

## Policy on EPS accepting ponies as gift or legacy.

1. The Eriskay Pony Society (EPS) **is not a Welfare or Rehoming charity** and exists to preserve the Eriskay pony and promote its use in the modern environment. The Society works to ensure that numbers of ponies can increase in a healthy population and uses the SPARKS genetic programme, along with a breeding grants system, to support and encourage owners to choose pairings that minimise inbreeding and help preserve as much of the pony's genetic material as possible.
2. On occasions, EPS is offered the gift of a pony and this policy details the society's considered position regarding this. EPS must ensure that its resources are used appropriately and must be aware of the risk of taking on the financial liability of owning a pony without due consideration of all the facts.
3. EPS can only consider accepting ponies that would be of use in a breeding programme or be otherwise advantageous to the breed. EPS will always assist members and Eriskay pony owners to rehome their pony in an appropriate and sympathetic manner but without taking on responsibility in any way beyond general advice and support.
4. EPS reserves the right to refuse any gift of a pony that is subject to restrictions or conditions too restrictive in purpose, or not in the organisation's best interest. Before any pony is accepted, checks will be made on SPARKS to establish the pony's importance to the breed as a whole and EPS may require that a veterinary examination, or inspection by a person approved by EPS, be carried out. It will be fully at the discretion of EPS as whether to accept the gift or not.
5. Costs associated with the gift of a pony, such as vet bills, transport and inspections will normally be expected to be borne by the gift giver however this may be subject to negotiation. EPS reserve the right to refuse the gift if the associated costs are not borne by the gift giver or are thought too onerous for the Society to take on.
6. All legal requirements, such as Passporting and proof of ownership, must be met before EPS can accept any pony.
7. EPS will not generally accept either geldings or mares beyond breeding age however this will always be reviewed on a case-by-case basis.
8. Any offer of a pony will first be scrutinised by the Breed Conservation Committee who will make necessary checks and agree on a recommendation to be put to Council. Only Council has the authority to accept, or refuse, the offer of a pony.
9. EPS must be named as both beneficiary and irrevocable owner of any pony gifted, and the society reserves the right, without restriction, to make decisions on the future use of the pony. This could include, but not be restricted to, onward sale, loan, gelding, or euthanasia (following veterinary input).
10. EPS will only accept responsibility and liability for any pony gifted when it has been uplifted from the gift giver and moved to an EPS approved location. Should the gift giver wish to retain the pony for any length of time after the transfer of ownership date, then all costs and expenses, as well as liability, must continue to be borne by them.
11. Future offspring of mares gifted under these conditions to EPS will remain the property of EPS who will make all decisions regarding future use, sale, or loan. The only exception to this will be if a mare is sold by EPS before becoming in foal and the conditions of sale transfer the ownership of the pony in full to the purchaser.
12. EPS would accept financial donations to support the transport, continued care and use of any pony gifted under these conditions but not to the extent that any of the conditions in this policy were disregarded in lieu of payments made or promised.

13. The offer to gift a pony to EPS will receive an official acknowledgment within one month with either an acceptance of the gift or an explanation as to why the pony cannot be accepted by EPS.
14. EPS will seek legal advice in relation to gift acceptance when appropriate such as in the administration of any estate in which EPS is named as a beneficiary or any transactions with potential conflicts of interest, including the use of Board members as sales agents.
15. EPS does not provide personal legal, financial, or other professional advice to donors or prospective donors. Donors and prospective donors are strongly urged to seek the assistance of their own professional advisors in matters relating to their gifts and the resulting tax and estate planning consequences.
16. EPS holds all communications with donors and information concerning donors and prospective donors in strict confidence, subject to legally authorised and enforceable requests for information by government agencies and courts. All other requests for or releases of information concerning a donor, or a prospective donor will be granted only if permission is first obtained from the donor. Donor anonymity requests will always be honoured.
17. The above policies and guidelines have been reviewed and approved by the EPS Council. The EPS Council must approve any changes or amendments to this policy.

Approved and recorded in minutes of Council meeting held via Zoom on 14<sup>th</sup> March 2023