



November 2009

## **GUIDE TO THE HORSE PASSPORT AND MICROCHIPPING REGULATIONS 2009 AS IT RELATES TO NEW FOREST PONIES**

**On 1 July 2009 new passport and microchipping legislation came into effect – Commission Regulation EC 504/2008 and, in England, The Horse Passports Regulations 2009**

- This requires that ponies not issued with a passport by 1 July 2009, or born after 1 July 2009, must have an electronic microchip implanted by a qualified veterinary surgeon when being first identified for a passport. Owners may be fined up to £5,000 if found guilty of failing to correctly identify their horses with a passport.
- For foals, the passport needs to be issued by 31 December of the year of birth. If it is not, then the Society as the Passport Issuing Organisation (PIO) is required to sign Part II of Section IX, which excludes the animal from the human food chain.
- Any pure-bred New Forest foals not registered by 31 December of the year of birth will have to be DNA-tested at a cost of £100-150 OR registered in the Unapproved Section of the Stud Book (The X Register).
- Adult horses that had not been issued with a passport under the previous legislation are now required to have a microchip implanted when first issued with a passport. Additionally, Part II of Section IX will be signed by the Society as the PIO on issue of the passport, excluding the horse from entry into the human food chain.

### **Other Key Changes**

- Horses are to be accompanied by the passport at all times, and may not be moved without being accompanied by its passport. The exception to this rule is when a horse is being moved on foot and the passport can be made available within 3 hours. Keepers with primary responsibility for the care of the horse (eg keepers of horses on loan, full livery yards, and transporters) will need to make suitable arrangements with the owner in order to ensure that the passport can be made readily available without delay.
- It is an offence to keep a horse without a passport – this applies to keepers with primary responsibility for the care of the horse.
- Vets are required to see the passport before the administration of veterinary medicines and there are tightened requirements that the passport must be updated at the time of any administration of veterinary products including vaccinations.

**The remainder of this document applies only to Forest-run ponies on which marking fees are paid to the Verderers of the New Forest by practising New Forest Commoners.**

## **SPECIAL ARRANGEMENTS FOR SEMI-FERAL NEW FOREST PONIES**

Regulation 18 and the Schedule of The Horse Passports Regulations 2009 make special provision for the New Forest, which is designated as an area containing a defined population of ponies living under semi-wild conditions that do not need to be identified with microchips/passports while they remain within the designated area.

Where a pony is individually identified in the lists kept by the Verderers of the New Forest, or entered in the stud book of the New Forest Pony Breeding and Cattle Society, an owner is not required to microchip the pony and apply for a passport provided the pony is not moved (other than temporarily for welfare reasons, eg, to back-up grazing to improve condition, to recover from illness/injury, weaning etc) from the designated area. Ponies may be taken to kennels without a microchip/passport as they are still within the designated area.

### **NFPBCS registration procedure for foals that are being retained by the breeder and will run on the Forest**

- The foal will be registered in accordance with Society Rules, and a Registration Certificate will be issued. **THIS IS NOT A FULL PASSPORT.**
- The new-style ID sketch must be used, as it is the correct documentation should the pony be microchipped at some point in the future.
- Any pure-bred New Forest foals not registered by 31 December of the year of birth will have to be DNA tested at a cost of £100-150 OR registered in the Unapproved Section of the Stud Book (The X-Register).
- The requirement for the Society to complete Section IX of the passport if the passport is being issued after the year of birth (i.e. when the pony is microchipped) does not apply to these ponies being registered under these terms of the Section 18 derogation.
- People not known to the Society as practising New Forest Commoners will be asked to provide proof that marking fees have been paid.
- Ponies holding Registration Certificates may be sold/transferred to other practising commoners, without the need for a microchip/passport.

### **Entry onto the Verderers List**

- Ponies that are not eligible for registration with the New Forest Pony Breeding and Cattle Society and will run on the Forest may be identified on the Verderers List.
- The new-style ID sketch should be used, as it is the correct documentation should the pony be microchipped at some point in the future.
- Applications should be submitted on the form available from the Clerk to the Verderers.
- Ponies may be sold/transferred to other practising commoners, without the need for a microchip/passport.
- The Clerk to the Verderers should be informed immediately of any of the following:
  1. Death of a pony
  2. Sale or transfer of a pony out of your ownership to another practising commoner
  3. Purchase or transfer of a pony from another practising commoner into your ownership
  4. Removal from the list because the pony has been microchipped and holds a full passport. This could be due to e.g., veterinary treatment, or travel outside the designated area, or simply because the owner has chosen to microchip it.
  5. Sale of the pony to a non-commoner, resulting in the permanent removal of the pony from the designated area.

6. Marking fees are no longer paid in respect of that pony, as it no longer runs the Forest, and has now been microchipped and issued with a passport.

### **Veterinary Treatment**

- If the pony is at any time treated with any veterinary medicinal product the owner must ensure that it is fully identified within 30 days of treatment. It is recommended that the microchip is inserted at the time of treatment. As these ponies are very rarely handled, veterinary treatment requiring the pony to be handled provides an ideal opportunity for the pony to be microchipped. Failure to fully identify the animal within 30 days is an offence.
- Whilst it is an offence to move a pony off the designated area without the pony being issued with a full passport, this offence does not apply if the pony has been moved for emergency or welfare reasons.

### **Other reasons for needing a microchip and full passport**

- If the pony leaves the New Forest designated area, eg either through private sale to a non-Commoner or through Beaulieu Road, it will have to be microchipped and a passport applied for.
- If the pony is brought into 'domestic use' eg broken in, it will have to be microchipped.
- If the pony travels outside the 'designated area' (other than under the specific derogation below), eg to a show, it will need a passport in order to travel, so it will need to be microchipped.

### **Ponies being sold at Beaulieu Road, and their subsequent movement from the 'Designated Area'**

It is an offence to move a pony without a passport off the designated area (other than temporarily for welfare reasons), except in the following special circumstances in which a pony may be sold at Beaulieu Road without a full passport and microchip provided that:

- On entering the sale yard the pony is marked with an adhesive unique sticker issued by Southern Counties Auctioneers showing the date of sale and its unique identifying number;
- the vendor completes an application for a NFPBCS passport containing a silhouette
- the number of the identifying sticker will be marked on the form at the sale;
- the buyer's details will be recorded by the auctioneers and NFPBCS;
- the passport application, containing the silhouette and the number of the identifying sticker, accompanies the animal from the sale; a copy is retained by NFPBCS;
- the buyer, as the owner, or keeper with primary responsibility for the care of the pony must take the animal directly to the holding of destination outside the New Forest;
- the owner (or the owner's appointed agent) must then apply for a full passport within 30 days of arrival at the holding of destination. A vet will microchip the pony, and the completed passport application form may then be sent to NFPBCS to enable the issue of a passport. Failure to apply for a passport is an offence;
- it is an offence to move the pony off the holding of destination until the passport is received.
- Under these arrangements foals may be moved to slaughter within seven days from a Beaulieu Road sale provided that the sale sticker is attached to it, showing the sale date on which it was attached and the unique identification number. It is an offence to slaughter a foal if this deadline has expired. After this seven-day period a full passport and microchip is required. Currently any other direct to slaughter

journeys undertaken from the designated area will require full passports and therefore a microchip.

### **Enforcement**

The Regulations are enforced by the local authorities. NFPBCS is required to co-operate with the Trading Standards Department of Hampshire County Council in the enforcement of the above procedures.

**\*\*\*\* Forest-run ponies may be microchipped at any time if their owner so wishes. \*\*\***

### **The Data Protection Act and the National Equine Database**

The Society is required to submit mandatory data (which includes personal information relating to a pony owner's name and address) to the NED. Under the terms of the Act the Society has a responsibility to inform data subjects (pony owners) about the intention to collect data for NED and how that data will be used. Information supplied in connection with your registration will be passed by this Society to the National Equine Database. Horse passport based information about horse and owner is being collected by NED in order to provide a source of data that supports veterinary disease control and surveillance activities. The information will also enable DEFRA to carry out its responsibilities regarding the implementation of the horse passport requirement.

### **The Data Protection Act and the Verderers' Pony Identity List**

Under the terms of the Data Protection Act, the Verderers have a responsibility to inform data subjects about their intention to collect data and how that data will be used. The Verderers' Pony Identity list includes personal information relating to a pony owner's name and address. The information contained on the List about pony and owner is collected and held in order for the Verderers to manage the derogation permitted under the Horse Passports Regulations 2009. It also provides a source of data that enables DEFRA to carry out its responsibilities for the implementation of the legislation, and from time to time the Verderers are required to submit a copy of the List to DEFRA for that purpose.

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### **New Forest Pony Breeding and Cattle Society**

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*Defra-approved passport issuing organisation, number 826 038*

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### **New Forest Commoners Defence Association**

### **New Forest Livestock Society**