

FIRST APPENDIX
THE NEW ZEALAND STUD BOOK AND REGISTER OF NON STUD BOOK MARES
REGULATIONS MADE BY NZTR
PURSUANT TO RULE 11(3)(f) OF THE CONSTITUTION

- 1 (1) In these Regulations, unless the context otherwise requires, the words and phrases following shall severally have the meanings hereinafter stated:
- brand identification certificate** means the form referred to in Regulation 8 (1) hereof.
- branding slip** means the form used prior to the 31st July 1991 for returning a description and other particulars of a foal.
- A horse is deemed to be "**bred**" at the place of its birth.
- The person who owns or is the lessee of a broodmare at the time she foals is deemed to be the "**breeder of the foal**".
- certificate of registration/document of description** means the document referred to in Regulation 5A (1) hereof.
- certificate of service** or **certificate** means the certificate referred to in Regulation 11(1) hereof.
- Foaling return** means the return required by Regulation 4 (1) hereof.
- horse** includes a stallion, colt, mare, filly, gelding or rig of any age.
- Judicial Committee** means a Judicial Committee appointed by the Judicial Control Authority established pursuant to the Racing Act 2003.
- lessee** includes in addition to a sole lessee the joint lessees of a horse.
- owner** includes in addition to a sole owner the joint owners of a horse.
- words importing the singular number include the plural number and words importing the plural number include the singular number.
- year** or **racing year** means the period beginning on the 1st day of August in each calendar year and ending on the 31st day of July in the next succeeding calendar year.
- (2) For the purposes of the returns required by these Regulations a mare is deemed to have "slipped" when:
- (a) she has been observed to abort a foetus; or
- (b) she has not been observed to abort a foetus but has, by the method referred to in the next succeeding sentence, previously been diagnosed to be pregnant and is subsequently in the same year found to be empty. The method of diagnosis is when a mare which has been served gives a positive reaction to a recognised chemical or biological test for pregnancy after the 45th day from the last date of service.
- In every other case, except the case of a mare foaling, a served mare shall be deemed to have "missed".
- 2 (1) The following horses and no others shall be eligible for entry in the New Zealand Stud Book, viz:
- (a) horses which authentically trace in all their lines to horses recorded in that Stud Book;
- (b) horses which are recorded in a recognised Stud Book of another country and be the product of a mating between a sire and dam both of which were registered prior to the 1st January 1980 in a Stud Book approved by the International Stud Book Committee, or trace in all lines of its pedigree to horses so registered;
- (c) horses which are recorded in the New Zealand Register of Non-Stud Book Mares and have been promoted to Stud Book status by NZTR supported by the unanimous agreement of the International Stud Book Committee; and
- (d) horses, other than those referred to in the last three preceding paragraphs, which are approved for entry by NZTR and the entry of which is supported by unanimous agreement of the International Stud Book Committee,

provided that any such horse is the product of a natural service, which is the physical mounting of a mare by a stallion with intromission of the penis and ejaculation of semen into the reproductive tract. A natural gestation must have taken place and delivery must have be from the body of the same mare in which the foal was conceived. For the avoidance of doubt:

- (e) such natural service may include the immediate reinforcement of the stallion's service by using residual semen ejaculated by the stallion whilst it penetrated the mare during that service of the same mare, provided that the reinforcement of service must be immediately after the natural covering and the semen must not be processed or altered in any way before it is used for reinforcement; and
 - (f) semen obtained from a stallion by any artificial means may not be used to reinforce a service, and any other form of artificial breeding (including artificial insemination, embryo transfer or transplant, cloning, or any other form of genetic manipulation) may not be used to produce the horse.
- (2) The following horses and no others shall be eligible for entry in Register of Non Stud Book Mares, viz:
- (a) horses which are for any reason not accepted for entry in the New Zealand Stud Book but have been registered in accordance with the provisions of Rule 404 to 410 of the Rules; and
 - (b) horses which are for any reason not accepted for entry in the New Zealand Stud Book but which are registered by Another Racing Authority,

provided that any such horse is the product of a natural service, which is the physical mounting of a mare by a stallion with intromission of the penis and ejaculation of semen into the reproductive tract. A natural gestation must have taken place and delivery must have be from the body of the same mare in which the foal was conceived. For the avoidance of doubt:

- (c) such natural service may include the immediate reinforcement of the stallion's service by using residual semen ejaculated by the stallion whilst it penetrated the mare during that service of the same mare, provided that the reinforcement of service must be immediately after the natural covering and the semen must not be processed or altered in any way before it is used for reinforcement; and
 - (d) semen obtained from a stallion by any artificial means may not be used to reinforce a service, and any other form of artificial breeding (including artificial insemination, embryo transfer or transplant, cloning, or any other form of genetic manipulation) may not be used to produce the horse.
- 3 (1) Notwithstanding that a horse is eligible for entry under the last preceding Regulation, it shall not be entered in the New Zealand Stud Book or the Register of Non Stud Book Mares (as applicable):
- (a) until, in the case of a horse being the progeny of an unnamed dam, the dam is named and the name registered; and
 - (b) until, in any case, the identity and breeding of the horse is established to the satisfaction of NZTR.
- (2) Notwithstanding that a horse is eligible for entry under the last preceding Regulation if such horse has been foaled in New Zealand and has not been Microchipped, DNA-typed or freeze branded it shall not be entered in the New Zealand Stud Book and if entered shall be deleted therefrom unless in either case NZTR in its sole discretion decides otherwise.
- 4 (1) NZTR shall, not later than the month of December in each year, forward to every owner or, in the case of a mare which is leased, lessee known to him in New Zealand of a mare or mares eligible for entry, or entered, in the New Zealand Stud Book or Register of Non Stud Book Mares (as applicable) a form (referred to herein as a "foaling return") for returning particulars of their foalings and coverings. Such return shall be in a form prescribed by NZTR or processed through the Breeders Service Centre on line studbook, and shall be furnished to NZTR not later than the 28th February in each year. The relevant fee specified by NZTR is payable in respect of each year's foaling return in respect of every eligible broodmare accepted with a view to inclusion in the New Zealand Stud Book or the Register of Non Stud Book Mares (as applicable) and the foaling return must be furnished to NZTR irrespective of whether:

- (a) as a result of her covering in the last preceding year the mare foaled, missed or slipped; or
- (b) the mare was covered during the last preceding year.

The fee is also payable in respect of a mare which has died leaving a surviving foal.

- (2) Every person in whose charge, care or control a mare entered or eligible for entry in the New Zealand Stud Book or the Register of Non Stud Book Mares (as applicable) is at the time of foaling, shall keep a record of such foaling, showing the name and, if unnamed, the age, colour and pedigree of the mare, the date of foaling, the sex and colour of the foal and the name of its sire, and, not later than the 28th February after the date of such foaling, shall notify such particulars to NZTR.
 - (3) Every notification of particulars of the foaling of any mare duly forwarded pursuant to sub-Regulation (2) may be accepted by NZTR as an application for entry of the foal in the New Zealand Stud Book or the Register of Non Stud Book Mares (as applicable).
 - (4) Every person who, being required so to do by these Regulations fails to furnish a return to NZTR by the 28th February in any Racing Year shall be liable for the relevant late entry fee specified by NZTR in respect of that return.
 - (5) Failure on the part of any person to comply with the provisions of sub-Rule (1), (2) and (4) hereof may be deemed by NZTR sufficient ground for refusing the registration of the horse concerned under the New Zealand Rules of Racing.
 - (6) If the foaling return for a mare records that she gave birth to a live foal during the period to which the return relates there shall be forwarded with the foaling return not only the fee referred to in Regulation 4 (1) hereof but also the relevant fee specified by NZTR for each live foal to which the mare gave birth during such period which fee shall be to enable the foal to be DNA-typed. If no live foal is so recorded no such additional fee of shall be payable provided however that if, contrary to what is recorded on the foaling return, a mare had given birth to a live foal the fee specified by NZTR shall be paid to NZTR when a sample of the hair of that foal is forwarded for DNA-typing. If, after the fee specified by NZTR has been forwarded with a foaling return but before the foal to which it relates has been DNA-typed, a foal dies, NZTR shall refund such fee to the person who paid it.
- 5A
- (1) The relevant fee specified by NZTR shall be payable in respect of each mare for which initial entry as a broodmare in the New Zealand Stud Book or the Register of Non Stud Book Mares (as applicable) is sought. Every person who applies for such initial entry of a mare shall forward to NZTR with such application the certificate of registration issued under the New Zealand Rules of Racing in respect of that mare. NZTR shall then prepare in respect of that mare a document which shall be called a certificate of registration/document of description and which shall be in a form prescribed by NZTR from time to time. NZTR shall thereafter forward to such person or his nominee the certificate of registration/document of description in respect of the mare.
 - (2) Every person applying for initial entry of a mare as a broodmare in the New Zealand Stud Book or the Register of Non Stud Book Mares (as applicable) shall be sent by NZTR instructions to enable samples of the hair of that mare to be obtained by such person.
 - (3) It shall be the duty of every such person to obtain at his expense samples, as required by such instructions, of the hair of the mare in respect of which initial entry as aforesaid is sought and secondly to ensure that, within two months of forwarding his application as aforesaid, such samples are forwarded to the laboratory of the Equine Parentage and Animal Genetic Services Centre, Massey University, Palmerston North.
 - (4) If the samples forwarded are not acceptable to the laboratory further samples shall be obtained and forwarded.
 - (5) Such laboratory shall, on a basis to be agreed between such Department or University and NZTR, carry out the DNA-typing of all such samples as are so forwarded to it and shall report in respect of such samples to NZTR.
 - (6) NZTR shall then make a decision in respect of the application for the initial entry of the mare as a broodmare in the New Zealand Stud Book or the Register of Non Stud Book Mares (as applicable).

- (7) Hair samples are required to be obtained from such horse or horses as NZTR shall specify and to be forwarded to such laboratory as aforesaid in each of the following cases:
- (a) in the case of every stallion entered or eligible for entry in the New Zealand Stud Book or the Register of Non Stud Book Mares (as applicable) which is standing at stud in New Zealand and which has not already been DNA-typed by such laboratory;
 - (b) whenever a mare which has been covered in one year by two or more stallions produces a live foal;
 - (c) whenever a mare foals less than 315 or more than 370 days after the date of last service;
 - (d) whenever the markings and/or brands of a horse differ, to an extent which is in the opinion of NZTR significant, from those recorded on the branding slip or brand identification certificate relating to such horse and NZTR considers that DNA-typing is required in view of the difference;
 - (e) whenever NZTR considers that the sire and/or dam of a horse may be different from that whose progeny it has hitherto been regarded as being;
 - (f) whenever a foal's reported coat colour is considered by NZTR to warrant investigation by way of DNA-typing being carried out; and/or
 - (g) in any other case where in the opinion of NZTR doubt exists on a matter which the proper compilation of the New Zealand Stud Book or the Register of Non Stud Book Mares (as applicable) requires to be free from doubt.
- (8) It shall be the duty of every person who is required by NZTR pursuant to sub-Regulation (7) of this Regulation to cause hair samples to be obtained and submitted to do so in accordance with NZTR's requirements.
- (9) The relevant fee specified by NZTR per sample shall be paid to NZTR in respect of every sample forwarded pursuant to sub-Regulation (7) of this Regulation.
- 5B (1) It shall be the duty of the owner or, in the case of a mare which is leased at the time of foaling, lessee of every mare which gives birth to a foal to ensure that a sample of the hair of that foal is taken and sent to the laboratory of the Equine Parentage and Animal Genetic Services Centre, Massey University, Palmerston North.
- (2) No sample shall be taken from any such foal until it has:
- (a) been branded, microchipped; and
 - (b) lived for at least three months.
- (3) Subject to sub-Regulation (2) of this part of this Regulation, the sample shall be taken before the 31st day of July next following the birth of the foal or before any sale which takes place prior to that date, provided however that if a foal is sold before it is branded and microchipped and has lived for three months it shall be the duty of the purchaser to ensure that the sample is taken and sent to the laboratory after the foal has been branded and microchipped and has lived for at least three months but before the said 31st day of July or further prior sale.
- (4) If the sample forwarded is not acceptable to the laboratory a further sample shall be obtained and forwarded by the person under the duty pursuant to sub-Regulation (1) and (3) of this part of this Regulation.
- (5) The laboratory shall, on a basis to be agreed between such Department or University and NZTR, carry out the DNA-typing of all such samples as are so forwarded to it and shall report in respect of such samples to NZTR.
- (6) If any entry has already been made in the Stud Book in relation to any foal born, NZTR may in his sole discretion amend it so that the breeding of the foal as recorded in the New Zealand Stud Book accords with the results of the DNA-typing of the sample of hair taken from the foal.
- (7) If in respect of any foal born no sample of hair is taken and forwarded within the time required NZTR may refuse to enter in the New Zealand Stud Book the name or any other record of the foal or, if it has already been entered, may delete from such Stud Book the name of or any entry relating to such foal.

- 6 NZTR may waive part or all of any of the fees payable pursuant to these Regulations if it in its sole discretion shall consider the circumstances so warrant.
- 7 A foal is not eligible for inclusion in the New Zealand Stud Book unless it is begotten by natural service of the mare which gave birth to the foal.
- 8 (1) The owner of a foal foaled in New Zealand during the current Racing Year and eligible for entry in the New Zealand Stud Book or the Register of Non Stud Book Mares (as applicable) must obtain from a registered veterinary surgeon a brand and DNA-type identification certificate for returning a description and other particulars of the foal. Such certificate shall be in the form prescribed by NZTR from time to time.
- (2) It is the duty of the owner or, in the case of a mare which is leased, lessee of a mare entered or eligible for entry in the New Zealand Stud Book or the Register of Non Stud Book Mares (as applicable) to ensure that branding and microchipping of that mare's foal is carried out either at or prior to weaning with a cipher brand on the near shoulder and numerical brands on the off shoulder to represent the serial number of the foal branded and the year in which the foal was dropped. The last figure of the brands must coincide with the year of foaling. If the foal is freeze branded the size of the brands to be used must have a marking face not to exceed 6.3 mm in width; the cipher or alphabetical brand shall not be less than 25.4 mm nor more than 38.1 mm in depth and the numerical brands shall not be less than 25.4 mm nor more than 38.1 mm in depth.
- (3) Every person in whose charge, care or control a mare entered or eligible for entry in the New Zealand Stud Book is at the time of foaling or any person in whose charge, care or control a foal entered or eligible for entry in the New Zealand Stud Book is after foaling and before the 31st day of July next following shall notify the particulars and description of such in a duly completed brand identification certificate not later than the 31st day of July next after the date of such foaling to NZTR, provided however that if a foal is sold during the Racing Year in which it was born the brand identification certificate in respect thereof shall be completed and forwarded to NZTR by the person who was the owner or, in the case of a dam which is leased, lessee of that foal's dam at the time when that foal was weaned from that dam, or such owner's or lessee's duly authorised agent. NZTR shall not, except in what it considers exceptional circumstances, accept the brand identification certificate from the new owner of any such foal.
- (4) Every person who being required so to do by these Regulations fails to furnish a brand identification certificate to NZTR by the 31st day of July next after the date of such foaling shall be liable to a late entry fee at the relevant rate specified by NZTR for every month or part of a month after the said 31st day of July.
- (5) No brand identification certificate shall be accepted after the 31st day of December next after the date of the foaling.
- (6) Failure on the part of any person to comply with the provisions of sub-Regulations (3) and (4) hereof or to make payment of the late entry fee due hereunder shall make the foal concerned ineligible for entry in the New Zealand Stud Book or the Register of Non Stud Book Mares (as applicable) or for registration under the New Zealand Rules of Racing and any application for such entry or registration shall be null and void.
- (7) Notwithstanding anything contained herein, NZTR shall have power to extend the time or times provided herein and to waive any of the provisions herein if it in its sole discretion considers the circumstances so warrant.
- 9 (1) NZTR shall out of each annual specified fee (inclusive of GST) received by it under Regulation 4 (1) pay to the New Zealand Thoroughbred Breeders' Association a sum to be determined by NZTR and notified to the said Association, provided that Association keeps accurately and up to date a brand register and keeps such register freely available at all times for inspection by officers of NZTR.
- 10 (1) Every person disposing by sale or gift of any stallion, broodmare, or filly which is or is eligible to be entered in the New Zealand Stud Book or the Register of Non Stud Book Mares (as applicable) shall notify such change of ownership as required under Rule 423 of the New Zealand Rules of Racing and, in the case of a broodmare, shall state whether or not she has a foal at foot, its colour, sex and sire and, if served during the current season, the name of the covering stallion and date of the last service.
- (2) If a mare is sold with a foal at foot, a separate notice of change of ownership must be completed as to the foal.

- (3) If a mare is leased a notification of lease for stud purposes must be completed as to the mare and forwarded to NZTR together with the relevant fee specified by NZTR.
- 11 (1) The person in whose charge, care or control a stallion entered or eligible for entry in the New Zealand Stud Book or the Register of Non Stud Book Mares (as applicable) is at the time of covering shall in each year complete a certificate of service in the form prescribed by NZTR or in the form of a computer printout acceptable to NZTR in respect of every mare which is or is eligible for entry in the New Zealand Stud Book or New Zealand Register of Non-Stud Book Mares covered by the stallion and shall lodge it with NZTR in accordance with the succeeding clauses of this Regulation.
- (2) A certificate of service in respect of a mare served by or paddocked with the stallion between the 1st day of September and the 31st day of January must be lodged with NZTR before the 28th day of February in the year of service. A certificate of service for a mare served by or paddocked with the stallion between the 1st day of February and the 31st day of July must be lodged with NZTR not later than 14 days after the 31st day of July. In the event of a mare being served by or paddocked with the stallion between the 1st day of September and the 31st day of January and also between the 1st day of February and the 31st day of July two certificates of service must be lodged.
- (3) If a mare has been covered by two stallions two certificates of service must be lodged.
- (4) The owner or lessee (or the duly authorised agent of either thereof) of every stallion entered or eligible for entry in the New Zealand Stud Book or the Register of Non Stud Book Mares (as applicable) shall pay to NZTR the fee specified by NZTR for the relevant category set out below:
- (a) 1-14 mares covered;
 - (b) 15-30 mares covered;
 - (c) 31-50 mares covered;
 - (d) 51-70 mares covered;
 - (e) 71-100 mares covered; or
 - (f) more than 100 mares covered.
- Such fee shall be payable not later than the 28th day of February in the next succeeding year.
- (5) The fee for a certificate of service which is lodged later than required by Regulation 11 (2) hereof shall be at the rate specified by NZTR for each month or part thereof which elapsed between the last date by which the certificate ought to have been lodged and the date when it was lodged.
- (6) Before any mare is served by a stallion entered or eligible for entry in the New Zealand Stud Book or the Register of Non Stud Book Mares (as applicable) the person in whose charge, care or control such stallion then is shall require the production to him of and shall inspect the certificate of registration/document of description issued by NZTR in respect of that mare and shall check the identity of the mare to be served by the stallion and be satisfied that such mare is the mare to which the certificate of registration/document of description relates. Such person shall note on the certificate of registration/document of description the date on which he inspected such certificate of registration/document of description and checked the identity of the mare. Such person shall also note thereon the name of the stallion by which the mare is to be covered and shall then sign such certificate of registration/document of description. No person in whose charge, care or control any such stallion then is shall cause or permit the stallion to serve any mare unless and until such person has taken all the steps and complied with and discharged all the duties and obligations imposed on him by this sub-Regulation. Any person who fails to take all such steps or to comply with and discharge all such duties and obligations commits a breach of these Regulations. In the event of any failure by any such person to take all such steps or to comply with and discharge all such duties and obligations NZTR may decline to include in the New Zealand Stud Book or the Register of Non Stud Book Mares (as applicable) any entry relating to any covering by that stallion or any foal resulting from any such covering.
- 12 (1) NZTR may reject at any time any foaling return, branding slip, brand identification certificate or certificate of service submitted to it, and whether or not any such return, slip, brand identification certificate or other certificate has previously been accepted by

it and whether or not any fees have been paid in respect thereof, without giving any reason for such rejection. NZTR may delete from the New Zealand Stud Book or the Register of Non Stud Book Mares (as applicable) at any time any entry relating to and the name of any horse referred to therein. By submitting any foaling return or other document to NZTR for acceptance the person submitting it agrees to abide by the decisions of NZTR.

- (2) If, in the opinion of an Investigator or NZTR, there is reason to believe that there has been supplied to NZTR a foaling return or any other information relating to a horse entered or eligible for entry in the New Zealand Stud Book or the Register of Non Stud Book Mares (as applicable) which is or may be incorrect or if, in the opinion of an Investigator or NZTR, there are other circumstances which make an investigation necessary or desirable such Investigator or NZTR may require:
 - (a) the person who supplied the return or other information and the owner of and any other person in New Zealand who then has charge, care or control of any horse entered or eligible for entry in the New Zealand Stud Book or the Register of Non Stud Book Mares (as applicable) to submit for examination by him or such other person (if any) as NZTR appoints all books, receipts and other documents which such Investigator or NZTR or other person deems it necessary to examine and to pay such fees as NZTR directs; and/or
 - (b) the owner of and any other person in New Zealand who then has charge, care or control of any horse entered or eligible for entry in the New Zealand Stud Book or the Register of Non Stud Book Mares (as applicable) to permit all or any of inspection, examination and DNA-typing of such horse by such person as NZTR appoints.
 - (3) It shall be the duty of every owner or other person required pursuant to sub-Regulation (2) of this Regulation to submit books, receipts or other documents for examination or to permit all or any of inspection examination and DNA-typing of a horse to do so when and as often as required by the Investigator or NZTR or other appointed person.
 - (4) Failure by any owner or other person to discharge the duty set out in sub-Regulation (3) of this Regulation shall entitle NZTR:
 - (a) to refuse entry in the New Zealand Stud Book or the Register of Non Stud Book Mares (as applicable) to any horse owned by or leased to such owner or other person or any company in which such owner or other person is a shareholder; and/or
 - (b) to delete from the New Zealand Stud Book or the Register of Non Stud Book Mares (as applicable) if already entered therein any entry relating to and the name of any horse owned by or leased to such owner or other person or any company in which such owner or other person is a shareholder.
- 13 (1) Before any stallion is first stood at service in New Zealand the owner of or person proposing to stand at service that stallion shall ensure that:
- (a) a sample of that stallion's blood is taken by a Veterinarian and submitted to the MAF National Centre for Disease Investigation, Wallaceville, for the purpose of establishing whether the stallion has the virus of equine viral arthritis;
 - (b) no mare is served by that stallion unless such person has been advised in writing by the Laboratory or NZTR that the sample was negative for equine viral arteritis;
 - (c) if such person is advised that the sample was positive for equine viral arteritis, a sample of the horse's semen is then obtained and forwarded to such Laboratory and/or (if NZTR requires it) the horse is test mated with two seronegative mares and a sample of their blood is subsequently taken by a Veterinarian (at a time to be fixed by NZTR) and forwarded to such Laboratory;
 - (d) no mare - other than the mares with which that stallion may have been required by NZTR to be test mated - is served by a stallion whose blood sample was positive for equine viral arteritis unless such person has been advised in writing by the Laboratory or NZTR that the stallion although seropositive is not a shedder of the virus in his semen; and
 - (e) there are paid by such person, by the time required, all fees in respect of the taking and testing of samples and/or the test mating of the stallion with mares.

- (2) Every person owning or standing a stallion at service in New Zealand shall ensure that:
- (a) if the stallion has not previously stood at service in New Zealand such person complies with every obligation imposed upon him by sub-Regulation (1) of this Regulation; or
 - (b) if the stallion has previously stood at service in New Zealand:
 - (i) a sample of the stallion's blood is taken by a Veterinarian and submitted to the MAF National Centre for Disease Investigation, Wallaceville, for the purpose of establishing whether the stallion has the virus of equine viral arteritis, provided however that no sample of the stallion's blood shall be required to be taken and tested if such Laboratory or NZTR has previously advised such person in writing that the stallion although seropositive is not a shedder of the virus in his semen;
 - (ii) every such sample is taken not later than 30th June each year;
 - (iii) after the taking of such sample no mare is served by that stallion unless such person has been advised in writing by the Laboratory or NZTR that the sample was negative for equine viral arteritis; or
 - (iv) if such person is advised that the sample was positive for equine viral arteritis a sample of the horse's semen is then obtained and forwarded to such Laboratory and/or (if NZTR requires it) the horse is test mated with two seronegative mares and a sample of their blood subsequently taken by a Veterinarian (at a time to be fixed by NZTR) and forwarded to such Laboratory;
 - (v) no mare - other than the mares with which that stallion may have been required by NZTR to be test mated - is served by a stallion whose blood sample was positive for equine viral arteritis unless such person has been advised in writing by the Laboratory or NZTR that the stallion although seropositive is not a shedder of the virus in his semen; and
 - (vi) there are paid by such person, by the time required, all fees in respect of the taking and testing of samples and/or the test mating of the stallion with mares.
- (3) Not later than the 31st day of July in each year the owner of or person standing or proposing to stand at service in New Zealand a stallion shall:
- (a) lodge with NZTR a letter (from the Veterinarian who took the sample) confirming that the blood sample has been taken and forwarded to such Laboratory; or
 - (b) lodge with NZTR proof that the stallion although seropositive is not a shedder of the virus of equine viral arteritis in his semen and therefore is not required to be the subject of an annual blood test.
- (4) In the event of any person to whom this Regulation applies failing to comply with any obligation imposed upon him by any of the preceding sub-Regulations of this Regulation:
- (a) such person commits a breach of these Regulations and shall be liable to the penalties set out in Regulation 15(4) of these Regulations; and
 - (b) NZTR shall be entitled to refuse entry in the New Zealand Stud Book or the Register of Non Stud Book Mares (as applicable) any horse born as a result of a mating in New Zealand of a mare and the stallion in respect of which such breach was committed.
- (5) NZTR may in writing exempt any such person from complying with this Regulation in respect of a stallion if he is satisfied that that stallion has already been tested for such virus that it is not then necessary for the stallion to be tested again.
- (6) NZTR may at any time require that a stallion which has already been tested for such virus be tested again within such time as it shall specify in writing and in any such case the provisions of sub-Regulations (1), (2), (3) and (4) of this Regulation shall apply with any necessary modifications.

meet an obligation imposed on him by these Regulations and any person who subsequently comes into possession of any such form, document, receipt or other paper shall ensure that unless it has already been sent to NZTR it is retained and available for inspection by an Investigator or NZTR for a period of at least seven years after and exclusive of the day of the last entry or writing being made therein or thereon or of the day on which he came into possession as the case may be.

- 15 (1) Every person who fails to comply with any obligation or discharge any duty imposed upon him by these Regulations commits a breach of these Regulations.
 - (2) Every person who (other than wilfully) furnishes to NZTR any incorrect information in connection with the pedigree, colour markings or brands of a horse commits a breach of these Regulations.
 - (3) Any alleged breach of these Regulations may be prosecuted by an Investigator and shall be considered and dealt with by a Judicial Committee.
 - (4) NZTR may exercise its powers under these Regulations notwithstanding that a Judicial Committee has penalised, or has the power to penalise, a person for a breach of these Regulations which constitutes a breach of the New Zealand Rules of Racing.
- 16 When a foal entered in the New Zealand Register of Non Stud Book Mares has proved satisfactorily eight thoroughbred crosses consecutively, including the cross of which it is the progeny, and shown such performances in races open to thoroughbreds, in both the thoroughbred and non thoroughbred sections of its pedigree as to warrant its assimilation with thoroughbreds, NZTR supported by the unanimous agreement of the International Stud Book Committee may allow such animal to be promoted to Stud Book status and to be considered as eligible to apply for admission to the New Zealand Stud Book. NZTR with the unanimous support of the International Stud Book Committee may classify a Non Stud Book mare as a 'vehicle' mare, if it can prove satisfactorily seven consecutive thoroughbred crosses and show satisfactory performances in both thoroughbred and non thoroughbred sections of its pedigree. The product of the mating of a Stud Book stallion and a 'vehicle' mare is eligible for promotion to the New Zealand Stud Book provided it has been accepted for inclusion as a foal in the New Zealand Register of Non Stud Book Mares.