



Control of Horses Act 2015

2015 CHAPTER 23

3 Exercise of powers of detention

After section 7B of the Animals Act 1971 (as inserted by section 2 of this Act), insert—

“7C Detention of horses under sections 7A and 7B

- (1) This section applies where a horse is detained under section 7A or 7B.
- (2) The right to detain the horse ceases at the end of the period of 24 hours beginning with the time when it is first detained unless, within that period, the person detaining the horse gives notice of the detention to—
 - (a) the officer in charge of a police station, and
 - (b) if the person detaining the horse knows to whom the horse belongs, that person.
- (3) Where notice is given under subsection (2), the right to detain the horse ceases if, within the period of 96 hours beginning with the time when it is first detained, the person entitled to possession of the horse—
 - (a) claims it, and
 - (b) complies with the condition in subsection (4).
- (4) The condition is that the person tenders to each person with a claim under section 4A in respect of the horse such amount as is sufficient to satisfy the claim.
- (5) If by the end of the 96 hour period referred to in subsection (3) the right to detain the horse has not ceased under this section—
 - (a) ownership of the horse passes to the person detaining the horse, and
 - (b) accordingly, the person detaining the horse may dispose of it by selling it, arranging for it to be destroyed or in any other way.
- (6) Where a horse is sold under this section and the proceeds of sale, less the costs of the sale and any costs incurred in connection with it, exceed the amount of any claims under section 4A in respect of the horse, the excess is recoverable

from the person detaining the horse by the person who would have been entitled to possession of the horse but for this section.

- (7) A person detaining a horse under this section is liable for any damage caused to it by a failure to treat it with reasonable care and supply it with adequate food and water while it is so detained.
- (8) References in this section to a claim under section 4A in respect of any horse do not include a claim under that section for damage done by or expenses incurred in respect of the horse before it was on the land without lawful authority.
- (9) In calculating a period of 96 hours for the purposes of this section, disregard any time falling on—
 - (a) a Saturday or Sunday,
 - (b) Good Friday or Christmas Day, or
 - (c) a day which is a bank holiday in England and Wales under the Banking and Financial Dealings Act 1971.”