



Department of  
**Agriculture, Environment  
and Rural Affairs**

An Roinn

**Talmhaíochta, Comhshaoil  
agus Gnóthaí Tuaithe**

Department of

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**DATE: 03 JUNE 2025**

**TO: DR. JANICE THOMPSON  
AERA COMMITTEE CLERK**

**Private Member's Bill - Animal Welfare (Import Of Cats, Dogs And Ferrets): Legislative Consent Motion**

**Summary:** The Committee's views are sought on obtaining powers to make secondary legislation to prohibit the importation cats, dogs and ferrets into Northern Ireland on welfare grounds, by including the legislative provision in a Private Members' Bill which is currently making its way through the UK Parliament. As the provision would relate to a devolved matter, it would require a Legislative Consent Motion (LCM) to be agreed by the Assembly and the views of the Committee are sought, in principle, on the tabling of such a motion.

**Business Area:** Animal Health and Welfare Policy.

**Issue:** To obtain the Committee's views on commencing the legislative consent process, so that enabling powers contained within the Animal Welfare (Import of Cats, Dogs and Ferrets) Bill can be extended to include Northern Ireland. These enabling powers would provide the Department with the ability to make secondary legislation in the Assembly, at a later date, to restrict the imports of these animals, from third countries, on animal welfare grounds.

**Restrictions:** None.

**Action Required:** To note the contents and provide a view.

**Officials Attending:** Not applicable, this is a written briefing only.

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## **BACKGROUND**

UK Government Ministers are formally supporting a Private Members Bill (PMB), which will create enabling powers to prohibit the importation of cats and dogs that are mutilated or heavily pregnant to Great Britain. The PMB will not ban the import of animals itself, but it will set out the conditions, specify the offences and enable secondary legislation to be made, which will prohibit these animals from being brought to the UK.

## **KEY ISSUES**

The PMB will amend the retained European Union (EU) Law version of Regulation (EU) No 576/2013 of the European Parliament and of the Council of 12 June 2013 on the non-commercial movement of pet animals and reduce the number of pets that can enter Great Britain from five to three. It will also contain an enabling power to permit England, Scotland and Wales to make Regulations that would restrict the importation of cats and dogs, which are below the age of 6 months, or more than 42 days pregnant or mutilated.

The Bill will confer a power on all relevant national authorities in the UK to make regulations on importing cats, dogs or ferrets which promotes the welfare of those animals. For Northern Ireland, as this is a devolved matter, this power will rest with the Department. This is a wide-ranging power which would enable the making of secondary legislation in the Assembly to prohibit the importation cats and dogs which have been mutilated (e.g. ears cropped or declawed).

It is already illegal under Section 5 of the Welfare of Animals Act (Northern Ireland) 2011 (2011 Act) to carry out a procedure which interferes with the bone structure or sensitive tissue of an animal. This makes it an offence to crop the ears of dogs and declaw cats, where that act takes place in Northern Ireland. It is also an offence to take an animal outside of Northern Ireland and have these procedures performed elsewhere, before subsequently bringing that animal back here.

However, it is considered that any measures to restrict the age at which dogs and cats can move into Northern Ireland could be contrary to the EU Pets Regulation (EU) 576/2013, which applies to Northern Ireland as it is contained within Annex 2 to the Windsor Framework. Therefore, the Bill does not provide powers to Northern Ireland to introduce measures to prohibit travel of animals under 6 months old, as UK Government lawyers have stated this is likely to be deemed contrary to EU law.

The Bill includes powers to establish criminal offences in relation to the importation of cats and dogs which breach any conditions imposed. The draft provisions provide that regulations could be created to allow an offence to be triable “summarily only” or “summarily or on indictment”, with the offence punishable with a fine or with a term of imprisonment or a fine (or both). The maximum penalty will apply in Northern Ireland, if an offence is sent to Crown Court is imprisonment for a term not exceeding 5 years, or to a fine, or both. This mirrors similar offences under the 2011 Act.

No consultation is necessary at this stage, as the LCM, would provide powers to implement restrictions at a later date, by way of secondary legislation. Any legislation brought forward would be subject the full scrutiny of the Assembly and the policy proposal would be subject to public consultation. It is considered that measures to prohibit the import of cats and dogs on

welfare grounds is likely to be well received by the public, would complement existing powers in the 2011 Act and bring parity with the Republic of Ireland.

It is normal practice for an LCM to be provided on Bills in advance of them reaching Report stage in the House of Commons. This is the last stage at which amendments can be made before a Bill would progress to the House of Lords. The Bill is currently at Committee Stage, with Report Stage set to be completed on 4 July 2025.

Animal welfare is a devolved matter which is ordinarily dealt with by the Assembly, there are some advantages to agreeing to extend this offence to Northern Ireland as part of the PMB. To take this legislation forward within the Assembly would require a Bill for primary legislation to be introduced. Despite only containing a limited number of provisions, this Bill would need to complete all the necessary legislative stages and it could be at least one or two years before the powers would be made. It would also entail significant resources within the Department to progress this Bill. As the provisions are relatively minor and technical and it would be more efficient to deal with them in the ready-made vehicle of a Westminster Bill than to promote a specific Assembly Bill.

### **POSITION IN GB/IRELAND/EU**

As set out above, the Bill will confer enabling powers on England, Scotland and Wales to make secondary legislation that would restrict the importation of cats and dogs, which are below the age of 6 months, or more than 42 days pregnant or mutilated.

The Republic of Ireland (ROI) Government banned the import of dogs with cropped ears in September 2023, via the Ear-Cropping of Dogs Regulations 2023. It is also illegal to crop a dog's ears in ROI under the Animal Health and Welfare Act 2013.

There is no corresponding legislation in the EU at present. However, On 7 December 2023, the European Commission published a draft regulation on the welfare of cats and dogs and their traceability. Article 15 of that draft regulation, if adopted, will prohibit mutilations, including ear cropping, tail docking, partial or complete digit amputation, and resection of vocal cords or folds, unless these procedures are performed by a veterinarian with the sole purpose of improving the health of a dog or cat.

### **NEXT STEPS**

The Executive is currently considering this matter. Subject to Executive approval and the Committee's views, it is intended to lay a Legislative Consent Memorandum required in the Assembly at the appropriate juncture. The Committee will have an opportunity to consider and report on the matter prior to any motion being laid.



**SHAUNA RODGERS**  
**DALO**

**ENC. Annex 1: Welfare of Animals (Import of Cats Dogs and Ferrets) Bill**  
**Annex 2: Explanatory Notes**

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# ANIMAL WELFARE (IMPORT OF DOGS, CATS AND FERRETS) BILL

## EXPLANATORY NOTES

### What these notes do

These Explanatory Notes relate to the Animal Welfare (Import of Dogs, Cats and Ferrets) Bill introduced in the House of Commons on 16<sup>th</sup> October 2024 (Bill 28).

- These Explanatory Notes have been prepared by the Department for Environment, Food and Rural Affairs (“the Department”) with the consent of Dr Danny Chambers MP, the member in charge of the Bill, in order to assist the reader of the Bill and to help inform debate on it. They do not form part of the Bill and have not been endorsed by Parliament.
- These Explanatory Notes explain what each part of the Bill will mean in practice; provide background information on the development of policy; and provide additional information on how the Bill will affect existing legislation in this area.
- These Explanatory Notes might best be read alongside the Bill. They are not, and are not intended to be, a comprehensive description of the Bill.

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## Overview of the Bill

1. The Animal Welfare (Import of Dogs, Cats and Ferrets) Bill makes provision to restrict the commercial importation and non-commercial movement of dogs, cats and ferrets into the United Kingdom from third countries on grounds of animal welfare.
2. The Bill introduces an enabling power to address the problem of low-welfare imports of dogs, cats and ferrets into the United Kingdom. The power must be used to prohibit the bringing into Great Britain of puppies and kittens under six months and dogs and cats that are mutilated or heavily pregnant.
3. The Bill also seeks to address the current issue of commercial imports being disguised as non-commercial movements by amending the rules that govern the non-commercial movement of dogs, cats and ferrets into Great Britain from third countries.

## Policy background

4. The Bill aims to address growing concerns about the low welfare movement of dogs and cats into the United Kingdom.
5. Dogs, cats and ferrets can enter the United Kingdom in one of two ways: as non-commercial pet travel movements or commercial imports. More stringent requirements apply to commercial imports than to non-commercial movements. Evidence has shown that commercial movements are frequently being disguised as non-commercial movements to avoid these more stringent requirements.
6. In 2023, over 500 landings of dogs and cats were intercepted at the Port of Dover and found to be non-compliant with import requirements. Of these, 116 puppies and kittens were quarantined for being below the legally required minimum age for import. This data does not include animals detained at airports or found inland. The true extent of puppy smuggling operations is unknown and so these figures likely only capture a small portion of the animals smuggled into the country.
7. There are concerns about an emerging market involving the importation of heavily pregnant dogs and cats, and those which have been mutilated (ear cropped dogs, tail docked dogs and declawed cats).
8. Defra have regularly been called upon to change the legislation and inhibit the trade for low welfare movements of dogs and cats, most recently by the Environment, Food and Rural Affairs Committee (EFRA) following its inquiry into pet welfare in abuse. This looked at the scale and profitability of the illegal trade and the conditions in which dogs are being imported into the United Kingdom. The recommendations from that inquiry included the introduction of a limit on the number of dogs, cats and ferrets that can be brought into the

UK as a non-commercial movement from five per person to five per vehicle, and three per foot or air passenger; as well as a ban on the movement of puppies and kittens under six months and pregnant dogs and cats in the last 30% of gestation. EFRA Committee also recommended that the Government should give priority to closing loopholes that enable the importation of mutilated animals. There is strong public support for intervention in the sector and concerns on the practice of “puppy smuggling” and low-welfare imports have been raised by third sector organisations and animal welfare groups.

## Legal background

### Legislation dealing with the non-commercial movement of pet animals

9. The non-commercial movement of dogs, cats and ferrets into Great Britain is regulated by assimilated direct legislation, primarily Regulation (EU) No 576/2013 on the non-commercial movement of pet animals and repealing Regulation (EC) No 998/2003, and Commission Implementing Regulation 577/2013 on the model identification documents for the non-commercial movement of dogs, cats and ferrets, the establishment of lists of territories and third countries and the format, layout and language requirements of the declarations attesting compliance with certain conditions provided for in Regulation (EU) No 576/2013. These are supplemented by domestic orders in Great Britain (the Non-Commercial Movement of Pet Animals Order 2011 and the Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974).
10. This legislation sets out the health and documentary requirements for dogs, cats and ferrets to move non-commercially into Great Britain from a third country and provides for enforcement in cases of non-compliance. It restricts the number of dogs, cats and ferrets that may accompany a person during a single non-commercial movement into Great Britain and sets out the rules that apply when a pet dog, cat or ferret travels with a person authorised by the owner.
11. The European Union (Withdrawal) Act 2018 made provision to ensure that EU law would continue to apply in domestic law at the end of the post-Brexit transition period (the end of 2020). These EU laws that were preserved in the UK statute books are now known as assimilated law under the Retained EU Law (Revocation and Reform) Act 2023.
12. EU Regulations relevant to non-commercial movements and imports of dogs, cats and ferrets into Northern Ireland apply in Northern Ireland by virtue of the Windsor Framework.

### Legislation dealing with the commercial import of dogs, cats and ferrets

13. The commercial import of dogs, cats and ferrets into Great Britain is governed by the Trade in Animals and Related Products Regulations 2011 in England, the Trade in Animals and



Related Products (Wales) Regulations 2011 in Wales, and the Trade in Animals and Related Products (Scotland) Regulations 2012 in Scotland (collectively known as TARP). TARP does not apply to the non-commercial movement of dogs, cats and ferrets provided that the movement is of five or fewer animals accompanied by their owner or an authorised person.

14. TARP details the requirements with which commercial imports of dogs, cats and ferrets must comply, which are in addition to the requirements applicable to non-commercial movements.

### **Legislation dealing with the protection of animals during transport**

15. The welfare of animals in transport is principally governed by Council Regulation No 1/2005 on the protection of animals during transport and related operations. This is supplemented by domestic legislation in England, Wales, Scotland and Northern Ireland (the Welfare of Animals (Transport) (England) Order 2006, the Welfare of Animals (Transport) (Wales) Order 2007, the Welfare of Animals (Transport) (Scotland) Regulations 2006 and the Welfare of Animals (Transport) Regulations (Northern Ireland) 2006). Council Regulation No 1/2005 is assimilated direct legislation in England, Wales and Scotland and the EU version of the Regulation is directly applicable in Northern Ireland by virtue of the Windsor Framework.

### **Legislation dealing with animal welfare**

16. Sections 5 and 6 of the Animal Welfare Act 2006, section 20 of the Animal Health and Welfare (Scotland) Act 2006 and sections 5 and 6 of the Welfare of Animals Act (Northern Ireland) 2011 prohibit the mutilation of any protected animal (which includes the cropping of a dog's ears, the docking of a dog's tail or the declawing of a cat) subject to limited exemptions. The Acts do not prevent such mutilations being carried out overseas or animals with these mutilations from being imported into the United Kingdom.

## **Territorial extent and application**

17. Clause 8 sets out the territorial extent of the Bill, which describes the jurisdictions in which the Bill forms part of the law. The territorial extent and application of the Bill is England and Wales, Scotland, and Northern Ireland, except for Clauses 4, 5 and 6 which extend and apply only to England and Wales, and Scotland.
18. The Bill relates to animal welfare, which is a devolved matter in Scotland and Wales, including in relation to the regulation of movements of animals into Scotland or Wales for the purposes of protecting animal welfare. As regards Northern Ireland, animal welfare is generally a transferred matter, but the subject matter of this Bill means that the reserved matter in paragraph 20 of Schedule 3 to the Northern Ireland Act 1998 is engaged. The enabling powers in Clause 1 of the Bill will allow the Secretary of State, Scottish and Welsh Ministers and the Department of Agriculture, Environment and Rural Affairs in Northern



Ireland (DAERA) to make regulations for England, Scotland, Wales and Northern Ireland respectively. Where DAERA makes regulations, consent of the Secretary of State may be necessary. In order to provide for effective collaboration, the Bill will also enable the Secretary of State to make regulations which extend and apply to Scotland, Wales and Northern Ireland where the Devolved Administrations give their consent. These measures will not apply to domestic movements, including those between Northern Ireland and Great Britain.

19. See the table in Annex A for a summary of the position regarding territorial extent and application in the United Kingdom. The table also summarises the position regarding legislative consent motions.

## Commentary on provisions of Bill

### Clause 1: Regulations about bringing dogs, cats and ferrets into the United Kingdom

20. Subsection (1) enables the appropriate national authority (the Secretary of State, Scottish Ministers, Welsh Ministers or DAERA) to make regulations about bringing dogs, cats or ferrets into the United Kingdom, to promote their welfare.
21. Subsection (2) sets out matters which regulations made under subsection (1) may cover, including prohibiting or restricting the bringing into the United Kingdom of dogs, cats or ferrets, making exemptions to any prohibitions, the issue of permits and provision around enforcement.
22. Subsections (3) and (4) ensure that the first regulations made in each of England, Scotland and Wales under subsection (1) in relation to dogs or cats must prohibit the bringing into that part of the United Kingdom dogs or cats where they are below the age of 6 months, more than 42 days pregnant, or have been subject to non-exempted mutilations (cropped ears, docked tails or declawed). Subsection (9) sets out the definition of “mutilation”.
23. Subsection (5) states that any subsequent regulations lifting a prohibition imposed by subsections (3) or (4) cannot be introduced without the Secretary of State, the Scottish Ministers or the Welsh Ministers first carrying out a consultation.
24. Subsection (6) enables the appropriate national authority to make regulations about dogs, cats or ferrets that are brought into the United Kingdom and seized or detained for contravention of any legislation concerning the welfare or health of dogs, cats or ferrets being brought into the United Kingdom. Under subsection (7) this could include provision about meeting the costs of detaining a dog, cat or ferret or transferring ownership of any dog, cat or ferret.

25. Subsection (8) enables the appropriate national authority to make regulations imposing monetary penalties for contraventions of legislation concerning the welfare or health of dogs, cats or ferrets being brought into the United Kingdom.

## **Clause 2: Regulations under section 1: supplementary**

26. Subsection (1) contains a non-exhaustive list of provisions that may be included in the regulations, including the conferral of functions on specified persons, the conferral of powers of entry, inspection, search, seizure or detention, revocation of licences or other approvals and the creation of new criminal offences. Subsection (1)(h) provides that the regulations may include provision amending primary legislation, including provision made by Clauses 4 to 6.
27. Subsection (2) sets out limits on the powers of entry which may be conferred by the regulations. Subsections (3) and (4) limit the power to create new criminal offences by setting the maximum penalties that may be included in the regulations.

## **Clause 3: Meaning of “appropriate national authority” and related provision**

28. Subsection (1) defines who the appropriate national authority is in respect of England, Scotland, Wales and Northern Ireland, i.e. the Secretary of State and, provided they have legislative competence, the Scottish Ministers, Welsh Ministers or DAERA.
29. Subsection (2) sets out circumstances in which DAERA must obtain consent from the Secretary of State to make regulations under Clause 1.
30. Subsection (3) allows the Secretary of State to make regulations under Clause 1 that could otherwise be made by the Scottish Ministers, the Welsh Ministers or DAERA, as appropriate, providing the relevant Devolved Administration gives their consent. Subsection (4) clarifies that DAERA’s consent would not be needed if the provision would require the Secretary of State’s consent under subsection (2).
31. The Bill creates powers that are exercisable concurrently by the Secretary of State and the Welsh Ministers. Restrictions in Schedule 7B to the Government of Wales Act 2006 prevent the Senedd from removing a Minister of the Crown function that is exercised concurrently or jointly with the Welsh Ministers without the consent of the UK Government. Subsections (5) to (8) disapply the relevant restrictions in respect of the concurrent powers in this Bill by adding the Animal Welfare (Import of Dogs, Cats and Ferrets) Act 2025 to the lists of enactments in paragraphs 9(8)(b) and 11(6)(b) of Schedule 7B. This will allow the Senedd to alter the concurrent arrangements relating to devolved matters without needing the UK Government’s consent.

## **Clause 4: Disapplication of non-commercial rules in certain cases**

32. This clause amends Regulation (EU) No 576/2013 to provide that the rules applicable to non-commercial movements of dogs, cats and ferrets into Great Britain do not apply in certain situations.
33. Subsections (2) and (3) make consequential amendments to Regulation (EU) No 576/2013 to

support the amendments being made by subsections (4) and (5).

34. Subsection (4) inserts new paragraphs 1 and 1A into Article 5 of Regulation (EU) No 576/2013 which provide that a movement of dogs, cats or ferrets into Great Britain is not non-commercial where there are more than five such animals in total per motor vehicle or three in total per foot passenger.
35. Subsection (5) inserts a new Article 5A into Regulation (EU) No 576/2013 which provides that a movement of dogs, cats or ferrets into Great Britain is not non-commercial unless the animal is either accompanied by its owner or accompanied by a person authorised by the owner and the owner has entered or is expected to enter Great Britain within five days of the movement of the animal. In such circumstances, the authorised person must provide evidence of when the owner's movement has occurred or will occur.
36. Subsection (6) makes amendments to Regulation (EU) No 576/2013 to ensure that only an owner (and not an authorised person) can sign a declaration that a movement is non-commercial.

## **Clause 5: Corresponding application of commercial rules**

37. Subsections (1), (2) and (3) make amendments consequential on the provision made in Clause 4 to secondary legislation in England, Scotland and Wales which applies to commercial imports of dogs, cats and ferrets.

## **Clause 6: Consequential provision**

38. Subsection (1) makes amendments consequential on the provision made by Clause 4(6) to Commission Implementing Regulation No 577/2013.
39. Subsection (2) makes amendments to Regulation (EU) No 2017/625 which are clarificatory and consequential on the provision made by Clause 4.
40. Subsection (3) provides the Secretary of State with a regulation-making power to make provision consequential on any provisions in Clauses 4 or 5.

## **Clause 7: Regulations**

41. Subsection (1) provides that regulations made under the Bill may make different provision for different purposes or areas, and consequential, transitional and other provision.
42. Subsections (2) to (9) set out the procedures for making regulations in the UK Parliament and in the devolved legislatures.

## **Clause 8: Extent, commencement and short title**

43. Subsections (1) and (2) set out the territorial extent of the Bill (see also Annex A).
44. Subsection (3) and (4) set out how and when Clauses 1 to 8 will come into force. Subsection (3) provides that Clauses 1 to 7 come into force on such day as the Secretary of State may by regulations appoint. Subsection (6) provides that such regulations may make different

provision for different purposes and subsection (7) provides that they must be made by statutory instrument.

45. Subsection (5) provides a power for the Secretary of State to make transitional or saving provision in connection with the coming into force of any provision in the Bill.
46. Subsection (8) sets out that the short title of the Bill will be the Animal Welfare (Import of Dogs, Cats and Ferrets) Act 2025.

## Commencement

47. Clause 8 provides that Clauses 1 to 7 will come into force on such day or days as the Secretary of State may by regulations appoint.
48. Clause 8 will come into force on Royal Assent.

## Parliamentary approval for financial costs or for charges imposed

49. The Bill will require a money resolution. A money resolution is required where a Bill authorises new charges on the public revenue – broadly speaking, new public expenditure. Regulations made under Clause 1(1) and (6) may give rise to new public expenditure (for instance, enforcement costs associated with new requirements or prohibitions imposed by the regulations). There are also likely to be enforcement costs associated with the amendments made by Clauses 4 and 5. The Bill will not require a ways and means resolution.

## Financial implications of the Bill

50. Where possible, regulatory costs to delivery bodies (Local Authorities in particular) will be recovered via fees to end users. A New Burdens Assessment and further engagement with Local Authorities on financial impacts will be carried out as part of the implementation of the measures in the Bill.

## Related documents

51. The following documents are relevant to the Bill and can be read at the stated locations:
  - Defra consultation: [Commercial and non-commercial movements of pets into Great Britain](#), August 2021

## Annex A - Territorial extent and application in the United Kingdom

The table below summarises the position regarding territorial extent and application in the United Kingdom.

Provision	England	Wales		Scotland		Northern Ireland	
	Extends to E & W and applies to England?	Extends to E & W and applies to Wales?	Legislative Consent Motion process engaged?	Extends and applies to Scotland?	Legislative Consent Motion process engaged?	Extends and applies to Northern Ireland?	Legislative Consent Motion process engaged?
Clauses 1, 2, 3, 7 and 8	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Clauses 4, 5 and 6	Yes	Yes	Yes	Yes	Yes	No	N/A

## Subject matter and legislative competence of devolved legislatures

There is a convention that Westminster will not normally legislate with regard to matters that are within the legislative competence of the Scottish Parliament, Senedd Cymru or the Northern Ireland Assembly without the consent of the legislature concerned.

To the extent that the subject matter of the Bill falls within the legislative competence of the Scottish Parliament, Senedd Cymru and Northern Ireland Assembly, the legislative consent procedure would be engaged.



# **ANIMAL WELFARE (IMPORT OF DOGS, CATS AND FERRETS) BILL**

## **EXPLANATORY NOTES**

These Explanatory Notes relate to the Animal Welfare (Import of Dogs, Cats and Ferrets) Bill as introduced in the House of Commons on 16 October 2024 (Bill 28).

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# Animal Welfare (Import of Dogs, Cats and Ferrets) Bill

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[AS AMENDED IN PUBLIC BILL COMMITTEE]

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## [AS AMENDED IN PUBLIC BILL COMMITTEE]

A

**B I L L**

TO

Make provision for and in connection with restricting the importation and non-commercial movement of dogs, cats and ferrets.

**B**E IT ENACTED by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

*Regulations about bringing dogs, cats and ferrets into the United Kingdom***1 Regulations about bringing dogs, cats and ferrets into the United Kingdom***Regulations for the purpose of animal welfare*

- (1) An appropriate national authority may, for the purpose of promoting the welfare of dogs, cats or ferrets, make regulations about the bringing of any of those animals into the United Kingdom. 5
- (2) Regulations under subsection (1) may (in particular) —
- (a) prohibit or restrict, by reference to specified criteria, the bringing into the United Kingdom of dogs, cats or ferrets;
  - (b) provide that a prohibition or restriction (including a prohibition imposed by virtue of subsection (3) or (4)) is subject to specified exemptions, including in cases where a permit issued under the regulations is in force; 10
  - (c) make provision for and in connection with applications for permits and the determination of such applications; 15
  - (d) require a specified fee to be paid on the making of such an application;
  - (e) make provision about enforcement.
- (3) The first of any regulations about dogs that are made under subsection (1) in relation to each of England, Scotland and Wales must prohibit the bringing into that part of the United Kingdom of each of the following — 20
- (a) dogs that are below the age of 6 months;
  - (b) dogs that are more than 42 days pregnant;
  - (c) dogs that have been mutilated.

- (4) The first of any regulations about cats that are made under subsection (1) in relation to each of England, Scotland and Wales must prohibit the bringing into that part of the United Kingdom of each of the following—
- (a) cats that are below the age of 6 months;
  - (b) cats that are more than 42 days pregnant; 5
  - (c) cats that have been mutilated.
- (5) The Secretary of State, the Scottish Ministers and the Welsh Ministers may not make subsequent regulations lifting a prohibition mentioned in subsection (3) or (4) unless they have consulted such persons as they consider appropriate about the proposed change. 10

*Regulations about seized or detained animals*

- (6) An appropriate national authority may by regulations make provision about dogs, cats or ferrets that are seized or detained because of a contravention (or suspected contravention) of any legislation (including regulations under subsection (1)) that— 15
- (a) relates to animal welfare or animal health, and
  - (b) is concerned with the bringing of dogs, cats or ferrets into the United Kingdom.
- (7) Regulations under subsection (6) may (in particular)—
- (a) require a specified person to meet the costs of detaining a dog, cat or ferret (whether directly or by reimbursing any person); 20
  - (b) enable ownership of a dog, cat or ferret to be transferred in specified circumstances.

*Regulations about monetary penalties*

- (8) An appropriate national authority may by regulations make provision enabling monetary penalties to be imposed in cases involving the contravention of any legislation (including regulations under subsection (1)) that— 25
- (a) relates to animal welfare or animal health, and
  - (b) is concerned with the bringing of dogs, cats or ferrets into the United Kingdom. 30

*Interpretation*

- (9) For the purposes of subsections (3) and (4), a dog or cat has been “mutilated” if it has undergone a procedure which involves interference with its sensitive tissues or bone structure otherwise than for the purpose of its medical treatment. 35
- (10) In this section, “specified”, in relation to the making of regulations, means specified in the regulations.

## 2 Regulations under section 1: supplementary

- (1) Regulations under section 1 may (in particular)—
- (a) confer a function (including a function involving the exercise of a discretion) on a person specified in the regulations; 40

- (b) make provision about the keeping of records or the provision of information;
  - (c) confer a power of entry, whether or not on the authority of a warrant;
  - (d) confer a power of inspection, search, seizure or detention, whether or not on the authority of a warrant; 5
  - (e) authorise, or make provision for the authorisation of, the use of reasonable force in connection with the exercise of a power mentioned in paragraph (c) or (d);
  - (f) make provision for the revocation of a person's licence, authorisation or other approval required under any legislation for the bringing of dogs, cats or ferrets into the United Kingdom, where the person— 10
    - (i) contravenes the regulations, or
    - (ii) obstructs, or fails to assist in, the exercise of a function conferred by the regulations;
  - (g) create a criminal offence (but see subsection (3)); 15
  - (h) modify, repeal or revoke any provision made by—
    - (i) an Act of Parliament (including sections 5 to 7 of this Act);
    - (ii) an Act of the Scottish Parliament;
    - (iii) an Act or Measure of Senedd Cymru;
    - (iv) Northern Ireland legislation. 20
- (2) Regulations under section 1 that confer a power to enter a private dwelling may not allow for the power to be exercised without the occupier's consent, or with the use of reasonable force, except—
- (a) in England and Wales, on the authority of a warrant issued by a justice of the peace; 25
  - (b) in Scotland, on the authority of a warrant issued by a sheriff or summary sheriff;
  - (c) in Northern Ireland, on the authority of a warrant issued by a lay magistrate.
- (3) Regulations under section 1 may create a criminal offence only in relation to (or in relation to the causing or permitting of)— 30
- (a) a contravention of a prohibition or restriction imposed by virtue of section 1(2)(a);
  - (b) where by virtue of section 1(2)(b) such a prohibition or restriction is subject to an exemption, a contravention of a condition attached to the exemption; 35
  - (c) a contravention of a requirement imposed by any relevant legislation to carry out checks in relation to the bringing of animals into the United Kingdom;
  - (d) a contravention of a requirement imposed by any relevant legislation to provide information or documents, or the provision of false or misleading information or documents in purported compliance with such a requirement; 40
  - (e) the obstruction of, or a failure to assist, a person acting in the execution of powers conferred by any relevant legislation. 45

- (4) In subsection (3), “relevant legislation” means legislation (including regulations under section 1) that relates to animal welfare or animal health.
- (5) Where regulations under section 1 create a criminal offence, they must provide that—
- (a) the offence is—
    - (i) triable summarily only, or
    - (ii) triable summarily or on indictment;
  - (b) the offence is punishable—
    - (i) with a fine, or
    - (ii) with a term of imprisonment or a fine (or both);
  - (c) any term of imprisonment with which the offence is punishable on summary conviction does not exceed—
    - (i) in England and Wales, the relevant maximum term;
    - (ii) in Scotland, 12 months;
    - (iii) in Northern Ireland, 6 months;
  - (d) any term of imprisonment with which the offence is punishable on conviction on indictment does not exceed 5 years.
- (6) In subsection (5)(c)(i), “the relevant maximum term” means—
- (a) in relation to an offence that is triable only summarily—
    - (i) if the offence is committed before the time when section 281 of the Criminal Justice Act 2003 comes into force, 6 months;
    - (ii) if the offence is committed after that time, 51 weeks;
  - (b) in relation to an offence that is triable summarily or on indictment, the general limit in a magistrates’ court.
- (7) Regulations under section 1 may make—
- (a) different provision for different purposes or areas;
  - (b) consequential, incidental, supplementary, transitional or saving provision.

### **3 Meaning of “appropriate national authority” and related provision**

- (1) In section 1, “appropriate national authority”, in relation to the making of regulations, means—
- (a) the Secretary of State;
  - (b) the Scottish Ministers, so far as provision made by the regulations would be within the legislative competence of the Scottish Parliament if contained in an Act of that Parliament;
  - (c) the Welsh Ministers, so far as provision made by the regulations would be within the legislative competence of Senedd Cymru if contained in an Act of Senedd Cymru;
  - (d) the Department of Agriculture, Environment and Rural Affairs in Northern Ireland (“DAERA”), so far as provision made by the regulations would be within the legislative competence of the Northern Ireland Assembly if contained in an Act of that Assembly.

- (2) DAERA must obtain the consent of the Secretary of State before making any provision in regulations under section 1 that, if contained in a Bill in the Northern Ireland Assembly, would result in the Bill's requiring the consent of the Secretary of State under section 8 of the Northern Ireland Act 1998.
- (3) The Secretary of State must obtain the consent of— 5
- (a) the Scottish Ministers,
  - (b) the Welsh Ministers, or
  - (c) DAERA,
- before making any provision in regulations under section 1 that could be made in regulations under that section by (respectively) the Scottish Ministers, the Welsh Ministers, or DAERA. 10
- (4) But DAERA's consent is not needed under subsection (3) for provision that would need the Secretary of State's consent under subsection (2) before it could be made in regulations made by DAERA.
- (5) Schedule 7B to the Government of Wales Act 2006 (general restrictions on legislative competence of Senedd Cymru) is amended as set out in subsections (6) and (7). 15
- (6) In paragraph 9(8)(b) (exceptions to restrictions relating to reserved authorities)—
- (a) each of the sub-paragraphs numbered (i) and so on (including any sub-paragraph not yet in force) becomes an unnumbered sub-paragraph; 20
  - (b) omit the "or" after the penultimate of those sub-paragraphs;
  - (c) at the end insert—
- "the Animal Welfare (Import of Dogs, Cats and Ferrets) Act 2025." 25
- (7) In paragraph 11(6)(b) (exceptions to restrictions relating to Ministers of the Crown)—
- (a) each of the sub-paragraphs numbered (i) and so on (including any sub-paragraph not yet in force) becomes an unnumbered sub-paragraph; 30
  - (b) omit the "or" after the penultimate of those sub-paragraphs;
  - (c) at the end insert—
- "the Animal Welfare (Import of Dogs, Cats and Ferrets) Act 2025." 35
- (8) Where any enactment passed or made on or after the day on which this Act is passed inserts a numbered sub-paragraph in paragraph 9(8)(b) or 11(6)(b) of Schedule 7B to the Government of Wales Act 2006, the enactment has effect as if—
- (a) it instead inserted an unnumbered sub-paragraph at the same place, and 40
  - (b) where relevant, it did not insert "or" before that sub-paragraph or omit "or" before the preceding sub-paragraph.



**4 Procedure for regulations under section 1**

- (1) A power of the Secretary of State or the Welsh Ministers to make regulations under section 1 is exercisable by statutory instrument.
- (2) A power of the Department of Agriculture, Environment and Rural Affairs in Northern Ireland (“DAERA”) to make regulations under section 1 is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I. 12)). 5
- (3) Regulations under section 1 are subject to the affirmative procedure, subject to subsection (4).
- (4) Regulations that contain provision made by virtue of section 1(2)(d) (power to specify fee in relation to permit application) and do not contain any other provision under section 1 are subject to the negative procedure. 10
- (5) Where the Secretary of State, the Welsh Ministers or DAERA propose that the same regulations should contain both –
  - (a) provision under section 1, and 15
  - (b) provision under other legislation that may be made by regulations subject to the negative procedure,
 the provision mentioned in paragraph (b) may instead be made by regulations subject to the affirmative procedure.
- (6) In this section – 20
 

“subject to the affirmative procedure”, in relation to regulations made by the Secretary of State, the Welsh Ministers or DAERA, means –

  - (a) in the case of regulations made by the Secretary of State, that a statutory instrument containing the regulations may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament; 25
  - (b) in the case of regulations made by the Welsh Ministers, that a statutory instrument containing the regulations may not be made unless a draft of the instrument has been laid before and approved by a resolution of Senedd Cymru; 30
  - (c) in the case of regulations made by DAERA, that the regulations may not be made unless a draft of the regulations has been laid before and approved by a resolution of the Northern Ireland Assembly;

“subject to the negative procedure”, in relation to regulations made by the Secretary of State, the Welsh Ministers or DAERA, means – 35

  - (a) in the case of regulations made by the Secretary of State, that a statutory instrument containing the regulations is subject to annulment in pursuance of a resolution of either House of Parliament; 40
  - (b) in the case of regulations made by the Welsh Ministers, that a statutory instrument containing the regulations is subject to annulment in pursuance of a resolution of Senedd Cymru;
  - (c) in the case of regulations made by DAERA, that the regulations are subject to negative resolution within the meaning given by 45

section 41(6) of the Interpretation Act (Northern Ireland) 1954 (c. 33 (N.I.)).

- (7) In relation to regulations under section 1 made by the Scottish Ministers, see—
- (a) section 27 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10) (Scottish statutory instruments) for provision corresponding to subsections (1) and (2); 5
  - (b) section 33 of that Act (combination of certain powers) for provision corresponding to subsection (5);
  - (c) sections 28 and 29 of that Act for the meaning of “subject to the negative procedure” and “subject to the affirmative procedure”. 10

*Certain movements of dogs, cats and ferrets treated as commercial*

## 5 Disapplication of non-commercial rules in certain cases

- (1) Regulation (EU) No 576/2013 of the European Parliament and of the Council of 12 June 2013 on the non-commercial movement of pet animals and repealing Regulation (EC) No 998/2003 is amended as follows. 15
- (2) In Article 3 (definitions)—
- (a) in point (a), at the end insert “(but see Articles 5 and 5A in relation to dogs, cats and ferrets)”;
  - (b) in point (b), after “non-commercial movement” (in the first place it occurs) insert “(including movement that would be non-commercial movement but for Article 5 or 5A)”. 20
- (3) Omit Article 4.
- (4) In Article 5 (maximum number of pet animals)—
- (a) for paragraph 1 substitute— 25
    - “1. For the purposes of this Regulation, a movement of pet animals of the species listed in Part A of Annex I (dogs, cats and ferrets) is not a non-commercial movement if the relevant maximum is exceeded at any time during the movement.
    - 1A. For the purposes of this Article, the relevant maximum is exceeded: 30
      - (a) in a case where the animals are being moved in a motor vehicle (including a vehicle on board a train or ferry), if there are more than five animals of the species listed in Part A of Annex I in the vehicle; 35
      - (b) in any other case, if there are more than three animals of the species listed in Part A of Annex 1 accompanying the owner or an authorised person.”;
  - (b) in paragraph 2—

- (i) for the words before point (a), substitute “Paragraph 1 does not apply to a movement of pet animals if the following conditions are fulfilled.”;
  - (ii) in point (a), omit “non-commercial”;
  - (iii) in point (b), for “the authorised person” substitute “an authorised person”;
- (c) after paragraph 3 insert—
  - “3A Paragraph 1 does not apply to a movement of pet animals if—
    - (a) the appropriate authority determines that there are exceptional or compelling circumstances that justify the movement’s being treated as a non-commercial movement even if the relevant maximum is exceeded; and
    - (b) the movement meets any conditions attached to the determination.”;
  - (d) in paragraph 4, for the words from the beginning to “those pet animals” substitute “Where paragraph 1 applies and the relevant maximum is exceeded, the pet animals in question”;
  - (e) at the end insert—
    - “5A. In paragraph 1A, “motor vehicle” means a mechanically propelled vehicle intended or adapted for use on roads.”
- (5) After Article 5 insert—

*“Article 5A*

**Movement of dogs, cats and ferrets to be within five days of owner**

- 1 For the purposes of this Regulation, a movement of a pet animal of a species listed in Part A of Annex 1 (dogs, cats and ferrets) is not a non-commercial movement if the animal is not accompanied by the owner during the movement, unless—
  - (a) the owner—
    - (i) entered Great Britain earlier on the day on which the animal does so or at any time during the five days preceding that day; or
    - (ii) is expected to enter Great Britain later on that day or at any time during the five days following that day; and
  - (b) the authorised person who accompanies the animal during the movement provides evidence, to the appropriate authority’s satisfaction, as to when the owner entered or is expected to enter Great Britain.

2 Paragraph 1 does not apply to a movement of a pet animal if –

(a) the appropriate authority determines that there are exceptional or compelling circumstances that justify the movement’s being treated as a non-commercial movement even if –

(i) the animal is not accompanied by the owner; and 5

(ii) one or both of the conditions in paragraph 1(a) and (b) are not met; and

(b) the movement meets any conditions attached to the determination.”

(6) In Article 25 (format and content of identification document), in paragraph 3, omit “or the authorised person”. 10

## 6 Corresponding application of commercial rules

(1) In regulation 3 of the Trade in Animals and Related Products Regulations 2011 (S.I. 2011/1197) –

(a) for paragraph (1) substitute – 15

“(1) These Regulations do not apply in relation to pet animals where the movement of the animals is a non-commercial movement for the purposes of the Pets Regulation (see Articles 3, 5 and 5A of the Pets Regulation).”;

(b) in paragraph (2), omit the definitions of “authorised person”, “non-commercial movement”, “owner”, and “accompanying”. 20

(2) In regulation 3 of the Trade in Animals and Related Products (Scotland) Regulations 2012 (S.S.I. 2012/177) –

(a) for paragraph (1) substitute –

“(1) These Regulations do not apply in relation to pet animals where the movement of the animals is a non-commercial movement for the purposes of the Pets Regulation (see Articles 3, 5 and 5A of the Pets Regulation).”;

(b) in paragraph (2), omit the definitions of “authorised person”, “non-commercial movement”, “owner”, and “accompanying”. 30

(3) In regulation 3 of the Trade in Animals and Related Products (Wales) Regulations 2011 (S.I. 2011/2379 (W. 252)) –

(a) in the English language text –

(i) for paragraph (1) substitute –

“(1) These Regulations do not apply in relation to pet animals where the movement of the animals is a non-commercial movement for the purposes of the Pets Regulation (see Articles 3, 5 and 5A of the Pets Regulation).”;

(ii) in paragraph (2), omit the definitions of “accompanying”, “authorised person”, “non-commercial movement”, and “owner”; 40

(b) in the Welsh language text—

(i) for paragraph (1) substitute—

“(1) Nid yw’r Rheoliadau hyn yn gymwys mewn perthynas ag anifeiliaid anwes pan fo symud yr anifeiliaid yn symud anfasnachol at ddibenion y Rheoliad Anifeiliaid Anwes (gweler Erthyglau 3, 5 a 5A o’r Rheoliad Anifeiliaid Anwes).”;

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(ii) in paragraph (2), omit the definitions of “mynd gyda”, “person awdurdodedig”, “symud anfasnachol” and “perchennog”.

## 7 Consequential provision

(1) In Commission Implementing Regulation (EU) No 577/2013 of 28 June 2013 on the model identification documents for the non-commercial movement of dogs, cats and ferrets, the establishment of lists of territories and third countries and the format, layout and language requirements of the declarations attesting compliance with certain conditions provided for in Regulation (EU) No 576/2013 of the European Parliament and of the Council, in Section A of Part 3 of Annex IV (model of declaration)—

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(a) omit “or the natural person who has authorisation in writing from the owner to carry out the non-commercial movement on behalf of the owner (1)” in the first and third places those words occur (that is to say, in the paragraph after “I, the undersigned” and the paragraph after “Place and date:”);

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(b) for “his movement” substitute “the owner’s movement”.

(2) In Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, in Article 53 (official controls not performed at border control posts), in paragraph 1(d)(iv), for “which meet the conditions laid down in Article 5 of” substitute “for a purpose connected with”.

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*General*

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## 8 Extent, commencement and short title

- (1) Sections 1 to 4 and this section extend to England and Wales, Scotland and Northern Ireland.
- (2) Sections 5 to 7 extend to England and Wales and Scotland.
- (3) Sections 1 to 7 come into force on such day as the Secretary of State may by regulations appoint.
- (4) This section comes into force on the day on which this Act is passed.
- (5) The Secretary of State may by regulations make transitional or saving provision in connection with the coming into force of any provision of this Act.

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- (6) Regulations under this section may make different provision for different purposes.
- (7) Regulations under this section are to be made by statutory instrument.
- (8) This Act may be cited as the Animal Welfare (Import of Dogs, Cats and Ferrets) Act 2025.

# Animal Welfare (Import of Dogs, Cats and Ferrets) Bill

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[AS AMENDED IN PUBLIC BILL COMMITTEE]

A

## B I L L

TO

Make provision for and in connection with restricting the importation and non-commercial movement of dogs, cats and ferrets.

*Presented by Dr Danny Chambers  
supported by Dr Neil Hudson, Vikki Slade,  
James MacCleary, Max Wilkinson, Susan Murray,  
Lisa Smart, Mr Paul Kohler, Liz Jarvis,  
Mr Lee Dillon, Adam Dance and Alison Bennett.*

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