

**HORSE PASSPORTS:
GUIDANCE
FOR ALL HORSE OWNERS**

HORSE PASSPORTS (SCOTLAND) REGULATIONS 2005

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SECTION A

GENERAL INFORMATION

What this guidance is For

1. This guidance is designed to assist horse owners understand the extended requirements for horse passports and should be read in full. It is not an exhaustive guide and has no legal standing. In case of doubt, please refer to the Horse Passports (Scotland) Regulations 2005 or consult your legal adviser.

The scope of the new legislation

2. The Horse Passports (Scotland) Regulations 2005, which have just come into force, revoke and replace the Horse Passports Order 1997 and require **all** equines (horses, ponies, donkeys, asses and mules), regardless of age or status, to be accompanied by a passport. This would include, **without exception**, equines used for agricultural purposes, riding ponies, pets, companion animals, hacks, competition animals etc. If you do not acquire a passport - a document containing information identifying and concerning the horse for which it is issued - you will be in breach of the new legislation and this could leave you liable to prosecution. This legislation implements European Commission Decision 2000/68/EC which is applicable to all Member States in the European Union. Similar legislation has been introduced in England, Wales and Northern Ireland.

Why all horses must be accompanied by a passport

3. A passport scheme for certain horses was introduced under the Horse Passports Order 1997 originally to facilitate trade and movement for competition purposes. This scheme has now been extended to **all** equines and the new Regulations take steps to prevent horses which have been administered with medicines that have not been authorised for use in food producing animals being slaughtered for human consumption in the European food chain. Failure to have implemented these steps could have resulted in the European Commission taking action to require the UK to withdraw the marketing authorisations for these medicines and that, in turn, would have adverse implications for horse welfare.

The term 'horse'

4. The term 'horse' used throughout this guide means an animal of the equine or asinine species (horses, ponies, donkeys, mules asses) or cross-breeds of these species but does not include zebras.

Breaches of the Horse Passports (Scotland) Regulations 2005

5. Anyone who suspects a breach of these Regulations should report their concerns to their Local Authority and **NOT** the Scottish Executive Environment and Rural Affairs Department (SEERAD). It is Local Authorities who are responsible for enforcing the legislation.

SECTION B

WHAT THIS MEANS FOR ALL HORSE OWNERS

Currently owned horses

6. The following applies to all horse owners in Scotland -
 - All horse owners in Scotland must obtain individual passports - strictly **one** per horse - for each horse owned (if you obtained a passport for any horse under the Horse Passports Order 1997 please refer to **Section D**). (**Note - vaccination certificates are not passports!**) If you have more than one passport for any reason you must surrender all but one of them.
 - Passports can be held by the horse owner or keeper but should remain with the horse at all times; in particular, passports must accompany the horse when it is moved (see **paragraph 6 bullet point 5** below).
 - Passports must be obtained from authorised Passport Issuing Organisations to be valid under the Horse Passport (Scotland) Regulations 2005 (if you do not already have a passport please refer to **Section E** - reading the entire leaflet is advisable, however).
 - Owners of all horses in Scotland which were born **before** 16 May 2005 must apply for passports **before** 16 June 2005. Horses born before 16 May 2005 which do not have passports in place **before** 16 August 2005 will be subject to movement restrictions (see **bullet point** below).
 - On or after 16 August 2005 horses (including foals) born before 16 May 2005 without passports in place **cannot** -
 - be moved for the purpose of being entered in a competition – the organisers of the event can ask to see the passport under the event rules and may require to complete Section IV in the passport (entry to a show could be similarly affected since ‘showing’ is also a form of competition. It is certainly competitive);
 - be moved for the purpose of being used for breeding;
 - be moved out of Scotland;
 - be moved to the premises of a new keeper;
 - be sold or have ownership transferred (see **paragraph 12**);
 - be sent to slaughter for human consumption (see **paragraph 14**).
 - Owners of horses born before 16 May 2005 who fail to obtain passports **before** 16 August 2005 will also be in breach of the legislation and could be prosecuted (see **paragraph 17**).

New Horses (Foals)

7. Passports for horses born in Scotland on or after 16 May 2005 should be obtained on or before 31 December in the year of their birth, or by 6 months after their birth, whichever is the later date (see **Section E** for information on how to obtain a passport). A passport may have to be obtained for a foal earlier, however, if it is being sold, consigned for slaughter or being moved for any other reason listed at **paragraph 6**.

Example 1 – a horse born on 8 August 2005 should have a passport by 8 February 2006.

Example 2 – a horse born on 15 March 2006 should have a passport by 31 December 2006.

Amending the silhouette

8. A horse's distinguishing marks, coat and colour may change as it gets older. In this event, you will need to provide a new silhouette and follow the procedures for updating the passport set out by your Passport Issuing Organisation. If you do not get the passport amended, you may have problems in the future when it is being checked for identification purposes against your horse.

Microchipping

9. Microchipping is **not** a current requirement of the Scottish legislation. If desired, owners can microchip their horses **in addition to, but not instead of**, completing the silhouette. Microchipping must always be carried out by a vet or under veterinary supervision.

Horses entering Scotland

10. The owner (or keeper, if the owner is living outside Scotland) of any horse entering Scotland must apply for a passport (see **Section E** to find out how to apply for a passport), within 30 days of the horse's entry into the country **unless** -

- a passport has already been obtained elsewhere in the UK (England, Wales, Northern Ireland) or from another country in the European Union and it conforms fully to the format (i.e. it contains Section IX) set out in Commission Decision 93/623 as amended by Commission Decision 2000/68 (if in doubt about this read **Section D** of this guidance and contact your Passport Issuing Organisation for advice); or
- the horse is to remain in Scotland for **less** than 30 days, in which case the requirement to obtain a passport does not apply.

Any horse that has been brought into Scotland, without a passport, on or after 16 May 2005, and remains in Scotland for more than 30 days, must not move from the premises within Scotland onto which it has been brought for any of the reasons listed at **paragraph 6**, until a passport has been issued for it. When a passport is in place, the declaration (see **Section C**) must be signed **before** the first movement of the horse from these premises to the effect that the horse is **not intended** for human consumption.

Exporting a Horse

11. A valid passport which contains a signed declaration (located in Section IX of the passport) is required to be in place for all horses **prior** to being moved out of the UK (see **Section C** for information on the declaration). Passports will be checked as part of the Export Health Certification procedure.

Horses bought or sold (or ownership transferred) on or after 16 August 2005

12. On or after 16 August 2005 no horse can be sold without a passport which must be given to the new buyer directly or through the auctioneer. The new owner must return the passport, within 30 days of purchase, to the Passport Issuing Organisation that issued it, together with details of their name and address. The Passport Issuing Organisation will complete Schedule 2, Section I of the passport and return it to the new owner. The same conditions apply for transfer of ownership. If the declaration at Section IX, Part I, has been signed to indicate that the horse is not intended for the human food chain, the new owner must reconfirm this as required by Schedule 2, Section IX of The Horse Passports (Scotland) Regulations 2005 (see **Section C** for information about the declaration).

Death of a horse

13. The owner must return the passport to the Passport Issuing Organisation within 30 days of the death of a horse indicating the date of death so that the Organisation's records can be updated and the passport cancelled **unless** the horse was sold to a slaughterhouse. The Passport Issuing Organisation **may** agree to return the passport after cancellation (if this is desired by the owner) subject to agreement to any terms and conditions it may impose. On or after 16 August 2005, owners sending horses to slaughterhouses must surrender their passports to the slaughterhouse occupier who will make copies of Sections II and IX of the passport before returning it, within 30 days of the horse's death, to the Passport Issuing Organisation that issued it (see also **paragraph 14** below).

Slaughter for human consumption

14. On or after 16 August 2005, a horse **cannot** be consigned for slaughter for human consumption unless it is accompanied by a valid passport and the declaration at Section IX shows that the animal **is intended** for slaughter for human consumption (see **Section C**). Any entries on the passport regarding medicines administered will be checked at the slaughterhouse to ensure that any relevant withdrawal period has elapsed. The slaughterhouse occupier will return the passport to the issuing Organisation with a notification of the horse's death so that the passport can be cancelled and records brought up to date.

Replacement passports

15. If a passport is lost or damaged a replacement can be obtained from the Passport Issuing Organisation, if known, that issued the previous passport. The Passport Issuing Organisation will mark the document 'duplicate'. If the previous passport was damaged but Schedule 2, Section IX is still legible the 'replacement' passport will duplicate the information therein; if the previous passport was lost or if the passport was badly damaged and Section IX is illegible the owner must indicate in the replacement passport, immediately on receipt, that the horse is not intended for slaughter for human consumption by completing

Part II of that Section and signing the declaration accordingly. This declaration will be irreversible (see **Section C**). If the Passport Issuing Organisation that issued the previous passport is not known, any authorised Passport Issuing Organisation can be applied to for a replacement passport.

Passport Issuing Organisations that have their recognition withdrawn

16. Owners with passports issued by a Passport Issuing Organisation that has had its recognition withdrawn for any reason will have to apply for a new passport from another Passport Issuing Organisation within 3 months of the date recognition was withdrawn. The old passport will remain valid following this application until such time as the new passport is received by the owner.

Penalties

17. Anyone guilty of an offence under the Horse Passports (Scotland) Regulations 2005 shall, on summary conviction, be liable to a fine or to a term of imprisonment or both. Full information on prohibitions, obstructions, offences and penalties can be obtained from the Regulations (see **paragraph 18** below for information on how to view or obtain a copy).

Copies of the Legislation

18. Copies of the Horse Passport (Scotland) Regulations 2005 can be purchased from -

The Stationery Office Ltd (TSO)
PO Box 29
St Crispins
Duke Street
Norwich
NR3 1GN

Tel: 0870 600 5522

Fax: 0870 600 5533

E-mail: book.orders@tso.co.uk

Online ordering: www.tso.co.uk/bookshop

Or the legislation can be viewed on line at www.hmsso.gov.uk

SECTION C

THE DECLARATION

The declaration

19. At Section IX of the passport there is a declaration at Part II and Part IIIA which, when one is signed, will indicate whether or not the horse is intended for slaughter for human consumption. Declarations that indicate that a horse is 'not intended for slaughter for human consumption' **cannot** be reversed.

Signing the declaration

20. Considering which declaration to sign - assuming you have a choice (see **paragraph 21** below) - is an emotive issue, especially in the UK where we do not have a culture of intentionally slaughtering horses for human consumption. Nevertheless, we do have elective euthanasia and for between 8 – 10 thousand horses each year an abattoir is the elected approach. For many owners this is a humane and affordable way of dealing with their horse at the end of its life and you are advised to think carefully about the following points **before** deciding which declaration you are going to sign:

- Though it may be years ahead, what do you expect will happen to your horse when it reaches the end of its life and what might it cost you to dispose of it?
- Have you made any financial provision for the euthanasia of your horse at the end of its life if this becomes necessary?
- There are currently a number of options open to owners for dealing with their horse at the end of its life but these options may not be available in the future.
- Are you likely to sell your horse in the future, even if not for many years? – some future owner may only wish to purchase a horse where they have the option to elect for abattoir euthanasia.
- A 'not intended' declaration **cannot** be reversed.
- An 'intended' declaration does not mean you **definitely** have to elect for abattoir euthanasia, but it does mean that you will have kept open that **option** should your circumstances change in the future.
- If the 'intended' declaration is signed, or neither declaration has been signed, it will be necessary to keep a record of veterinary medicines administered to the horse, regardless of who administers them. Certain medicines **must** be recorded in the passport itself.

When the declaration must be signed

21. If circumstances permit, an owner may, by choice, decide **not** to sign the declaration at Section IX (Part II or Part IIIA) immediately on receipt of a passport to indicate whether or not the horse is intended for slaughter for human consumption. **However**, if any of the following circumstances apply, an owner **must** sign the declaration immediately –

- if the horse was located in Scotland on the date when the passport was issued, **before** the horse first moves off the premises on which it was located as at that date (see **Section B, paragraph 6, bullet point 5** for information on movements).
- If the horse has been brought into Scotland on or after 16 May 2005 (see **Section B paragraph 10**) before the first movement of the horse from the premises within Scotland on which it was located on the date when the passport was issued. In these circumstances, the signed declaration must show that the horse is **not intended** for human consumption.
- **before** the horse is consigned for slaughter for human consumption (in which case the declaration should state that the horse **is intended** for human consumption).
- **before** any veterinary medicinal product containing a substance specified in Annex IV to Council Regulation (EEC) No. 2377/90 is administered to a horse. In these circumstances, the declaration must indicate that the horse is **not intended** for slaughter for human consumption. If the declaration has already been signed to this effect, no further action need be taken; if the declaration has been signed to the effect that the horse **is intended** for human consumption, it must be signed again immediately to indicate that the horse is now **not intended** for human consumption.

Horses requiring veterinary treatment

22. Prior to any horse receiving veterinary treatment the owner or person in charge of the horse should show the passport to the vet (or other person treating the animal if not a vet) who should be allowed to examine it and make entries as appropriate. Depending on the treatment the horse receives and which declaration, if any, has been signed, the following may apply:

- The treatment the horse receives may be affected if the declaration has been signed to the effect that the horse **is intended** for the human food chain since any medicine included in Annex IV of Council Regulation 2377/90 cannot be administered to a food producing animal. If no acceptable, alternative treatment is available and an Annex IV medicine has to be administered for the welfare of the horse, the declaration must be signed again immediately to indicate that the horse is now **not intended** for human consumption (see **paragraph 21** bullet point 4).
- If the declaration at Section IX has been signed to the effect that the horse is **not intended** for the human food chain, any medicines may be administered and none need be recorded at Section IX of the passport regardless of the medicine administered.

- If the passport has been signed at Section IX that the horse **is intended** for human consumption, it will be necessary to record at Section IX, Part IIIB all medicines **not included** in Annexes I, II, III or IV of Council Regulation 2377/90 which are administered to the horse, by whoever administers the medicine. Other medicines may be entered if desired.
- If **no** declaration has been signed at Section IX, there is still a possibility that the horse will end up in the food chain and, consequently, it will be necessary to record at Section IX, Part IIIB all medicines **not included** in Annexes I, II, III or IV of Council Regulation 2377/90 which are administered to the horse, by whoever administers the medicine. No Annex IV medicines should be administered unless **absolutely necessary** for the welfare of the horse and, in this event, the declaration would have to be signed immediately to the effect that the horse was **not intended** for human consumption.
- If no passport is in place, regardless of the reason for this, the vet will still treat the horse since it is the duty of any vet to alleviate suffering whenever possible by the administration of appropriate medicines. In these circumstances, the vet or person administering the medicine should give the owner or keeper a written record of the treatment administered and the owner or keeper must enter this information in the passport when it is available. Again, since no passport is available, there is still a possibility that the horse will end up in the food chain and no Annex IV medicines should therefore be administered unless **absolutely necessary** for the welfare of the horse.

SECTION D

PASSPORTS OBTAINED UNDER THE HORSE PASSPORTS ORDER 1997

What to check if you obtained a passport under the Horse Passports Order 1997

23. If you already have a passport issued under the Horse Passports Order 1997 it will have to be updated in line with the new Horse Passports (Scotland) Regulations 2005. If your passport does not already contain Section IX (the new Section relating to veterinary medicines) you must apply for the new pages. There may be a charge for this service. New Section IX pages should be obtained before 16 August 2005 (see also **paragraph 24 & 25** below).

New Section IX pages

24. Initially, applications for Section IX pages should be made to the Organisation that issued your passport. It is for Passport Issuing Organisations to decide whether your passport should be returned to them so that the Section IX pages can be inserted into your passport or whether to issue the Section IX pages separately for associating with, or attaching to, your passport. This is the decision of the Passport Issuing Organisation and its rules should be complied with. If the issuing organisation cannot provide the Section IX pages for any reason, any Passport Issuing Organisation can be applied to. In this case, you will be obliged to provide the Passport Issuing Organisation with the identification number of your horse so that this information can be entered on the Section IX pages prior to issue.

Authorised Passport Issuing Organisations

25. Even if your passport appears to be in order it would be advisable to contact your Passport Issuing Organisation to check because only passports issued by **authorised** Passport Issuing Organisations will be valid under the new legislation (see **paragraph 26** below)

How to check if the organisation which issued your passport is authorised

26. All the authorised Scottish Passport Issuing Organisations are on the list at **Section E paragraph 31**. For a full list of **UK** Passport Issuing Organisations go to the horse passports page (<http://www.defra.gov.uk/animalh/tracing/horses/horsepassport.htm>) on the Department of Environment, Food and Rural Affairs (Defra) website (www.defra.gov.uk) or contact the Defra Helpline on 08459 335577. If the relevant organisation does not appear on the list it may not be an authorised Passport Issuing Organisation.

SECTION E

HOW TO OBTAIN A PASSPORT

Points to consider before obtaining a passport (cost, silhouette etc.)

27. The information below explains how to go about obtaining a passport for your equine. Passports are **not** issued by the Scottish Executive; they are issued by authorised Passport Issuing Organisations, a Scottish list of which is below (see **Section D paragraph 26** for a full UK list). However, **before** you decide from which Passport Issuing Organisation you wish to obtain a passport, there are a few points you should first consider –

- **Cost:** the cost of passports will be set by Passport Issuing Organisations and could vary. It would, therefore, be advisable to check the cost of the passport with the Passport Issuing Organisation you are considering **before** submitting an application.
- **Silhouettes:** you are required to provide a diagram (known as a silhouette) of your horse which accurately shows all distinguishing marks. It **may** be possible to complete this silhouette yourself if you obtain a passport from certain Scottish Passport Issuing Organisations, but many Passport Issuing Organisations require this be done by a vet or other ‘competent body’ which could mean additional cost. It would be advisable to check these points with the Passport Issuing Organisation you are considering **before** submitting an application. If desired, microchipping may be carried out **in addition to, but not instead of**, completing the silhouette (see also **Section B paragraphs 8 and 9**). Please be aware that Passport Issuing Organisations may insert a copy of a silhouette into your passport which has been scanned or photocopied from the original, provided by you. On receipt of your passport, therefore, you should check the silhouette for accuracy and clarity and refer any problems back to the issuing organisation as quickly as possible.
- **If you wish a passport to contain verified breed details** you need to first check that the Passport Issuing Organisation you are considering can provide that service and that your horse is eligible for entry into the studbook of a breed society **before** submitting an application.
- **If you live in Scotland but obtain a passport from elsewhere in the UK** as well as complying with the rules of your Passport Issuing Organisation you are also subject to the legislative requirements of the Horse Passports (Scotland) Regulations 2005 and it would be sensible to obtain a copy of these Regulations for reference purposes (see **Section B paragraph 18** regarding how to obtain, or view, copies of legislation).

The date by which all passports must be obtained

28. If you do not have a passport then you should obtain one before 16 August 2005 from an authorised Passport Issuing Organisation or you will be in breach of the Regulations and subject to movement restrictions (see **Section B, paragraph 6, bullet points 4 and 5**). A list of the Scottish Passport Issuing Organisations is below. To find out which Passport Issuing Organisation you should apply to, please read on.

How to obtain a passport if your equine is a specific breed

29. If your equine is a specific breed and a relevant breed society exists you may, if you wish, apply to that society for a passport (see **Section D, paragraph 26** for a full list of authorised Passport Issuing Organisations). If no relevant Breed Society exists, or the relevant breed society is not an authorised Passport Issuing Organisation, or you do not choose to register and obtain a passport from the relevant breed society, there is only one Passport Issuing Organisation based in Scotland you can approach for a passport. This is the **Scottish Sports Horse**. Other Passport Issuing Organisations (see **Section D, paragraph 26**) based in England and Wales can also provide basic passports which will be recognised in Scotland and across the countries of the European Union. If you wish to apply to the Scottish Sports Horse, however, please telephone the contact number provided in the list below for application forms and detailed assistance on how to obtain your passport.

How to obtain a passport if your equine is not a specific breed

30. If your equine is not a specific breed there is only one Passport Issuing Organisation based in Scotland you can approach for a passport. This is the **Scottish Sports Horse**. If you wish to apply to the Scottish Sports Horse, please telephone the contact number provided in the list below for application forms and detailed assistance on how to obtain your passport.

Scottish Passport Issuing Organisations (PIOs):

31. Below is a list of all the authorised Passport Issuing Organisations in Scotland -

- British Bavarian Warmblood Association 01651 882226
- Clydesdale Horse Society 01555 893 616
- Comann Each Nan Eilean (Eriskay Pony Society) 01878 720201
- Eriskay Pony Society 01764 670626
- Fjord Horse Registry of Scotland 01651 891712
- Highland Pony Society 01738 451861
- Scottish Icelandic Horse Association 01569 764166
- Scottish Sports Horse 0870 770 8880
- Shetland Pony Society 01738 623471