
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.