

## Legal Responsibilities of Owners in relation to Equine Passports

### **Passports**

It is a legal requirement for all horses and ponies to be issued with a passport. Horse Passport law is governed by the commission Regulation EC 504/2008, and in England by the Horse Passport regulations 2009, and where applicable, any subsequent amendments or successors to these regulations. Passports are required throughout the EU for identification, effective disease control and in order to protect the human food chain.

Owners and keepers with primary responsibility must ensure their horses are correctly identified and be able to produce the passport without delay when required. All horses, ponies, donkeys and other equidae are required to have a passport from 6 months of age, or by 31<sup>st</sup> December in the year of their birth, whichever is the later.

A horse's passport must be kept with him at all times. This includes any time the horse leaves the yard, such as to go to a show, on loan or away for schooling. It is illegal to travel a horse without their passport, unless they are being transported for emergency veterinary treatment. The passport must be produced within three hours of it being requested by enforcement agencies. The passport may be requested at any time but the most common situations where a horse's passport will be requested include:

- When the animal is moved into or out of Great Britain
- When the animal is used at a competition
- When the animal is moved to new premises
- When the animal is presented at a slaughterhouse for slaughter
- When the animal is sold
- When the animal is used for breeding purposes.

The passport must accompany the horse at all times, except:

- when stabled or on pasture and the passport can be produced without delay
- when it is moved temporarily on foot in the vicinity of the holding and the passport can be produced within 3 hours
- when it is moved on foot between summer and winter grazing
- when it is less than 6 months old, and accompanied by its dam or foster mare
- when it is participating in training or competition which requires them to leave the event venue
- when moved or transported under emergency conditions

Vets will require the passport when prescribing many common veterinary medicines, (for example "Bute") and will ensure the horse in question is then permanently excluded from the human food chain by signing **Part II of Section IX** of the passport in pre 01/01/2016 passports and **Section II** in passports issued after 01/01/16.

The Meat Hygiene Service (MHS) is responsible for enforcing the checks carried out at slaughterhouses, and Local Authorities (Trading Standards Departments) are responsible for enforcing the law elsewhere. As with all government legislation, there are penalties that may be applied by the courts for non-compliance. Most offences have a fine of up to £5,000, two years' imprisonment or both.

Applications for equine passports can only be accepted for micro-chipped animals, and the owner or keeper must ensure that the equine does not already have an existing passport. When the passport is received, it should be carefully checked to ensure all the details are correct, and then signed where required on the owner's page.

No animal may have more than one passport. Passports are the property of the Passport issuing organisation (PIO) and the passport must be returned to the issuing PIO:

- If the animal changes ownership (within 30 days)
- If any alterations are required (for eg. update of adult colour, addition of a microchip, castration etc)
- If the animal's food chain status changes (within 14 days)
- If the document is damaged
- When the animal dies (within 30 days)

### **Late Passports**

Passports may still be acquired for horses older than the passport deadline, provided there is no existing passport for the animal. Applications should be made to the appropriate PIO for the breed of the horse, and should include appropriate checks and fees. Before the passport is issued to the owner, the Issuing PIO will sign **Section II** to permanently exclude the horse from the human food chain.

### **Duplicate/Replacement Passports**

If the passport is lost or damaged, a duplicate or replacement may be requested from the original PIO. On receipt of appropriate fees and checks, a duplicate or replacement passport may be issued, in which **Section II** will have been signed by the PIO, to permanently exclude the animal from the human food chain. The Duplicate/Replacement passport will be stamped as a duplicate/replacement, and should the original passport ever be found, it must be returned to the issuing PIO immediately.

### **Reissuing Passports**

A passport may be reissued in the following situations:

- a) Passport is damaged but remains fully bound, clearly legible in all parts, free of any signs of fraud and a new passport is needed to ensure its ongoing security;
- b) ID only passport needs upgrading to registered passport but the original passport cannot be adapted;
- c) Minor errors were made in the issue of the original passport which need to be corrected.

The passport does not need to be issued as a replacement or duplicate and the original food chain status must be recorded in the passport.

### **Transfers of Ownership**

The horse passport does not constitute proof of ownership of the horse. However, it is a requirement under the Horse Passport (England) Legislation to register a change of ownership with the relevant Passport Issuing Organisation (PIO) within 30 days of acquiring a horse. The issuing PIO may require a completed transfer form and fees.

It is an offence to sell a horse without a passport. Sale of any horse should not be completed if the passport has not been provided. The passport must match the horse in question. If the purchaser does not receive the horse's passport, they will also be committing an offence when transporting the horse to its new home.

### **Return of the Passport**

In the event of the death of any horse, the passport must be returned to the issuing PIO for cancellation within 30 days of the death. Owners may request the return of a passport following cancellation. Any such returned passport will be clearly stamped 'invalid' to prevent any fraudulent use. Slaughterhouses will return passports to the PIO concerned directly.

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The Exmoor Pony Society

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