

The Welfare of Horses at Market (and other places of sale) Order 1900

Animal Health Act 1981
The Protection of Animals Act 1911

Unfit Horses

No person shall permit an unfit '**horse**', which includes a horse, pony, ass, donkey, or mule, to be exposed for sale in a market, or permit a **mare** to be exposed for sale in a market if it is likely to give birth while it is there.

'**Unfit**' is defined as infirm, diseased, ill, injured or fatigued.

'**Market**' means: "A marketplace, sale yard, fairground, highway or any other premises or place to which horses are brought from other places and exposed for sale, and includes any land adjoining a market and used in connection with it and any place adjoining a market used as a parking area by visitors to the market for parking vehicles. "

Protection of horses from injury or unnecessary suffering

No person shall cause or permit any injury or unnecessary suffering to a horse in a market.

It shall be the duty of any person in charge of a horse in a market to ensure that horses are not suffering by reason of:

1. the horse being exposed to the weather;
2. inadequate ventilation being available for the horse;
3. the horse being hit or prodded by any instruments or other thing;
4. the horse being tethered in an unsuitable manner;

or any other cause.

Handling of horses

No person shall handle a horse in a market by:

1. lifting it off the ground, or
2. dragging it along the ground, by the head, neck, ear, leg or tail.

Control of horses

No person shall use excessive force to control any horse in a market by reason of any instrument which is capable of inflicting an electric shock, to control any horse, or any stick, crop, whip, goad or other instrument or thing to hit or prod any horse.

Feeding and watering of horses

It shall be the duty of the person in charge of a horse to ensure that the horse is provided with an adequate quantity of wholesome water as often as is necessary to prevent it suffering from thirst.

Penning of horses

No horse shall be kept in a pen which is unsuitable for its size.
Fractious animals shall be penned separately.
Stallions and mares with foals at foot must not be penned with other animals.
Tethered and untethered animals shall not be kept in the same pens.

The Protection of Animals Act 1911

If any person shall cruelly beat, kick, ill-treat, over-ride, overload, torture, infuriate or terrify any horse, or, being the owner, shall permit any horse to be so used, that person shall be guilty of an offence of cruelty under this Act.

If any person shall deliver any horse under such conditions or in such a manner as to cause that animal unnecessary suffering, that person shall be guilty of an offence of cruelty under this Act.

If any person, being the owner or having charge or control of any horse, shall, without reasonable cause or excuse, abandon it, whether permitting or not, in circumstances likely to cause the horse any unnecessary suffering, that person shall be guilty of an offence of cruelty under the Act.

Horse passports

No person shall sell a horse without a passport.

On the sale of a horse, the seller shall give the passport to the buyer or, at auction sales, the auctioneer shall give the passport to the buyer.

Failure to comply with this legislation may lead to a fine of up to £5000 or the courts may impose a ban from having custody of all animals.

Please note

This leaflet is not an authoritative interpretation of the law and is intended only for guidance.

For further information, please contact **Environmental Protection, Animal Health Section, Swindon Borough Council, Premier House, Station Road, SN1 1TZ**

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