



STATUTORY INSTRUMENTS.

S.I. No. 230 of 2015

EUROPEAN UNION (IDENTIFICATION OF EQUIDAE)
(AMENDMENT) REGULATIONS 2015

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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 2008¹, and giving effect to Council Directive No. 90/427/EEC of 26 June 1990², and Commission Decision No. 92/353/EEC of 11 June 1992³, hereby make the following regulations:

1. These Regulations may be cited as the European Union (Identification of Equidae) (Amendment) Regulations 2015.

2. The European Union (Identification of Equidae) Regulations 2014 (S.I. No. 207 of 2014) are amended by substituting for Regulation 25(2) and Regulation 25(3) the following:

“ (2) Where an authorised officer has reasonable grounds for believing that—

- (a) there is a risk to public health,
- (b) an offence is being or has been committed under these Regulations, or
- (c) evidence of an offence to which paragraph (b) relates may be, is or has been on any premises, vehicle or vessel,

the officer may, in addition to the powers exercisable by him or her under paragraph (1)—

- (i) search the premises,
- (ii) search a vehicle, vessel (which he or she may board) or other thing used in connection with an equine animal, transponder, database, identification document or stud-book,
- (iii) require a person in charge or control of the vehicle, vessel or other thing used in connection with an equine animal, transponder, database, identification document or stud-book to—

¹OJ No. L149, 7.6.2008, p.3

²OJ No. L224, 18.8.1990, p.55

³OJ No. L192, 11.6.1992, p.63

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 5th June, 2015.*

- (I) refrain from moving it or move it to a location where it may be searched or examined as instructed by an authorised officer, and
- (II) give information regarding its ownership, place of departure, journey or destination,
- (iv) require the owner or person in possession or control of any premises, vehicle, vessel or other thing used in connection with an equine animal, transponder, database, identification document or stud-book, to produce to the officer such records (and in the case of a record stored in non-legible form, produce to him or her a copy in a legible form) that are in the person's possession or procurement, or under the person's control, as the officer may reasonably require,
- (v) seize, detain and, if necessary, dispose of an equine animal, transponder, database or identification document or record connected with such and mark or otherwise identify it,
- (vi) detain any vehicle or vessel for such period as is reasonably necessary for the purposes of permitting an inspection or a search under equine legislation either at the place where it was first detained or require it to be moved to such other location as the authorised officer requires,
- (vii) remove any other thing used in connection with an equine animal, transponder, database, identification document, documents or stud-books or records connected with such and detain it for such period as is reasonably necessary for the purpose of his or her functions under these Regulations.

(3) An authorised officer shall not enter, except with the consent of the occupier, a private dwelling unless he or she has obtained a search warrant under Regulation 27 other than where he or she has reasonable grounds for believing that before a search warrant could be sought in relation to the dwelling any evidence of an offence referred to in paragraph (2)(c) is being or is likely to be disposed of or destroyed.”.

L.S.

GIVEN under my Official Seal,
27 May 2015.

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

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These amending Regulations provide for the updating of S.I. No. 207 of 2014 (European Union (Identification of Equidae) Regulations) to clarify the powers of authorised officers, appointed to enforce Commission Regulation (EC) No. 504 of 2008 and S.I. No. 207 of 2014, to enter a premises where there are reasonable grounds under this Regulation for doing so.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2
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