An Roinn Talmhaíochta,
Bia agus Mara
Department of Agriculture,
Food and the Marine

DEROGATIONS CONCERNING THE ORGANISING OF EQUINE COMPETITIONS IN IRELAND

Information Note

A **derogation** is a provision in an EU legislative measure which allows for all or part of the legal measure to be applied differently.

European legislation, COUNCIL DIRECTIVE of 26 June 1990[1] (Council Directive 90/428/EEC), lays down the conditions governing trade in equidae intended for competitions and the conditions governing their participation therein. In this Directive, a '*competition*' is defined as any equestrian competition, including horse racing, show-jumping, eventing, dressage, events reserved for horse-drawn vehicles and showing classes.

The Directive states that

"1. the rules of competitions may not discriminate between equidae which are registered in the Member State in which the competition is being held and equidae registered in another Member State.
2. The rules of competitions may not discriminate between equidae originating in the Member State in which the competition is being held and equidae originating in another Member State."

These obligations set out above shall apply 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"

However, the Directive outlines where these obligations may not be applied where the following competitions are organised:

[1] *COUNCIL DIRECTIVE of 26 June 1990 on trade in equidae intended for competitions and laying down the conditions for participation therein (90/428/CEE)*

"(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."

Where this is the position and an organisation intends to impose restrictions in their competition rules, in terms of discrimination of equidae, they must apply to the Department of Agriculture, Food and the Marine (DAFM) for a derogation to apply such conditions. DAFM will evaluate any application request and authorise a derogation in accordance with Council Directive 90/428/EEC where appropriate.

Derogations **must** be applied for on 'Application Form EQ DER2024' and approval must be authorised before the competitions begin. In order to ensure sufficient time to process any application, please submit at least **two months in advance** of the intended competition.

All derogations authorised will be published on the Department of Agriculture, Food and the Marine's website in line with the requirements of Council Directive 90/428/EEC.

The Minister may or may not approve the derogation under Council Directive 90/428/EEC and S.I. 506 of 2023[2].

For further information and/or to obtain an application form to apply for derogation please contact:

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Livestock Breeding, Production and Trade Division
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[2] *European Communities (Equine) Regulations 2023*