
STATUTORY INSTRUMENTS

2018 No. 761

The Equine Identification (England) Regulations 2018

PART 2

Administrative and procedural provisions and requirements

Competent authority and zootechnical authority for the purposes of the EU Regulation

3. The Secretary of State is the competent authority and the zootechnical authority for the purposes of the EU Regulation and acts as the member State for the purposes of that Regulation.

Transfer of ownership of equines

4.—(1) A person who transfers the ownership of an equine to another person (the “transferee”) must provide that equine's ID to the transferee at the time of the transfer.

(2) Before the end of the period of 30 days beginning with the day on which the transfer took effect, the transferee must—

- (a) notify the issuing body of—
 - (i) the transfer of ownership; and
 - (ii) the transferee's name, address and contact details; and
- (b) send the ID for the equine concerned to the issuing body.

Identification of equines

5. A person must not keep an equine unless it is identified in accordance with the EU Regulation and these Regulations.

Applications for IDs

6.—(1) For the purposes of Articles 3(3) and 11(2), the owner of an equine born in the EU and located on a holding in England must ensure that an application for an ID for that equine is received by an issuing body on or before the date set out in paragraph (2).

(2) The date is the later of—

- (a) the last day of the period of 6 months beginning with the day on which the equine was born; or
- (b) 30th November in the year in which the equine is born.

Completion of existing IDs for equines imported into the EU

7. The keeper must provide to the issuing body all information necessary to allow the body to complete an existing ID for the purposes of Article 15(2), subject to Article 15(3), so that it complies with the requirements of Article 7(2).

Modification of identity details in equine IDs

8. If the owner believes that any identity details contained in the equine's ID require modification or updating, whether pursuant to Article 27(1) or otherwise, the owner must ask the issuing body to modify or update the ID.

Format and content of equine IDs

9.—(1) An issuing body—

- (a) must ensure that any stock of pre-printed blank IDs (“pre-printed blank stock”) which it holds or maintains;
- (b) must ensure that any ID which it issues from such pre-printed blank stock; and
- (c) may ensure that ID which it issues otherwise than from pre-printed blank stock,

complies with paragraph (2).

(2) For the purpose of paragraph (1), the ID or the pre-printed blank stock must, as a minimum, contain a serial number that is printed on each of the pages which form sections I to III of the ID (as set out in Annex I to the EU Regulation).

(3) An issuing body must ensure that all IDs and pre-printed blank stock are securely managed on its premises.

(4) If an ID or any pre-printed blank stock is lost, missing or stolen, the issuing body concerned must—

- (a) notify the Secretary of State as soon as possible of the loss, misplacement or theft; and
- (b) with the notification mentioned in sub-paragraph (a), inform the Secretary of State of—
 - (i) the circumstances of the loss, misplacement or theft; and
 - (ii) the serial numbers for the ID or the pre-printed blank stock concerned.

(5) For the purposes of Article 9(1)(c), as read with, and subject to, Article 10(3), the issuing body concerned must ensure that section IV (details of ownership) of an ID is completed before the ID is issued under Article 9.

Verification of equine IDs

10. Upon request from the Secretary of State, an issuing body must verify whether an equine ID that has been, or which appears to have been, issued by it is unique, genuine and authentic.

Requirement to provide ID to a veterinary surgeon treating an equine

11.—(1) This regulation applies if a veterinary surgeon is treating an equine.

(2) Upon reasonable request from the veterinary surgeon, the responsible person must provide the equine's ID to the veterinary surgeon without delay.

Slaughter or death of an equine

12.—(1) Where, in accordance with Article 34(1)(c)(ii), an official veterinarian, or a person acting under the supervision of an official veterinarian, is required to return an invalidated ID to the issuing body, the official veterinarian, or the person acting under his or her supervision, must return that ID to the issuing body as soon as is reasonably practicable.

(2) In this regulation, “official veterinarian” has the meaning given in Article 2.

Transponders

13.—(1) For the purposes of Article 18(3), a person may only implant, or knowingly participate in the implantation of, a transponder into an equine if the person possesses the minimum qualification, and for this purpose the “minimum qualification” is that the person concerned is a current and registered member of the Royal College of Veterinary Surgeons.

(2) For the purposes of Article 18(5), the responsible person must arrange for a veterinary surgeon to implant a transponder into an equine that is deemed to be identified in accordance with Articles 4(2) or 43(1) if—

- (a) a previously implanted and recorded transponder ceases to function;
- (b) the equine arrives in England having been subject to an alternative method of identity verification authorised by another member State under Article 21; or
- (c) the equine—
 - (i) does not fall within sub-paragraphs (a) or (b);
 - (ii) has not already had a transponder implanted in compliance with the requirements or specifications as to transponders set out in the EU Regulation or Commission Regulation (EC) No 504/2008^{M1} of 6 June 2008 implementing Council Directives 90/426/EEC^{M2} and 90/427/EEC as regards methods for the identification of equidae; and
 - (iii) was born on or before 30th June 2009.

(3) A veterinary surgeon who implants a transponder into an equine must ensure that the transponder displays a code that is unique to the transponder.

Commencement Information

- II** Reg. 13(1)(2)(a)(b)(3) coming into force 1.10.2018 and reg. 13(2)(c) coming into force 1.10.2020, see reg. 1(1)(2)

Marginal Citations

- M1** OJ No. L 149, 7.6.2008, p. 3.
M2 OJ No. L 224, 18.8.1990, p.42. The directive was repealed by Council Directive 2009/156/EC of 30 November 2009.

Smart cards

14.—(1) An equine in respect of which an ID has been issued may be moved or transported by the responsible person into, or within, England without being accompanied by its ID if it is accompanied by a smart card issued in accordance with Article 25.

- (2) The Secretary of State may issue guidance about the format of smart cards.
- (3) In this regulation, “smart card” has the meaning given in Article 2.

Provision of information by issuing body to Secretary of State

15.—(1) An issuing body must provide the following information to the Secretary of State—

- (a) within 24 hours of the information being created or amended by the body—
 - (i) the identification details described in Article 27(1);
 - (ii) the information recorded in the issuing body's database under Article 38(1);

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Changes to legislation: There are currently no known outstanding effects for the The Equine Identification (England) Regulations 2018, PART 2. (See end of Document for details)

- (b) within 24 hours of a request from the Secretary of State, such other information (not falling within sub-paragraph (a)) as the Secretary of State may reasonably request in relation to the issuing of any ID by the issuing body or the carrying out by the issuing body of its functions under these Regulations or the EU Regulation.
- (2) Following a request in writing from an issuing body, the Secretary of State may extend the time within which the issuing body is to provide the information under paragraph (1) to the Secretary of State.
- (3) Any extension of time under paragraph (2) must be notified to the issuing body in writing.

Databases

16.—(1) For the purposes of Article 40(1), an issuing body must incorporate the information falling within Articles 28(e) and 38(1) into the central database.

(2) The Secretary of State may issue guidance to issuing bodies about the central database and how to enter information into it.

(3) The Secretary of State may share any data or information held or stored in, or which is to be held or stored in, the central database with the Scottish Ministers, the Welsh Ministers and, in Northern Ireland, the Department of Agriculture, Environment and Rural Affairs.

(4) In this regulation, “central database” means the database established by the Secretary of State in accordance with Article 39.

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