

Consultation on new rules for selling and supplying puppies and kittens

Q1-5 are about you or your organisation.

Proposed requirement to register with local council

Q6. Do you agree that any person who wishes to sell, give away, or otherwise transfer the ownership of puppies should be required to register with their local council?

Yes

Comments

We can see that a register could be a mechanism to improve animal welfare. However, while we are fully supportive of measures to improve animal welfare we are not convinced that what is proposed will result in improved welfare given that there is no inspection requirement as a condition of being registered. It seems excessively bureaucratic to require everyone, including dog breeding establishments that are already licensed, to be registered. It should be recognised that the proposal for a register comes alongside a ban on third party sales, which we fully support.

We welcome the recognition that not all breeding is intended and that unplanned litters occur in both dogs and cats. However, simply registering will not as the Impact Statement states allow sellers (and we assume those giving away or otherwise transferring) “to demonstrate to potential purchasers that they are a responsible breeder and seller, who puts the welfare of their animals at a priority level” or that “purchasers will benefit from a puppy or kitten that has enjoyed a good start in life”. How does the requirement to register result in either of those outcomes?

The prohibition on third party sales and a requirement to see the puppy with the dam will do far more than simply creating a register. While we understand that council resources are limited and that they cannot inspect every registered establishment that falls outside the definition of a breeding establishment perhaps it should be unlawful to buy a puppy from an unregistered person or licensed breeding establishment.

Those individuals who breed (whether deliberately or accidentally) puppies below the threshold for licensing will now have to register. The consultation document refers to owners being “vulnerable to unscrupulous breeders and dealers whose main goal is profit” but profit is not the criteria for registration as the proposals go beyond commercial activity to include “giving away or otherwise transferring”. Moreover, such a characterisation would not apply to most hobby breeders, such as those who produce working gun dogs. Indeed, the consultation seems to recognise that it is “sourcing directly from the breeder” that makes the difference and that where a person is selling the offspring of the family pet...they too will likely have given the puppy or kitten the best start in life”. By contrast it states, “puppies purchased from someone who did not breed the animal themselves, may have experienced poor welfare conditions...”. Why this may be the case is not entirely clear, nor has any evidence been produced that hobby breeders are a welfare problem requiring registration. Perhaps, in the context of a ban on third party

sales, it should be unlawful to sell etc a puppy or kitten that has not been microchipped, vaccinated and seen by a vet. The unaddressed issue throughout is the fact that puppies must be microchipped and registered (and dogs licensed) but kittens (cats) do not.

Q7. Do you agree that any person who wishes to sell, give away, or otherwise transfer the ownership of kittens should be required to register with their local council?

Yes

Comments

As for puppies but complicated by the fact that there is no requirement to microchip and register kittens, nor is there a cat licence. It will therefore be harder to track/trace the origin of kittens. Further thought needs to be given as to how the proposed changes will drive up animal welfare for kittens/cats.

Proposed exemptions

Q8. Do you agree with the proposed list of exempted groups who will be exempt from the proposed new rules?

No

If not, which groups do you believe should be exempted?

We struggle to understand why a business licensed to breed dogs etc should be required to face a further requirement and cost of being registered. Given that the context of this requirement is a prohibition on third party sales, a business breeding puppies must by definition also be selling.

We think an exemption should be included for charities involved in training assistance dogs. This would reflect legislation in England where the 2018 Regulation where the definition of breeding dogs excludes “breeding only assistance dogs or dogs intended to be used as assistance dogs within the meaning of section 173 of the Equality Act 2010”. It should be possible to give puppies to a charity that trains assistance dogs.

Proposed registration fee

Q9. Do you agree that the first year of registration should be free of charge, except for businesses?

Yes

Comments

We would draw attention to our previous comments about the anomalous situation of breeding establishments having to pay to be both licensed and then registered. We are also unclear about licensed pet shops. Indeed, it would seem that some people will be required to pay for a dog licence for each dog, a dog breeding licence and a registration fee.

With a ban on third-party sales we do not see why those businesses licensed to breed puppies etc should also be required to be registered as well. Being licensed should

automatically lead to being registered as a seller etc of puppies. To pay for a licence and then face a further annual fee for registration, when selling puppies is an inherent part of a breeding business, seems neither necessary nor fair. In effect licensed dog breeding establishments will be paying twice with no discernible further animal welfare benefit.

Similarly, if third party sales are banned then it must be assumed that pet shops cannot sell puppies unless bred by the pet shop owner. If above the threshold the breeder would require to be licensed as a breeding establishment and entered on the register of sellers or if below the threshold registered as a seller if not a breeding establishment. We note that there are 57 pet shops none of which currently sell canines or felines. It must be assumed in the light of a ban on third-party sales that the 45 dog breeding establishments do sell and will sell and are already subject to extensive regulation, including inspection.

Proposed application process (council role)

Q10. Do you agree that a person who sells, gives away, or otherwise transfers the ownership of puppies and kittens, should be required to do so at the address where the puppies and kittens, and the biological mother are kept?

Yes

Comments

We would note that there is a danger that the fact that the proposals do not extend to other jurisdictions for puppies and kittens bred in Northern Ireland could fuel a cross-border trade that will be hard to control. It is possible that what is proposed could drive a trade in puppies and kittens by those unwilling to register and who may simply want to find homes for unwanted puppies or kittens even where no financial gain is made or sought.

Proposed conditions for registration

Q11. Do you agree with the conditions of registration, as listed in the consultation document?

Yes

Comments

However, we would note that perhaps some standard guidance on caring for puppies and kittens should be made available so that there is consistency in the advice being given by those registered to sell, transfer or give away puppies and kittens. People's knowledge and experience varies, and new owners should receive authoritative advice.

We also note again the problems which inevitably arise from the fact that microchipping is not a legal requirement for kittens (cats) but is for puppies (dogs). Similarly, a dog licence is required but there is no cat licence. The consultation notes the registration conditions are the minimum "necessary to allow an inspector to assess compliance or investigate any traceability issues" but clearly the situation for kittens is going to be more complex than for puppies.

Proposed conditions for advertising puppies and kittens

Q12. Do you agree that any advertisement for the sale of, giving away of, or other transfer of ownership of a puppy or kitten must include the information, as listed in the consultation document?

Yes

Comments

We would note that these conditions, while welcome, will have no effect on private arrangements where the sale etc has not be advertised.

Proposed online publication of Register of Sellers and Suppliers of Puppies and Kittens

Q13. Do you agree that an online, public register of sellers and suppliers of puppies and kittens should publish the detail, as listed in the consultation document?

No

Comments

While we do object to a register being public, we would urge caution as to the amount of detail that is available. Puppies command considerable sums, particularly those bred to certain standards, including working characteristics. The rise in the value of puppies has seen a commensurate increase in puppy thefts. Publishing addresses etc, could drive up theft of both puppies and older dogs and put registrants and their families at risk.

Impact Assessments

Q14. Do you have any comments to make in relation to the Regulatory Impact Assessment, and its conclusions, or any additional information regarding impacts/costs?

No

Q15. Do you have any comments to make in relation to the Rural Needs Impact Assessment, and its conclusions?

No

Q16. Do you have any comments to make in relation to the Equality and Disability Screening, and its conclusions?

No