

Wise precautions for loaning your horse

Before you loan your horse to a complete stranger, or even to someone you thought you knew really well, there are a few sensible precautions you should take. These can ensure that everything is clear and understood between the parties involved and if something does go wrong the details are in place to recover the situation. In cases where equines are loaned on a 'handshake' agreement it can sometimes become almost impossible to even prove that the horse is yours. So, if you do not intend to give your horse away, never to be seen again, please consider the following:

- **Identify the horse**

All horses must have a passport to confirm their identity. The problem is that you are required to give the passport to the loanee with the horse. Make sure anyone can positively identify the horse by having it freezebranded. A microchip is good confirmation but it is not visible and can be difficult to check. A passport only confirms the animal is/is not fit for human consumption - it is not proof of ownership. Freezebrand companies will issue an owner's pack. This can be taken as proof the horse is yours and you are not required to give it to the loanee. It helps greatly if you have some good, clear current photographs of your horse, winter and summer, digitally stored if possible.

- **Keep a copy of the passport**

You must supply the original passport with the horse so it can be travelled. The passport should also be available from the keeper for inspection, so handing it to the loanee is usually unavoidable. This does not prevent you from keeping a photocopy so you always have the information to hand.

- **Use a loan agreement**

You really must have a formal, written loan agreement in place before you hand over your horse. There is a BHS version at www.bhs.org.uk in the Welfare section or a Horse Trust copy at www.horsetrust.org.uk in the Advice section. Make sure it is fully completed and that you each keep a copy. Ideally, the agreement needs to be countersigned by a professional person such as a doctor, lawyer, bank officer or company director rather than a close friend or family member. This will make it more impartial and independent in any dispute. Some solicitors specialise in equine law and can help with drafting such loan documents.

- **Keep records**

Make sure you can always contact the loanee. Keep a record of their name, home address and all telephone numbers. Note where they are going to keep the horse. If this is a livery yard, write down the yard owner's details as well. Visit the yard/home before the horse leaves you, both to inspect the premises and to confirm what you have been told really exists. When the horse is collected, record the registration numbers of all the vehicles involved - take photographs at the time so there is no doubt. A 'souvenir' photograph of the loanee holding your horse may prove invaluable if it all goes horribly wrong in the future.

We all have to trust that loans are the best solution at the time and the vast majority go well with no problems. However, if you do find yourself in a position where your best friend has been moved, sold or will not be returned to you, the effort of the preparation described above may make the difference between proof of ownership and a long drawn out dispute.