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STATUTORY INSTRUMENTS

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**2018 No. 761**

**The Equine Identification (England) Regulations 2018**

**PART 1**

Introductory

**Citation, commencement and application**

1.—(1) These Regulations may be cited as the Equine Identification (England) Regulations 2018 and, except for regulation 13(2)(c), come into force on 1st October 2018.

(2) Regulation 13(2)(c) comes into force on 1st October 2020.

(3) These Regulations apply in England only.

**Interpretation**

2. In these Regulations—

“Article” means an Article of the EU Regulation;

“compliance notice” has the meaning given in regulation 39;

“designated area” means an area described as such in regulation 17;

“enforcement costs” means the costs which a person is required to pay under an enforcement costs recovery notice;

“enforcement costs recovery notice” has the meaning given in regulation 42;

“enforcing authority” means a local authority falling within regulation 33;

“equine” means a wild, semi-wild or domesticated soliped within the genus *Equus* of the family Equidae and their crosses;

“EU Regulation” means Commission Implementing Regulation (EU) 2015/262 of 17 February 2015 <sup>M1</sup> laying down rules pursuant to Council Directives 90/427/EEC <sup>M2</sup> and 2009/156/EC <sup>M3</sup> as regards the methods for the identification of equidae, as amended from time to time;

“fixed monetary penalty” has the meaning given in regulation 41;

“fixed monetary penalty notice” has the meaning given in regulation 41;

“ID” means the identification document for the identification of an equine in accordance with the EU Regulation and these Regulations;

“inspector” means a person appointed as such under regulation 34 or under the Animal Health Act 1981 <sup>M4</sup>;

[<sup>F1</sup>“issuing body” means an issuing body referred to in Article 5(1);]

“keeper” has the meaning given in Article 2;

“non-compliance penalty” has the meaning given in regulation 40;

“non-compliance penalty notice” has the meaning given in regulation 40;

“offender” has the meaning given in regulation 37(1);

“owner” has the meaning given in Article 2;

“responsible person” means—

- (a) the owner; or
- (b) if the owner does not have primary day-to-day responsibility for the equine concerned, the keeper;

“transponder” has the meaning given in Article 2;

“wild or semi-wild equine” means an equine falling within regulation 17(1);

“within 24 hours” means before the end of the period of 24 hours beginning with the time at which—

- (c) for the purposes of regulation 15(1)(a), the information is created or amended;
- (d) for the purposes of regulation 15(1)(b), the issuing body receives the Secretary of State's request; or
- (e) for the purposes of regulation 18, the wild or semi-wild equine enters onto the holding area,

but not including any time that is not part of a working day; and for this purpose “working day” means a day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday within the meaning of the Banking and Financial Dealings Act 1971 <sup>M5</sup>.

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#### **Textual Amendments**

- F1** Words in [reg. 2](#) substituted (11.1.2019) by [The Equine Identification \(England\) \(Amendment\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1409\)](#), regs. 1, **2(2)**

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#### **Marginal Citations**

- M1** OJ No. L 59, 3.3.2015, p.1.
- M2** OJ No. L 224, 18.8.1990, p.55. The directive was amended by Council Directive 2008/73/EC of 15 July 2008 (OJ No. L 219, 14.8.2008, p.40).
- M3** OJ No. L 192, 23.7.2010, p.1. The directive was amended by Council Directive 2013/20/EU of 13 May 2013 (OJ No. L 158, 10.6.2013, p234 and by Commission Implementing Decision (EU) 2016/1840 of 14 October 2016 (OJ No. L 280, 18.10.2016, p.33).
- M4** [1981 c.22](#).
- M5** [1971 c.80](#).

**Changes to legislation:**

There are currently no known outstanding effects for the The Equine Identification (England) Regulations 2018, PART 1.