Minimum Operating Standards (MOPs)

Scottish approved Passport Issuing Organisations (PIOs)

October 2021

Scottish Government
Riaghaltas na h-Alba
gov.scot

Any enquiries regarding this document should be sent to the Scottish Government. Contact details for other Competent Authorities are below.

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Application

This document takes effect from October 2021 and replaces the previous MOpS (dated May 2019). This is a 'live' document and can be updated when required.

Purpose

1. As a Passport Issuing Organisation (PIO), you have been authorised by the Scottish Government to issue passports for horses. As a PIO you are a business organisation and can ultimately choose how you wish to operate, however, you do have an obligation to comply with the relevant legislation. This document has been produced to provide clarity to PIOs as to their responsibilities and duties to horse keepers and Scottish Ministers.

2. The Scottish Government has powers to monitor the performance of PIOs and withdraw recognition from any organisation not issuing passports in accordance with the provisions of the legislation and any other instructions issued by Scottish Government. Any PIO having its recognition withdrawn would no longer be able to issue passports.

3. This document sets out the minimum operating standards (MOpS) that approved PIOs in Scotland must meet to comply with legislation and to enable the equine identification regime to operate efficiently and effectively.

4. It has been prepared by the Scottish Government in partnership with approved PIOs.   Defra have issued separate, but similar, MOpS for PIOs in England, Wales and Northern Ireland.

Terminology

6. For the purpose of this document please note the following definitions, in particular:

• 'Horse' means wild or domesticated soliped mammals of all species within the genus Equus of the family Equidae, and their crosses.

• 'Keeper' means any natural or legal person having possession of, or being charged with, the keeping of equidae, whether or not for financial reward, and whether on a temporary or permanent basis, including during transportation, at markets, or during competitions, races or cultural events.

- '2016 Regulation' means Commission Implementing Regulation (EU) 2015/262 as retained in UK law
- 'Scotland Regulation' means the Equine Animal (Identification) (Scotland) Regulations 2019 (SSI 2019/30)

- 'Passport' means an identification document for equines as referred to in the 2016 Regulation

- 'Recognised body' with regard to imported horses means any of the bodies referred to in **Article 14(a)** of the 2016 Regulation. For **registered horses** this is a body in a non-EU included in the list provided for in Article 34 of Regulation (EU) 2016/1012 as it has effect in EU law or Annex 1 to retained Regulation 2018/659 or a national branch of an international organisation or association which manages horses for competition or racing with its headquarters in the country of the international organisation or association referred to in Article 5(1)(b). For **all other horses** it is the competent authority of the country of origin of the horse.

- 'Working Day' means every day from Monday to Friday except for public holidays (local variations may apply).

For further definitions please also see:

- Article 2 of Commission Implementing Regulation (EU) 2015/262
- SSI 2019/30: The Equine Animal (Identification) (Scotland) Regulations 2019

Passports

Passport Records

7. PIOs must act in accordance with EU General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (see section on Data Handling for additional information).

8. Records must be accurate, clear, up to date and readily available.

9. An immediately-searchable, fully computerised data set must be held by each PIO, consisting of at least the fields required by Article 38(1) of the 2016 Regulation.

10. The electronic record must also show:
    a) Any evidence of modification, tampering or fraud, including section II (and pre-2016 Section IX) anomalies.

b) Details of any passports returned to keepers following the death of a horse. These must include the name and contact details of the person to whom the passport was returned as well as the date of return

c) Details of any pages previously added to the passport subsequent to its first issue, including date, number of pages and contents

d) Details of any temporary documents issued, including issue and expiry dates

e) Details of the issue of any substitute issued for a damaged passport

f) Details of re-issue of document, noting the reason for re-issue

11. Records must be kept by the PIO for at least 35 years or until at least 2 years from the date of death of the animal concerned.

12. Where exact copies or scans of paper records, including signatures, are held on electronic record in such a way that they can be easily retrieved and printed for enforcement authorities then there is no need to retain the paper record.

13. **Passports issued before 1 January 2016 are still valid and do not need to be replaced.**

Application Process

14. In Scotland it is the responsibility of the keeper to apply for a horse passport. In most cases, the keeper is also likely to be the owner.

15. Horse keepers must ensure that the PIO receives an **application** for a passport 30 days prior to the deadline for identification.

16. The deadline for **identification** is by within 6 months of birth or the end of the calendar year of birth, whichever is later.

17. PIOs must issue an application pack within 7 days of it being requested. With the exception of Section I parts A and B, a blank passport or part thereof must not be sent as an application form.

18. First passports that are applied for, or issued after the above deadlines must be treated as "late" and be issued as a Duplicate/Replacement passport instead.

19. If a passport was issued prior to 1 January 2016 and meets the requirements which were laid out in Commission Regulation (EC) 504/2008 then the passport remains valid and it is not necessary to issue a new passport.

20. Currently, it is a legal requirement for all horses born on or after 30 June 2009 to have a passport and be implanted with a transponder by a veterinarian who is a member of the Royal College of Veterinary Surgeons (RCVS).

21. From 28 March 2021 it became a legal requirement for all horses to be implanted with a transponder by a veterinarian who is a member of the Royal College of Veterinary Surgeons (RCVS).

22. PIOs should check that the veterinarian who has completed Section 1 Part B of the application is a member of the RCVS before issuing an identification document. This can be done via the RCVS database.

Passport Format

23. All passports issued must follow the example layout set out in Annex 1 Part 1 of the 2016 Regulation; and must follow the extra security and binding requirements set out in Annex 1 Part 2 of the 2016 Regulation.

24. A title page may be included ahead of Section I with the UELN, horse's name, organisation's name and any extra security features included.

25. Section I, Part A must be type-printed. When entering a person's name into the relevant passport sections their name must be typed, in full. **Abbreviated names and initials are not acceptable.**

26. Section I, Part A must be sealed with transparent laminate after the information has been entered. Any alteration in colour or markings after the passport was issued should be recorded in Section I, Part C

27. Additional pages for the statutory Sections may be included as required to ensure sufficient pages are present for the on-going use of the passport.

28. For registered horses, if necessary, an extended pedigree may be included as a single page extension to Section V, which must follow immediately after the Certificate of Origin and be marked 'Section V, Pedigree'.

29. Space for noting registrations in other studbooks may be included underneath the Certificate of Origin in Section V.

30. Additional pages containing non statutory information may be included in passports for **registered horses** only if they are:

• Positioned at the end of the passport after the statutory pages;

• Clearly separated from the statutory pages; and

• Clearly identified as non-statutory pages and printed on a different colour paper from the statutory pages.

31. All passports issued in Scotland shall currently be in both English and French but can additionally be translated into any other language or languages as required by the PIO.

32. PIOs **must** provide accurate information outlining all of the legal responsibilities of horse keepers in relation to passports. This information is available on the Scottish Government website and must be accessible on the PIOs website via a web link. Additionally, if the PIO chooses, they can also provide the information as a loose leaflet as part of any passport issued.

33. PIOs must keep a detailed record of any changes to the appearance of the passports that they issue over time so they can assist in the identification of fraud. They must retain sample copies of all passport variations.

34. In order to help verify any changes to a passport, PIOs must keep a detailed record of any changes to the format of their official stamp or embossing stamp and the colour of any ink used with it.

35. A sample passport must be provided if requested by the Scottish Government.

Issuing Passports

36. Documented operating procedures must be in place for the issuing, updating and replacement of passports that reflect the requirements of the 2016 Regulation and the Scotland Regulation. These procedures must be properly understood by all staff.

37. For identification only passports, the organisation cannot verify the breeding of the horse and Section V (Certificate of Origin) must not be completed. Passport applicants requiring the inclusion of breeding details should be referred to an appropriate recognised breed society.

38. If you are maintaining pre-printed stocks of passport pages that include Sections I-III then these must have serial numbers applied to them. The format used is at the discretion of the PIO, but should avoid any potential confusion with a UELN or microchip number.

39. Passports must contain the following Sections:

• Breed/Registered passports – at least Sections I to X. Section XI may be included

• ID only passports – at least Sections I to IV. Sections V to XI may be included but information should not be entered in Section V.

40. Before issue appropriate checks must be made that information provided and entered into the passport is correct and that a passport does not already exist. This must include checking the existing records held by ScotEquine and the UKCED chip checker. Where it is claimed that a horse is of a specific breed and the passport production deadlines have been exceeded, enquiries must be made with PIOs for that breed.

41. For rescued horses it is accepted that information on the existence of a passport may not be available. Where the PIO is satisfied that the horse was genuinely rescued, a replacement or duplicate passport must be produced in accordance with Articles 29 or 32 of the 2016 Regulation, and in both instances signed out of the human food chain in Part II of Section II of the passport.

42. In Scotland the transponder must be implanted by a veterinarian who is a member of the RCVS. The passport application form must also be signed by the veterinarian to confirm the information provided is correct.

43. The PIO is responsible for making reasonable checks to ensure that any transponder number and silhouette provided in an application is completed correctly, legibly and the application has been signed by a member of the RCVS[1] . The organisation can check membership using the RCVS database.

44. The silhouette should be completed using **red ball point ink for marks** and **black ball point ink - for whorls**, or by use of those colours respectively if completed electronically, taking into account the guidelines provided for by the World Equestrian Federation (FEI) or the Weatherbys. When scanning or copying silhouettes into passports, PIO's should ensure that the scan or photocopy clearly shows all markings before it is inserted into the passport.

45. The location of the transponder on the silhouette should be marked clearly as Ⓜ.

46. Upon identification, PIO's are obliged to issue a horse with a Unique Equine Life Number (UELN) in accordance with instructions in Annex 1 of this document.

47. A PIO must acknowledge receipt of an application for a horse passport within 15 working days. This acknowledgement must state a likely timescale for passport issue. If a passport is to be issued in less than 15 working days, then acknowledgement is not necessary.

48. Upon receipt of a correctly completed application form and where necessary completion of the breeding confirmation process, the PIO must normally issue a passport within 30 working days unless they have not received the required fees.

49. It is accepted that in exceptional circumstances, such as where an application is suspected to be fraudulent, then more time may be necessary to issue a passport.

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[1] Note that the silhouette can be completed by an appropriate person authorised to do so by the PIO, so long as the location of the transponder is marked Ⓜ and the silhouette as a whole confirmed by the vet.

Duplicates and Replacements for Late applications and Lost Passports

50. In all cases an application will need to be completed with an RCVS vet confirming that all the details describing the horse on the application form are correct before a duplicate or replacement passport can be issued.

51. Before issue the PIO must stamp and sign all replacement and duplicate passports (Part II of Section II) to declare that the horse is not intended for human consumption. This includes passports issued to replace pre-2016 passports without a Section IX.

Late Passport Applications

52. Passport applications must be received no later than 30 days prior to the final date for issuing an identification document or they will be considered to be late applications.

53. If a late passport application is for a horse which is eligible for immediate inclusion in a studbook, then a duplicate passport may be produced by a relevant breed society for that animal.

54. If a passport is issued late for a horse which is not eligible for immediate entry into a studbook, then a Replacement passport can be produced by any UK PIO designated to produce passports for "breeding and production" animal.

55. A PIO on receipt of a completed application must issue an identification document by within 6 months following its date of birth or by the end of calendar year of birth, whichever is later.

Situation	Registered Horse	Breeding and Production Horse	Horse whose identity cannot be established through its transponder
Late Application	Duplicate Passport	Duplicate Passport	Replacement Passport

Lost Passports

56. Where the passport is lost and the identity of the animal **can be established** through its implanted transponder number or a properly completed outline diagram (reconfirmed by a vet) kept by the PIO, a duplicate passport must be produced by:

a) For breeding and production horses resident in the UK, any UK PIO designated to produce passports for breeding and production animals. Horses registered in the UK but resident in another country must have their duplicate passports produced by a PIO in that country.

b) For registered horses, either a breed society that maintains a studbook that the horse has been entered or registered in, or is eligible for entry; or by the national branch of an international organisation or association which manages horses for competition or racing.

57. In all cases the original UELN must be recorded in the duplicate/replacement passport.

58. Where the existing identity **cannot be established** then a replacement passport must be issued.

Situation	Registered Horse	Breeding and Production Horse	Horse whose identity cannot be established through its transponder
Lost Passport	Duplicate Passport	Duplicate Passport	Replacement Passport

Re-issuing Passports

59. A passport may be re-issued in the following situations:

a) The passport is damaged but remains fully bound, clearly legible in all parts, free of any signs of fraud and a 'New Re-issue' passport is needed to ensure its on-going security;

b) ID only passport needs upgrading to registered passport but the original passport cannot be adapted;

c) Minor errors were made in the issue of the original passport which need to be corrected.

60. The passport does not need to be issued as a replacement or duplicate and the original food chain status must be recorded in the passport. The original passport must be destroyed however if required elements from the old passport excepting Sections IV (or their equivalent in pre-2016 issued passports) can be removed and returned to the keeper for safe keeping.

Overstamping

61. Where a horse is registered with more than one breed society there should only be one passport and only one UELN issued for the horse.

62. In the following situations a PIO will need to register an existing passport issued by a different PIO:

a. When a horse needs to be registered with a particular studbook/PIO in order to take part in competitions/events etc.

b. When a UK-resident horse has a passport issued by a PIO outside of the UK

c. When a horse is imported from a Third Country with a valid passport (see Section on Imported Horses)

d. When a horse enters the UK, with a valid passport and stays for more than 90 days (The horse does not need to be registered if it is involved in breeding, competitions, races, shows, training or hauling for a period in the UK not exceeding 90 days)

63. In all these cases the PIO should "overstamp" the passport by stamping Section I Part C (or Section V if necessary) and enter the passport details in its own database before uploading to ScotEquine

Updating Passports

64. Keepers are required to keep the following information in a horse's passport up to date: ownership details, food chain status, microchip code and status ('registered' or 'breeding & production').

65. The regulation allows keepers to update information on UK issued passports through any UK PIO. Any updates to a passport must be endorsed and dated with the PIOs official stamp. Embossing stamps are acceptable so long as they produce a clear stamp.

66. If a stamp is used to endorse a sticker then the stamp must overlap the label onto the page. This is with the exception of updating a horse's name and ownership details, where the PIOs stamp may be solely on the sticker so long as that sticker contains the animal's UELN and transponder number.

67. If alterations are made to a passport, it must be clear what these mean for the food chain status of the animal. Ambiguous or confusing markings in Section II (or Section IX Part II in pre-2016 issued passports) will lead to the animal being deemed unfit for human consumption.

68. Changes of ownership notified to an organisation must be entered into Section IV or for older passports Section III of the passport where it has been provided.

69. Ownership details must not be removed from passports or deleted from records, except where the entire record is being destroyed.

70. If a transponder is inserted into a horse previously identified before July 2009, this becomes part of the animal's identity. The PIO must confirm that the transponder was inserted in line with the requirements and record the change on the passport and database.   The updated record must also be recorded with ScotEquine within 1 week of creating the change in your own electronic record. A 'new re-issue' passport must be issued where it is not possible to add this information to an existing passport. The existing food chain status must be recorded in the 'new reissued' passport.

71. Where a PIO is satisfied that the updated information provided is correct they must complete any passport updates, including change of ownership, within 15 working days of receipt of all necessary information and fees. Electronic records must also be updated within 1 week of creating the record and provide ScotEquine with the relevant update.

72. It is accepted that in exceptional circumstances more time may be necessary to update a passport. If the PIO is unable to update ownership within 15 working days and there is no suspicion of fraud, a temporary document must be issued which conforms fully to the layout prescribed in Annex III of the 2016 Regulation.

Sale of Horses

73. When a horse is bought or sold it is the responsibility of the buyer to notify the PIO of the change of ownership. A buyer has 30 days to notify the PIO of the change.

74. When you receive notification of the change you must, within 1 week of creating the change in your own electronic record, provide ScotEquine with the relevant update.

Importation of Horses

75. This applies to horses imported from any country outside of the UK.

76. If a horse is imported **with** a valid passport (issued by a recognised body, national branch of an international organisation/association or competent authority), the PIO should:

    • register the horse on your database and upload it to ScotEquine as a 'New' record within 1 week; and

    • record the original food chain status of the horse.

77. If a horse is imported **without** a valid passport the PIO should:

    • register the horse on their database and upload it to ScotEquine as a 'new reissue' record within 1 week. The keeper will need to apply for a duplicate or replacement passport and arrange microchipping; and

- ensure that the horse is be signed out of the food chain on both ScotEquine and at Part II Section II (or Section IX Part II in pre-2016 issued passports) of the passport.

78. PIOs creating records for imported horses should communicate the changes made to the PIO in the country with whom the horse is registered.

Central Databases

Scottish Equine Database (ScotEquine)

79. The following information, shall be recorded as a minimum

- the UELN;
- the species;
- the sex;
- the colour;
- the date (dd/mm/yyyy) of birth;
- 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;
- the country of birth;
- the date of issue and any modification of the identification document;
- the name and address of the keeper who submitted the application;
- the status as registered equidae or equidae for breeding and production;
- the name of the animal (namely, the birth name and, where applicable, the commercial name);
- the known status of the animal as not intended for slaughter for human consumption;
- the serial number, where such serial number is applied to the identification document;
- the country where the holding of the equine animal is located; and
- the notified date of death or loss of the animal or date of slaughter;

80. The electronic records must be updated to reflect any modifications made to the horse's passport.

81. Where a horse has received medications which are not permitted for animals intended for slaughter for human consumption the keeper must inform the PIO within a maximum of 14 days from the date of signature in Section II Part II (or Section IX Part II in pre-2016 issued passports) of the horse's passport so that the electronic record can be updated by the PIO to reflect the change in food chain status. This will irreversibly remove the horse from the human food chain.

82. Where the information as regards the exclusion from slaughter for human consumption in Section II (or Section IX Part II in pre-2016 issued passports) of the passport does not match the information recorded in the UKCED, the information contained in either of them which leads to the exclusion of the equine animal from slaughter for human consumption shall prevail.

83. Where a new passport is to be issued the details must be, within 1 week of creating the change in your own electronic record, provided to ScotEquine.

84. Keepers importing horses into Scotland should submit existing passports to the PIO so that the electronic record can be updated within 30 days of the completion of the customs procedure.

85. The PIO shall on request from the keeper complete the passport so that it complies with the requirements of Article 7(2) of the 2016 Regulation and record the horse's details on ScotEquine as well as their own electronic record.

86. Duplicate & Replacement Passports should be entered into the PIOs electronic record and ScotEquine with reference to the UELN number.

87. When a PIO updates ScotEquine all data will be passed to the UKCED.

UK Central Equine Database (UKCED)

88. The UK Central Equine Database (UKCED) is operated by Equine Register (ER) on behalf of DEFRA, in partnership with The Scottish Government, Welsh Government and the Northern Irish Government.

89. It contains data for all horses (including imported horses) registered with a UK PIO.

90. ScotEquine feeds all data into the UKCED within 15 days of receipt and in return is fed data back on horses where the owners have a Scottish postcode.

91. Upon creation of a new record/update to a record, PIO's must upload this information to ScotEquine within 1 week of the record being created.

92. Passports issued for horses by a country outside of the UK but which are kept at a UK address can be updated by any UK PIO. The change must be notified to the central database of the country where the animal was born. This is done by the UKCED on behalf of all UK PIOs.

ScotEquine card

93. ScotEquine cards are an additional identification method being introduced in accordance with the 2016 Regulation.

94.   Horses with passports issued by Scottish PIOs will be given the option to purchase a ScotEquine card which has many benefits to horse keepers.

95.   Horses with ScotEquine cards will be able to travel anywhere in Scotland without the need to be accompanied with their passport.

96.   The ScotEquine card will provide keepers with a handy and practical solution to not having to be accompanied with the passport when away from the place of holding.

97.   The ScotEquine card cannot be used as a substitute for the passport when accompanying the horse to slaughter. The passport must always accompany the horse to slaughter.

98.   The ScotEquine card is valid within Scotland only and horses travelling outside of Scotland MUST be accompanied by their full passport.

99.   Horses cannot be bought or sold without being accompanied by their passport.

100. When the responsible person(owner / keeper) with a ScotEquine Card for the horse, disconnects from the horse on ScotEquine.com, the ScotEquine Card is invalidated

Information accessed from the ScotEquine card

101. The ScotEquine card shall contain at least the following:

Visible Information

- Issuing body
- UELN
- Horse's name
- Sex
- Colour
- The last 15 digits of the code transmitted by the transponder (as appropriate) ▪ A photograph of the horse

Electronic Information

- At least all compulsory information which is in Part A Section I of the horse passport

102. Depending on the access level of the user the data that can be viewed through reading the QR code on the ScotEquine card will be different i.e. a keeper/owner will be able to view more data than a Local Authority.

Failure to locate a transponder

103. This section applies to horses identified after 30th June 2009 and those horses identified before this date that have been implanted with a transponder which has been incorporated into their identification whose transponder cannot be located.

104. Where a horse can still be identified through a properly completed silhouette, a veterinary surgeon must implant a new transponder and complete the relevant sections of an application form. The appropriate original issuing PIO may then issue a duplicate passport.

105. Where the horse cannot be identified, then a replacement document may be issued. This can be carried out by any UK PIO, not just the original PIO.

106. In all cases where a passport is updated or issued for a horse whose original transponder cannot be located, the passport must be signed and stamped in Section II Part II (or Section IX Part II in pre-2016 issued passports) by the organisation to declare the horse as not intended for human consumption.

107. In all cases where a passport is updated or issued for a horse whose original transponder cannot be located, both the valid passport and the organisation's database must display both old and new transponder numbers.

108. In all cases where a replacement or duplicate passport is issued for a horse whose original transponder cannot be located, the original passport must be returned to the PIO for invalidation.

Pre-2016 Passports without a Section IX

109. Where the PIOs records indicate that a passport issued before 10 June 2004 has not been updated to add in the required Section IX, the PIO must send a letter informing the keeper that they need to update that passport as it is no longer valid.

110. Upon its return, the PIO must issue a new passport in accordance with Article 29 or 32 of the 2016 Regulation and in either instance sign the animal out of the human food chain in Part II of Section II of the passport. These animals must be signed out of the

   food chain because in the absence of Section IX it is not possible to determine if the animals have been treated with a substance that cannot be administered to food producing animals.

Temporary Documents

111. Temporary documents must only be issued in exceptional circumstances. They must not be issued where fraud is suspected.

112. To comply with Article 24(1) of the 2016 Regulation, temporary documents must not be issued unless the PIO holds the full passport for the animal concerned. The full passport must be retained by the PIO until either the keeper returns the temporary document or the temporary document expires. After this, the PIO should return the full passport to the horse's keeper.

113. Temporary documents must be clearly printed with all information required by Annex III of the 2016 Regulation including a clear expiry date not exceeding 45 days from issue.

114. Temporary documents must be stamped with the PIO's official stamp and contain a watermark, embossed stamp or hologram. This is to protect against fraud and aid in the identification of valid documents.

115. Details of any temporary document issued by a PIO must be noted on its database.

116. PIOs must contact keepers within 10 working days of the temporary document's expiry date if the keeper has failed to return it. This is to minimise the risk of fraud by reducing the number of expired temporary documents in circulation.

117. PIOs must inform customers issued with a temporary documents that:

   a) If a horse's permanent passport is not immediately available to a veterinary surgeon, medicine that would exclude that horse from the food chain should not be administered.

   b) Horses may not be moved between countries or to slaughter on a temporary document.

Invalidating Passports

119. When a PIO is notified of the death of one of the horses on its database, this notification must be recorded on that database.

120. Upon receipt of the passport of a deceased or slaughtered horse the PIO must check the passport for consistency with existing records and other signs of fraud as outlined in the section on Detecting & Preventing Fraud. The passport must then be invalidated by clearly tamper proof stamping it as "invalid" on every page or punching a hole of appropriate diameter through the top right hand corner of every page.

121. The passports of deceased or slaughtered animals may be returned to the horse's keeper on request following invalidation. A detailed record must be kept of all such passports.

122. If a passport is not returned to the keeper as described in Sections I, II, III and IX (or for pre 2016 passports Sections I, III and IX) it must be kept for 2 years after death and

then destroyed. Other sections whose information is held on the organisation's database may be destroyed immediately without the need for the invalidation.

Working with the Scottish Government, enforcement agencies and horse keepers

General Obligation

123. All PIOs must cooperate with the Scottish Government and ScotEquine. Failure to do so may result in suspension or withdrawal of approval to issue passports, and for breed societies suspension or withdrawal of recognition under Commission Decision 92/353/EEC.

Contact Details

124. Each PIO must have a single mobile or landline telephone number and single corporate email address. These contact points must be accessible by several members of staff. Calls or emails may be referred or automatically transferred to another member of staff if necessary.

125. PIOs must publish the names and contact phone numbers of their officers on their website.

126. PIO's must act in accordance with the Data Protection Act 2018 and GDPR in all contact.

Data Handling

127. The new EU General Data Protection Regulation (GDPR) now forms part of the data protection regime in the UK, together with the new Data Protection Act 2018 (DPA 2018). They have applied since 25 May 2018 and PIOs should make their own arrangements to comply with both in regards to passport issuing activities.

128. PIOs are responsible for making their own privacy notices available to customers on their website.

129. All PIOs must register with the Information Commissioners Office (ICO) unless they meet ICO exemption criteria.

130. It is a legal requirement to report serious breaches to the Information Commissioner's Office (ICO) within 72 hours. Breaches of the regulation are subject to a potential fine of up to 20 million Euros. The PIO should also inform the Scottish Government within 24 hours of a suspected breach. Please mark the subject line as "urgent" in any emails sent and if you do not get a response within 24 hours (of a working day) please

contact the CA's equine ID team directly or via their Departmental switchboard (see page 2 for contact details).

131. Not all breaches have to be reported to the ICO – only the ones where the individual is likely to suffer some form of damage, such as through identity theft or a confidential breach. However, PIOs should notify any loss, corruption or theft of passport data to the Scottish Government within 24 hours so they can decide/advise what further action needs to be taken to comply with data protection requirements.

132. PIOs must ensure they have the right procedures in place to detect, report and investigate a personal data breach.

133. PIOs should also have procedures in place to handle new requirements under the GDPR including data subject requests. Guidance on the ICO webpages.

Dealing with enquiries from the Scottish Government and Enforcement Agencies

134. PIOs must provide the Scottish Government with details of their registrar or secretary and inform them of any change to these details using the contact information at the beginning of this document.

135. Where a PIO receives a request for personal data from an enforcement agency for example Food Standards Agencies, Local Authorities, Animal and Plant Health Agency, Police, DARD Veterinary Service Enforcement Branch or the courts it must consider the request under the Data Protection Act 2018[2] and, in particular, consider whether the exemption provided for in section 29 of the DPA (data processed for the prevention of crime etc.) applies. Where the criteria of the exemption are met, PIOs would be expected to release the information requested directly to the requestor. Please note that PIOs are expected to work in support of the Scottish Government and enforcement authorities in enabling the efficient and effective operation of the regime.

136. PIOs are expected to respond to information requests of any format from the Scottish Government and enforcement bodies within a maximum of 2 working days for urgent requests or 5 working days for standard requests. Where the requested information is not available a nil return must be sent so that the Scottish Government or enforcement body is aware that the request has been received and acted upon.

137. PIOs must be able to provide any non-personal data that can be reasonably expected to the Scottish Government when requested and within a specified time frame.

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[2] Information on how to handle personal data, including how to process Section 29 requests, is available from the Information Commissioners Office.

138. PIO's should be able to deal with most passport enquiries. However, if they are unable to do so, enquiries from members of the public should be referred to the Scottish Government.

Dealing with general enquiries

139. PIOs must be able to answer the telephone between the hours of 10 am and 4 pm every working day as a minimum. During this time, the telephone must be staffed by a trained individual who has access to the organisation's database and is able to supply information as requested.

140. An answering service must be available during working hours, which if not operable outside of working hours includes a recorded message informing callers when office hours are.

141. All messages left on answering services must be returned within 1 working day of receipt.

142. Written correspondence including emails must be answered within a maximum of 15 working days of receipt. In exceptional circumstances where this deadline cannot be met, a holding reply explaining the reason for delay must be sent within 5 working days.

143. Each PIO must have a written complaints and appeals procedure that is displayed publicly on the website. They must include at least:

a)   That written acknowledgement of receipt of the complaint or appeal will be provided by return;

b)   Written confirmation to be provided within 15 working days of how the complaint is to be dealt with;

c)   Written confirmation of the outcome, including any procedures to appeal that outcome.

Detecting & Preventing Fraud

144. PIOs must carry out reasonable checks to ensure that passports and passport applications are valid and correct. This must include checking applications and returned passports against existing records and sample passports for consistency.

145. PIOs must be aware of and where appropriate act upon signs of fraud, which might include:

a) Unusual volumes of registrations.

b) Where foals are declared as born outside the normal foaling season.

c) Where a number of application forms are submitted by the same breeder or agent for horses purporting to be born on or around the same date.

d) Where a passport has been issued by a PIO that is not approved.

e) Where there are any inconsistencies on passports or change of detail applications, particularly where a passport is purporting to have been issued by a PIO that has lost its approval or a passport has been returned following slaughter.

f) Signs of unofficial changes including handwritten amendments, variation in paper quality, changes that have not been stamped by the PIO or bindings that are incomplete or faulty.

g) Evidence that veterinary information has been altered by someone that is not a vet. This could include evidence of applications being altered after a vet's signature; unfamiliar stamps claiming to be those of specific veterinary practices or variations in the signature of a particular veterinary surgeon. PIOs can check whether a person is registered with the RCVS using their database.

h) The addition of additional or subsequent transponders to a horse.

i) The return, following slaughter, of an original passport where a duplicate passport has been issued to the same animal.

146. The list of signs of fraud is intended as a guide. It is accepted that for particular groups of horses that it may be commonplace and therefore not warrant noting. Similarly, there may be indicators that particular PIO's feel should be checked for as part of their own practices.

147. Any evidence of modification, tampering or fraud including Section IV (and pre 2016 Section IX) anomalies must be noted on the organisation's database.

148. If a passport is identified as suspect the PIO should immediately refer it to their horse passport enforcement authority[3].

149. If a PIO has evidence that an individual or group may be involved in horse passport fraud it must report this immediately to its enforcement authority.

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[3] In Scotland the enforcement authority is the Local Authority for the area in which the PIO operates. Enforcement is usually managed by the Trading Standards Service or Environmental Health Department.

Breaches of the Regulations

150. Any breaches of the regulations should be reported to your Local Authority. It is therefore important to establish good communication between the PIO and Local Authority and liaise with one another to discuss and agree how best to effectively work together.

151. Any referrals may be by secure telephone, email or post. Care must be taken to ensure that all such communications comply with the Data Protection Act 2018.

152. Upon receipt of information the Local Authority will record it and assess whether enforcement action is appropriate. The information will, if necessary, be passed to the Local Authority for the area in which the offence may have taken place. Follow up action by Local Authorities will be taken in line with the authority's enforcement policy.

Business continuity

153. PIOs must have documented procedures in place to ensure that the expectations in this document can continue to be met in the event of disruption to business. This must include back-ups for electronic databases and arrangements for staff cover in the event of absences or holiday. In the case of extreme weather conditions, these procedures might include provisions for a member of staff to take calls from home or to place a notice on the PIOs website.

Procedures on ceasing trading

154. If a PIO ceases trading it is important that passports issued by them can still be maintained. It is therefore a requirement that all PIOs have a clear documented plan in place for transfer of the passport maintenance part of their business to another approved PIO should they cease trading or lose their approval. This plan must clearly identify the PIO nominated to take over passport management and put arrangements in place to ensure a smooth transfer of records.

155. PIOs must inform the Scottish Government which PIO they have nominated and notify the Scottish Government if the nominated PIO changes. If, at a later time, the nominated PIO is for whatever reason no longer able to take on that work then another PIO must be nominated in its place.

156. If a PIO is to cease trading it should take the steps outlined in its transfer plan.

157. A PIO is expected to provide the Scottish Government with a copy of all its horse records in an electronic format in the event that it ceases to manage horse passports and the information is not transferred to another approved PIO.

Annex 1: Unique Equine Life Number (UELN)

The UELN system

1.   The UELN is the unique number given to every horse upon registration. A UELN is required to administer and manage horses within the horse industry. All UELNs should be 15 characters in length.

2.   The first 6 characters of the UELN refer to the unique number assigned to the PIO database on the territory which creates the horses' record. In Scotland these are:

PIO	Number assigned to database
Highland Pony Society	826031
The Clydesdale Horse Society	826072
Shetland Pony Stud-Book Society	826039
The Eriskay Pony Society Ltd	826024
Eriskay Pony (Purebred) Studbook Society – Comann Each nan Eilean	826061

3.   The objective of the UELN system is designed to ensure that each horse in the world can be identified using a single reference number. However, the UELN system also enables the historic registration numbers contained in stud books of birth to remain when included within this number.

4.   A full UELN should only be created when a Passport is issued and the PIOs should ensure that they keep details of the UELN number allocated to each horse passport that they issue.

**The structure of a UELN**

Territory Identifier

5.   The Territory Identifier is a three character numeric code that identifies the territory that is issuing the passport. In the United Kingdom this will always be allocated as the numeric code from ISO-3166 territory table and will be '826'.

6.   Horses issued with passports by another territory will start with a corresponding three character numeric from the ISO-3166 territory table e.g. '372' for the Republic of Ireland. For all historic records of horses where a UELN has not been created, the UELN code for the horse will be that of the Organisation that issued the passport.

8	2	6		
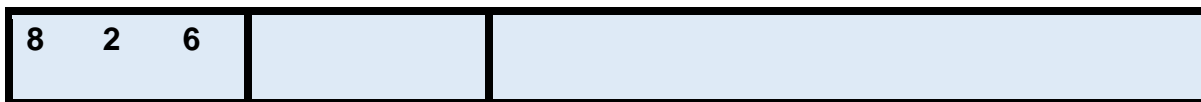
Organisation Identifier

7.   The second three characters are numeric that have been assigned to uniquely identify the PIO that issued the passport on their territory.

			0	3	1		
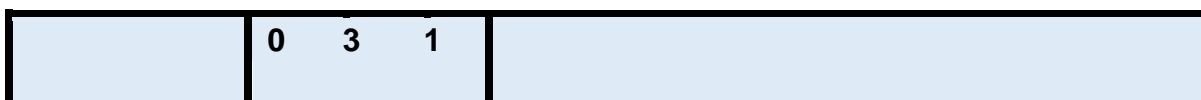
8.   For historic identification numbers of the ISBC for Thoroughbreds, character codes are used e.g. Weatherbys Thoroughbreds use "0GB". This exception results from the ISBC adopting an alphabetic suffix to denote territory of birth in 1999. Where there is a two digit code, e.g. GB for Great Britain and FR for France, the code is preceded by a 0 – "0GB" and "0FR".

Unique Horse Identifier

9.   The last nine characters can be alphanumeric and uniquely identify a horse that is registered within a particular PIO:

			1	2	3	4	5	6	7	8	9

10.   If the internal reference of the PIO is shorter than nine alphanumeric characters, zeros may be added to the front, to pad out the horse identifier to the required nine characters.

11.   If the internal reference is longer than nine characters, look at the composition of this reference and strip out any data that may be part of the identifier but is not required to uniquely identify the horse in your PIO. The unique reference used within the UELN must be exactly nine characters in length.

Full UELN

12. The following is an example of a full UELN

Unique number assigned to the PIO database (Country code & PIO reference)						Unique Horse Identifier								
8	2	6	0	3	1	1	2	3	4	5	6	7	M	R

Further Information

13. More about Unique Equine Life Numbers can be found at www.ueln.net. This website also provides details of the UELN numbers for all approved breed societies and international sport and competition organisations.