



The Scottish
Government
Riaghaltas na h-Alba

HORSE PASSPORTS: GUIDANCE FOR ALL HORSE OWNERS Horse Identification (Scotland) Regulations 2009

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SECTION A GENERAL INFORMATION

What this guidance is for

This guidance is designed to assist horse owners understand the requirements for horse identification. It is not an exhaustive guide and has no legal standing. In case of doubt, please refer to the Horse identification (Scotland) Regulations 2009 or consult your legal adviser.

The scope of the legislation

The Horse identification (Scotland) Regulations 2009 require all equines (horses, ponies donkeys, asses and mules), regardless of age or status, to be accompanied by a passport and for all animals born, or passports issued, on or after 1 July 2009 to be fitted with a microchip. 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 or subsequent microchip, you will be in breach of the legislation. Non-compliance could lead to a fine of up to £5000 or imprisonment.

This legislation implements European Commission Regulation 504/2008 which is applicable to all Member States in the European Union. Similar legislation exists in England, Wales and Northern Ireland.

Why all horses must be accompanied by a passport

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 extends to all equines and includes the microchipping of horses; the 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'

The term "horse" means a wild or domesticated soliped within the genus *Equus* of the family *Equidae*, and their crosses; and "the Commission Regulation" means Commission Regulation (EC) No. 504/2008 implementing Council Directives 90/426/EEC and 90/427/EEC as regards methods for the identification of *equidae*.

Breaches of the Horse Identification (Scotland) Regulations 2009

Anyone who suspects a breach of these Regulations should report their concerns to their Local Authority and **NOT** the Scottish Government. It is Local Authorities who are responsible for enforcing the legislation.

SECTION B WHAT THIS MEANS FOR ALL HORSE OWNERS

Currently owned horses

The following applies to all horse owners in Scotland –

All horse owners in Scotland must obtain individual passports - strictly **one** per horse (**Note - vaccination certificates are not passports**) If you have more than one passport for any reason you must surrender all but one of them to the issuing authority.

In addition to the passport, under the Horse Identification (Scotland) Regulations 2009, all horses born on or after 1 July 2009 must be identified by the insertion of a microchip. This should be done before applying for a passport.

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.

Passports must be obtained from an authorised Passport Issuing Organisation (PIO) to be valid under the Horse Identification (Scotland) Regulations 2009 (if you do not already have a passport please refer to **Section E**).

Owners of all horses in Scotland which were born **before** 16 May 2005 must apply for passports. Horses which do not have passports will be subject to movement restrictions (see **bullet point** below).

Without a passport, horses **cannot** –

- be moved for the purpose of being entered in a competition/shown - organisers of an event can ask to see the passport under the event rules and may require to complete Section IV in the passport;
- 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;
- be sent to slaughter for human consumption.

Owners of horses born before 16 May 2005 who fail to obtain passports will also be in breach of the legislation and could be prosecuted.

New Horses (Foals)

Passports for horses born in Scotland should be obtained within 6 months of birth or by 31 December of the year of birth, whichever is the later date. A passport may have to be obtained for a foal earlier if it is being sold, consigned for slaughter or being moved for any other reason listed at **paragraph 6**. All foals born on or after 1 July 2009 must also have a microchip inserted by a member of the Royal College of Veterinary Surgeons.

Amending the silhouette

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 these are appropriate. 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

Since 1 July 2009, microchipping has been a requirement of the legislation. For all passports applied for, owners must microchip their horse - in addition your PIO may also ask you to complete the silhouette. Microchipping must always be carried out by a member of the Royal College of Veterinary Surgeons.

Where a horse is not implanted with a transponder, the silhouette must be completed by a qualified vet. Where a transponder is present, the silhouette may be completed by a person authorised by the organisation so long as the completed Section 1 is signed by a vet.

Importing Horses to Scotland

The owner or keeper of any horse entering Scotland from outside of the EU 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; 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, and remains in Scotland for more than 30 days, must not move from the premises within Scotland onto which it has been brought, until a passport has been issued for it.

Exporting a Horse

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. Passports will be checked as part of the Export Health Certification procedure.

Horses bought or sold (or ownership transferred)

No horse could be sold without a passport. The passport 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 Identification (Scotland) Regulations 2009 (see **Section C** for information about the declaration).

Death of a horse

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.

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 below).

Slaughter for human consumption

Since 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. 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

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 stamp the front page, silhouette and Section IX of any duplicate or replacement passport as “duplicate” or “replacement”. If the previous passport was damaged but Schedule 2, Section IX is still legible the 'replacement' passport will duplicate the information therein; in all other cases where a passport has been damaged, it may be returned to the organisation and a replacement passport issued. This must include signing Section IX Part II to declare the equine as **not** intended for human consumption. This declaration will be irreversible. 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

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

Anyone guilty of an offence under the Horse Identification (Scotland) Regulations 2009 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.

Copies of the Legislation

Copies of the Horse Identification (Scotland) Regulations 2009 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

Email: 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

At Section IX of the passport there is a declaration at Part II and Part III 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

Considering which declaration to sign - assuming you have a choice 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

If circumstances permit, an owner may, by choice, decide **not** to sign the declaration at Section IX (Part II or Part III) 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 –

- **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

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 (SCOTLAND) REGULATION 2005

What to check if you obtained a passport under the Horse Passports (Scotland) Regulation 2005

If you already have a passport issued under the Horse Passports (Scotland) Regulation 2005 and as amended, it will have to be updated in line with the Horse Identification (Scotland) Regulations 2009. If your passport does not already contain Section IX (the Section relating to veterinary medicines) you must apply for the new pages. There may be a charge for this service.

Section IX pages

Initially, applications for Section IX pages should be made to the Organisation that issued your passport. When a new Section XI is added to an old passport, the PIO will sign and stamp Part II to declare the equine as not intended for human consumption.

Authorised Passport Issuing Organisations

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** PIO's will be valid under the legislation.

[Scottish PIOs and UK PIOs](#)

SECTION E HOW TO OBTAIN A PASSPORT

Application Procedure

- The owner of the horse will request an application pack from the PIO
- The PIO will send the pack within 7 days – this will include the details of the requirements of the veterinarian
- The owner will complete the form with the assistance of their vet and return it to the PIO
- The owner will normally receive the passport within 20 working days. The passport is valid for the lifetime of the horse.

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

The information below explains how to go about obtaining a passport for your equine. Passports are **not** issued by the Scottish Government; they are issued by authorised Passport Issuing Organisations. 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 may be 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 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. Microchipping will be carried out in addition to completing the silhouette (see also **Section B paragraphs 9 and 10**). 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 Identification (Scotland) Regulations 2009 and it would be sensible to obtain a copy of these Regulations for reference purposes (see **Section B paragraph 19** regarding how to obtain, or view, copies of legislation).

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

There are a number of PIO's based in Scotland who issue passports for specific breeds of horses. However, if your equine is not a specific breed there is only one PIO based in Scotland you can approach for a passport. This is the **Scottish Sports Horse**. Other PIO's based in England and Wales can also provide basic passports which will be recognised in Scotland and across the countries of the European Union.

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