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STATUTORY INSTRUMENTS

2004 No.

ANIMALS, ENGLAND

The Horse Passports (England) Regulations 2004

<i>Made</i>	- - -	<i>19 May 2004</i>
<i>Laid before Parliament</i>		<i>2004</i>
<i>Coming into force</i>	- -	<i>10 June 2004</i>

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SCHEDULE 1

Identification Document For Registered Equidae

SCHEDULE 2

Special arrangements for the New Forest and Dartmoor

The Secretary of State, being designated^(a) for the purposes of section 2(2) of the European Communities Act 1972^(b) in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on her by that section, makes the following Regulations:

Title, application and commencement

1. These Regulations may be cited as the Horse Passports (England) Regulations 2004; they apply in England, and shall come into force on 10 June 2004.

Interpretation

2. In these Regulations—

“horse” means an animal of the equine or asinine species or crossbreeds of those species, but does not include zebras;

“keeper” means a person appointed by the owner to have day to day charge of the horse;

“local authority” means—

(a) in any part of England where there is, within the meaning of the Local Government Changes for England Regulations 1994^(c), a unitary authority for that local government area, that authority;

(b) where there is not a unitary authority—

(i) in a metropolitan district, the council of that district;

(ii) in a non-metropolitan county, the council of that county; or

(iii) in each London borough, the council of that borough;

(c) in the City of London, the Common Council;

“passport” means—

(a) an identification document for a horse issued by a passport-issuing organisation containing all the information required by regulation 8(2) or 8(3); or

(b) in the case of such an identification document issued before the coming into force of these Regulations but which does not contain the pages in Section IX of the passport, that document with the Section IX pages attached in accordance with regulation 9,

and “Section IX pages” means those pages;

“passport-issuing organisation” has the meaning assigned in regulation 3;

“sell” includes any transfer of ownership.

Organisations authorised to issue passports

3.—(1) The following organisations (referred to in these Regulations as “passport-issuing organisations”) are authorised to issue passports—

(a) S. I. 1972/1811.

(b) 1972 c. 68.

(c) S.I. 1994/867 to which there are amendments not relevant to these Regulations.

- (a) organisations authorised in writing by the Secretary of State under these Regulations to issue passports;
- (b) organisations that maintain or establish stud-books for registered horses and are recognised by the Secretary of State under regulation 3 of the Horses (Zootechnical Standards) Regulations 1992^(a);
- (c) organisations recognised in another part of the United Kingdom or another Member State under legislation that implements either—
 - (i) Commission Decision 92/353/EEC (laying down the criteria for approval or recognition of organisations and associations which maintain or establish stud-books for registered equidae^(b)); or
 - (ii) Commission Decision 2000/68/EC (amending Commission Decision 93/623/EEC and establishing the identification of equidae for breeding and production ^(c)); and
- (d) international associations or organisations that manage or regulate horses for competition or racing and are registered with the Secretary of State to issue passports.

(2) The Secretary of State may by notice in writing withdraw authorisation under paragraph (1)(a) or registration under paragraph (1)(d) if she is satisfied on reasonable grounds that an association or organisation is not complying with the provisions of these Regulations.

(3) No person shall issue a document which falsely purports to be a passport.

Powers and duties of passport-issuing organisations

4.—(1) The passport-issuing organisation is “the competent authority” for the purposes of the passport.

(2) A passport-issuing organisation may cancel a passport issued by it if it is satisfied on reasonable grounds that—

- (a) the provisions of these Regulations have not been or are not being complied with; or
- (b) the passport has not been properly completed or has been falsified in any way.

(3) When a passport is returned because a horse has died, the passport-issuing organisation shall mark the passport accordingly but may then return it to the owner if permitted by its rules.

Records

5.—(1) A passport-issuing organisation shall maintain a record of—

- (a) information contained in applications for passports and Section IX pages;
- (b) any change of ownership of a horse; and
- (c) the death of a horse.

(2) It shall keep this record until three years after the death of the horse.

(3) A passport-issuing organisation shall supply to the Secretary of State information from its records in such form and at such intervals as she may require by notice in writing.

Application for a passport

6.—(1) An application for a passport shall—

- (a) be made by the owner of the horse;
- (b) be made in writing to a passport-issuing organisation; and
- (c) be in the format specified by that organisation.

^(a) S. I. 1992/3045.

^(b) OJ No. L 192, 11.7.92, p. 63.

^(c) OJ No. L23, 28.1.2000, p. 72.

(2) No person shall—

- (a) apply for more than one passport for a horse; or
- (b) apply for a second passport (other than a replacement passport) for a horse.

Time limits for obtaining a passport

7.—(1) The owner of a horse that was born on or before 30th November 2003 who does not already have a passport for that horse shall apply for a passport for it before 1st July 2004.

(2) The owner of a horse that was born after 30th November 2003 shall obtain a passport for it on or before 31st December of the year of its birth, or by six months after its birth, whichever is the later.

Issue of a passport

8.—(1) On application, provided all its requirements are complied with, the passport-issuing organisation shall issue a passport duly completed in the format set out in Schedule 1.

(2) In the case of a horse either registered or eligible for entry in a stud-book of a recognised organisation in accordance with Article 2(c) of Council Directive 90/426/EEC on animal health conditions governing the movement and import from third countries of equidae(a), the passport shall contain all the Sections specified in Schedule 1.

(3) In any other case the passport shall contain at least Sections I to IV and IX but may contain more Sections or all the Sections.

Section IX pages for existing passports

9.—(1) In the case of a horse born before these Regulations come into force that already has an identification document issued by a passport-issuing organisation containing all the information required by regulation 8(2) or 8(3) except for the Section IX pages, a passport may consist of that identification document together with the Section IX pages obtained by the owner from a passport-issuing organisation, provided that the applicant—

- (a) applies for them before 1st July 2004, and
- (b) attaches them to the identification document.

(2) Regulation 6 applies to an application for Section IX pages as it applies to an application for a passport.

(3) The Section IX pages shall contain the same number or alphanumeric code as in Section II of the original identification document.

Identification

10.—(1) The passport-issuing organisation when issuing a passport shall identify the horse with a number or alphanumeric code not previously used by that organisation.

(2) It shall record the number or alphanumeric code in Section II of the passport.

Language of passports

11.—(1) Sections I to VIII of passports issued in England shall be in English and French.

(2) Section IX shall be in English.

(3) A passport or any part of it may also be in an additional language.

(a) OJ No. L224, 18.9.90. p. 42.

Horses entering England

12.—(1) The owner (or, in the case of an owner living outside England, the keeper) of a horse brought into England without a passport (or with a document that would be a passport but for the fact that it does not contain Section IX) shall apply for a passport or the Section IX pages within 30 days of the horse being brought into England.

(2) A passport or Section IX pages issued following an application made under paragraph (1) shall state that the horse is not intended for slaughter for human consumption.

(3) This regulation shall not apply in relation to a horse that remains in England for less than 30 days.

Horses in the New Forest or Dartmoor

13. Schedule 2 (special arrangements for the New Forest and Dartmoor) shall have effect.

Declaration concerning slaughter for human consumption

14.—(1) Subject to the following provisions of this regulation, an owner may at any time sign the declaration in Section IX concerning whether or not the animal is intended for slaughter for human consumption, or may choose not to sign it.

(2) An owner must sign the declaration before any veterinary medicinal product containing a substance specified in Annex IV to Council Regulation (EEC) No. 2377/90 (laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin(a)) is administered to a horse and must indicate that the horse is not intended for slaughter for human consumption (unless the declaration has already been so signed).

(3) An owner must sign the declaration before the horse is consigned for slaughter for human consumption (in which case the declaration must state that the horse is intended for slaughter for human consumption).

(4) An owner must sign the declaration and ensure that it is countersigned by a passport-issuing organisation or the Secretary of State before the horse is sent outside the United Kingdom.

Prohibitions

15.—(1) No person shall—

- (a) destroy or deface a passport;
- (b) alter any entry made in Section I of the passport;
- (c) alter any of the details in Section II or III of the passport unless authorised in writing to do so by a passport-issuing organisation;
- (d) make an entry in Section IV of the passport except in accordance with the rules and regulations of a passport-issuing organisation, and no person shall alter any entry;
- (e) alter any details in Section V, VI, VII, VIII or IX of the passport; or
- (f) change a declaration in section IX that a horse is not intended for slaughter for human consumption (but if the declaration shows that the horse is intended for slaughter for human consumption, an owner may subsequently declare that the horse is not intended for slaughter for human consumption, in which case the horse will not be intended for slaughter for human consumption).

(2) No person shall be in possession of a document which falsely purports to be a passport.

(3) In proceedings against a person for an offence of failing to comply with paragraph (2) it is a defence for him to prove that he was not aware that the document was not a passport.

(a) OJ No. L224, 18.8.1990, p. 1 as last amended by Commission Regulation (EC) No. 324/2004, OJ No. L58, 26.2.2004, p. 16.

Replacement of a lost or damaged passport

16.—(1) Where a passport has been lost or damaged the owner of the horse shall, within 30 days of the loss or damage being discovered, apply for a replacement passport for that horse—

- (a) where the passport-issuing organisation of issue is known to him, to that organisation; or
- (b) where the passport-issuing organisation of issue is not known, to any passport-issuing organisation.

(2) The passport-issuing organisation applied to in accordance with paragraph (1) shall issue a replacement passport marked with the word “Duplicate”.

(3) If all the original information in Section IX is legible the replacement passport shall repeat that information.

(4) If any information in Section IX is illegible the passport issuing organisation shall indicate in the replacement passport that the horse is not intended for slaughter for human consumption by completing Part II of that Section.

Restrictions on the use of horses without passports

17. If a passport should have been issued for a horse, after 28th February 2005 no person shall—

- (a) use it for the purposes of competition or breeding;
- (b) move it out of the United Kingdom; or
- (c) move it on to the premises of a new keeper,

unless the horse is accompanied by its passport.

Requirements on persons administering veterinary medicinal products

18.—(1) Where a veterinary medicinal product is to be administered to a horse, the person in possession of its passport shall make it available to the veterinary surgeon or other person administering the product.

(2) The veterinary surgeon or other person administering the veterinary medicinal product shall—

- (a) satisfy himself that the horse is the one described in the passport;
- (b) if the passport contains Sections V and VI, record in the appropriate section any vaccine given, and if it contains Section VII, record the results of any laboratory health tests carried out for transmissible diseases;
- (c) if the passport shows that the horse is intended for slaughter for human consumption, or if the declaration relating to slaughter for human consumption has not yet been completed, complete Part IIIB of Section IX of the passport if the product administered contains a substance not included in Annexes I, II, III or IV to Council Regulation (EEC) No. 2377/90 (a) for administration to horses; and
- (d) if the product contains any substance listed in Annex IV to Council Regulation (EEC) No. 2377/90, indicate on the passport that the horse is not intended for human consumption.

(3) In the case of a horse in relation to which a passport has not yet been obtained or is unavailable for any reason, or in relation to which the veterinary surgeon or other person administering the veterinary medicinal product is not satisfied that the horse is the one described in the passport, the veterinary surgeon or other person administering the veterinary medicinal product shall give to the keeper—

- (a) a written record of the treatment of any product containing a substance not included in Annexes I, II, III or IV to Council Regulation (EEC) No. 2377/90 for administration to horses, and written notification that these must be recorded in the passport; and

(a) A list of veterinary medicinal products authorised for administration to horses and listing the active substances under the product name is available on the website of the Veterinary Medicines Directorate, www.vmd.gov.uk.

- (b) if the product administered contains a substance specified in Annex IV to that Council Regulation, written notification to that effect and that the horse may not be slaughtered for human consumption,

and the keeper shall give the information to the owner.

(4) Following receipt of a written record or notice by the keeper of treatment under paragraph (3), the owner shall, as soon as the passport becomes available—

- (a) enter any information received under paragraph (3)(a) in the passport unless he immediately signs the declaration in the passport that the horse is not intended for slaughter for human consumption; and
- (b) if a product containing a substance specified in Annex IV to Council Regulation (EEC) No. 2377/90 has been administered, sign the declaration in the passport that the horse is not intended for slaughter for human consumption.

Duties on owners

19.—(1) After 28th February 2005 no person shall sell a horse without a passport.

(2) On the sale of a horse, the seller shall give the passport to the buyer or, at auction sales, the auctioneer shall give the passport to the buyer.

(3) The new owner or his representative shall, within 30 days of purchase send to the passport-issuing organisation that issued the passport—

- (a) the name and address of the new owner; and
- (b) the name and identification number or alphanumeric code of the horse as entered in Section II of the passport,

and shall complete Section I of the passport in accordance with the rules of the passport-issuing organisation.

(4) A person in possession of a passport shall produce it on reasonable demand to the passport-issuing organisation that issued it, and shall surrender it on reasonable demand to that organisation.

(5) An owner of a horse that dies or is slaughtered shall send the passport to the passport-issuing authority within 30 days of the death.

Slaughter for human consumption

20. After 28th February 2005 no person shall slaughter a horse for human consumption or consign it for such slaughter unless it is accompanied by its passport and the declaration in Section IX does not show that the animal is not intended for slaughter for human consumption.

Powers of entry

21.—(1) An inspector shall, on producing a duly authenticated document showing his authority, have a right at all reasonable hours, to enter any premises (excluding any premises not containing any horse and used only as a dwelling) for the purpose of administering and enforcing these Regulations; and in this regulation “premises” includes any vehicle or container.

(2) An inspector may—

- (a) require the production of a passport;
- (b) carry out any inquiries;
- (c) have access to, and inspect and copy any records (in whatever form they are held) kept under these Regulations;
- (d) remove such records to enable them to be copied;
- (e) have access to, inspect and check the operation of any computer and any associated apparatus or material that is or has been in use in connection with the records; and for this

purpose may require any person having charge of, or otherwise concerned with the operation of, the computer, apparatus or material to afford him such assistance as he may reasonably require and, where a record is kept by means of a computer, may require the records to be produced in a form in which they may be taken away;

- (f) mark any animal or other thing for identification purposes; and
- (g) take with him—
 - (i) such other persons as he considers necessary; and
 - (ii) any representative of the European Commission properly interested in the administration of these Regulations.

(3) No person shall deface, obliterate or remove any mark applied under paragraph (2) except under the written authority of an inspector.

(4) If an inspector enters any unoccupied premises he shall leave them as effectively secured against unauthorised entry as he found them.

(5) In this regulation “inspector” means a person appointed as such by a local authority or the Secretary of State for the enforcement of these Regulations.

Obstruction

22. No person shall—

- (a) intentionally obstruct any person acting in the execution of these Regulations;
- (b) without reasonable cause, fail to give to any person acting in the execution of these Regulations any assistance or information that that person may reasonably require of him for the performance of his functions under these Regulations;
- (c) furnish to any person acting in the execution of these Regulations any information that he knows to be false or misleading; or
- (d) fail to produce a record when required to do so to any person acting in the execution of these Regulations.

Offences

23.—(1) It shall be an offence for any person or organisation to fail to comply with—

- (a) regulation 3(3) (issue of a document purporting to be a passport);
- (b) regulation 6(2) (applying for more than one passport for a horse);
- (c) regulation 7 (time limits for obtaining a passport);
- (d) regulation 12(1) (bringing a horse into England);
- (e) regulation 14(2), 14(3), or 14(4) (signing the declaration relating to slaughter for human consumption);
- (f) regulation 15(1) (alteration of a passport) or 15(2) (possession of a document purporting to be a passport);
- (g) regulation 16(1) (application for a replacement passport);
- (h) regulation 17 (restrictions on the use of a horse without a passport);
- (i) regulation 18 (administration of veterinary medicinal products);
- (j) regulation 19 (duties on owners);
- (k) regulation 20 (slaughter for human consumption);
- (l) regulation 22 (obstruction).

(2) Where a body corporate is guilty of an offence under these Regulations, and that offence is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of —

- (a) any director, manager, secretary or other similar person of the body corporate, or

(b) any person who was purporting to act in any such capacity,

he, as well as the body corporate, shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(3) For the purposes of paragraph (2), “director”, in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.

(4) Where an organisation that is not a body corporate is guilty of an offence under these Regulations, and that offence is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of any officer of that organisation, he, as well as the organisation, shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

Penalties

24.—(1) A person guilty of an offence of failing to comply with regulation 3(3) (issue of a document purporting to be a passport), regulation 18(2)(c), 18(2)(d) or 18(4) (completion of the passport following administration of a veterinary medicinal product) or regulation 20 (slaughter for human consumption) shall be liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum or to imprisonment for a term not exceeding three months or both; or
- (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or both.

(2) A person guilty of any other offence under these Regulations shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Enforcement

25.—(1) These Regulations shall be enforced by the local authority.

(2) The Secretary of State may direct, in relation to cases of a particular description or any particular case, that an enforcement duty imposed on a local authority by this regulation shall be discharged by the Secretary of State and not by the local authority.

Revocation

26. The Horse Passports (England) Regulations 2003 (a) are revoked.

Minister of State

Department for Environment, Food and Rural Affairs

2004

(a) S. I. 2003/2780.

SCHEDULE 1

Identification Document For Registered Equidae

PASSPORT

General instructions

I. Passports must contain all instructions needed for their use and the details of the competent authority which issued them.

II. Information shown on passports.

A. Passports must contain the following information -

1. Section I:

Owner

The name of the owner or his agent must be stated.

2. Sections II and III:

Identification

The equid must be identified by the competent authority.

3. Section IV:

Recording of identity checks

Whenever laws and regulations so require, checks conducted on the identity of the equid must be recorded by the competent authority.

4. Sections V and VI:

Vaccination record

All vaccinations must be recorded in Section V (equine influenza only) and in Section VI (all other vaccinations).

5. Section VII:

Laboratory health tests

The results of all tests carried out to detect transmissible diseases must be recorded.

6. Section IX:

Medicinal Treatment

Part I and Part II or Part III of this Section must be duly completed in accordance with the instructions provided for in this Section.

B. Passports may contain the following information -

Section VIII:

Basic health requirements

Section VIII states the basic health requirements.

It lists the diseases which must be noted on the health certificate.

SECTION II

(1) No d'identification:
Identification No:

(2) Nom :
Name:

(5) Race:
Breed:

(6) par :
by :

(3) Sexe
Sex :

(4) Robe
Colour

(7a) et
and :

(7b) par
by

(8) Date de naissance:
Date of foaling:

(9) Lieu d'élevage:
Place where bred:

(10) Naisseur(s):
Breeder(s):

(11) Certificat d'origine valide le
par:
Origin certificate validated on
by:

- Nom de l'autorité compétente:
Name of the competent authority :

- Adresse:
Address:

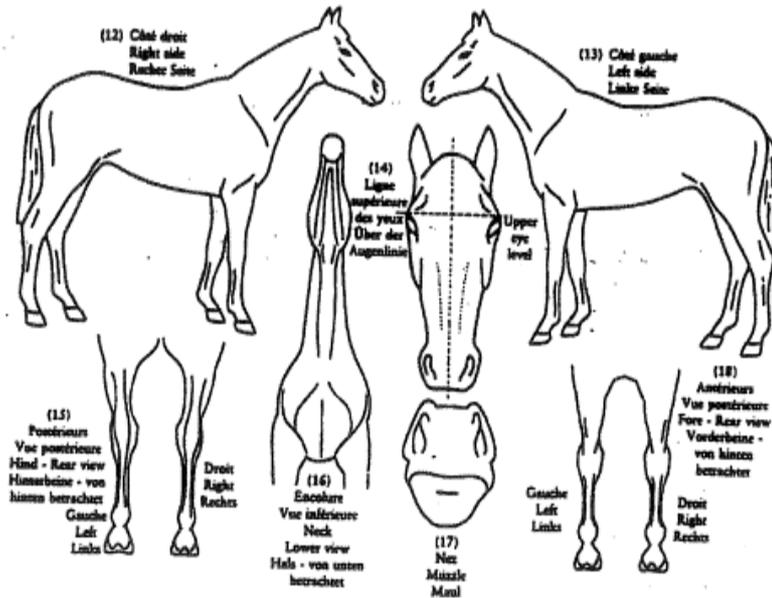
- N° de téléphone:
Telephone number:

- N° de télécopie :
Fax number :

- Signature:
(nom en lettres capitales et qualité
du signataire)
Signature:
(Name in capital letters and capacity
of signatory)

- Cachet:
Stamp:

SECTION III



(2) Nom - Name:

(5) Race - Breed :

(3) Sexe - Sex

(4) Robe - Colour:

(19) Signalement relevé sous la mère par:
Description taken with dam by:

Tête:
Head:

Ant. G:
Foreleg L:

Ant. D:
Foreleg R:

Post G:
Hindleg L:

Post D:
Hindleg R:

Corps:
Body:

Marques:
Markings:

Le:
On:

(20) Circonscription:
District:

(21) Signature et cachet du vétérinaire agréé
(ou de l'autorité compétente)
Signature and stamp of qualified veterinary surgeon
(or competent authority)
(en lettres capitales)
(in capital letters)

SECTION VIII

Exigences sanitaires de base

Les exigences ne sont pas valables pour l'introduction dans la Communauté

Basic health requirements

These requirements are not valid to enter the Community

Je soussigné ⁽¹⁾ certifie que l'équidé décrit dans le passeport n°..... délivré par satisfait aux conditions suivantes:

I, the undersigned ⁽¹⁾, hereby certify that the equid described in passport No issued by satisfies the following conditions:

- (a) il a été examiné ce jour, ne présente aucun signe clinique de maladie et est apte au transport;
it has been examined this day, presents no clinical sign of disease and is fit for transport;
- (b) il n'est pas destiné à l'abattage dans le cadre d'un programme national d'éradication d'une maladie transmissible;
It is not intended for slaughter under a national eradication programme for a transmissible disease;
- (c) il ne provient pas d'une exploitation faisant l'objet de mesures de restriction pour des motifs de police sanitaire et n'a pas été en contact avec des équidés d'une telle exploitation;
it does not come from a holding subject to restrictions for animal health reasons and has not been in contact with equidae on such a holding;
- (d) à ma connaissance, il n'a pas été en contact avec des équidés atteints d'une maladie transmissible au cours des 15 jours précédant l'embarquement.
to the best of my knowledge, it has not been in contact with equidae affected by a transmissible disease during the 15 days prior to loading.

LA PRÉSENTE CERTIFICATION EST VALABLE 10 JOURS À COMPTER DE LA DATE DE SA SIGNATURE PAR LE VÉTÉRINAIRE OFFICIEL.

THIS CERTIFICATION IS VALID FOR 10 DAYS FROM THE DATE OF SIGNATURE BY THE OFFICIAL VETERINARIAN.

Date	Lieu	Pour des raisons épidémiologiques particulières, un certificat sanitaire séparé accompagne le présent passeport	Nom en capitales et signature du vétérinaire officiel
Date	Place	For particular epidemiological reasons, a separate health certificate accompanies this passport	Name in block letters and signature of official veterinarian
		Oui/non (barrer la mention inutile) Yes/no (delete as appropriate)	
		Oui/non (barrer la mention inutile) Yes/no (delete as appropriate)	
		Oui/non (barrer la mention inutile) Yes/no (delete as appropriate)	
		Oui/non (barrer la mention inutile) Yes/no (delete as appropriate)	
		Oui/non (barrer la mention inutile) Yes/no (delete as appropriate)	
		Oui/non (barrer la mention inutile) Yes/no (delete as appropriate)	

⁽¹⁾ Ce document doit être signé dans les 48 heures précédant le déplacement international de l'équidé.

⁽¹⁾ This document must be signed within 48 hours prior to international transport of the equid.

Maladies dont l'inclusion dans le certificat zoosanitaire joint au passeport doit être envisagé

Diseases for which an endorsement must be made on the health certificate attached to the passport

1. Peste équine - African horse sickness.
2. Stomatite vésiculeuse - vesicular stomatitis.
3. Dourine - dourine.
4. Morve glanders.
5. Encéphalomyelites équines (tous types) - equine encephalomyelitis (all types).
6. Anémie infectieuse - infectious anaemia.
7. Rage - rabies.
8. Fièvre charbonneuse - anthrax.

SECTION IX

MEDICINAL TREATMENT

IDENTIFICATION NUMBER OF ANIMAL () () :

Part I

Date and Place of issue of this section:

Competent authority issuing this section of the identification document:

Part II (excludes the animal definitively from slaughter for human consumption, must be reconfirmed when the animal changes ownership)

I, the undersigned owner () / representative of the owner () declare that the animal described in this identification document is not intended for slaughter for human consumption ()		
Date and Place	Name in capitals and signature of the owner of the animal or his/ her representative	Name in capitals and signature of representative of competent authorities

Part III — A (only valid in connection with information in Part III —B)

I, the undersigned owner () / representative of the owner () declare that the animal described in this identification document is intended for slaughter for human consumption ()		
Date and Place	Name in capitals and signature of the owner of the animal or his/ her representative	Name in capitals and signature of representative of competent authorities.

Part III —B (informations compulsory for equidae identified in accordance with Part III —A)

MEDICATION RECORD				
Date of last treatment with a medicinal product containing substances not included in Annex I, II, III or IV of Regulation (EEC) No 2377/ 90 { dd/ mm/ yyyy }	Place —Country Code —Postcode —Place	Substance(s) incorporated in the medicinal product which is/ are not included in Annex I, II, III or IV of Regulation (EEC) No 2377/ 90 (1) (2)	Veterinary surgeon applying and/ or prescribing medicinal treatment	
			Name:(3)	Signature
			Address:.....(3)	
			Postcode:.....(3)	
			Place:.....(3)	
			Tel:.....(3)	

- (1) Identification number as indicated in Section II(1) of the identification document.
- (2) Delete what is not applicable.
- (3) The animal may be treated with medicinal products containing substances listed in Annex I, II, III or IV to Regulation (EEC) No 2377/ 90 and other substances. Recording of medicinal treatment in Part III —B is optional. The animal shall never be slaughtered for human consumption.
- (4) The animal may be treated with medicinal products containing substances listed in Annex I, II or III to Regulation (EEC) No 2377/ 90 and other substances excluding those listed in Annex IV to that Regulation. The animal can only be slaughtered for human consumption after the completion of the general withdrawal period of six months following the date of the last treatment, certified obligatory in Part III —B, with medicinal products containing substances other than those listed in Annex I, II or III to Regulation (EEC) No 2377/ 90.
- (5) Verify through published Annexes to Regulation (EEC) No 2377/ 90.
- (6) This information is optional. However, this information may allow the reduction of the withdrawal period, if the specified substance is included in Annex I, II or III to Regulation (EEC) No 2377/ 90 after it was administered. The minimum withdrawal times would then be those established in Article 4(4) of Directive 81/ 851/ EEC.
- (7) Name, address, postcode and place in printed letters.
- (8) Telephone number including country code and regional code.
- (9) Not required where this Section is issued together with the identification document.

SCHEDULE 2

Special arrangements for the New Forest and Dartmoor

Exemption for listed New Forest and Dartmoor horses

1.—(1) Where a horse is individually identified in the lists kept by the New Forest Verderers, or Dartmoor Commoners Council, an owner shall not be required to apply for a passport provided that the horse is not moved from the area regulated by one of those bodies, other than temporarily for welfare reasons.

(2) In the case of a horse born before the coming into force of these Regulations, this exemption shall only apply if the horse is identified in the lists before 1st July 2004.

(3) In the case of a horse born after the coming into force of these Regulations, this exemption shall only apply if the horse is identified in the lists by 31st December of the year of its birth; or by six months after its birth, whichever is the later.

Information recorded in a passport

2. If the owner of a horse that has been identified in the lists kept by the New Forest Verderers, or Dartmoor Commoners Council applies for a passport, the passport-issuing organisation shall record in the passport all the information kept in those lists for that horse.

Exemption from the prohibition on sale without a passport

3.—(1) Notwithstanding regulation 19, an owner may sell a foal without a passport if the provisions of this paragraph are complied with.

(2) The foal must be sold in its year of birth through the Beaulieu Road Pony Sales held in the New Forest at Beaulieu, Brockenhurst, Hants SO42 7YQ.

(3) The foal must have been born in the crown lands of the New Forest out of a mare which —

- (a) has been lawfully depastured on those lands, and
- (b) in relation to which the marking fees have been paid to the verderers.

(4) The owner must provide to the auctioneer at the sale a completed passport application for a passport addressed to the New Forest Pony Breeding and Cattle Society including a silhouette of the horse, and the passport fee charged by that society.

(5) The auctioneer must —

- (a) stamp the original application form with the lot number and photocopy it;
- (b) give the photocopy to the buyer; and
- (c) immediately submit the application form and the fee to the New Forest Pony Breeding and Cattle Society.

(6) If the conditions of this paragraph are complied with the buyer may move the foal out of the New Forest using the photocopied application form instead of a passport, but may not sell the horse, slaughter it for human consumption or use it for any of the purposes in regulation 17 until he receives the passport.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply in England, implement Council Directive 90/426/EEC (OJ No. L224, 18.8.1990, p. 42), Council Directive 90/427/EEC (OJ No. L224, 18.8.1990, p. 55) and Commission Decisions 92/353/EEC (OJ No. L192, 11.7.1992, p. 63), 93/623/EEC (OJ No. L298, 3.12.93, p. 45) and 2000/68/EC (OJ No. L23, 28.1.2000, p. 72). They revoke and replace the Horse Passports (England) Regulations 2003, which in turn revoked and replaced the Horse Passports Order 1997 and the Horse Passports (Amendment) Order 1998.

The Regulations specify which organisations are authorised to issue passports and give them powers and duties (regulations 3 to 5), make provision for application and issue of passports (regulations 6 to 11 and Schedule 1) and make provision for horses entering England and for horses entered in the lists of the New Forest Verderers or the Dartmoor Commoners Council (regulations 12 and 13 and Schedule 2).

They make requirements concerning the declaration to be made on the passport relating to slaughter for human consumption (regulation 14).

They prohibit defacement of passports, make it an offence to possess a false passport and make provision for the replacement of lost passports (regulations 15 and 16)

Horses must be accompanied by their passports when used for certain purposes (regulation 17).

They impose duties on veterinary surgeons and other persons to mark the passport when they administer veterinary medicines (regulation 18).

They make provision relating to the sale of a horse (regulation 19) and relating to the slaughter of a horse (regulation 20).

They contain provisions relating to powers of entry and obstruction (regulations 21 and 22).

Under regulations 23 and 24 breach of the Regulations is an offence. In the case of failing to comply with regulation 3(3) (issue of a document purporting to be a passport), regulation 18(2)(c), 18(2)(d) or 18(4) (completion of the passport following administration of a veterinary medicinal product) or regulation 20 (slaughter for human consumption) a person is liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum or to imprisonment for a term not exceeding three months or both; or
- (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or both.

A person guilty of any other offence is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

They are enforced by the local authority (regulation 25).

A Regulatory Impact Assessment has been prepared and placed in the library of each House of Parliament. Copies can be obtained from Jodie Crane, Department for Environment, Food and Rural Affairs, 1A Page Street, London SW1P 4PQ.