



**Tithe an
Oireachtais
Houses of the
Oireachtas**

An Comhchoiste um Thalmhaíocht, Bia agus Muir

Thionscal Capall na hÉireann

Joint Committee on Agriculture, Food and the Marine

The Irish Horse Industry

No. AFM 012

January 2016



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Chairman's Foreword



In 2014, the Joint Committee on Agriculture, Food and the Marine (the Committee) held pre-legislative scrutiny on the General Scheme of Horse Racing Ireland (Amendment) Bill and was pleased to have the opportunity to feed into this significant piece of legislation. On foot of this, the Committee considered other areas of equine policy and prioritised the issue of the distribution of funding across the different sectors in the industry in its work programme for 2015. The Joint Committee also deemed it appropriate to elevate the issues of registration, welfare and betting and include these in the Report.

The Joint Committee held a number of meetings with relevant stakeholders to ensure that the various strands of the Irish equine industry were addressed. This report is an overarching assessment of a wide industry and the Committee recognises the potential for Ireland to progress from a healthy equine sector to a world-class one and has made recommendations which it believes will help to achieve this.

I would like to record our appreciation to all the stakeholders who made oral and written submissions to the Joint Committee. I would also like to express my appreciation to the Members of the Joint Committee, Ms Susan Byrne, the Oireachtas Library & Research Service, and the Committee Secretariat for their ongoing assistance.

The Joint Committee now presents this report to the Minister for Agriculture, Food and the Marine for his consideration.

A handwritten signature in blue ink, reading 'Andrew Doyle' followed by a stylized flourish.

Andrew Doyle T.D.
Chairman

Introduction

The Joint Committee on Agriculture, Food and the Marine (hereinafter the “Committee”) agreed to examine the horse industry in Ireland when considering its Work Programme for 2014. In June of that year, the Minister for Agriculture, Food and the Marine, Mr Simon Coveney T.D. published the draft heads of the Horse Racing Ireland (Amendment) Bill 2014. Following its publication, the Minister referred the draft heads of the Bill to the Joint Committee for review and consideration to which it duly carried out and reported back to the Minister in October 2014.

The Committee recognising that Ireland has the raw materials in terms of land, climate and knowledge to maintain a world class equine industry and to grow it in terms of employment believe that there should be a national plan for the development of the industry and that the necessary extra funding required to implement it should be raised through increased revenue from the betting levy.

It has also evaluated issues of welfare and assessed the roles and resources of the welfare organisations.

The Committee wishes to reiterate a number of its recommendations in its *Report on the General Scheme of the Horse Racing Ireland (Amendment) Bill 2014*. These recommendations related to matters such as governance; that state representation on the board of the HGRF be increased and that the Minister be empowered to withhold funds paid to HRI in cases where he is not satisfied with the implementation of their plans. Further recommendations called for the RRB to be kept separate from HRI in terms of funding and regulatory decisions. Additionally, it was recommended that point-to-point racing sector should not be brought under the remit of HRI.

Over the course of the meetings of the Committee with stakeholders involved in the Irish equine industry, it emerged that the harness racing sector in Ireland was facing significant difficulties in terms of recognition, funding, and governance. Therefore, the Committee decided to examine the area in detail, and met with the Irish Harness Racing Association (IHRA), HRI, and HSI to discuss the problems facing harness racing.

The report is divided into the following sections.

Section 1 provides a brief overview of the industry in term of its economic contribution as well as its governance structures and funding.

Sections 2 to 7 cover a number of issues that were raised by stakeholders during the committee’s examination of the topic namely funding, registration and traceability, welfare, encouraging greater participation in the industry, breeding issues, and the harness racing sector. Each of these sections concludes with the Committee’s recommendations.

Recommendations

The Committee has identified recommendations under the following sections:

SECTION 1– OVERVIEW OF THE HORSE INDUSTRY IN IRELAND

Recommendation 1: The Committee recommends that a national plan for the equine industry in Ireland should be developed encompassing the sectors covered in this report.

Recommendation 2: That overall responsibility for all horse and related equine matter transfer to the Department of Agriculture, Food and Marine with a specific division within DAFM for equine issues.

Recommendation 3: That all funding for the horse industry should be under the remit of DAFM to cover HRI, HSI, Irish Greyhound Board (IGB). This funding should encompass welfare matters and the development of urban horse projects, while allowing the funding of elite show jumpers to remain with the Sports Council.

SECTION 2– FUNDING

Recommendation 4: That increased funding be made available for the development of the thoroughbred sector by increasing the revenue derived from the betting duty.

Recommendation 5: That the Irish Equine Centre set up and run by the ITBA, with funds from the foal levy should receive extra state funding to enable it examine and work on all issues in relation to equine health.

Recommendation 6: That the structure of the foal levy be examined to ensure that it is fair and equitable and not placing an unfair burden on small breeders.

SECTION 3 – REGISTRATION, TRACEABILITY AND DISEASE CONTROL

Recommendation 7: That all existing legislation be rigorously enforced. Horse ID/passports, microchipping, registration, disease prevention regulations, and registration of premises are all worthwhile measures which require robust enforcement.

Recommendation 8: That the Transfer of Ownership regulations – S.I. No. 189 of 2014 - rescinded by S.I. No. 601 of 2014 be reinstated, so that vendors as well as buyers are required to register the sale.

Recommendation 9: That registration of a horse be denied if it is not microchipped and if the premises in which it is kept, is not registered with DAFM under the Control of Places Where Horses Are Kept Regulations (S.I. No. 113 of 2014).

Recommendation 10: That the Control of Horses Act should be reviewed and all stakeholders should be consulted on the matter.

Recommendation 11: The Committee recommends that a single type of passport for registration be used.

Recommendation 12: That DAFM introduce a traceability plan similar to the Animal Identification and Movement (AIM) system in the cattle sector.

Recommendation 13: That disease control measures be put in place across the entire horse population and that the governing bodies of all disciplines set standards so that the same vaccination regime and health status applies across the industry.

Recommendation 14: That the governing bodies of all disciplines make certain vaccination routines mandatory.

Recommendation 15: That vaccination programmes, such as Equine Influenza, should be promoted.

SECTION 4 – WELFARE

Recommendation 16: That there be greater coordination and collaboration between agencies of the state on equine welfare and abandonment issues.

Recommendation 17: That a greater definition of the roles of the state agencies, enhanced collaboration and proper resources human and financial, be implemented. This should result in better compliance with welfare legislation.

Recommendation 18: That a task force be set up for each region made of up DAFM officials, local authority officials and the Garda Síochána, to target areas with high levels of equine welfare and abandonment issues and to enforce regulations.

Recommendation 19: That the responsibilities of local authorities, under the terms of the *Animal Health and Welfare Act 2013*, be clarified and defined - in terms of welfare and public safety functions - and that service agreements with DAFM be put in place.

Recommendation 20: That local authorities appoint dedicated animal welfare officials - as provided for in the *Animal Health & Welfare Act 2013* - and be resourced to do so.

Recommendation 21: That there should be greater focus on prevention of welfare abuse and abandonment. This means a better inspection system with adequate resources; more investigations; it means proper enforcement of equine ID and owner registration; it means regular spot checks on high risk areas and veterinary intervention or seizure if necessary; it means more education projects. Such an approach would pre-empt many cases of abandonment, better preserve public safety, save money, and reduce the suffering of horses.

Recommendation 22: That, following reports of the illegal importation of horses, port inspection procedures and controls be reviewed and improved.

Recommendation 23: That the agencies charged with enforcement be properly funded to ensure standards are enforced.

Recommendation 24: That DAFM commit to the creation of a coordinated system for dealing with issues of equine welfare and that it provide funding 'streams' instead of ex-gratia grants, in order to facilitate the creation of robust systems that are proactive rather than reactive.

Recommendation 25: That DAFM provide a greater subvention towards the seizing, rehabilitation and destruction of abandoned horses.

Recommendation 26: That a funding stream be formalised to the charity organisations that work on behalf of the industry. Such charities operate mainly on the strength of donations and ex gratia payments. An enhanced role for the voluntary sector should be encouraged with the provision of necessary funding.

Recommendation 27: That, following the implementation of the service level agreement between DAFM and the ISPCA, bestowing statutory powers on ISPCA inspectors, that funding be made available to the ISPCA in respect of this arrangement and in addition to enable the appointment of the necessary number of welfare inspectors needed to service the entire country.

Recommendation 28: That the IHWT be supported in its plans for regional and national horse welfare projects and educational projects.

Recommendation 29: That a structure is set up to provide for collaboration of all stakeholders (including Departments of Education and Health) in such projects and that funding is made available.

Recommendation 30: That the IHWT's breeding guidelines and planned castration clinics be supported and funded, in order to cut down on the on-going cycle of indiscriminate breeding of low-quality stock found particularly, in urban areas.

SECTION 5 – ENCOURAGING GREATER PARTICIPATION IN THE EQUINE INDUSTRY

Recommendation 31: That a single Irish accreditation system be created to produce instructors for riders from beginner level upwards, to ensure high quality instruction as well as proper safety and welfare standards.

Recommendation 32: That a consistent policy be drafted to address the issues surrounding horses in urban areas in a pro-active way and that the appropriate funding be provided from an increased income stream to the equine industry generally.

Recommendation 33: That the traditional connection between communities and horses be recognised and preserved subject to good practices and welfare compliance with all equine regulations.

Recommendation 34: That appropriate horse projects would be set up from this fund in any part of the country where there is a clear demand for same

Recommendation 35: That education of children from disadvantaged backgrounds in good practice with horses and with riding and grooming skills, would be prioritised as it could lead many of them to pursue careers with horses when they grow to adulthood.

SECTION 6 – BREEDING

Recommendation 36: That a tax incentive measure be considered to encourage small thoroughbred breeders to reinvest and buy new broodmare stock.

Recommendation 37: That the future of the traditional breed of the Irish Sport Horse be supported with a development programme.

Recommendation 38: That clearly defined breeding objectives be established and a more structured approach to breeding be implemented to ensure the continued production of high quality eventers.

Recommendation 39: That the development of native breeds such as the Irish Draught and the Connemara pony receives greater financial support. To this end riding and training facilities are needed, especially in the west of Ireland.

Recommendation 40: That consideration be made to eliminating ID passports or equalising the cost of ID and studbook passports.

Recommendation 41: That the practice of inspections of the Irish Sport Horse, the Irish Draught Horse and the Connemara Pony be continued to ensure that the quality of stallions involved in the sector is guaranteed and that the reputation of the sector is protected.

SECTION 7– HARNESS RACING

Recommendation 42: That IHRA receive appropriate funding to develop the sport of harness racing from an increased funding stream allocated to HIS.

Recommendation 43: That a partnership such as the existing one between the IHRA and its counterparts in France be fostered and developed so that Irish harness racing can flourish on a world stage.

Recommendation 44: That better co-operation between HRI and the IHRA would be encouraged particularly in relation to health standards and the shared use of facilities where appropriate.

Section 1 – Overview of the Horse Industry in Ireland

The horse industry in Ireland is made up of a number of relatively distinct sub-sectors. However, two main sub-sectors are clear: the racing sector and the associated breeding of Thoroughbred horses, the sports and recreation sector and the associated breeding of the Irish Sport Horse. The Committee recognises the significant potential to develop the Irish equine sector into a world class industry.

The main sub-sectors are based around different breeds of horses – the Thoroughbred and the Sports Horse.

The **Thoroughbred** is a distinct breed of horse, best known for its use in horse racing. Although people sometimes refer to a purebred horse of any breed as a thoroughbred, this is not correct. Thoroughbreds are classified among the ‘hot-blooded’ breeds - animals bred for agility and speed which are generally considered spirited and brave. Thoroughbred breeding began in earnest in the 1700s with the arrival in England of three stallions: the Byerley Turk, the Godolphin Barb and the Darley Arabian. They were to become the foundation stallions of the Thoroughbred racehorse breed we know today. All Thoroughbreds can trace their pedigrees to these three stallions.

A **Sport Horse** can be defined as a riding horse of any breed or a combination of breeds, used for recreational and competitive activities other than racing. The Irish Sport Horse is a distinct breed and is traditionally derived from the combination of Thoroughbred and Irish draught blood. In recent times, continental warmblood lines have been introduced. Ireland also possesses special breeds such as the Irish Draught Horse and the Connemara pony which have unique attributes. As native breeds these are of particular importance

The Irish Sport Horse industry aims to breed and produce horses capable of competing at the highest levels in equestrian sport, as well as providing the foundation of a leisure and recreation sector in Ireland and abroad.

Standardbred horses are mostly used in harness racing. These horses have shorter legs and generally are more timid than thoroughbreds.

1.1 Scale and value of the various sub-sectors

1.1.1 Value

The Thoroughbred industry in Ireland has an estimated annual value of €1.1 billion (2012 figures). Its exports - to 37 countries - had an estimated value of €205 million in 2013, €229 million in 2014¹. An estimated 80,000 people travel to Ireland for racing annually².

The Irish Sport Horse industry is estimated to contribute about €700 million to the economy.

Harness racing is a fledgling but struggling industry in Ireland, and its economic value in Ireland is unclear at this point.

Racehorse owners are the largest source of funding to the thoroughbred industry. They provide more than €400m investment in the industry every year compared to the c. €55m contribution from the Horse & Greyhound Racing Fund. This direct investment in the Irish economy by the private sector is the bedrock of the 16,000 jobs that exist in the equine industry around the country and shows the states’ contribution as a wise investment to support this industry.

¹ Meeting of the Committee 14 July 2015

² Ibid

Fáilte Ireland estimates that 99,000 overseas tourists engaged in equestrian activities in 2013. It also estimates that 5% of visitors to approximately 140 country and horse shows held every year, are overseas visitors.³

1.1.2 Employment

The Thoroughbred industry contributes in the region of 14,000 jobs countrywide. The Sport Horse industry provides over 12,000 jobs.⁴ Harness racing operates on a much smaller scale with many volunteers involved in the sector in Ireland.

1.1.3 Size of the Industry (number of horses)

Figures from 2011 show there are at least 124,000 equines in Ireland.⁵ Sport horses make up about 65% of the horse population in Ireland with Thoroughbreds accounting for approximately 35%.

Ireland is the biggest producer of Thoroughbred foals in the EU and the fourth biggest in the world⁶. In terms of geology, soil and climate, Ireland is an ideal location for the raising of young horses. The Irish Thoroughbred Breeders Association (ITBA) has 6,239 breeders on its register. 93% of these have fewer than five broodmares, highlighting the importance of the 'small' breeder in the Irish Thoroughbred industry.

Horse Sport Ireland estimates that there are about 73,000 living registered sport horses. However, its own figures are not accurate because death and exportation numbers are not recorded in the HSI system. Within this sector the breeding sector comprises about 27,000 horses, the competition sector accounts for about 10,000 and the leisure sector about 36,000.

The number of horses involved in harness racing in Ireland is unclear as the horses are used mainly by amateurs.

1.2 Governance and Administration

The governance and administration of the horse industry in Ireland is divided across a number of bodies. The role and functions of these bodies are outlined below.

1.2.1 Department of Agriculture, Fisheries and the Marine

DAFM requires, by law, the registration of premises or land where horses are kept, whether or not the landowner is the owner of the horses.

1.2.2 Horse Racing Ireland (HRI)

HRI was established under the Horse and Greyhound Racing Act 2001. It is a commercial state body and is the national authority responsible for the overall administration, promotion and development of the industry. HRI operates under the remit of the Department of Agriculture, Food and the Marine (DAFM). It is funded commercially and by the state.

1.2.3 Racing Regulatory Body (RRB)

The Racing Regulatory Body (RRB) is the regulatory body for horse racing. It sets the rules, imposes the sanctions and is responsible for the integrity and reputation of the sport. The

³ Report of the Irish Sport Horse Industry Strategy Committee *Reaching New Heights*

⁴ UCD School of Agriculture and Food Science *Economic Contribution of the Sport Horse Industry to the Irish Economy* 2012

⁵ UCD School of Agriculture and Food Science *Economic Contribution of the Sport Horse Industry to the Irish Economy* 2012

⁶ Committee Report on the General Scheme of the Horse Racing Ireland (Amendment) Bill 2014

RRB consists of The Turf Club and the Irish National Hunt Steeplechase Committee (INHSC). The RRB covers both flat and national hunt racing in Ireland. Point to Point racing also comes under its remit, although this is an amateur sport, organised through local hunt and other organisations. The RRB is a private body, funded from HRI.

1.2.4 Studbook owner

Since 2007, it has been a requirement under Irish law for owners to register horse ownership with the relevant governing body and to have each horse microchipped. An identification document, or passport, is issued for each horse and must accompany the horse when it is transferred. All thoroughbreds domiciled in Ireland both Irish and foreign foaled and all non-thoroughbred horses domiciled in Ireland must be registered in the Weatherbys studbook⁷.

1.2.5 Horse Sport Ireland (HSI)

Horse Sport Ireland (HSI) is the governing body for equestrian sport and breeding in Ireland, covering 27 affiliate bodies representing a variety of sectors, disciplines and interest groups. Prior to the setting up of HSI, a number of bodies were involved in developing the Sport Horse including the RDS, DAFM, Bord na gCapall and the Irish Horse Board. The RDS was one of the earliest influences and sponsors of the development of the Irish 'half-bred', from the middle of the 19th century.

Set up in 2008, HSI is a company limited by guarantee under the Companies Acts. It is a private company but has characteristics and obligations similar to those of a public body.

HSI maintains the Irish Horse Register: it is the ID/passport issuing authority for both pedigree and non-pedigree horses.

It is also responsible for three studbooks, under licence from DAFM: the Irish Sport Horse Studbook, the Irish Draught Horse Studbook and the Irish Cob Studbook. The Connemara Pony Breeders Society maintains its own studbook, but is represented on the HSI breeding committee.

The HSI remit also covers education, training, and veterinary and welfare issues. It operates the online pedigree, progeny and performance database – CapallOir. Its diverse affiliates include the representative organisations for all disciplines of the sport, such as show jumping, eventing and dressage - professional and amateur – as well as the representative groups for riding clubs and riding establishments, Irish Shows, veterinary, para-equestrian, riding for the disabled, pony clubs and others.

HSI has partnership arrangements with the equine division of Teagasc for the provision of educational and training initiatives. Teagasc is also responsible for providing full time equine education through FETAC certified courses at Kildalton Agricultural College in Co Kilkenny.

In addition there are equestrian centres, livery yards, trekking centres, equitation colleges and courses. However, there is still no Irish instructors' exam system. The British Horse Society (BHS) is the standard qualification.

HSI believes that the industry structure remains complex, hampering the effective delivery of co-ordinated objectives.

⁷ <http://www.horsesportireland.ie/wp-content/uploads/2014/01/Change-of-ownership-explanatory-QA-240614.pdf>

1.2.6 Irish Harness Racing Association

The Irish Harness Racing Association (IHRA) is the globally recognised governing body representing Ireland and an active member of the world federation of trotting. IHRA was recently approved as the Passport Issuing Organisation for the standard bred breed (non-thoroughbred) of horse by DAFM. The IHRA does not deal with the racing of horses on roads. Their race meetings are conducted at recognised racetracks and are officiated under the full governance of international trotting rules and standards. IHRA struggles to find an appropriate parent organisation to assist it, having recently been helped by HSI owing to the fact that a more suitable body is unavailable.

1.2.7 Local Authorities

The role of the local authorities relates largely to the implementation of the Control of Horses Act 1996. They deal mostly with stray and abandoned equines, the number of which has increased significantly in recent years. The main remit of the local authorities is public safety, as opposed to welfare. The problem of abandoned equines is most pronounced in urban areas.

1.3 Funding

The Irish horse industry is funded from several different sources.

1.3.1 The Betting Tax

Betting Tax is the responsibility of the Department of Finance and is the subject of the Betting Acts 1931-2015. The Finance Act 2011 extended betting tax to remote betting and remote betting intermediaries (online betting) or takings from Irish resident customers. Until August, online betting companies were not subject to betting tax. The Betting (Amendment) Act 2015 provides for the tax on online betting, by introducing a new licensing regime for such remote operators.

1.3.2 The Foal Levy

The Statutory levy on all Thoroughbred foals in Ireland was introduced in the year 2000 and is administered by HRI. All funds are re-invested in the breeding industry. The Foal Levy is paid by owners, in advance of the registration of a foal.

1.3.3 Other HRI revenue

HRI has four main sources of income: Funding from a 1% betting tax on off-course retail and online bookmakers; a statutory-based direct grant from the state; profits from the on-course Totalizer (Tote) betting company, -which is owned by HRI and is not subject to betting tax -; and a 0.5% levy on on-course bookmakers, paid directly to HRI⁸.

1.4 Expenditure

1.4.1 Horse and Greyhound Racing Fund

The state support and betting tax funding is provided through the HGRF which was established by the Horse and Greyhound Racing Act 2001.

80% of the funds go to HRI, 20% to Bord na gCon. Initially there was a limit on the Fund. This limit has been increased over consecutive years⁹ in 2004, 2009, 2010, 2011 and 2012.

In 2014, HRI received €43.3 million from the HGRF¹⁰. €54.4m was provided for HRI in 2015¹¹.

⁸ Committee Report on the General Scheme of the Horse Racing Ireland (Amendment) Bill 2014

⁹ Committee Report on the General Scheme of the Horse Racing Ireland (Amendment) Bill 2014

In the period 2001 to December 2013, a total of €841.77 million was paid from the Fund to the horse and greyhound racing industries in accordance with the provisions of the Act¹².

1.4.2 HSI

HSI is funded by DAFM, as well as from the Department of Transport, Tourism and Sport (DTTS) through the Irish Sports Council. In 2014 HSI received total funding of €3.1 million from DAFM and DTTS and a Sport Northern Ireland grant of €156,000. Sport Northern Ireland is the leading public body for the development of sport in Northern Ireland¹³. It raised €1.7 million from registration and affiliate membership fees and the affiliate high performance fund.¹⁴ The UCD report 2012 recommended that 'in order to grow the Irish Sport horse industry in both domestic and global markets, an increase in financial investment from the Government is essential.'¹⁵

The most recent figures show that horse racing gets a disproportionate amount, at an average of €53 million per annum from DAFM, compared to the sport horse sector which received €3.1 million in state funds in 2014. The welfare sector relies on donations and DAFM ex gratia payments.

1.4.3 Media Rights

The negotiating of all media rights is one of the general functions of HRI¹⁶. Not all stakeholders agree that HRI is legally entitled to negotiate income from rights owned by a third party, such as a racecourse. The AIR noted that such property rights are vested in the executive of the racecourse concerned¹⁷.

1.5 Opportunities and Challenges for the Equine Industry

1.5.1 Marketing

The ITBA informed the Committee that for a sector worth over €1 billion per annum, the horse racing marketing budget of €1.5 million was inadequate. They further noted that additional money was needed for marketing for the industry to realise the economic potential of the sector, especially when the target markets are the Far East, the Middle East and the US. It was suggested that funds from the HGRF be used for marketing.

¹⁰ Committee Report on the General Scheme of the Horse Racing Ireland (Amendment) Bill 2014

¹¹ <http://oireachtasdebates.oireachtas.ie/debates%20authoring/debateswebpack.nsf/takes/dail2015092900062>

¹² Oireachtas debate at -

<http://oireachtasdebates.oireachtas.ie/debates%20authoring/debateswebpack.nsf/takes/seanad2013120400009>

¹³ <http://www.sportni.net/about-us/>

¹⁴ Horse Sport Ireland Annual Report 2014

¹⁵ UCD School of Agriculture and Food Science *Economic Contribution of the Sport Horse Industry to the Irish Economy*

¹⁶ Horse and Greyhound Racing Act 2001. Section 10

¹⁷ Committee Report on the General Scheme of the Horse Racing Ireland (Amendment) Bill 2014

Recommendation 1: The Committee recommends that a national plan for the equine industry in Ireland should be developed encompassing the sectors covered in this report.

Recommendation 2: That overall responsibility for all horse and related equine matter transfer to the Department of Agriculture, Food and Marine with a specific division within DAFM for equine issues.

Recommendation 3: That all funding for the horse industry should be under the remit of DAFM to cover HRI, HSI, Irish Greyhound Board (IGB). This funding should encompass welfare matters and the development of urban horse projects, while allowing the funding of elite show jumpers to remain with the Sports Council.

Section 2 – Funding

2.1 Introduction

Funding has been outlined in Section One for each of the sectors of the equine industry. This Section will explore each strand in greater detail.

2.2 Betting Tax

The state levies a tax of 1% on licensed off-course betting income. This is 1% of their turnover, not 1% of profit. All of this revenue goes to the Horse and Greyhound Racing Fund (HGRF) to be re-invested in the racing industry through HRI. In order to comply with EU regulations, this revenue first goes to the exchequer and is then provided as funding to the HGRF. Since 2003, the state has also provided a separate, additional annual subsidy to the Fund, as a response to progressive reductions in betting tax and a drop in betting revenue, since the 1990's. HRI, IRTA, ITBA, ISA and AIR believe the funding of horse racing could be resolved by increasing the level of betting tax¹⁸.

2.3 Horse and Greyhound Fund

DAFM makes payments from the HGRF to HRI and Bord na gCon. It was envisaged that the revenue from the betting tax would provide sufficient resources to finance the fund. However, this was judged not to be the case, due to successive cuts in betting tax coupled with an increasing level of betting activity migrating to tax-free platforms, such as online betting (these have since been brought into the tax net by the Betting (Amendment) Act 2015 which came into force in August 2015).

To make up the Fund, the exchequer transfers to it, the amount yielded by the betting tax from off-course bookmakers in the preceding year (to comply with EU regulations this revenue goes to the exchequer first, then goes by way of funding to the HGRF).

The Fund comprises an amount equal to the revenue from the betting tax, plus an additional subsidy from the exchequer, to make up for a drop in betting tax revenue since the 1990s. Any shortfall in the amount generated by the betting tax is made up by direct exchequer subvention.

The *Report of the Casino Committee*¹⁹ in 2008 stated 'the fortunes of the racing sector have always been intimately linked to betting. This link is formalised under the Horse and Greyhound Racing Act 2001'. The Report also notes 'Any shortfall in the amount generated by the excise duty is to be made up by direct exchequer subvention. The accumulated shortfall in the Fund met from exchequer sources amounted to €67.53 million over the period 2001 – 2005'.

A Department of Arts, Sport and Tourism (as it was then configured) Report in 2009 states:

'...over reliance by these industries in the medium to longer term on a net exchequer contribution to the Fund is not a sustainable proposition. The key policy issues which need to be addressed in this regard include: The extent of the internet/online-based betting which is untaxed, the contribution to funding of the industries from

¹⁸ Ibid

¹⁹ *Regulating Gaming in Ireland*, July 2008

betting levies, and the need to ensure.....that these industries (achieve) a greater level of self-sustainability over time'.²⁰

The Indecon report also highlighted issues of accountability and lack of ministerial control:

'Indecon would have significant concerns over the low level of government ministerial control over the process of decisions on membership appointment of the HRI Board, particularly given the implications of the existing approach in ensuring accountability in the utilisation of taxpayer funds.'

It also noted that a detailed value-for-money assessment of state support would be desirable.

The General Scheme of the HRI (Amendment) Bill 2014, proposes to give the state more control over the HGRF by increasing the state representation on the Board to three and by providing for the Minister to withhold any or all the instalments paid to HRI or Bord na gCon in cases where he/she is dissatisfied with their strategic plans or with their implementation of the those plans.*

An ESRI Report²¹ published in 2006 notes that because excise rates had been reduced in 2002, that:

'the outcome by 2006, therefore, was that the original function of the HGRF as a means to capture some of the return from off-course gambling for the racing industry had declined in significance and had been supplemented with a new and unheralded function as a channel of direct state aid to the racing industry'.

The report further states that off-course and on-course taxes and levies were replaced in 2006 with a 1% excise on off-course betting and no taxes or levies on on-course betting:

'The tax burden on betting had thus become extremely light by 2006. The racing and gambling industries had been a net contributor to state finances in 1995 – at that time, state revenue from gambling exceeded the value of state grants to racing, fivefold. Today, the racing and gambling industries combined are a net drain on public finances, since the sole state revenue stream from these sources – the excise on off-course betting – is insufficient to meet the state's commitment to the HGRF'..... state funding for horse racing in Ireland now goes beyond the role of securing a benefit from gambling for the industry, because it included subvention from general taxation. This raises questions about the justification for state funding, particularly at the high levels that have been in place in recent years. Doubts arise, for example, in the context of wider sports policy, where other claims on state funding could equally be made. In a 2005 Report²², the Irish Sports Council noted that 68 percent of school principals said that their school required major sports investment. At the minimum, future policy in this area will have to assess carefully the public benefit that is served by state support for horse racing'.

²⁰ This FGS Consulting report was previously available on the Department of Arts, Sport and Tourism website at http://www.arts-sporttourism.gov.ie/pdfs/DAST_%20Review_of_H%20GFund%20FGS_Final_May%2009.pdf

* Correct as of 3 November 2015

²¹ Fahey and Delaney (2006) *State Financial Support For Horse Racing In Ireland*

²² Fahey, Delaney, and Gannon (2005) *School Children and Sport in Ireland*

Recommendation 4: That increased funding be made available for the development of the thoroughbred sector by increasing the revenue derived from the betting duty.

Recommendation 5: That the Irish Equine Centre set up and run by the ITBA, with funds from the foal levy should receive extra state funding to enable it examine and work on all issues in relation to equine health.

Recommendation 6: That the structure of the foal levy be examined to ensure that it is fair and equitable and not placing an unfair burden on small breeders.

Section 3 – Registration, traceability and disease control

3.1 Overview

As stated previously since 2007, it has been a requirement under Irish law for owners to register horse ownership with the relevant governing body and to have each horse microchipped. An identification document, or passport, is issued for each horse and must accompany the horse when it is transferred. In addition, the premises that a horse is kept in must also be registered.

There are a number of key reasons for these requirements. The identification of owners and places where horses are kept is important for the enforcement of disease control and welfare regulations. In addition, the register can also be used to identify the pedigree of horses (where recorded) for breeding purposes.

There are eight organisations approved by DAFM to maintain 13 different studbooks. The Irish Sport Horse Studbook is the largest of these, representing about 70% of all registered horses and ponies in Ireland.

There are two types of ID: the studbook passport which records the pedigree of the horse, and the simple ID passport does not. In 2013, a higher percentage of horses (50.3% of all foals and adults) received the simple ID passport: their pedigree unrecorded and therefore unknown to future owners.

In addition, DAFM has another direct registration system. Enacted following the adoption of the *Animal Health and Welfare Act 2013*, the *Control on Places Where Horses are Kept Regulations 2014* (S.I. No. 113 of 2014) stipulates that ‘a person shall not keep a horse or sell a horse unless the land or premises where the horse is kept is entered on the register maintained by this Regulation’. Registration is mandatory even if the horse does not belong to the landowner. The main aim of this legislation is to enable DAFM to have information on the location of horses so that in the event of a disease outbreak, owners can be identified and advised of any necessary precautions. Registration is done directly with DAFM. Approximately 17,500 premises are registered under the Act.²³

The Regulations state that this DAFM registration is a legal requirement and that without compliance it will not be possible to register a horse for a passport.

The Committee heard evidence from a number of stakeholders that the registration and traceability of horses regulations are not been implemented leading to concerns with regards to controlling disease and identifying owners where welfare issues arise.

3.2 Non-compliance with registration

The ITBA informed the Committee that it enjoys a high rate of compliance among its members in terms of registration and disease-control regulation. However it states that a high rate of non-compliance in the non-thoroughbred sector held risks for the entire horse industry, as without enforcement of registration and identification, there can be no enforcement of health regulations, e.g. the equine flu vaccination regime.²⁴

²³ DAFM September 10 2015

²⁴ Meeting of the Committee 14 July 2015

The ITBA informed the Committee that the non-thoroughbred sector needs to set standards and properly implement its registration requirements, with a view to traceability and disease control:

‘The Committee asked what percentage of horses in Ireland are registered. For the non-thoroughbred sector, it is in the low thousands. In the thoroughbred sector it is about 7,000 horses. Every one of them is registered and micro-chipped. This level of compliance must be applied across the whole population. As a cattle farmer, I live in fear of losing a tag, or the Department finding that my herd register is not as it should be. I would strongly encourage the DAFF to get on top of this, in terms of horses. DAFF doesn’t have to reinvent the wheel; it just has to copy its computer system for the cattle herd’.

In addition, there is anecdotal evidence that HSI continue to accept registration and issue passports, without full compliance with the *Control on Places Where Horses are Kept Regulations 2014*²⁵ i.e. horses can be issued passports without the identification and registration of the place where they are been kept.

The Irish Society for the Protection of Cruelty to Animals (ISPCA) noted that ‘the *Animal Health and Welfare Act 2013* is a very good piece of legislation, but that it may not be being enforced effectively and consistently. The ISPCA noted that ‘traceability will only be a reality when there is enforcement of and full compliance with the measures already in place’.²⁶

The ISPCA informed the Committee that the biggest impediments to the eradication of cruelty and neglect are lack of enforcement of existing legislation and traceability of owners. Owners are not being forced to comply with the law on registration of horses and owners:

‘Many of the equines we deal with have been abandoned and the owners cannot be traced either because the animals are not microchipped or because the last known owner, when traced, claims the animal was sold on. The ISPCA welcomes and supports the legislation now enacted, including the Animal Health and Welfare Act, the Control of Horses Act and the legislation on the registration of equine premises, microchipping, passporting and transfer of ownership regulations. However, the problem is that lack of enforcement by the Department has resulted in widespread non-compliance. Local authorities have the power to appoint authorised officers under the Animal Health and Welfare Act. My understanding is that very few have done so, which is not particularly helpful’.

The ISPCA further noted that because of lack of policing and enforcement of three main types of registration required by law - registration of horses (passport/ID); change of ownership registration; and registration of premises wherein horses are kept - owners can avoid responsibility and prosecution for welfare abuse. The ISPCA opined that this lack of enforcement breeds non-compliance. The ISPCA estimates that 85% - 90% of horses they deal with are not microchipped.

3.3 Transfer of ownership regulation

The ITBA also stated that the important issue of traceability had been compromised when new Transfer of Ownership Regulations were rescinded by Statutory Instrument (S.I.) No. 601 of 2014 and the old system reinstated. The old system places responsibility on the buyer alone, to update the passport details held by the passport issuing authority. Many

²⁵ HSI September 2015

²⁶ Meeting of the Committee 14 July 2015

buyers neglect to do so, which results in the traceability loophole. To address this situation, the equine passport regulations - provided for by the *Animal Health and Welfare Act 2013* - were updated in July 2014 by S.I. No. 189 of 2014 to oblige the vendor as well as the purchaser to register the change of ownership in the passport. However, six months later, (December 2014), S.I. No. 189 of 2014 was superseded by S.I. No. 601 of 2014. This reinstated the original terms and divested the vendor of any responsibility to record the change of ownership. The ITBA recorded strong disapproval of this roll-back and said they were not consulted about the change.

The ISPCA informed the Committee that S.I. No. 601 of 2014 – divesting the vendor of any responsibility to record the change in ownership - was a step backwards:

'Now, when we find a horse that has been microchipped, the last known owners simply say they sold the animal on and that it is no longer their responsibility. We queried S.I. No. 601 of 2014 with the DAFM and were informed that the newer regulations were overturned after consultation with stakeholders. We were certainly not consulted on this very important change and as far as I'm aware, neither was any other animal welfare organisation. For equine legislation to have the desired impact it must be effectively enforced and all equines must be fully traceable throughout their lifetime. From our perspective, traceability equals responsibility.'

When this issue was queried, the DAFM replied that the transfer of ownership of equine regulations were amended at end of 2014 at the request of a number of Passport Issuing Organisations (PIOs) to avoid a build-up of applications in cases where the seller had not completed the necessary form to (legally) enable the new ownership to be recorded on the database of the PIO and on the central equine database. Prior to the change the form required the signatures of both parties to the transaction.²⁷

3.4 Disease control

The ITBA informed the Committee that disease control measures need be put in place across the entire horse population and that the governing bodies of all disciplines set standards and make certain vaccination routines mandatory. The ITBA requests this as a matter of urgency, pointing out that a breakout of equine influenza could spread across a region and infect all horses, irrespective of breed. According to the ITBA, the financial loss to any sector in such a scenario is enormous.

The ITBA informed the Committee²⁸ that, for example, if harness racers use race tracks, which are also used by other sectors, e.g. horse racing, then those groups should be subject to the same registration and disease control measures as the Thoroughbred and other sectors. Speaking before the Committee in July 2015 about the dangers of contagion and infection, the ITBA said that they have no issue with harness racing taking place in Dundalk Stadium, but with a major proviso, namely, that those animals be of the same health status as the other horses who go there, be they showjumpers, ponies or racehorses.

²⁷ DAFM October 15 2015

²⁸ Meeting of the Committee 14 July 2015

Recommendation 7: That all existing legislation be rigorously enforced. Horse ID/passports, microchipping, registration, disease prevention regulations, and registration of premises are all worthwhile measures which require robust enforcement.

Recommendation 8: That the Transfer of Ownership regulations – S.I. No. 189 of 2014 - rescinded by S.I. No. 601 of 2014 be reinstated, so that vendors as well as buyers are required to register the sale.

Recommendation 9: That registration of a horse be denied if it is not microchipped and if the premises in which it is kept, is not registered with DAFM under the Control of Places Where Horses Are Kept Regulations (S.I. No. 113 of 2014).

Recommendation 10: That the Control of Horses Act should be reviewed and all stakeholders should be consulted on the matter.

Recommendation 11: The Committee recommends that a single type of passport for registration be used.

Recommendation 12: That DAFM introduce a traceability plan similar to the Animal Identification and Movement (AIM) system in the cattle sector.

Recommendation 13: That disease control measures be put in place across the entire horse population and that the governing bodies of all disciplines set standards so that the same vaccination regime and health status applies across the industry.

Recommendation 14: That the governing bodies of all disciplines make certain vaccination routines mandatory.

Recommendation 15: That vaccination programmes, such as Equine Influenza, should be promoted.

Section 4 – Welfare

4.1 Overview

In recent years, Ireland has been experiencing an equine welfare crisis, with thousands of horses suffering and thousands more seized and destroyed every year. In 2011, 2,936 abandoned or abused equines were seized and euthanised. In 2014 the number had risen to 4,923.²⁹

The Irish equine industry has been exposed to reputational damage in recent years as a result of international negative publicity about horse welfare.

The number of welfare cases has risen considerably since the beginning of the economic crisis. However, the issue is also affected by a wider range of factors than the economic downturn. Welfare abuse has always existed and there is a need to commit to a long-term approach and a funding stream. This funding stream could build the structures and provide the resources to enforce the law and ensure that local authorities and welfare organisations are equipped to prevent abuse, and to enable them to act efficiently when they find it. There is an inaccurate perception that welfare abuse happens only in urban settings, to low-grade, low-value horses. The ISPCA noted that ‘cruelty occurs across all elements of the equine sector’.³⁰

The HSI vision statement declares that ‘welfare of the horse is placed at the centre of the industry’,³¹ but it doesn’t have any welfare fund or a dedicated welfare officer. In 2014 the ISPCA received €210,000 from DAFM, this amounts to 7% of their annual expenditure.³² IHWT received €60,000, about 18% of their income.

All witnesses welcomed the new *Animal Health and Welfare Act 2013*. However, concerns were raised regarding a lack of enforcement which has resulted in widespread non-compliance.

The following sub-sections summarise the evidence to the Committee on welfare issues by three stakeholders: the County and City Managers Association (CCMA) representing local authorities, and the Irish Society for the Prevention of Cruelty to Animals (ISPCA) and the Irish Horse Welfare Trust (IHWT) representing animal welfare organisations.

4.2 Local Authorities

The role of the local authorities relates largely to the implementation of the *Control of Horses Act 1996*. They deal mostly with stray and abandoned equines, the number of which has increased significantly in recent years. With regards to such horses the main remit of the local authorities is public safety, as opposed to welfare.

According to the CCMA, it is costing DAFM and the Local Authorities about €5 million a year to dispose of abandoned horses, and the problem continued to grow in 2015.

Most of the horses seized are in poor condition and as such this is evidence of animal welfare issues. Few are microchipped as required by law, with the result that most owners cannot be identified and held responsible. The local authorities believe they are being used as a disposal service by owners who know they cannot be traced.

²⁹ Meeting of the Committee 14 July 2015

³⁰ Ibid

³¹ Report of the Irish Sport Horse Industry Strategy Committee *Reaching New Heights*

³² Meeting of the Committee 14 July 2015

To capture stray and abandoned equines the local authorities use impounding contractors. It is a high risk activity and the process is expensive, the costs ranges from €500 to €1,100 per equine. It involves the complicated logistics of seizing a large, frightened and often injured horse, so the process is time and labour intensive and requires horse handling skills. There are significant health and safety risks and accordingly, insurance is costly. There are veterinary costs and if the owners, or persons connected with the horse are present, a Garda Síochána presence is often needed.

The CCMA emphasises the need for greater collaboration between agencies: ‘no one entity is able to deal fully with the overall problem, having regard to the different roles and responsibilities assigned to the various agencies under legislation’. Specifically, the local authorities focus is on control and public safety, not welfare, but most of the abandonment cases are also welfare cases. The DAFM is more focussed on animals in farm environments, but much of the abuse takes place in urban areas. The DAFM provides a subvention per horse of €375 for disposal, about a third of the cost, with the local authority paying the balance.

The CCMA believe that while local authority staff respond to welfare issues from time to time, it is crucial that the role of the local authorities - in terms of the *Animal Health and Welfare Act* - be better defined. Most local authorities have one veterinary officer, but 90% of the officers’ work relates to a service level agreement between all local authorities and the Food Safety Authority of Ireland.

The CCMA also informed the Committee it was their strong view that there should be a greater focus on the fundamental causes of the problem. In this context they also requested resources to fund prevention measures. In the view of the CCMA a proper response to the problem calls for a system of investigation, inspection, veterinary intervention and seizure – if necessary – a system they believe would pre-empt many cases of abandonment, better preserve public safety and save money.

The CCMA informed the Committee that current arrangements are far too reactive, a more considered and collaborative approach is required. In turn, this should involve legislative interventions, possible introduction of a voluntary surrender scheme, new initiatives in the area of education and awareness, as well as an enhanced role for the voluntary sector, with the necessary funding underpinning.³³

The CCMA suggest a task force be set up for each region, made up of Garda Síochána, DAFM and Local Authorities, to target risk areas and to enforce regulations.

In addition, CCMA informed the Committee it was imperative that existing legislation and regulations be rigorously enforced: in the areas of horse ID, microchipping, registration, etc.

4.3 Welfare Organisations

4.3.1 Irish Society for the Prevention of Cruelty to Animals (ISPCA)

The ISPCA met with the Committee on 14 July 2015.³⁴ The ISPCA is Ireland’s national animal welfare organisation. It is the umbrella organisation for 20 local welfare organisations across Ireland. It operates two centres: one for all animals and another mainly for equines. Both centres deal mostly with animals which have been seized or surrendered to inspectors, abandoned, neglected or cruelly treated. The ISPCA also operates a national cruelty helpline, which received 21,000 calls in 2014, 10% of which related to equines.

³³ Meeting of the Committee 14 July 2015

³⁴ Ibid

The ISPCA is funded mainly by public donations. It also receives an ex gratia grant from DAFM. It does not receive funding from the horse industry.

The ISPCA has six welfare inspectors, covering 14 counties. Under the terms of the *Animal Health and Welfare Act 2013*, those inspectors became authorised officers and were given certain statutory powers by the DAFM, by virtue of a service level agreement. Those powers give them the right to enter land (excluding commercial farms) and seize animals under certain circumstances, as well as the power to issue animal welfare notices. However, their numbers are not sufficient to service 26 counties. In addition, they are precluded from checking the welfare of horses kept on commercial farms, stud farms, training yards or race courses.

Since May 2014, ISPCA inspectors have initiated more than 45 prosecutions under the *Animal Health and Welfare Act 2013*. In addition as outlined in the previous section the ISPCA informed the Committee that the biggest impediment to the eradication of cruelty and neglect is the lack of enforcement of existing legislation with regards to the traceability of owners.

However, the ISPCA noted that lack of enforcement by of the *Animal Health and Welfare Act 2013* has resulted in widespread non-compliance:

'Sadly, it is a damning indictment of other responsible agencies that it is a charity that has brought cruelty cases to court. In so far as I am aware, no other agency has yet brought a prosecution under the Animal Health and Welfare Act. We are working with DAFM, the Garda Síochána and the local authorities in this regard'.³⁵

The ISPCA also stated that the horse industry needed to meet its welfare responsibilities in actions and not just words: that there should be more cooperation between the horse industry and welfare organisations.

4.3.2 The Irish Horse Welfare Trust (IHWT)

The IHWT met with the Committee on 14 July 2015.³⁶ The IHWT is the largest equine charity in Ireland, involved in rescue, rehabilitation and re-homing. At any one time, about 80 horses are being cared for at its centre in Wicklow.

It is funded by donations, supported to some degree by the horse industry and receives an ex gratia annual grant from DAFM.

IHWT is also involved in education projects (see next section), and briefed the Committee on the success of some of its projects:

'Managed horse projects and education have proven successful in reducing the numbers of stray and unwanted horses in the areas in which we have worked and in increasing welfare standards. IHWT is prepared to engage with all local authorities to find solutions and in this regard has already approached some local authorities around the country. We have also been contacted by some local authorities seeking help but we are unable to work with all councils unless provided with the resources to do so'.

The IHWT also wishes to set up a national equine welfare education programme. Such a project would require commitment from all local authorities as well as financial support from

³⁵ Ibid

³⁶ Meeting of the Committee 14 July 2015

DAFM. IHWT suggests this initiative could be part-funded by other stakeholders in the education, health and community agencies. The IHWT noted:

'There is a lack of education at a lower level. Education, training and horse projects offer the only long-term solution to the issues surrounding horses, especially horses in urban environments'.

IHWT informed the Committee that the drive to tackle equine welfare and abandonment issues - particularly in urban areas - would have a much greater chance of success if the local authorities used the powers granted to them in the *Animal Health and Welfare Act 2013*, providing for them to appoint dedicated officers:

'Unfortunately, many of the local authorities do not have a designated officer with whom we can deal directly. This is a matter on which the local authorities need to be more proactive'.

IHWT advised the Committee that a serious underlying cause of welfare abuse and abandonment of horses is the indiscriminate breeding of poor quality stock and the over breeding in other sectors:

'There is a never-ending cycle of production of mainly poor quality stock, which is often then mistreated or neglected and picked up by the welfare charities. The seizure and destruction of equines incurs huge costs year-on-year'.

As part of an initiative to address this issue, IHWT plans to set up and operate castration clinics in a number of areas, but needs funding as well as commitment from other stakeholders and agencies in order to carry out this operation. Availing of funding from DAFM, it ran micro-chipping clinics in five different areas.

The IHWT informed the Committee that horses are being illegally imported through Irish ports because monitoring at ports is inadequate. Truckloads of horses are brought in to Ireland and driven to urban areas where the horses are sold for between €20 and €50.³⁷ In addition, Irish and EU regulations are being breached because proper controls are not in place at the ports.

Like the ISPCA, IHWT emphasises the need for a more cooperative/coordinated approach from the local authorities and from the horse industry.

³⁷ Ibid

Recommendation 16: That there be greater coordination and collaboration between agencies of the state on equine welfare and abandonment issues.

Recommendation 17: That a greater definition of the roles of the state agencies, enhanced collaboration and proper resources human and financial, be implemented. This should result in better compliance with welfare legislation.

Recommendation 18: That a task force be set up for each region made of up DAFM officials, local authority officials and the Garda Síochána, to target areas with high levels of equine welfare and abandonment issues and to enforce regulations.

Recommendation 19: That the responsibilities of local authorities, under the terms of the Animal Health and Welfare Act 2013, be clarified and defined - in terms of welfare and public safety functions - and that service agreements with DAFM be put in place.

Recommendation 20: That local authorities appoint dedicated animal welfare officials - as provided for in the Animal Health & Welfare Act 2013 - and be resourced to do so.

Recommendation 21: That there should be greater focus on prevention of welfare abuse and abandonment. This means a better inspection system with adequate resources; more investigations; it means proper enforcement of equine ID and owner registration; it means regular spot checks on high risk areas and veterinary intervention or seizure if necessary; it means more education projects. Such an approach would pre-empt many cases of abandonment, better preserve public safety, save money, and reduce the suffering of horses.

Recommendation 22: That, following reports of the illegal importation of horses, port inspection procedures and controls be reviewed and improved.

Recommendation 23: That the agencies charged with enforcement be properly funded to ensure standards are enforced.

Recommendation 24: That DAFM commit to the creation of a coordinated system for dealing with issues of equine welfare and that it provide funding 'streams' instead of ex-gratia grants, in order to facilitate the creation of robust systems that are proactive rather than reactive.

Recommendation 25: That DAFM provide a greater subvention towards the seizing, rehabilitation and destruction of abandoned horses.

Recommendation 26: That a funding stream be formalised to the charity organisations that work on behalf of the industry. Such charities operate mainly on the strength of donations and ex gratia payments. An enhanced role for the voluntary sector should be encouraged with the provision of necessary funding.

Recommendation 27: That, following the implementation of the service level agreement between DAFM and the ISPCA, bestowing statutory powers on ISPCA inspectors, that funding be made available to the ISPCA in respect of this arrangement and in addition to enable the appointment of the necessary number of welfare inspectors needed to service the entire country.

Recommendation 28: That the IHWT be supported in its plans for regional and national horse welfare projects and educational projects.

Recommendation 29: That a structure is set up to provide for collaboration of all stakeholders (including Departments of Education and Health) in such projects and that funding is made available.

Recommendation 30: That the IHWT's breeding guidelines and planned castration clinics be supported and funded, in order to cut down on the on-going cycle of indiscriminate breeding of low-quality stock found particularly, in urban areas.

Section 5 – Encouraging Greater Participation in the Equine Industry

The Committee heard from stakeholders on various ways to encourage greater participation in the horse industry as well as some of the issues that lack of adequate facilities and training in certain urban areas cause.

5.1 Education and Training

Unlike in the UK, there is no mandatory licensing or inspection system for riding schools in Ireland. The total number of riding schools and trekking centres in Ireland is unknown. The Association of Irish Riding Establishments (AIRE) is the only inspection body – but it is a private organisation: its membership is voluntary and comprises only a percentage of all riding schools in Ireland. . A fundamental educational basis needs to be created for the riding element of the sport horse sector.

While a number of educational programmes have been initiated in recent years - across the sectors of breeding, producing, riding and training - the main focus of the governing body, HSI, is on high performance level.

Meanwhile, the fundamental educational basis for the riding element of the sport horse sector suffers from:

- lack of organisation;
- scant regulation,
- the absence of quality control,
- inadequate safety and welfare regulation, and
- the lack of any single system of accreditation for riding instructors.

Fáilte Ireland estimates that 99,000 overseas tourists engaged in equestrian activities in Ireland in 2013. However, Fáilte Ireland discontinued its pony-trekking approval register in recent years (the British Horse Society (BHS) Equine Tourism inspection system), an accreditation designed for riding schools that offer pony trekking, as opposed to formal riding instruction. As a result of the decision, pony trekking centres are operating without official standards or approval (unless they are members of AIRE). They are not subject to any mandatory inspection system for safety and welfare. Furthermore, trekking centres are allowed to advertise on the Discover Ireland website and are entitled to award themselves a 'Welcome' standard. Fáilte Ireland states that as a public body it does not have the right to prevent an Irish business from advertising on its website. With regard to approvals, the Tourist Traffic Act 2003 provided that Fáilte Ireland must approve accommodation, but does not have to inspect or approve any other service, including pony trekking.

5.2 Qualifying as a riding instructor

Riders in Ireland who seek to be qualified instructors often take the BHS examinations. BHS instruction accreditations are accepted all over the world. However many of those who are BHS qualified, do not have the requisite accreditation level. They have passed BHS Stage One and Stage Two, but not Stage Three Preliminary Teaching Test, which is the teaching element. Because of a shortage of fully qualified BHS instructors in Ireland, AIRE accepts those who have completed only Stages 1 and 2. Therefore many riding instructors in Ireland are not fully qualified to teach by the BHS benchmark. It is noteworthy that fully qualified BHS instructors are trained to impart a basic knowledge and awareness of horse welfare issues to their riding pupils.

The existing HSI teaching accreditation system - the HSI Coaching certificate - is designed to provide a qualification for riders of proven expertise - usually competition riders - to coach already advanced riders. There is no Irish accreditation system to produce 'instructors' for riders from beginner level upwards. The system – comprising four levels - teaches skills for one-on-one training scenarios where the pupil is already advanced and likely to already be at competition level. Significantly, it is not designed for 'riding schools' which provide instruction from beginner level for classes of riders (averaging from 5 to 8 people) of all ages and levels. Despite this deficiency, the HSI Level 2 Coach certification is accepted in riding schools around the country.

There are a number of riding instruction qualifications on offer from different institutions, but there is no standard benchmark – other than the BHS - and no regulatory body. Teagasc runs two FETAC (now Quality and Qualifications Ireland) equine certificate courses, but the course curriculum stipulates that the 'riding instructor' element does not train the participant to full riding instructor standard.

As set out above, instructor accreditations modelled on BHS are the only accreditations covering all aspects of the teaching of horse riding available in Ireland. AIRE estimates that about two-thirds of its members have instructors with some elements of the BHS qualification. For the remainder of its members, it accepts HSI Level2 Coach Cert, but it believes this qualification is not adequate for instruction purposes. HSI itself recommends that a Level2 coach should only teach alongside another more highly qualified instructor.

5.3 Arguments for a single accreditation system in Ireland

There is a precedent for a single Irish accreditation system. In 1977, Bord na gCapall introduced a qualification system for instructors, the Irish Certificate in Equitation Sciences, (ICES). It was based upon the BHS instructor system. However, although some examinations took place, it was never fully implemented and did not survive institutional changes in the horse sector.

HSI acknowledges that Ireland has 'no single system or structure of education or training that offers educational development from a young age'.³⁸ HSI did not use the BHS educational model as a foundation for its education plans, even though it is considered to be the world standard, is comprehensive and informs the basis of organisation in many countries.

The educational deficit is an impediment to the proper teaching and training of riders. There is no single Irish accreditation system to produce instructors for riding schools, who are trained to uphold consistent standards of teaching. The widespread acceptance of a variety of qualifications – most of which are not adequate to the job of teaching – means that universal safety and welfare benchmarks are not established. It also means that pupils are receiving instruction of varying quality.

5.4 Horses in Urban Areas

As outlined in the Welfare section of this report many stakeholders referred to the equine welfare and abandonment issues associated with horses in urban areas.

Witnesses who came before the Committee highlighted the crucial function of education in terms of horse welfare. The Committee heard that at least €5 million per annum is spent by the state in the area of stray/abandoned equines. The Irish Horse and Welfare Trust

³⁸ Report of the Irish Sport Horse Industry Strategy Committee *Reaching New Heights*

informed the Committee that 'there is a lack of education at a lower level' and that 'education offers the only long-term solution to issues of welfare' (see previous section).³⁹

IHWT is involved in education and the provision of equine welfare horse projects, mainly targeting the 15 to 22 year age group, in projects around Dublin such as the Dunsink Project. In Limerick, they have worked with an urban community, helping 84 young people achieve FETAC accreditations in equine studies.

'There is a lack of education at a lower level. Education, training and horse projects offer the only long-term solution to the issues surrounding horses, especially horses in urban environments'.

While there was discussion within the Committee about the benefits of the urban horse welfare educational projects spearheaded by IHWT, it is clear from the deliberations that the core issue of whether horses should be kept in urban areas in any circumstances must be addressed.

The welfare witnesses informed the Committee horses do not belong in cities. The IHWT said urban areas are not suitable for horses and that it is dangerous to keep them in such environments. But it said that in dealing with the problem as it exists today, some urban projects are helping to cut down on cruelty and some anti-social behaviour. A number of Committee members spoke in strong terms against toleration of keeping horses in urban areas. While two members of the Committee made the point that there is a tradition, within the travelling community, of keeping horses in urban areas; the IHWT said that in most areas of Dublin and Limerick, the horse-owning community were not Travellers.

The CCMA said that given their remit to promote safety, allowing horses in urban areas was unacceptable from a public safety perspective. The existence of unregistered horses in urban areas is acknowledged as a huge problem, in terms of welfare abuse, neglect, abandonment, public health and safety and cost to the taxpayer of seizure, rehabilitation, impounding and destruction.

Dealing with the issue of horses in urban areas in a positive way would save a large amount of money on welfare and enforcement, rather than seeing enforcement alone as the solution to the issue. It would also help eliminate sulky road racing by providing legitimate and proper tracks to race on.

Recommendation 31: That a single Irish accreditation system be created to produce instructors for riders from beginner level upwards, to ensure high quality instruction as well as proper safety and welfare standards.

Recommendation 32: That a consistent policy be drafted to address the issues surrounding horses in urban areas in a pro-active way and that the appropriate funding be provided from an increased income stream to the equine industry generally.

Recommendation 33: That the traditional connection between communities and horses be recognised and preserved subject to good practices and welfare compliance with all equine regulations.

Recommendation 34: That appropriate horse projects would be set up from this fund in any part of the country where there is a clear demand for same

Recommendation 35: That education of children from disadvantaged backgrounds in good practice with horses and with riding and grooming skills, would be prioritised as it could lead many of them to pursue careers with horses when they grow to adulthood.

³⁹ Meeting of the Committee 14 July 2015

Section 6 – Breeding

6.1 Thoroughbred Breeding

According to the Irish Thoroughbred Breeding Association there has been a dramatic decline in thoroughbred breeding in Ireland over the past decade. The 2014 thoroughbred foal birth figures - 7,999 – show a drop in numbers compared to the mid-2000s. The official figure for Irish stallions registered for coverings in 2014 was 216. This is down from 414 in 2006. And, according to the ITBA, the number of breeders and broodmares are down 40% from the same period⁴⁰.

According to the ITBA this fall is due to removal in 2008 of the Stallion Tax Exemption, which encouraged stallion owners to stand the horses in Ireland⁴¹. It also gave Irish broodmare owners the opportunity to access high quality bloodlines. The ITBA maintain that since the abolition of the Stallion Tax Exemption, many of the highest quality stallions were moved to the UK. The ITBA reported that in 2004, Ireland had seven of the top 10 stallions in Europe (based on nomination/stud fee) and the UK had two. In 2014 Ireland had four and the UK had six. It points out that Ireland is not only losing the stallion income, but the boarding and care fees and employment that accompany the broodmares they service – up to 200 per annum.

According to the ITBA there is a lack of profitability in the industry. The European-wide recession has contributed to a decline in traditional markets such as Germany and Italy. Meanwhile, France has built up a highly organised and well-funded racing and breeding sectors, with prize-money incentives for French-bred horses.

ITBA notes that a vibrant racing sector is an essential shop window for Irish breeders: more than 80% of production is exported. Due to Ireland's small population, foreign direct investment is crucial. It estimates a growth potential for the breeding sector of between 12 – 15%⁴².

The ITBA is part-funded through the Foal Levy, which is administered by HRI. It also receives €15,000 per annum from DAFM for educational activities. The ITBA set up the Irish Equine Centre with funds from the Foal Levy.

6.1.1 The Small Breeder

93% of breeders registered with ITBA have fewer than five broodmares. According to the ITBA, because of the lack of profitability in the breeding sector, the number of breeders and the number of mares are down 40% on the figures of some years ago:

'the loss of so many breeders is an issue, as is the increasing age profile of the national brood mare band. There is just not enough investment in young breeding stock. Those who have seen the production of thoroughbred foals as another source of farm income are walking away, as are their sons and daughters, simply because the cost of replacement breeding stock is hard to justify at the lower end of the market. But for the small breeders – who make up over 90% of Irish breeders –

⁴⁰ Meeting of the Committee 14 July 2015

⁴¹ ITBA Submission to the Committee

⁴² Ibid

*to replenish breeding stock, they have to compete on a world price basis to improve their standard*⁴³.

The ITBA proposes a mare depreciation scheme, which would allow small breeders to reinvest profits immediately without paying tax. This is to compensate for the peaks and troughs of income for the small breeder:

'The problem is that when there is a peak, one cannot average one's income. This is not an issue for the big breeder, obviously, who will always have plenty of animals breeding. If, however, a smaller breeder has a bonanza year, it should be worth his while to invest the money earned, in another, better mare'.

Although the Foal Levy funds are re-invested in the breeding industry, the ITBA uses a significant amount for the Irish Equine Centre and its marketing organisation, Irish Thoroughbred Marketing. The ITBA believes that HRI should provide financial assistance to breeders.

The AIR explains that the vast majority of thoroughbred breeding in Ireland has never been an industry 'apart' but is woven together with farm and community in rural areas and that it should be protected as much for its role in Irish life as for its contribution to the rural and national economy:

*'Racing and breeding are an integral part of the agriculture industry and employ thousands of people widely dispersed throughout the country, frequently in areas where there is little alternative employment. It is a strong indigenous industry ideally suited to our environment. The export of horses abroad and the inward investment resulting from foreign owners keeping horses in Ireland for training or breeding purposes contributes significantly to the country's economic wellbeing*⁴⁴.

6.2 Sport Horse breeding

HSI notes that at international level, the main disciplines from an Irish perspective are show jumping and eventing. Irish Sport Horses have topped the World Breeding Federation for Sport Horses, WBFSH, eventing studbook international rankings for nearly two decades, showing that Irish bred horses have been the most successful in this discipline in international competition. However in the same international monitoring system for showjumpers, Ireland's rankings have declined from the top ratings achieved in the 1960s and 1970s. In 2014, Ireland had slipped to twelfth position. The percentage of Irish bred horses competing in the Nation's Cup showjumping teams in the RDS has decreased from 35% in 1982 to 3% in 2014.

There is a need to identify what factors have led to a decline on the world stage of the Irish Sport horse in the show jumping discipline in particular. This issue may be explained by changing practices since the RDS implemented breeding programmes from the late 1800s to the 1960s, which effectively shaped the Irish horse, making it so successful in subsequent years. Irish breeders may have moved too far away from the classic Irish formula of the Thoroughbred – draught cross. HSI notes that a significant percentage of horses registered in the Irish Sport Horse Studbook now have genetics which originated in foreign studbooks. The 'traditional' Irish Sport Horse needs to be retained.

⁴³ ITBA Submission to the Committee

⁴⁴ Indecon - Review of Certain Aspects of the Irish Horse Racing Industry - 2012

There is concern that cross breeding the Irish Draught with European Warmbloods is threatening the traditional characteristics of the Irish Sport Horse. Mechanisation of Irish farms in the 1940s, 50s and 60s made the working horse largely redundant.

HSI notes that Ireland has a relatively small number of High Genetic Merit mares for the disciplines of show jumping and eventing. It further notes that the inability to produce stallions of note over the past 15 years reflects a failure of the systems in place.⁴⁵

HSI acknowledges there is no dedicated information or advisory service where breeders can seek professional advice in relation to breeding plans. Furthermore, they state that:

*'the discussion group model utilised by the beef, dairy and sheep sectors has proved very successful in improving technical performance and profitability on farms. The absence of such a local/regional system in the equine sector has limited the opportunities for many breeders to improve their knowledge and skills to meet market demands'.*⁴⁶

HSI suggests that a similar network be set up for the equine breeding sector, potentially titled the Knowledge Transfer Equine Programme. HSI describes its objective to develop a new breeding infrastructure and sets out plans for breeding initiatives, educational programmes, databases and genetic assessment programmes, all of which would require significant funding. For example, a database system is needed to accurately record pedigree and performance together, in order to ascertain what the best breeding choices may be.

The registration of horses with ID passports instead of studbook passports, inhibits the gathering of such information in relation to the complete Sport Horse herd in Ireland. The system allows owners to register a horse with no pedigree information and as this type of registration is cheaper than the pedigree option, it is more popular. HSI figures for 2013 show that the majority of IDs/passports issued (50.3%) were non-pedigree. The fact that more horses are registered with non-pedigree passports, may show an inadequate focus on breeding imperatives and highlight the need for a more structured and targeted approach.

Recommendation 36: That a tax incentive measure be considered to encourage small thoroughbred breeders to reinvest and buy new broodmare stock.

Recommendation 37: That the future of the traditional breed of the Irish Sport Horse be supported with a development programme.

Recommendation 38: That clearly defined breeding objectives be established and a more structured approach to breeding be implemented to ensure the continued production of high quality eventers.

Recommendation 39: That the development of native breeds such as the Irish Draught and the Connemara pony receives greater financial support. To this end riding and training facilities are needed, especially in the west of Ireland.

Recommendation 40: That consideration be made to eliminating ID passports or equalising the cost of ID and studbook passports.

Recommendation 41: That the practice of inspections of the Irish Sport Horse, the Irish Draught Horse and the Connemara Pony be continued to ensure that the quality of stallions involved in the sector is guaranteed and that the reputation of the sector is protected.

⁴⁵ Report of the Irish Sport Horse Industry Strategy Committee *Reaching New Heights*

⁴⁶ *ibid*

Section 7 – Harness Racing

Harness racing – or trotting - is a globally recognised sport. It is to be found across 31 countries and is an industry valued at €13 billion. It is a horserace run at recognised racetracks and involves a horse pulling a sulky – a two-wheeled cart - and a driver. France is the largest country for trotting and other sizable trotting territories include North America, Sweden and Australia. France and Australia, in particular, look at the sport from a community-rural aspect. Trotting is the largest horse racing sport in mainland Europe and is bigger than thoroughbred racing.

The IHRA believe that it might be able to assist with road racing social issues by attracting existing road-racers into harness-racing should appropriate venues and infrastructures be put in place.

Thoroughbred and harness racing organisers share racecourse facilities in most countries and they hold meetings on the same day and, frequently, on the same race card. According to IHRA, the use of Irish thoroughbred racetracks is being prevented at present by HRI on the basis of welfare, track and competition reasons. HRI did allow a harness racing event to take place in Dundalk stadium in September 2015, but insisted that from a long-term perspective Dundalk is not the home for harness racing. While IHRA has ambitions to develop its own, purpose-built harness racing track in Ireland, it would like to use conventional horse-racing venues in the interim.

The IHRA identified their partnership with the French harness racing group LeTROT as having significant export potential for Irish harness racing horses. Currently, both France and Australia are making financial contributions towards the development of harness racing here in Ireland. Europe does not have the problem of road racing which Ireland experiences. One reason for this is the strength of the European trotting industry. The sport is offered in many rural towns and is presented under the governance of trotting rules, with prize money and betting opportunities.

IHRA contend that premium harness racing meetings could be held at Dundalk, generating around €50,000 in revenue per meeting. Projected figures from French meetings show €75,000 per meeting. The thoroughbred industry generates €40,000 per race meeting. The IHRA also identified opportunities from developing Ireland as an international tote harness racing hub to boost revenue for the development of the sport.

In the 2016 Budget announced by the Irish Government in October 2015, the thoroughbred and greyhound racing industry saw a combined increase of 9%, or €6 million. In addition, the Traveller community received an increase of 27% to €2.7 million for advancing horse projects for urban and Traveller horse owners. The IHRA submitted and requested a total of just €375,000 for development and veterinary issues but was granting nothing.

HRI informed the Committee that its main role was the promotion of the thoroughbred horse in Ireland, and that the horses involved in harness racing were not thoroughbreds. HRI asserted that it was not opposed to harness racing, but that it did not fall into its area of responsibility. HRI noted that it had a duty of care to protect the €1bn Irish horseracing industry by promoting thoroughbreds, and could not put the industry at risk by getting involved in harness racing.

HRI outlined its concerns regarding the staging of harness racing events at conventional racetracks, citing issues such as cross-contamination of horses, fixture allocation, media rights, and betting. Additionally, HRI noted that worldwide, it is not necessarily the norm for thoroughbred racing and harness racing to be held at the same venue. HRI believes that the

safest policy is to maintain separation of the two codes of thoroughbred racing and harness racing.

HSI informed the Committee that they had been providing assistance to IHRA since 2013, as the latter had no other suitable body to which to seek help in developing harness racing. However, HSI is unable to provide assistance to IHRA in terms of granting access to race courses, funding, and betting infrastructures.

Recommendation 42: That IHRA receive appropriate funding to develop the sport of harness racing from an increased funding stream allocated to HIS.

Recommendation 43: That a partnership such as the existing one between the IHRA and its counterparts in France be fostered and developed so that Irish harness racing can flourish on a world stage.

Recommendation 44: That better co-operation between HRI and the IHRA would be encouraged particularly in relation to health standards and the shared use of facilities where appropriate.

Glossary

AIR	Association of Irish Racecourses
AIRE	Association of Irish Riding Establishments
AIRO	Association of Irish Racehorse Owners
BHS	British Horse Society
CCMA	County and City Managers Association
DAFM	Department of Agriculture, Food, and the Marine
HGRF	Horse and Greyhound Racing Fund
HRI	Horse Racing Ireland
HSI	Horse Sport Ireland
IHRA	Irish Harness Racing Association
IHWT	Irish Horse Welfare Trust
INHSC	Irish National Hunt and Steeplechase Committee
IRTA	Irish Racehorse Trainers Association
ISA	Irish Stablestaff Association
ISPCA	Irish Society for the Prevention of Cruelty to Animals
ITBA	Irish Thoroughbred Breeders Association
RRB	Racing Regulatory Body (comprising the Turf Club and the INHSC)

Appendix 1: Membership of the Joint Committee

Deputies:

- Tom Barry (FG)
- Pat Deering (FG) [Vice-Chairman]
- Andrew Doyle (FG) [Chairman]
- Martin Ferris (SF)
- Martin Heydon (FG)
- Willie Penrose (LAB)
- Éamon Ó Cuív (FF)
- Thomas Pringle (IND)
- Arthur Spring (LAB)

Senators:

- Michael Comiskey (FG)
- Denis Landy (LAB)
- Paschal Mooney (FF)
- Mary Ann O'Brien (IND)
- Brian Ó Domhnaill (FF)
- Pat O'Neill (FG)

Appendix 2: Terms of Reference

a. Functions of the Committee – derived from Standing Orders [DSO 82A; SSO 70A]

- (1) The Select Committee shall consider and report to the Dáil on—
 - (a) such aspects of the expenditure, administration and policy of the relevant Government Department or Departments and associated public bodies as the Committee may select, and
 - (b) European Union matters within the remit of the relevant Department or Departments.
- (2) The Select Committee may be joined with a Select Committee appointed by Seanad Éireann to form a Joint Committee for the purposes of the functions set out below, other than at paragraph (3), and to report thereon to both Houses of the Oireachtas.
- (3) Without prejudice to the generality of paragraph (1), the Select Committee shall consider, in respect of the relevant Department or Departments, such—
 - (a) Bills,
 - (b) proposals contained in any motion, including any motion within the meaning of Standing Order 164,
 - (c) Estimates for Public Services, and
 - (d) other matters
as shall be referred to the Select Committee by the Dáil, and
 - (e) Annual Output statements, and
 - (f) such Value for Money and Policy Reviews as the Select Committee may select.
- (4) The Joint Committee may consider the following matters in respect of the relevant Department or Departments and associated public bodies, and report thereon to both Houses of the Oireachtas:
 - (a) matters of policy for which the Minister is officially responsible,
 - (b) public affairs administered by the Department,
 - (c) policy issues arising from Value for Money and Policy Reviews conducted or commissioned by the Department,
 - (d) Government policy in respect of bodies under the aegis of the Department,
 - (e) policy issues concerning bodies which are partly or wholly funded by the state or which are established or appointed by a member of the Government or the Oireachtas,
 - (f) the general scheme or draft heads of any Bill published by the Minister,
 - (g) statutory instruments, including those laid or laid in draft before either House or both Houses and those made under the European Communities Acts 1972 to 2009,
 - (h) strategy statements laid before either or both Houses of the Oireachtas pursuant to the Public Service Management Act 1997,
 - (i) annual reports or annual reports and accounts, required by law, and laid before either or both Houses of the Oireachtas, of the Department or bodies referred to in paragraph (4)(d) and (e) and the overall operational results, statements of strategy and corporate plans of such bodies, and
 - (j) such other matters as may be referred to it by the Dáil and/or Seanad from time to time.
- (5) Without prejudice to the generality of paragraph (1), the Joint Committee shall consider, in respect of the relevant Department or Departments—
 - (a) EU draft legislative acts standing referred to the Select Committee under Standing Order 105, including the compliance of such acts with the principle of subsidiarity,
 - (b) other proposals for EU legislation and related policy issues, including programmes and guidelines prepared by the European Commission as a basis of possible legislative action,
 - (c) non-legislative documents published by any EU institution in relation to EU policy matters, and

- (d) matters listed for consideration on the agenda for meetings of the relevant EU Council of Ministers and the outcome of such meetings.
- (6) A sub-Committee stands established in respect of each Department within the remit of the Select Committee to consider the matters outlined in paragraph (3), and the following arrangements apply to such sub-Committees:
 - (a) the matters outlined in paragraph (3) which require referral to the Select Committee by the Dáil may be referred directly to such sub-Committees, and
 - (b) each such sub-Committee has the powers defined in Standing Order 83(1) and (2) and may report directly to the Dáil, including by way of Message under Standing Order 87.
- (7) The Chairman of the Joint Committee, who shall be a member of Dáil Éireann, shall also be the Chairman of the Select Committee and of any sub-Committee or Committees standing established in respect of the Select Committee.
- (8) The following may attend meetings of the Select or Joint Committee, for the purposes of the functions set out in paragraph (5) and may take part in proceedings without having a right to vote or to move motions and amendments:
 - (a) Members of the European Parliament elected from constituencies in Ireland, including Northern Ireland,
 - (b) Members of the Irish delegation to the Parliamentary Assembly of the Council of Europe, and
 - (c) at the invitation of the Committee, other Members of the European Parliament.

b. Scope and Context of Activities of Committees (as derived from Standing Orders [DSO 82; SSO 70]

- (1) The Joint Committee may only consider such matters, engage in such activities, exercise such powers and discharge such functions as are specifically authorised under its orders of reference and under Standing Orders.
- (2) Such matters, activities, powers and functions shall be relevant to, and shall arise only in the context of, the preparation of a report to the Dáil and/or Seanad.
- (3) It shall be an instruction to all Select Committees to which Bills are referred that they shall ensure that not more than two Select Committees shall meet to consider a Bill on any given day, unless the Dáil, after due notice given by the Chairman of the Select Committee, waives this instruction on motion made by the Taoiseach pursuant to Dáil Standing Order 26. The Chairmen of Select Committees shall have responsibility for compliance with this instruction.
- (4) The Joint Committee shall not consider any matter which is being considered, or of which notice has been given of a proposal to consider, by the Committee of Public Accounts pursuant to Dáil Standing Order 163 and/or the Comptroller and Auditor General (Amendment) Act 1993.
- (5) The Joint Committee shall refrain from inquiring into in public session or publishing confidential information regarding any matter if so requested, for stated reasons given in writing, by—
 - (a) a member of the Government or a Minister of state, or
 - (b) the principal office-holder of a body under the aegis of a Department or which is partly or wholly funded by the state or established or appointed by a member of the Government or by the Oireachtas:

Provided that the Chairman may appeal any such request made to the Ceann Comhairle / Cathaoirleach whose decision shall be final.

