
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply in Scotland, implement Council Directive [90/426/EEC](#) (O.J. No. L 224, 18/8/1990, p.42), Council Directive [90/427/EEC](#) (O.J. No. L 224, 18/8/1990, p.55) and Commission Decisions [92/353/EEC](#) (O.J. No. L 192, 11/07/1992, p.63), [93/623/EEC](#) (O.J. No. L 298, 3/12/93, p.45) and [2000/68/EC](#) (O.J. No. L 23, 28.1.00, p.72). They revoke and replace the Horse Passports Order 1997 and the Horse Passports (Amendment) Order 1998, with transitional provisions.

The Regulations specify which organisations are authorised to issue passports and give them powers and duties (regulations 3 to 6), make provision for applications for and issue of passports (regulations 7 to 11 and Schedule 1), specify the languages of passports (regulation 12) and make provision for horses entering Scotland (regulation 1).

The Regulations make requirements concerning the declaration to be made on the passport relating to slaughter for human consumption (regulation 14).

The Regulations prohibit defacement of passports and make provision for the replacement of lost passports (regulations 15 and 1).

The Regulations provide that, on or after 16th August 2005, horses must be accompanied by their passports when moved for certain purposes (regulation 17).

A duty is imposed on a veterinary surgeon to mark a passport when veterinary medicines are administered (regulation 1).

The Regulations make provision, to take effect on or after 16th August 2005, relating to the sale of a horse (regulation 19) and relating to the slaughter of a horse (regulations 20 and 21).

Provision is made relating to the powers of inspectors, and to obstruction (regulations 1 and 24).

Under regulations 1 and 26 breach of the Regulations is an offence punishable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum or to three months imprisonment, or to both, and
- (b) on conviction on indictment, to imprisonment for two years or a fine, or both.

The Regulations are enforced by the local authority (regulation 1).

A Regulatory Impact Assessment has been prepared and placed in the Scottish Parliament Information Centre. Copies can be obtained from the Scottish Executive Environment and Rural Affairs Department, Animal Health and Welfare Branch, Pentland House, 47 Robb's Loan, Edinburgh, EH14 1TY.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Horse Passports (Scotland) Regulations 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- sch 2 am by [S.S.I. 2007/217 reg 9](#)
- Regulations revoked by [S.S.I. 2009/231 reg. 25](#)
- reg 1 am by [S.S.I. 2007/217 reg 3](#)
- reg 5 am by [S.S.I. 2007/217 reg 4](#)
- reg 5 am by [S.S.I. 2007/217 reg 5](#)
- reg 16 am by [S.S.I. 2007/217 reg 6](#)
- reg 22 subst by [S.S.I. 2007/217 reg 7](#)
- reg 24 am by [S.S.I. 2007/217 reg 8](#)