworld.co.uk

Highland Pony Society: Tel No: 01738 451861 Email: info@highlandponysociety.com

Scottish Icelandic Horse Association: Tel No: 01569 740239 Email: info@siha.org.uk

Scottish Sports Horse: Tel No: 0870 770 8880 Email: Jackie@jackieaird.demon.co.uk

Shetland Pony Society: Tel No: 01738 623471 Email: enquiries@shetlandponystudbooksociety.co.uk

Guidance on how to obtain a horse passport is available from the Scottish Government, Animal Health – Disease Prevention Branch, Tel No: 0131 556 8400 or 0845 7741741 (local rate).



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This document is also available on the Scottish Government website: www.scotland.gov.uk

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Further copies are available from Rural Directorate Animal Health and Welfare Division Pentland House 47 Robb's Loan Edinburgh EH14 1TY Tel: 0131 556 8400

