

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.

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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 [F1 constituent territory of the United Kingdom or in the member State]:

- a where the issuing body is approved, recognised or designated or has its headquarters in accordance with Article 5(1); [F2 and]
- b where the equine animal was born [F3, if different].

[F4 Where an EU travel identification document has been issued in respect of an equine animal, the competent authority issuing the document must communicate the information specified in paragraph 1, and the fact that an EU travel identification document has been issued, to the central database for the appropriate constituent territory of Great Britain, established in accordance with Article 39.]

Textual Amendments

- F1** Words in Art. 38(3) substituted (31.12.2020) by [The Equine \(Records, Identification and Movement\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/591\)](#), regs. 1, **40(a)(i)** (as amended by S.I. 2020/1388, regs. 1(2)(a), **27(31)(a)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F2** Word in Art. 38(3)(a) inserted (31.12.2020) by [The Equine \(Records, Identification and Movement\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/591\)](#), regs. 1, **40(a)(i)** (as inserted by S.I. 2020/1388, regs. 1(2)(a), **27(31)(b)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F3** Words in Art. 38(3)(b) inserted (31.12.2020) by [The Equine \(Records, Identification and Movement\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/591\)](#), regs. 1, **40(a)(ii)** (as inserted by S.I. 2020/1388, regs. 1(2)(a), **27(31)(b)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F4** Art. 38(4) inserted (31.12.2020) by [The Equine \(Records, Identification and Movement\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/591\)](#), regs. 1, **40(b)** (as amended by S.I. 2020/1388, regs. 1(2)(a), **27(31)(c)**); 2020 c. 1, **Sch. 5 para. 1(1)**

Article 39

Set up of a central database

1 [F5 The appropriate authority] 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 [F6 a constituent territory of Great Britain which has] 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 [F7 the other constituent territories of the United Kingdom and in member States] 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.

[F83 The appropriate authority must make the name, address and contact details of the central database of a constituent territory available to member States, the other constituent territories of the United Kingdom and to the public.]

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Textual Amendments

- F5** Words in Art. 39(1) substituted (31.12.2020) by [The Equine \(Records, Identification and Movement\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/591\)](#), regs. 1, **41(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in Art. 39(2) substituted (31.12.2020) by [The Equine \(Records, Identification and Movement\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/591\)](#), regs. 1, **41(b)(i)** (as amended by S.I. 2020/1388, regs. 1(2)(a), **27(32)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F7** Words in Art. 39(2)(a) substituted (31.12.2020) by [The Equine \(Records, Identification and Movement\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/591\)](#), regs. 1, **41(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F8** Art. 39(3) substituted (31.12.2020) by [The Equine \(Records, Identification and Movement\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/591\)](#), regs. 1, **41(c)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 40

Operation and cooperation of central databases

1 ^[F9]The appropriate authority] 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 ^[F10] The appropriate authority shall ensure cooperation with member States and with the other constituent territories of the United Kingdom in the operation of the territory's central database] 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 ^[F11]member State or the constituent territory of the United Kingdom] where the identification document was issued;
- b the competent authorities of ^[F12]member States and of the other constituent territories of the United Kingdom] 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.

Textual Amendments

- F9** Words in Art. 40(1) substituted (31.12.2020) by [The Equine \(Records, Identification and Movement\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/591\)](#), regs. 1, **42(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F10** Words in Art. 40(2) substituted (31.12.2020) by virtue of [The Equine \(Records, Identification and Movement\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/591\)](#), regs. 1, **42(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F11** Words in Art. 40(2)(a) substituted (31.12.2020) by [The Equine \(Records, Identification and Movement\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/591\)](#), regs. 1, **42(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F12** Words in Art. 40(2)(b) substituted (31.12.2020) by [The Equine \(Records, Identification and Movement\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/591\)](#), regs. 1, **42(b)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)

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^{F13} Article 41

Penalties

Textual Amendments

- F13** Art. 41 omitted (31.12.2020) by virtue of [The Equine \(Records, Identification and Movement\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/591\)](#), regs. 1, **43**; 2020 c. 1, Sch. 5 para. 1(1)

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