

Commission Implementing Regulation (EU) 2015/262 of 17 February 2015 laying down rules pursuant to Council Directives 90/427/EEC and 2009/156/EC as regards the methods for the identification of equidae (Equine Passport Regulation) (Text with EEA relevance)

CHAPTER IV

CHECKS REQUIRED PRIOR TO ISSUING OF IDENTIFICATION DOCUMENTS AND METHODS OF IDENTITY VERIFICATION

Article 16

Verification of single identification documents issued for equidae

- 1 Before issuing an identification document, the issuing body, or the person acting on its behalf, shall take all appropriate measures to:
 - a verify that no such identification document has already been issued [^{F1}(by an issuing body either in the United Kingdom or in a member State)] for the equine animal concerned;
 - b prevent the fraudulent issuing of multiple identification documents for an individual equine animal.
- 2 The measures provided for in paragraph 1 shall include:
 - a consulting the appropriate documentation and electronic records available;
 - b estimating the age of the equine animal;
 - c checking the equine animal, as provided for in Article 17, for any signs or marks indicative of any previous identification.

Textual Amendments

- F1** Words in Art. 16(1)(a) inserted (31.12.2020) by [The Equine \(Records, Identification and Movement\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/591\)](#), regs. 1, **21**; 2020 c. 1, Sch. 5 para. 1(1)

Article 17

Measures to detect previous identification of equidae

- 1 The measures to detect possible signs or marks indicative of previous identification, as provided for in Article 16, shall include, at least, measures to detect:
 - a any transponder previously implanted, using a reading device complying with ISO standard 11785 and capable of reading at least HDX and FDX-B transponders at least when the reader is in direct contact with the body surface on the spot where under normal circumstances a transponder is implanted;
 - b any clinical signs indicating that a transponder previously implanted or a mark previously applied in accordance with Article 21 [^{F2}of the EU Regulation] has been surgically removed or altered;

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- c any sign or indication that an alternative method of identity verification was applied to the equine animal in accordance with Article 21 [F3 of the EU Regulation].

2 Where, following the application by the keeper in accordance with Article 11(1), the measures provided for in paragraph 1 of this Article reveal the existence of a previously implanted transponder, or any alternative method of identity verification applied in accordance with Article 21 [F4 of the EU Regulation] indicative of a completed previous identification in accordance with Article 9, the issuing body shall:

- a issue a duplicate or replacement identification document in accordance with Article 29 or 32, depending on the information available;
- b enter that information, i.e. the transponder number or the alternative method of identity verification, in an appropriate way in the form fields of Part A and the outline diagram in Part B of Section I of the identification document.

3 Where the undocumented removal of a transponder or alternative method of identity verification referred to in paragraph 1(b) of this Article is confirmed in an equine animal born in the Union [F5 or the United Kingdom], the issuing body shall issue a replacement identification document in accordance with Article 32.

F64

Textual Amendments
F2 Words in Art. 17(1)(b) inserted (31.12.2020) by The Equine (Records, Identification and Movement) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/591), regs. 1, 22(a); 2020 c. 1, Sch. 5 para. 1(1)
F3 Words in Art. 17(1)(c) inserted (31.12.2020) by The Equine (Records, Identification and Movement) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/591), regs. 1, 22(a); 2020 c. 1, Sch. 5 para. 1(1)
F4 Words in Art. 17(2) inserted (31.12.2020) by The Equine (Records, Identification and Movement) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/591), regs. 1, 22(a); 2020 c. 1, Sch. 5 para. 1(1)
F5 Words in Art. 17(3) inserted (31.12.2020) by The Equine (Records, Identification and Movement) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/591), regs. 1, 22(b); 2020 c. 1, Sch. 5 para. 1(1)
F6 Art. 17(4) omitted (31.12.2020) by virtue of The Equine (Records, Identification and Movement) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/591), regs. 1, 22(c) (as inserted by S.I. 2020/1388, regs. 1(2)(a), 27(18)); 2020 c. 1, Sch. 5 para. 1(1)

Article 18

Electronic methods of identity verification

1 The issuing body shall ensure that at the time it is first identified in accordance with Article 12, a transponder is implanted in the equine animal.

2 The transponder shall be implanted parenterally under aseptic conditions between the poll and withers in the middle of the neck in the area of the nuchal ligament.

However, the competent authority may authorise the implantation of the transponder at a different place on the neck of the equine animal, provided that such alternative implantation does not:

- a compromise the welfare of the equine animal;
- b increase the risk of migration of the transponder compared to the method referred to in the first subparagraph.

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[^{F73} The minimum qualification required for the intervention provided for in paragraph 2 is that the person implanting the transponder into the equine animal is a current and registered member of the Royal College of Veterinary Surgeons or of an equivalent professional body in a member State.]

4 Issuing bodies referred to in Article 5(1)(a) and (b) may require that equine animals which were identified by use of an alternative method of identity verification provided for in Article 21 [^{F8}of the EU Regulation] are to be marked by implantation of a transponder for the purpose of the entry or registration of equidae in studbooks or the registration of registered horses for competition purposes.

5 Issuing bodies referred to in Article 5(1) and the competent authority may require that equine animals deemed to be identified in accordance with Articles 4(2) and 43(1), are to be marked by the implantation of a transponder for the purpose of identity verification in cases where:

- a previously implanted and recorded transponders have ceased to function;
- b the inherent or acquired mark recorded as the alternative method of identity verification referred to in Article 21 [^{F9}of the EU Regulation] is no longer suitable for that purpose; or
- c the competent authority considers it necessary to ensure identity verification.

Textual Amendments

- F7** Art. 18(3) substituted (31.12.2020) by [The Equine \(Records, Identification and Movement\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/591\)](#), regs. 1, **23(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F8** Words in Art. 18(4) inserted (31.12.2020) by [The Equine \(Records, Identification and Movement\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/591\)](#), regs. 1, **23(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F9** Words in Art. 18(5)(b) inserted (31.12.2020) by [The Equine \(Records, Identification and Movement\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/591\)](#), regs. 1, **23(b)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 19

Management of the uniqueness of the code displayed by a transponder

1 [^{F10}The appropriate authority] shall lay down rules, in accordance with the standards referred to in point (n)(i) of Article 2, to ensure the uniqueness of the codes displayed by the transponders implanted by issuing bodies referred to in Article 5(1) where they issue identification documents in accordance with Article 9.

[^{F112} The rules laid down in accordance with paragraph 1 must not compromise the system of identification for registered equine animals laid down (in accordance with Article 19(1) of the EU Regulation, by issuing bodies in member States or in Northern Ireland or in Northern Ireland).]

Textual Amendments

- F10** Words in Art. 19(1) substituted (31.12.2020) by [The Equine \(Records, Identification and Movement\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/591\)](#), regs. 1, **24(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F11** Art. 19(2) substituted (31.12.2020) by [The Equine \(Records, Identification and Movement\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/591\)](#), regs. 1, **24(b)** (as amended by S.I. 2020/1388, regs. 1(2)(a), **27(19)**); 2020 c. 1, Sch. 5 para. 1(1)

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Article 20

Recording of the transponder code in the identification document

1 When a transponder is implanted in accordance with Article 18, the issuing body shall enter the following information in the identification document:

- a in point 5 of Part A of Section I, at least the last 15 digits of the code transmitted by the transponder and displayed by the reader following implantation; and where appropriate:
 - (i) a self-adhesive sticker with a bar-code, provided the page is sealed afterwards; or
 - (ii) a print of that bar-code encoding at least those last 15 digits of the code transmitted by the transponder;
- b in point 12 or 13 of the outline diagram in Part B of Section I, depending on the side where the transponder was implanted, the place where the transponder has been implanted into the equine animal and read after its implantation;
- c in point 19 of the outline diagram in Part B of Section I, the signature of either the veterinarian or the qualified person who carried out the identification by completing point 3 of Part A and the outline diagram in Part B of Section I and read the code displayed by the transponder after its implantation, or of the person reproducing this information for the purpose of issuing the identification document in accordance with the rules of the issuing body.

2 By way of derogation from paragraph 1(a) of this Article, where an equine animal is marked with a previously implanted transponder which does not comply with the ISO standards referred to in point (n)(i) of Article 2, the name of the manufacturer or the reading system shall be inserted in point 5 of Part A of Section I in the identification document.

^{F12}Article 21

Authorisation of alternative methods of identity verification

Textual Amendments

- F12** Art. 21 omitted (31.12.2020) by virtue of [The Equine \(Records, Identification and Movement\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/591\)](#), regs. 1, 25; 2020 c. 1, Sch. 5 para. 1(1)

Article 22

Obligations of issuing bodies and keepers using alternative methods of identity verification

1 The issuing body shall ensure that no identification document is issued for an equine animal, unless:

- a the correct application of the authorised alternative method of identity verification referred to in Article 21 [^{F13}of the EU Regulation] has been checked;

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- b the used method of identity verification is entered in point 6 or 7 of Part A of Section I, or where applicable in Section XI, of the identification document and recorded in the database in accordance with Article 38(1)(f).

2 Where an alternative method of identity verification is used, the keeper shall provide the means of accessing that identification information or shall, if applicable, bear the costs or endure the delays of verifying the identity of the equine animal.

Textual Amendments

F13 Words in Art. 22(1)(a) inserted (31.12.2020) by [The Equine \(Records, Identification and Movement\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/591\)](#), regs. 1, **26**; 2020 c. 1, Sch. 5 para. 1(1)

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