

PROPOSED NEW EU ACT ASSESSMENT OF IMPACT

Date: 16 January 2026

DSC REF: COM/2023/769

Department: Agriculture, Environment and Rural Affairs

Proposed New EU Act on cat and dog welfare and traceability

Proposal for a Regulation of the European Parliament and of the Council on the welfare of dogs and cats and their traceability [[COM\(2023\) 769
2023/0447/\(COD\)](#)]

Provisional agreement reached by the European Parliament and Council of the EU: <https://data.consilium.europa.eu/doc/document/ST-16731-2025-INIT/en/pdf>

Summary of the Act

The applicability of this proposed EU Act in Northern Ireland is still to be determined through the Windsor Framework processes.

The objective of this draft piece of legislation is to regulate the trade in dogs and cats within the EU internal market and the also regulate imports of dog and cats from “third countries” beyond the EU.

The Regulation sets out minimum animal welfare requirements for the breeding, keeping and placing of dogs and cats on the EU market. It proposes to do this by establishing rules for the breeding of dogs and cats, the keeping of dogs and cats in establishments, including pet shops and animal shelters and the placing on the market and the action of offering up dogs and cats for adoption at no cost.

The regulation also provides minimum requirements on the traceability of dogs and cats and their entry into the European Union.

It should be noted that all articles within the Regulation have been subject to significant amendment, as the draft has moved through the European institutions. Therefore, for completeness, the proposed detail of the draft legislation is set out below.

Article 2a – sets out the scope of the draft Regulation. The stipulations in Chapter II apply to all operators, who are defined as any person, that places dogs or cats on the market and that is responsible for a breeding establishment, a selling

establishment or an animal shelter, or places and is responsible for dogs and cats in foster homes.

Chapter III and IV applies to all persons in the European Union who own a dog or a cat.

The regulation does not apply to farmers who have free roaming cats on their holding and do not place these cats on the market.

Article 5 – General welfare principles for dogs and cats kept in shelters

Article 6 – Welfare obligations for dogs and cats in kept in establishments.

Defines responsibilities for the operation of fostering of dogs and cats and states that an operator shall not place more than a total of five dogs or cats or one litter with or without a mother in a foster home at any given time.

There is dispensation to go beyond these numbers, where it is deemed there is sufficient space and persons to supervise the animals.

Operators are expected to monitor animal-based indicators on behaviour and physical appearance taking actions based on this monitoring.

Article 6a - Restrictions on breeding animals with conformational traits which may risk the welfare of those animals and restrictions on breeding between parents and offspring, between siblings, between half-siblings or between grandparents and grandchildren, unless approved by the competent authority.

Article 7 – Requirement by establishments to register with the competent authority.

Article 7a – Requirement by breeding establishments to be registered and inspected.

Article 8 - Information on responsible pet ownership to be provided to those acquiring a dog or cat and which must include details of vaccination status and any known medical conditions.

Article 9 - Required competencies and training of animal caretakers. Animal caretaker is defined as a person taking care of the dogs and cats bred or kept in an establishment. A minimum of one caretaker must have completed a training course referred to in this regulation and transfer that knowledge to other caretakers in the establishment.

Article 10 – Operators of establishments must ensure a veterinarian undertakes an advisory visit within the first year of operation of the regulation or within the

first year of operation of the establishment. Veterinary visits thereafter are to be determined by a risk-based assessment by the competent authority.

Article 11 - Standards for providing feed and water to dogs and cats for animal shelters and breeding establishments.

Article 12 - Minimum standards for housing for breeding and selling establishments. Includes a requirement for dogs older than 8 weeks to have access to an outdoor area.

Articles 13 and 14 - Requirements to take care of the health and behavioural needs of dogs and cats. A veterinarian must be consulted on any decision to euthanise a dog or cat.

Article 15 - Mutilations, including ear cropping, tail docking, claw removal or other partial or complete digit amputation, and resection of vocal cords or folds are prohibited, unless a veterinarian decides the procedure is required to treat the animal, prevent injury or secure its welfare. Neutering can only be undertaken by a veterinarian. Member states may apply a derogation to allow this act to be performed by a licensed veterinary nurse. The use of muzzles is prohibited, other than for the welfare of the animal or for public health or animal or human safety reasons. Applying electric currents to dogs or cats is prohibited. The use of prong collars or choke collars without a stop is prohibited.

Article 15a – Dogs or cats which have been mutilated must not feature in shows, exhibitions and competitions and organisers of shows, exhibitions and competitions must exclude dogs or cats with mutilations.

Article 17 – Dogs and cats must be microchipped.

Article 17a - Requirements for persons advertising and placing dogs and cats on the market.

Article 18 – Requirement for Member States to designate a competent authority responsible for ensuring that training courses are available for animal caretakers; and approving the content of courses.

Article 19 – Requirements for establishing, operating and maintaining databases for the registration of dogs and cats.

Article 20 – Requirement to collect and report data on animal welfare to the European Commission.

Article 21 - Entry into the EU: The proposal clarifies that the welfare conditions for pets entering the EU for sale must be equivalent to those set by the proposal.

Article 25 – Ability to introduce stricter national measures.

Requirement for feeding and weaning puppies and kittens, for housing, for space allowances, for breeding frequency and for behavioural needs are set out in Annex I. Annex II sets out technical specifications for the identification of dogs and cats. Annex III sets out data to be collected on the registration of dogs and the number of breeding establishments, selling establishments, shelters and foster homes registered per year.

Department(s) Responsible

Department of Agriculture, Environment and Rural Affairs

Assessment of Impact

Does it appear likely that the application of the proposed new EU act would have a significant impact specific to everyday life of communities in Northern Ireland in a way that is liable to persist?

An assessment of impact cannot be fully completed until the applicability in Northern Ireland is determined through the Windsor Framework processes, and the below is based on the information available in the proposal.

No - we do not view that this proposed new EU act, if applicable in Northern Ireland, would have a significant impact specific to everyday life of communities in Northern Ireland in a way that is liable to persist.

The proposal will have an impact on cat and dog breeders; animal rescue and rehoming shelters, including those fostering animals and those acting as foster carers; persons selling cats or dogs as pets; microchip database operators; and the owners of cats, as the regulation would introduce additional requirements, not currently present in domestic legislation, covering these areas.

Currently cat owners are not compelled to microchip their cats, nor is the rescue and rehoming sector / animal shelters subject to regulation in Northern Ireland. Nevertheless, as noted in this assessment, the DAERA Minister has committed to exploring the merit of domestic legislation to deal with cat microchipping, the selling and supplying of pups and kittens and the operation of rescue and rehoming organisations. The Minister has no explicit proposals to deal with foster carers at this stage. Existing Northern Ireland legislation requires the commercial breeding of dogs to be inspected and licenced. Dogs are also required to be

microchipped and recorded on a database. These activities are enforced by councils.

Small business operators and rescue and rehoming organisations are exempted from the proposals where they do not meet the proposals' numerical thresholds. Where farmers offer shelter to free roaming cats, they are exempt from stipulations relating to these animals. DAERA and NI District Councils are likely to be affected.

Does it appear likely that not applying the proposed new EU act would have a significant impact specific to everyday life of communities in Northern Ireland in a way that is liable to persist?

We note that animal welfare is a key priority for DAERA and the UK Government. This includes reviewing and benchmarking current legislative standards to those in other jurisdictions.

To that end, it should be noted that the welfare of dogs and cats is already catered for under existing domestic legislation. This includes protection for consumers by ensuring minimum common animal welfare standards for the breeding, keeping and placing on the market of dogs and cats bred or kept in establishments and the prohibition of certain practices such as ear cropping. These health and welfare protections are based on the well-established five welfare needs.

Insert details of any other matters regarding the proposed new act that the Department wishes to draw to the DSC's attention. This information should be of an evidential nature rather than a commentary

If applicable in Northern Ireland, it is proposed that the regulation will apply from two years after it enters into force and is published, except for:

- health related rules for establishments will apply from mid-2029;
- rules on extreme conformational traits, on identification and registration of dogs and cats placed on the market, and on Member States establishing databases, will apply from mid-2030;
- rules on interoperability of Member States' databases, on the EU verification system, on housing, rules for establishments, on commercial imports, will apply from mid-2031;
- rules on the mandatory training of one caretaker per establishment will apply from mid-2033;
- rules on approval of breeding establishments will apply from mid-2034,
- rules on the pre-notification of non-commercial movements into the EU pet and on identification and registration by pet owners of dogs not yet

identified and registered will apply from mid-2036, rules on identification and registration by pet owners of cats not yet identified and registered will apply from mid-2041.

It should be noted that at the time of writing, the proposal has not yet been formally adopted by the EU or published in the official journal and its applicability in Northern Ireland is still to be determined.

UK Government Explanatory Memorandum

COM 2023 769 .pdf

The proposals aim to improve the health and welfare of dogs and cats in the EU and protect consumers by ensuring minimum common animal welfare standards for the breeding, keeping and placing on the market of dogs and cats bred or kept in establishments, by prohibiting certain practices such as ear cropping, and by promoting competence for animal caretakers. If applied, the proposals would not be aimed at individuals travelling from Great Britain to Northern Ireland (and vice versa) with their own pets or assistance dogs under the non-commercial pet travel rules.

Analysis by the European Commission on its Impact Assessment

The Commission state that the impacts are as follows:

- Some operators (those currently not following good animal welfare standards) will need to make investments to meet the new requirements regarding the 5 domains of animal welfare, in particular housing: such as investments to allow animals to have sufficient space, appropriate lighting, and access to outdoors. The investments are estimated at EUR 7,500 (one-off) per breeding establishment or pet shop.
- Age and maximum litters - A marginal reduction in income per female is expected due to fewer litters per bitch or queen for those breeders currently doing intensive breeding. This adjustment cost is estimated to total EUR 246 million at EU level for all operators over the course of the transition period.
- Approval of breeding establishments - The approval costs will incur costs for competent authorities that have to do on-site inspections, unless the competent authority introduces a fee system to cover such inspection. In this case costs will be incurred for breeders who have not been subject to inspection yet, estimated at EUR 35.60 (one-off) for the visit of an official veterinarian.

- Training cost estimate for operators: EUR 241.
- Operators (breeders, pet shops, shelters) will incur the yearly costs of an animal welfare visit from an official veterinarian, estimated at EUR 35.6 per visit.
- Member States which currently do not have a database to allow for the registration of the dogs and cats which have been microchipped will have to set up such a database. All Member States will have to make their database interoperable.

Departmental Engagement

Informal engagement with Defra through established channels. DAERA officials have provided support for engagement on the regulation as needed.