



STATUTORY INSTRUMENTS.

**S.I. No. 69 of 2013**



EUROPEAN COMMUNITIES (EQUINE) (AMENDMENT)  
REGULATIONS 2013

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I, SIMON COVENEY, Minister for Agriculture, Food and the Marine, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) for the purpose of giving full effect to Commission Regulation (EC) No. 504/2008 of 6 June 2008<sup>1</sup> hereby make the following regulations:

1. These Regulations may be cited as European Communities (Equine) (Amendment) Regulations 2013.

2. (1) The European Communities (Equine) Regulations 2011 (S.I. No. 357 of 2011) is amended—

(a) by substituting for Regulation 27 (inserted by the European Communities (Equine) (Amendment) Regulations 2012 (S.I. No. 371 of 2012)) the following:

“27. (1) A person who—

(a) contravenes or fails to comply with these Regulations,

(b) contravenes or fails to comply with the Commission Regulation,

(c) holds more than one passport for an equine animal at the same time, or

(d) retains a passport without lawful reason,

commits an offence and is liable on summary conviction to a class A fine.

(2) An offence under these Regulations may be prosecuted in a summary manner by the Minister.

(3) Where an offence under these Regulations is committed by a body corporate and is proven to have been so committed with the consent, connivance or approval of or to have been attributable to the wilful neglect on the part of any person, being a director, manager, secretary or other officer of the body corporate or a person who was purported to act in any such capacity, that person, as well as the body

<sup>1</sup>OJ No. L149, 7.6.2008, p.3

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 15th March, 2013.*

corporate, commits offence and is liable to be proceeded against and punished as if he or she was guilty of the first — mentioned offence.

(4) If the affairs of a body corporate are managed by its members, paragraph (3) applies in relation to the acts and defaults of a member in connection with the functions of management as if the member were a director or manager of the body corporate.”,

and

(b) by inserting after Regulation 30 the following:

“31. (1) Where the Minister is of the opinion that an equine animal—

(a) in respect of which a passport has been issued by an issuing body, or

(b) has been implanted with a transponder

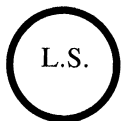
and, as the case may be, the passport does not comply with the requirements of the Commission Regulation or is false or misleading or the transponder does not comply with the standards set out in the Commission Regulation, the passport or the transponder or both, as the case may be, is void and of no effect for the purposes of these Regulations and the Commission Regulation, and the Minister may, as the case may be, require another issuing body to—

(i) issue a passport in respect of the animal, or

(ii) cause another transponder to be implanted into the animal, and if appropriate, to remove the first transponder from the animal,

or do both.

(2) A transponder may only be removed from an animal after another transponder has been implanted and only where the animal is not caused unnecessary suffering.”.



GIVEN under my Official Seal,  
28 February 2013.

SIMON COVENEY,  
Minister for Agriculture, Food and the Marine.

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