



## Horse Owners – Do you know the Law?

### The Horse Passports Regulations 2009

- *It is an offence to own or keep a horse without a passport*, therefore it is an offence to sell or purchase a horse without a passport
- *It is an offence to fail to notify the Passport Issuing Organisation of the change of ownership*, this should be done within 30 days of purchase or change of ownership.
- **Any horse born after the 1<sup>st</sup> July 2009, or which doesn't already have a passport, must also have a transponder (microchip) fitted. These can only be inserted by veterinary surgeons.**
- *It is an offence to have more than one passport for a horse*, if you have, then arrange to return one to the relevant issuing organisation
- Passports must accompany your horse at all times, including during transportation (except in emergency situations). The person with primary responsibility for the horse must have the passport made available to them if they are not the owner.
- Foals must have a microchip and passport by the 31<sup>st</sup> December in the year of birth or within six months of birth, whichever is the longer. If the 'foal' is to be moved before then it must have a microchip and passport, except where it is being moved with the dam.

**The Animal Welfare Act 2006** makes owners and keepers responsible for ensuring that the welfare needs of their animals are met. These include the need:

- **for a suitable environment** (place to live) - dry lying area, free from dangers
- for a suitable diet – fresh water and adequate nutrition to maintain good health
- to exhibit normal behaviour patterns
- to be housed with, or apart from, other animals (if applicable)
- to be protected from pain, injury, suffering and disease

Anyone who is cruel to an animal, or does not provide for its welfare needs, may be banned from owning animals, fined up to £20,000 and/or sent to prison.

### **Transport of Animals (Cleansing and Disinfection) (England) (No 3) Order 2003**

#### **Cleansing and disinfection**

Any person transporting horses shall ensure that:

- they are loaded onto a means of transport which has been cleansed, and where necessary, disinfected
- any soiled litter and excreta are removed as soon as practicable

Pet, non-commercial etc. exemption no longer applies.

### **The Welfare of Animals (Transport) (England) Order 2006**

**Horses shall not be transported in a way which causes or is likely to cause them injury or unnecessary suffering**, e.g. vehicles must be of sound construction, have non-slip floors, no sharp projections, and have adequate space to allow the horses to stand in their normal position.

**A horse shall not be transported unless it is fit for the intended journey.** A horse shall not be considered fit if:

- it is ill, injured, infirm, fatigued or has given birth during the previous week
- it is new-born and its navel is not completely healed, or,
- is a mare which is beyond 90% of its gestation period or for any other reason, unless it is transported direct to the nearest available place for veterinary treatment or diagnosis.

**Note:** Registered Horses are exempt from the regulation prohibiting the transport of pregnant females beyond 90% of their gestation period and transporting mares with their newly born foals if:

1. the journey is to improve the health and welfare conditions of the birth and
2. if accompanied throughout the journey by a dedicated attendant.

A horse may not be dragged or pushed by any means, or lifted by a mechanical device unless under the supervision and in the presence of a veterinary surgeon who is arranging for it to be transported with all practicable speed to a place for veterinary treatment.

Where horses are not led into, or out of a vehicle, the loading ramp must be provided with protection on each side, sufficient to prevent them from falling off or escaping. Ramps must not have an angle exceeding 20 degrees and must be fitted with foot battens or otherwise to prevent slipping. Precautions in the form of partitions must be fitted to support the horses and prevent them being thrown about by the motion of the vehicle.

***The 2006 Order has no further implications for the transport of pet horses, including privately owned horses used for recreational purposes, unless the transport is of a commercial nature.***

## **Commercial journeys**

Anyone transporting horses in connection with an **economic activity must comply with the following 'Economic Activity'** will include farmers, livestock hauliers, those who move domestic equines in connection with professional riding, livery, breeding or racing. If you employ a groom to drive your vehicle, you will almost certainly need to comply with the following.

For journeys **over 65km and under eight hours**

- hold a transporter authorisation (Type 1) issued by DEFRA
- ensure that drivers and attendants are in possession of a certificate of competence
- complete an animal transport document (ATD)

For journeys **over 65km and over eight hours transporters must:**

- have a long journey transporter authorisation (Type 2) issued by DEFRA
- ensure the vehicle used has been inspected and approved
- ensure that contingency plans are in place in the event of an emergency
- ensure a journey log is completed for journeys going outside the UK (this does not include registered horses)
- complete an ATD if journey is within the UK
- drivers and attendants are in possession of a certificate of competence

### **Construction**

Vehicles used for the transport of horses shall be designed, constructed, maintained and operated so as to:

- avoid injury and suffering and to ensure the safety of the animals
- protect the animals from inclement weather and extreme temperatures
- prevent the animals escaping or falling out
- ensure the air quality and quantity appropriate to the species transported can be maintained
- provide access to the animals to allow inspection
- minimise the leakage of urine or faeces
- provide a means of lighting sufficient for inspection of the animals
- provide sufficient space inside the animal compartment to ensure that there is adequate ventilation above the animals when they are standing in their natural position
- have anti-slip flooring and ramps with foot battens
- have partitions strong enough to withstand the weight of the horse, with fittings designed for quick and easy operation.
- Be clearly marked to indicate the presence of live animals

Vehicles used for the transport of horses over eight hours must be inspected and approved by an authorised body.

**Except in an approved vehicle, no horse may be transported on a journey in excess of eight hours (except Registered horses).** In an approved vehicle, horses may be transported for 24 hours, provided that, at eight-hour intervals, they are given liquid and, if necessary, fed. At the end of the 24-hour period of transport horses must be rested for at least 24 hours.

### **Registered horses**

- must be registered with a recognised breed society or company such as Wetherbys, transporters must be able to show to an Inspector that the horse's are registered
- registered horses not going to market or slaughter are exempt from the requirement for journey logs, watering and feeding intervals, journey times and rest periods and ATDs

### **General**

- Horses may not be transported in a vehicle with more than one deck in operation. Minimum internal height shall be 75cm higher than the height of the withers of the highest animal.
- When transported in groups, horses older than eight months must wear halters (unless they are unbroken).
- Unbroken horses shall not be transported in groups of more than four individual horses.
- Tied animals shall be transported separately from untied animals.
- A stallion or a mare with a foal at foot may not be transported in the same undivided vehicle as any other horse (unless the horses were raised in compatible groups, are accustomed to each other or where separation will cause distress).
- During transport, horses must be accompanied by an ATD, giving details of the journey and the horses being transported. Persons transporting their own horses, within their own means of transport, for a distance of less than 50km from their holding, are exempt from this requirement.

### **Please note**

This leaflet is not an authoritative interpretation of the law and is intended only for guidance. For further information please contact your local trading standards service.

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