



# Control of Horses Act 2015

## 2015 CHAPTER 23

### 4 Liability for damage and expenses due to horses

(1) After section 4 of the Animals Act 1971 insert—

**“4A Liability for damage and expenses due to horses on land in England without lawful authority**

- (1) This section applies where a horse is on any land in England without lawful authority.
- (2) The person to whom the horse belongs is liable for—
- (a) any damage done by the horse to—
    - (i) the land, or
    - (ii) any property on it which is in the ownership or possession of the freeholder or occupier of the land, and
  - (b) any expenses which are reasonably incurred by a person detaining the horse under section 7A or 7B of this Act—
    - (i) in keeping the horse while it cannot be restored to the person to whom it belongs or while it is detained under section 7A or 7B of this Act, or
    - (ii) in ascertaining to whom it belongs.

This is subject to the other provisions of this Act.

(3) For the purposes of this section a horse belongs to the person in whose possession it is.”

(2) In section 4 of that Act (liability for damage and expenses due to trespassing livestock), at the end insert—

“(3) This section does not apply in relation to horses on land in England (as to which, see section 4A).”

(3) In section 5 of that Act (exceptions from liability)—

- (a) in the heading and in subsection (1), for “4” substitute “4A”;

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*Changes to legislation: There are currently no known outstanding effects for the Control of Horses Act 2015, Section 4. (See end of Document for details)*

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- (b) after subsection (5) insert—
    - “(5A) A person is not liable under section 4A of this Act in respect of a horse which strays from a highway when its presence there was a lawful use of the highway.”;
  - (c) in subsection (6), after “section 4 of this Act” insert “, or under section 4A of this Act so far as relating to a straying horse in England, ”.
- (4) In section 10 of that Act (application of certain enactments to liability under sections 2 to 4), and in the heading to that section, for “4” substitute “ 4A ”.

**Changes to legislation:**

There are currently no known outstanding effects for the Control of Horses Act 2015, Section 4.