STATUTORY RULES OF NORTHERN IRELAND

1999 No. 116

EUROPEAN COMMUNITIES

ANIMALS

Horse Passports Regulations (Northern Ireland) 1999

Made - - - -	*12th March 1999*
Coming into operation	*21st April 1999*

The Department of Agriculture being designated(**1**) for the purposes of section 2(2) of the European Communities Act 1972(**2**), in exercise of the powers conferred on it by the said section 2(2) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Horse Passports Regulations (Northern Ireland) 1999 and shall come into operation on 21st April 1999.

Interpretation

2.—(1) In these Regulations—

"the Department" means the Department of Agriculture for Northern Ireland;

"horse" means a domestic animal of the equine or asinine species or crossbreeds of those species;

"horse passport" in relation to any horse means the identification document which has been issued for that horse by a recognised organisation under regulation 5(1);

"recognised organisation" means an organisation recognised by the Department under the Horses (Zootechnical Standards) Regulations (Northern Ireland) 1992(**3**) or an international association or organisation registered with the Department under regulation 4;

"studbook" means any book, register, file or data medium—

(a) which is maintained by a recognised breeders' organisation, and

(b) in which horses of a given breed are entered or registered with mention of their ancestors.

(**1**) S.I.1972/1811
(**2**) 1972 c. 68
(**3**) S.R. 1992 No. 539

(2) Any reference in these Regulations to a horse being registered with a registered organisation shall be construed as the entry or registration of that horse in the studbook of that organisation.

(3) In the horse passport set out in the Schedule, any reference to "the competent authority" is a reference to the recognised organisation which issued that passport.

(4) The Interpretation Act (Northern Ireland) 1954(**4**) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

(5) Any application or registration under these Regulations shall be in writing.

Application

3. These Regulations shall apply in relation to horses which are either—

(a) entered or registered and eligible for entry in a studbook of an organisation recognised by the Department under the Horses (Zootechnical Standards) Regulations (Northern Ireland) 1992; or

(b) registered with any international association or organisation registered with the Department under these Regulations.

Horses for competition or racing

4.—(1) Any international association or organisation which manages horses for competition or racing in Northern Ireland shall register as such with the Department within three months of the date of the coming into operation of these Regulations.

(2) Any international association or organisation not operating in Northern Ireland on the date these Regulations come into operation but which intends to manage horses for competition or racing in Northern Ireland shall register as such with the Department before it does so.

(3) Any association or organisation which manages horses for competition or racing in Northern Ireland in contravention of paragraph (1) or (2) shall be guilty of an offence.

Issue of a horse passport

5.—(1) A recognised organisation shall, on application made to it under paragraph (2) or (3), issue for any horse to which the application relates an identification document in the form set out in the Schedule duly completed in accordance with the requirements of these Regulations.

(2) The owner of a horse born on or after 1st January 1998 may register it with a recognised organisation and, where he does so, he shall, at the time of that registration, apply to the recognised organisation for a horse passport for that horse.

(3) The owner of a horse born before 1st January 1998 and registered in the studbook of a recognised organisation may apply to that organisation for a horse passport for that horse.

(4) A horse passport shall be completed in English and French, but may in addition contain a translation (either of the whole horse passport or of any part of it) into such other language as the recognised organisation thinks fit.

(5) In the case of a horse born before 1st January 1998 where the studbook of a recognised organisation shows that the horse has had more than one owner since it was originally registered therein, the recognised organisation shall ensure that details relating to ownership in Section I of the horse passport are completed prior to its issue.

(6) Sections I to IV of a horse passport shall not be completed or amended by a person unless he is authorised for the purpose by the recognised organisation which issued it.

(**4**) 1954 c. 33 (N.I.)

(7) An entry in Sections V to VIII of a horse passport shall not be made by any person other than a veterinary surgeon.

(8) Where a horse passport is completed or amended in contravention of this regulation—

(a) the person who so completed or amended it; and

(b) the recognised organisation which issued it in that form,

shall be guilty of an offence.

Multiple registration and cancellation of registration

6.—(1) Where the owner of a horse

(a) which is registered with a recognised organisation; and

(b) in respect of which a horse passport has been issued,

wishes to register that horse with another recognised organisation, he shall send that horse passport to the other recognised organisation and, upon receipt of that passport, the other organisation shall, if the horse to which it relates is registered with it, endorse the fact thereon.

(2) Where the owner of a horse

(a) which is registered with one or more recognised organisations; and

(b) in respect of which a horse passport has been issued,

wishes to cancel the registration of that horse with a recognised organisation, he shall send the horse passport for that horse to that organisation and that organisation shall, upon receipt thereof, endorse on the horse passport the fact that the registration of that horse with that organisation has been cancelled and return the horse passport to the owner of the horse.

(3) Where a recognised organisation issues a horse passport to the owner of a horse born before 1st January 1998, that owner shall within 28 days of receipt of that horse passport send it to any other recognised organisation with which that horse is registered and upon receipt of that passport that other organisation shall endorse on it the fact that the horse is registered with that organisation.

(4) Where a horse passport has been issued in respect of a horse, a person shall not apply for a fresh horse passport for that horse from a further recognised organisation unless the original horse passport issued in respect of that horse has been cancelled by the recognised organisation which issued it and the horse passport surrendered to that organisation.

(5) Where a person applies for a fresh horse passport for a horse from a further recognised organisation under paragraph (4), that organisation shall ensure that all the details relating to the identity of the horse and its veterinary treatment contained in Sections II to VII of the original horse passport are included in the fresh horse passport.

Keepers

7.—(1) The owner of a horse shall ensure that a horse passport is given to the keeper of the horse to which it relates.

(2) If any person ceases to be the keeper of a horse for which a horse passport has been issued, he shall give that horse passport to the new keeper.

Movement of a horse

8. The keeper of a horse born on or after 1st January 1998 for which a horse passport has been issued shall ensure that the horse is accompanied by its horse passport—

(a) when it is moved into or out of Northern Ireland;

(b) when it is moved from the premises of the keeper for competition purposes;

(c) when it is moved from the premises of the keeper for the purposes of veterinary treatment;

(d) when it is moved from the premises of the keeper to the premises of a new keeper; or

(e) when it is moved on any other occasion specified in writing by the recognised organisation which issued the passport.

Completion of the horse passport by a veterinary surgeon

9. When the owner of a horse has been issued with a horse passport for that horse he shall ensure that—

(a) any veterinary surgeon who had, to his knowledge, treated or tested the horse before the horse passport was issued, enters in the horse passport all details of any such treatment or test which is described in paragraphs 4 and 5 of Part IIA of the Schedule;

(b) any veterinary surgeon who gives the horse veterinary treatment, or carries out any test on it, which is described in paragraphs 4 and 5 of Part IIA of the Schedule after the horse passport has been issued, completes the relevant part of the horse passport.

Sale of a horse

10.—(1) Subject to paragraph (3), when a horse for which a horse passport has been issued is sold, the seller shall, within 28 days of the sale, send the horse passport to the recognised organisation which issued it with details of the new owner, and the recognised organisation shall endorse the passport with the details of the new ownership and re-issue the passport to the new owner.

(2) Where a horse referred to in paragraph (1) is registered with more than one recognised organisation, the seller shall, in addition to complying with the requirements of that paragraph, within 28 days of the sale of the horse, send details of the new owner of the horse to each recognised organisation (other than the organisation which issued the horse passport for the horse) with which the horse is registered.

(3) Where a horse referred to in paragraph (1) is no longer registered with the recognised organisation which issued the passport for that horse, the seller shall, within 28 days of the sale or such longer period as is practicable in the circumstances, send the horse passport with details of the new owner to all of the recognised organisations with which the horse is still registered.

Prohibition on holding more than one horse passport

11. A person may not hold more than one horse passport for the same horse at any one time.

Replacement of a lost or damaged horse passport

12.—(1) Where a horse passport has been lost or damaged, the owner of the horse to which it relates shall apply to the recognised organisation which issued it for a replacement horse passport for that horse.

(2) The recognised organisation shall, on application made to it under paragraph (1), issue a replacement horse passport marked with the word “Replacement”.

(3) A recognised organisation which issues a replacement horse passport for a horse under paragraph (2) shall ensure that all the details relating to the identity of the horse and its veterinary treatment contained in Sections II to VII of the original horse passport are included in the replacement horse passport.

Powers of recognised organisations

13.—(1) A recognised organisation may withdraw a horse passport issued to any person by it if it is satisfied that the provisions of these Regulations have not been or are not being complied with by that person or that the horse passport has not been properly completed or has been falsified in any way.

(2) A recognised organisation may at any reasonable time require any person in possession of a horse passport which it issued to produce it or produce and surrender it.

(3) A person shall comply with any requirement imposed on him under paragraph (2).

Identification of horses born before 1st January 1998

14. In the case of a horse born before 1st January 1998, a horse passport shall be sufficient identification for the purposes of the identification document required under the provisions of Article 8 of Council Directive 90/427/EEC (on the zootechnical and genealogical conditions governing intra-Community trade in equidae(**5**)) as read with Article 2 of Commission Decision 93/623/EEC on establishing the identification document (passport) accompanying registered equidae(**6**).

Offences

15.—(1) Any recognised organisation which contravenes regulation 6(1), (2) or (4) or 12(2) or (3) shall be guilty of an offence.

(2) Any person who contravenes regulation 6(3) or (5), 7 to 11, 12(1) or 13(3) shall be guilty of an offence.

(3) Any person or organisation guilty of an offence under these Regulations shall be punishable on summary conviction by a fine not exceeding level 5 on the standard scale or, in the case of any individual, by imprisonment for a term not exceeding six months or both.

Power of inspectors

16.—(1) An authorised officer shall, on producing, if required to do so, some duly authenticated document to show his authority, have the right to stop any vehicle for the purposes of ascertaining whether there has been any contravention of these Regulations.

(2) An authorised officer who stops any vehicle under paragraph (1) may require the person in charge of any horse in that vehicle to—

(a) produce on demand the horse passport for that horse; and

(b) permit that officer to inspect and take a copy of that passport.

(3) In this regulation "authorised officer" means any person authorised by the Department to enforce these Regulations.

Obstruction

17. A person shall not furnish any person acting in the execution of these Regulations with any information which he knows or believes to be false or misleading, and any person who contravenes this regulation shall be guilty of an offence.

(**5**) O.J. No. L224, 18.8.90, p. 55
(**6**) O.J. No. L298, 3.12.93, p. 45