



**THE KENNEL CLUB**  
*Making a difference for dogs*

Paul Frew MLA  
Chairperson to the Committee for Agriculture and Rural Development  
Parliament Buildings  
Stormont  
Belfast  
BT4 3XX

26 September 2012

Dear Mr Frew

I am writing to you in your capacity as Chairperson of the Committee for Agriculture and Rural Development to highlight our concerns regarding the current proposals for the Welfare of Animals (Dog Breeding Establishments) Regulations (NI) 2012.

Firstly, we would like to extend our thanks at being given the opportunity to attend the stakeholder event last week and discuss the draft regulations directly with Committee members.

The main points the Kennel Club would like to raise are as follows:

**Definition of a breeding establishment**

The Kennel Club has some concerns regarding the wording of this definition:

1. Point (c) of the definition is superfluous in that the premises will already be defined as a breeding establishment in point (a) if point (c) also applies. An establishment cannot be defined under point(c) without also being defined under point (a).  
*(c) from which 3 or more litters of puppies are supplied in any 12 month period; or*
2. Point (d) would apply to any premises breeding and selling a litter for example those with only one bitch or one litter. The Kennel Club believes this is unintentional and would therefore suggest this wording be revised.  
*(d) from which the breeding or selling of puppies is advertised.*

The Kennel Club would highlight the definition of licensed dog breeders within the proposed Animal Welfare (Breeding of Dogs) (Wales) Regulations 2012:

*(1) A person is engaged in dog breeding if that person keeps 3 or more breeding bitches on premises and -*

- (a) breeds on those premises 3 or more litters of puppies in any 12 month period;*
- (b) advertises from those premises 3 or more litters of puppies for sale in any 12 month period;*
- (c) supplies from those premises 3 or more litters of puppies in any 12 month period;*
- (d) advertises a business of breeding or selling puppies on those premises; or*
- (e) occupies premises which benefit from a planning consent authorising dog breeding.*

*(2) For the purposes of paragraph (1) any dog found on premises will be presumed to be kept by the occupier of those premises until the contrary is proved.*

*(3) For the purposes of paragraphs (1) (a) to (c) it is immaterial whether or not the litters of puppies are bred from the breeding bitches referred to in regulation 5(1).*

**Exemptions**

The Kennel Club disagrees with proposals to exempt hunt clubs and registered charities from the regulations. The Kennel Club believes that hunt clubs and registered charities should still be subject to inspection and the requirement to adhere to welfare standards for dog breeding. As stated in the Executive Summary of the consultation document, 'the welfare requirements of the



breeding bitches, stud dogs and their offspring are of paramount importance.' These principles should still apply regardless of whether the offspring are being sold on to the public or not.

The Kennel Club would highlight the need for welfare standards to be checked and verified by the relevant enforcement authority or alternatively by a recognised accreditation body and which is externally and independently verified. Within the England and Wales Welfare of Racing Greyhounds Regulations 2010, any operator accredited by the United Kingdom Accreditation Service (UKAS) is exempt from the provisions of the Act as it is recognised that the operator must follow higher welfare standards in order to comply with UKAS than those stated within the Greyhound Regulations themselves.

The Kennel Club would recommend a similar provision be placed within the Welfare of Animals (Dog Breeding Establishments) Regulations (NI) 2012 to allow for any independently verified UKAS accredited breeding establishment to be excluded from the regulations. This would save time and resources for local authorities in inspecting premises as this is already carried out as a condition of UKAS accreditation. Members of a UKAS accredited scheme are also required to comply with higher standards for breeding than those set within the current proposed regulations. Information on breeders and inspection outcomes could then be shared by the UKAS accredited body with local authorities on a fully transparent basis.

#### **Guidance for enforcement officers**

If the Committee is not willing to consider the previous proposal, the Kennel Club would ask that at the very least reference to 'membership of a UKAS Accredited Breeders Scheme when considering in-year monitoring of establishments' in the Guidance for Enforcement Officers is maintained as per the previous draft of the Regulations. Whilst the Kennel Club understands the Department's intention to make the Guidance less prescriptive, it cannot understand why the removal of this section would achieve this aim. Membership of a UKAS Accredited Scheme would have benefit to enforcers with the peace of mind that members have been externally inspected by an independently verified body as a condition of approval to the scheme. In recognition of this members should be considered a low level risk in terms of need for inspection or enjoy a reduced licence fee with the agreement that there will be full transparency and information sharing between UKAS scheme officials and local authorities, saving time and resources in having to carry out an additional inspection.

#### **Training for enforcers**

The Kennel Club would also like to highlight the need for enforcement officers to be adequately trained so that they are able to differentiate between good and bad practice; as too arbitrary an application of these regulations could unnecessarily penalise perfectly good breeders. The Kennel Club's Assured Breeder Scheme, which is currently working towards UKAS accreditation and hopes to have achieved this by the end of the year, currently undertakes regular inspections of members of the scheme. The Kennel Club would be happy to offer inspection training to local authority enforcers.

We hope the Committee will incorporate these points when considering the Welfare of Animals (Dog Breeding Establishments) Regulations (NI) 2012 as the Kennel Club believes these amendments would greatly improve the effectiveness and enforceability of the regulations.

If you have any questions regarding the information provided or would like to speak directly about any of the issues then please feel free to contact me on [REDACTED] or email

[REDACTED]  
Yours sincerely,

[REDACTED]  
Public Affairs Manager