

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 VIII

RECORDS AND PENALTIES

Article 38

Database

1 When issuing the identification document, or registering previously issued identification documents, the issuing body shall record at least the following information concerning the equine animal in its database:

- a the unique life number;
- b the species;
- c the sex;
- d the colour;
- e the date (dd/mm/yyyy) of birth as declared by the keeper referred to in point (i);
- f if applicable, at least the last 15 digits of the code transmitted by the transponder, or the code transmitted by a radio-frequency identification device not complying with the standard ISO 11784 together with information on the required reading system, or the alternative method of identity verification applied in accordance with Article 21;
- g the country of birth as declared by the keeper referred to in point (i);
- h the date of issue and any modification of the identification document;
- i the name and address of the keeper who submitted the application referred to in Article 11(1), 15(1), 29(2) or 32(2) or, where applicable, lodged the identification document as referred to in Article 27(3);
- j the status as registered equidae or equidae for breeding and production;
- k the name of the animal (namely, the birth name and, where applicable, the commercial name), as declared by the keeper referred to in point (i);
- l the known status of the animal as not intended for slaughter for human consumption;
- m the serial number, where such serial number is applied to the identification document referred to in Article 9(1) and (3), and any information concerning new, duplicate or replacement identification documents issued in accordance with Article 12(3), Article 29, Article 30 or Article 32;
- n the country where the holding of the equine animal is located as declared by the keeper referred to in point (i);
- o the notified date of death or loss of the animal as declared by the keeper referred to in point (i) or date of slaughter.

2 The issuing body shall keep the information referred to in paragraph 1 of this Article on record in its database for a period of at least 35 years or a period of at least 2 years from the date of the communication of the equine animal's death in accordance with Article 34.

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2015/262, CHAPTER VIII. (See end of Document for details)

3 Not later than 15 days from the date of recording the information referred to in paragraph 1 of this Article, the issuing body referred to in that paragraph shall communicate the information referred to in points (a) to (j) and (l) to (o) thereof to the central database established in accordance with Article 39 in the Member State:

- a where the issuing body is approved, recognised or designated or has its headquarters in accordance with Article 5(1);
- b where the equine animal was born.

Article 39

Set up of a central database

1 Member States shall set up a central database for the purposes of this Regulation.

2 By way of derogation from paragraph 1, a central database shall not be required in those Member States that have a single database for registered equidae and a single database for equidae for breeding and production, provided that:

- a both databases can effectively communicate with each other and can cooperate with central databases in accordance with Article 40 to update the identification details for equidae changing their status to either registered equidae or equidae for breeding and production;
- b the competent authority has direct access to any of those databases.

3 The Member States shall make the name, address and contact details of their central databases available to the other Member States and the public on the website provided for in Article 6(1).

Article 40

Operation and cooperation of central databases

1 Each Member State shall ensure that the issuing bodies referred to in Article 5(1) incorporate the information referred to in point (e) of Article 28 and Article 38(1) relating to equidae identified on its territory in the central database or that the databases of the issuing bodies on its territory are networked with that central database.

2 Member States shall cooperate in the operation of their central databases in accordance with Directive 89/608/EEC and shall ensure that:

- a in accordance with Article 28 of this Regulation, the central database communicates, with a reference to the unique life number, any modification to the identification details referred to in Article 38(1) to the central database of the Member State where the identification document was issued;
- b the competent authorities of other Member States are granted free of charge access to a minimum of information contained in the central database to inquire whether a transponder code, a unique life number or a passport number has been recorded therein.

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2015/262, CHAPTER VIII. (See end of Document for details)

Article 41

Penalties

Member States shall lay down the rules on penalties applicable to infringements of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive. Member States shall notify those provisions to the Commission by 1 January 2016 and shall notify it without delay of subsequent amendments affecting them.

Status:

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Changes to legislation:

There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2015/262, CHAPTER VIII.