

Before you loan your horse to a complete stranger, or even 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 to never be seen again please consider the following.

Identify the horse.

All horses should have a passport to confirm their identity. The problem here is that you are required to give the passport to the loanee with the animal. Make sure that anyone can positively identify the horse by having it freeze branded. A microchip is a good confirmation but is not visible and can be difficult to check. Also, a passport does not prove ownership, only whether the animal is fit for human consumption. Freeze brand companies will issue you with an owners pack and this can be taken as proof the horse is yours. Keep these documents yourself somewhere safe. 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 copy of the passport with the horse so it can be travelled. The passport should also be available for inspection from the keeper so handing it over is usually unavoidable. This does not prevent you from keeping a photocopy so you always have the information to hand.

Update NED.

If you have loaned your horse then update the passport record on the National Equine Database to show this, visit www.nedonline.co.uk. Make sure you have Associated yourself with the horse to 'lock' the passport record to you. Then add a comment in the Notes section of the User Entered area. This will allow anyone checking the passport, perhaps before they are about buy your horse, to see that it is out on loan and not for sale. 'Currently on loan, not to be bought or sold' is enough detail. Sadly loaned equines can too easily be sold by unscrupulous people and some have even been lost to the meat trade.

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. If you can, have the agreement 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 also specialise in equine law and offer help with drafting loan documents.

Keep records.

Make sure you can always contact the person you loaned the horse to. Keep a record of their name, home address and all telephone numbers. Note where they are going to keep the horse and if this is a livery yard then write down the yard owners 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, you can even take some photographs at the time so there is no doubt. A 'souvenir' photo of the loanee holding your horse may prove invaluable if it all goes horribly wrong in the future.

We all have 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.