

Consent

The Windsor Framework Democratic Scrutiny Committee would like your permission to publish your consultation response. Please indicate your publishing preference.

Publish Response

Introduction

What is your organisation (if any)?

Organisation:
USPCA

Impact of EU Act

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

No

Tell us why :

The USPCA welcomes the Commission's proposed new EU rules and their extension to Northern Ireland. For the first time, these new EU rules will focus on the welfare and traceability of dogs and cats bred, kept, and traded as companion animals for economic purposes.

The new EU regulations on the welfare and traceability of dogs and cats aim to establish uniform standards across the EU for breeding, housing, and handling these animals in breeding establishments, pet shops, and shelters. These measures are designed to improve animal welfare and ensure that Northern Ireland maintains high standards in line with the rest of the EU.

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

Yes

Tell us why:

Key aspects of the proposal include:

- Mandatory Identification and Registration: All dogs and cats must be identified and registered in national databases to combat illegal trade.
 - Minimum Welfare Standards: Uniform standards for housing, care, and handling will be applied across the EU and Northern Ireland.
 - Enhanced Traceability: Stricter traceability requirements will help authorities control the breeding and trade of these animals.
 - Responsible Ownership: Prospective pet owners will be informed about responsible ownership.
- These measures are part of a broader effort to improve animal welfare and tackle issues related to the illegal trade of pets. Overall, we view the new regulations as a significant step against illegal puppy trading. It is also important to highlight that the five domains concept will be fully embraced by the new regulation, reinforcing the message that emotional needs are equally important as the physical needs of animals.
- Non-EU countries exporting dogs and cats into Europe must also register animals accordingly and fulfill the basic welfare requirement, which is a positive step forward to advance animal welfare.
- While we broadly believe the proposal sets good standards for the objectives it seeks to achieve, there are specific points we would like to highlight.
- Identification and Registration
- The new proposal does not apply uniformly to all dogs and cats, only to those deemed traded for "economic purposes." We recommend that this extend to all pet owners, given that animals may be sold some months or even years after their birth.
- The pet registry should include all breeder details (include hobby breeders) to enable full traceability back to the breeder if required. Online platforms used for the trade of pets should be authenticated before they are posted live to ensure that the breeder is registered and traceable.
- Breeding regulations

Breeding regulations should extend registration obligations to all breeders to ensure full transparency and traceability linked to a single address, thereby ensuring that the animal welfare of hobby breeders is not compromised. We are aware of existing loopholes in domestic dog breeding legislation that allow multiple people in the same household to claim ownership of individual dogs, thus avoiding the three-litter threshold.

The proposal fails to address other important measures, the ban on the sale of cats and dogs in pet shops. Additionally, the rise in canine fertility clinics has presented numerous animal welfare concerns, an industry which is currently unregulated. It is unfortunate that this issue has not been addressed in the new regulations. Specific references concerning extreme breeding, such as “minimizing negative welfare consequences,” are needed. We agree with Eurogroup’s position on an ownership ban, as well as a ban on the use of extreme-featured breeds in media, exhibitions, and competitions, as these would provide much better restrictions.

We note the description of a pound (section 12) included in the regulations. Whilst a pound’s primary purpose is provision of emergency housing, all Council operated pounds in Northern Ireland have the option to place dogs which have not been reclaimed on sale to the public.

Whilst some local Council pounds choose not to sell unclaimed animals others do. As detailed in the Council Dog Summary statistics one Council area (Newry Mourne and Down) sold 158 impounded dogs in 2023-24. As noted, whilst the sale of animals is not considered the primary function or motivation of pounds, they are none-the-less placing animals for sale and consideration should be given to the welfare needs of these animals and the requirements of owners purchasing a dog in this manner.

We would welcome pounds, either local Council owned / operated or private, to be licenced and regulated in the same manner as other AWEs, to ensure the welfare needs of the animals in their care are met.

3 Are there any other matters regarding the EU act that you wish to draw to the Committee’s attention? Please note, any information provided should be of an evidential nature rather than a commentary.

Yes

Tell us why :

Timelines

Regarding the implementation timescales, EU Member States will have three years to set up the databases and five years to ensure interoperability throughout Europe. Microchipping will then come into force three years after the regulation is introduced, and traceability information should be available to customers after five years.

We encourage the NI Executive to pursue the regulation changes through domestic legislation. Not to wait until the legislative timeframe set out within the new EU regulations, which could take over ten years to be fully implemented.

Northern Ireland falls behind the rest of the UK on several key pieces of animal welfare legislation including dog breeding, regulation of the animal welfare sector, and compulsory microchipping of cats. We cannot afford to wait up until ten years before these key changes are implemented. We have long been campaigning for the introduction of these measures through domestic legislation.

Resources

We are also aware of the resource implications of the changes that will be required. We understand the significant pressures on the public purse and suggest that, as part of a review of domestic legislation, some of the funding could be generated through significant increases to the current dog breeding licensing fee and boarding kennel fees.

Enforcement

We would welcome penalties aimed at combating the illegal trade of dogs and cats and ensuring compliance. However, we also recognise that it is crucial to establish a robust enforcement framework to guarantee regulations are effectively implemented.

To achieve this, we recommend the following measures:

Training and Resources: Provide training for officers on the specifics of the new regulations, including identification, registration, and welfare standards. Adequate resources, including funding and personnel, should be allocated to ensure that these officers can perform their duties effectively.

Collaboration with the broader animal welfare sector: Work in partnership with animal welfare charities to promote compliance and raise awareness about the regulations. Animal welfare charities can play a vital role in grassroots education and reporting. The USPCA’s Special Investigation Unit examines organised animal cruelty crimes in N.Ireland. The illegal puppy trade is one of our top priorities.

Clear Penalties and Consequences: Ensure that penalties for non-compliance are clearly defined and proportionate to the severity of the violation. This should include fines, revocation of licenses, and, in severe cases, criminal charges.

Feedback and Improvement: Establish a system for feedback on the enforcement process, allowing stakeholders to suggest improvements and highlight challenges. This iterative approach can help refine enforcement strategies over time.

Response ID ANON-71DY-7Z5U-Z

Submitted to COM/2023/769 Proposed EU Regulation on the welfare of dogs and cats and their traceability
Submitted on 2024-11-08 11:37:20

Consent

The Windsor Framework Democratic Scrutiny Committee would like your permission to publish your consultation response. Please indicate your publishing preference.

Publish Response

Introduction

What is your organisation (if any)?

Organisation:
PDSA

Impact of EU Act

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

No

Tell us why :

No, we do not feel that the impacts detailed in the Northern Ireland Assembly's impact assessment will have a significant negative impact on everyday life of communities in Northern Ireland. Where changes are needed they mainly impact those who are breeding, selling or rescuing dogs and cats, and the welfare improvements needed in these circumstances outweigh the impacts, which are not significant.

References:

Northern Ireland Assembly's impact assessment:
<https://www.niassembly.gov.uk/globalassets/committee-blocks/windsor-framework-democratic-scrutiny-committee/inquiries/annex-c--departmental-assessment->

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

Yes

Tell us why:

Yes, not applying the proposed new EU act would be a missed opportunity to improve the welfare of hundreds of thousands of pets in Northern Ireland.

Since 2011, PDSA has conducted an annual, nationally representative survey of pet owners within the UK by working with the data and insight organisation, YouGov. Now in its fourteenth year, the PDSA Animal Wellbeing (PAW) Report* provides robust findings to help understand and track pet wellbeing issues across the UK and in devolved nations. This wealth of findings are available online (www.pdsa.org.uk/pawreport) and further findings are available on request as required.

The latest 2024 PAW Report data shows that there are an estimated 400,000 pet dogs in Northern Ireland and 3% of these were acquired from abroad (approximately 13,600 dogs). The data also showed that 1% of cat owners in Northern Ireland had acquired their pet from abroad.

This Report also showed that 33% of dog owners in Northern Ireland had acquired from a private seller (approximately 130,000 dogs), 21% had acquired from a friend / family member / neighbour (approximately 85,000 dogs), 21% had acquired their dog from a rescue or rehoming centre (approximately 85,000 dogs), and 14% had acquired from breeder (approximately 57,000 dogs, significantly lower than GB at 34%). 6% of cat owners were acquired in the same way. The Report also showed that 30% of cats in Northern Ireland were acquired from a rescue or rehoming centre, 19% from a friend / family member / neighbour, 19% were a stray that the owner found (significantly higher than GB at 6%), 8% were from a private seller and 6% were from a

breeder.

In the 2023 PAW Report we asked questions of owners who had acquired from a breeder or rescue centre to find out where these businesses and organisations were located. We showed that 94% of these dog owners and 95% of these cat owners in Northern Ireland had acquired from a breeder or rescue that was also based in Northern Ireland. 3% of these dog owners and 3% of these cat owners in Northern Ireland had acquired from a breeder or rescue centre based in England and 1% of these dog owners from a breeder or rescue based in Scotland, demonstrating that pets in Northern Ireland are being acquired from Great Britain.

In the 2022 PAW Report we asked questions about whether or not owners travelled abroad with their pet. The findings showed that 26% of dog owners in Northern Ireland travel to the Republic of Ireland and 1% to other countries within the EU.

In addition to the findings from our PAW Reports, we also have clinical data from our veterinary Pet Hospitals. In 2023, in our Belfast PDSA Pet Hospital and Pet Clinic we saw at least 6 cases of dogs with cropped ears. So far in 2024 (up to end of October) we've seen at least 5 cases.

* pdsa.org.uk/pawreport. Annual, nationally representative data on pet wellbeing across the UK.

3 Are there any other matters regarding the EU act that you wish to draw to the Committee's attention? Please note, any information provided should be of an evidential nature rather than a commentary.

Yes

Tell us why :

We welcome the proposal to introduce these new regulations across Northern Ireland and the significant improvements that will result. But further improvements through domestic legislation are also necessary to raise the standards of animal welfare and ensure that Northern Ireland does not fall behind the rest of the UK.

To improve traceability of dogs and cats we would like to see licensing of litters above a certain level with registration of all litters below that level, with the requirement to show the licensing or registration number on any adverts, and a database system allowing visibility of the number of litters per person, per animal etc. As the domestic legislation in Northern Ireland already requires those breeding dogs to be licensed if they produce three or more litters per year, the EC regulation of licensing for more than 5 litters per year will not lead to any change. But it does ensure that a level of licensing for cat breeders is in place as this is as yet not covered by domestic legislation. For both cat and dog breeders, there will still be a large number of breeders who fall under no legislation because they are breeding below the threshold and therefore will be operating 'under the radar'. The EC act also does not include male dogs and cats within this threshold. With a rise in the number of canine fertility clinics seen across the UK (Loeb & Evans, 2020) leading to severe welfare issues, it is imperative that male animals are also protected by regulation.

Whilst it is encouraging to see that inbreeding is banned by this EC act, the clause to allow inbreeding where there is a small population should be removed as this is where regulation is needed. Allowing inbreeding within small populations will lead to the welfare concerns that this ban is trying to prevent (Bannasch et al., 2021).

As well as covering the provision of adequate food, water and housing, the act should be extended to cover the behavioural and companionship needs of pets to ensure that all of the 5 Welfare Needs are covered. In particular, regulations in other devolved UK nations (e.g. Licensing of Activities Involving Animals (England) Regulations 2018) include clauses around the socialisation of puppies by breeders. Socialisation is important to help puppies and kittens develop into suitable family pets; helping to create emotionally resilient pets and prevent future behavioural issues such as dog bite incidents (Jakeman et al., 2020).

With new regulations around microchipping databases, care should be taken to not repeat some of the issues seen in England concerning multiple databases and loopholes in regulations (see The Microchipping of Dogs (England) Regulations 2015 Post-Implementation Review).

With an estimated 800,000 pet rabbits across the UK, we would like to see regulation extended to the breeding and sale of rabbits. The Scottish Government in particular has been proactive in regulating this area, helping to ensure the welfare of this popular species.

Finally, we recommend the Northern Ireland Assembly also considers these areas in future domestic legislation:

- Extending the regulations to all dogs and cats, not just those who are being traded.
- A ban on third party sales of dogs and cats.
- Regulation of canine fertility clinics.
- A robust and effective enforcement system.

We thank you for the opportunity to respond to this important consultation and are happy to provide any clarification or further information as needed on any of the points we have raised.

References:

Bannasch, D., Famula, T., Donner, J., Anderson, H., Honkanen, L., Batcher, K., ... & Rebhun, R. (2021). The effect of inbreeding, body size and morphology on health in dog breeds. *Canine Medicine and Genetics*, 8, 1-9.

Jakeman, M., Oxley, J. A., Owczarczak-Garstecka, S. C., & Westgarth, C. (2020). Pet dog bites in children: management and prevention. *BMJ paediatrics open*, 4(1).

Loeb, J., & Evans, E. (2020). Puppy power: fertility clinics on the rise. *Veterinary Record*, 186(5), 140.

The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018. <https://www.legislation.gov.uk/uksi/2018/486/contents/made>. Accessed 8 Nov 2024.

The Microchipping of Dogs (England) Regulations 2015 Post-Implementation Review.
https://www.legislation.gov.uk/uksi/2015/108/pdfs/uksiod_20150108_en.pdf (Accessed 8 Nov 2024)

Consent

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Publish Response

Introduction

What is your organisation (if any)?

Organisation:
Northern Ireland Companion Animal Welfare Group (NICAWG)

Impact of EU Act

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

No

Tell us why :

Northern Ireland Companion Animal Welfare Group Northern Ireland Companion Animal Welfare Group (NICAWG) is a sector group which brings together specific expertise and focus, with the aim of improving the welfare of companion animals in Northern Ireland. Established in 2019, the group includes Assisi Animal Sanctuary, Cats Protection, Causeway Coast Dog Rescue, Dogs Trust (secretariat), Mid Antrim Animal Sanctuary, PDSA, Rainbow Rehoming Centre, Rosie's Trust, and USPCA (Chair). Collectively our organisations provide services and support for thousands of companion animals across Northern Ireland including pet care clinics, rehoming services, community, and school education as well as a range of other services. NICAWG welcomes the Commission's proposed new EU rules and their extension to Northern Ireland. For the first time, these new EU rules will focus on the welfare and traceability of dogs and cats bred, kept, and traded as companion animals for economic purposes.

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

Yes

Tell us why:

The new EU regulations on the welfare and traceability of dogs and cats aim to establish uniform standards across the EU for breeding, housing, and handling these animals in breeding establishments, pet shops, and shelters. These measures are designed to improve animal welfare and ensure that Northern Ireland maintains high standards in line with the rest of the EU. Key aspects of the proposal include:

- Mandatory Identification and Registration: All dogs and cats must be identified and registered in national databases to combat illegal trade.
- Minimum Welfare Standards: Uniform standards for housing, care, and handling will be applied across the EU and Northern Ireland.
- Enhanced Traceability: Stricter traceability requirements will help authorities control the breeding and trade of these animals.
- Responsible Ownership: Prospective pet owners will be informed about responsible ownership.

These measures are part of a broader effort to improve animal welfare and tackle issues related to the illegal trade of pets. Overall, we view the new regulations as a significant step against illegal puppy trading. It is also important to highlight that the five domains concept will be fully embraced by the new regulation, reinforcing the message that emotional needs are equally important as the physical needs of animals. Non-EU countries exporting dogs and cats into Europe must also register animals accordingly and fulfil the basic welfare requirement, which is a positive step forward to advance animal welfare. While we broadly believe the proposal sets good standards for the objectives it seeks to achieve, there are specific points we would like to highlight.

3 Are there any other matters regarding the EU act that you wish to draw to the Committee's attention? Please note, any information provided should be of an evidential nature rather than a commentary.

Yes

Tell us why :

Identification and Registration

The new proposal does not apply uniformly to all dogs and cats, only to those deemed traded for “economic purposes.” We recommend that this extend to all pet owners, given that animals may be sold some months or even years after their birth.

The pet registry should include all breeder details (include hobby breeders) to enable full traceability back to the breeder if required. Online platforms used for the trade of pets should be authenticated before they are posted live to ensure that the breeder is registered and traceable.

Breeding regulations

Breeding regulations should extend registration obligations to all breeders to ensure full transparency and traceability linked to a single address, thereby ensuring that the animal welfare of hobby breeders is not compromised. We are aware of existing loopholes in domestic dog breeding legislation that allow multiple people in the same household to claim ownership of individual dogs, thus avoiding the three-litter threshold.

The proposal fails to address other important measures, the ban on the sale of cats and dogs in pet shops. Additionally, the rise in canine fertility clinics has presented numerous animal welfare concerns, an industry which is currently unregulated. It is unfortunate that this issue has not been addressed in the new regulations. Specific references concerning extreme breeding, such as “minimizing negative welfare consequences,” are needed. We agree with Eurogroup’s position on an ownership ban, as well as a ban on the use of extreme-featured breeds in media, exhibitions, and competitions, as these would provide much better restrictions.

We note the description of a pound (section 12) included in the regulations. Whilst a pound’s primary purpose is the provision of emergency housing, all Council operated pounds in Northern Ireland have the option to place dogs which have not been reclaimed on sale to the public.

Whilst some local Council pounds choose not to sell unclaimed animals others do. As detailed in the Council Dog Summary statistics one Council area (Newry Mourne and Down) sold 158 impounded dogs in 2023-24. As noted, whilst the sale of animals is not considered the primary function or motivation of pounds, they are none-the-less placing animals for sale and consideration should be given to the welfare needs of these animals and the requirements of owners purchasing a dog in this manner.

We would welcome pounds, either local Council owned / operated or private, to be licenced and regulated in the same manner as other AWEs, to ensure the welfare needs of the animals in their care are met.

The requirement of a visit by a veterinarian within the first year after the date of application of the regulation or within the first year after having notified a new establishment is a positive step. The introduction of uniform criteria will allow a standardised approach to visitation and reporting.

Though we welcome the flexibility afforded to member states as to whether an annual vet visit is required on an ongoing basis. We realise that, particularly for smaller, volunteer run charities, there will be a cost associated with these visits, and for veterinary services additional time implications on an already stretched service.

Timelines

Regarding the implementation timescales, EU Member States will have three years to set up the databases and five years to ensure interoperability throughout Europe. Microchipping will then come into force three years after the regulation is introduced, and traceability information should be available to customers after five years.

We encourage the NI Executive to pursue the regulation changes through domestic legislation. Not to wait until the legislative timeframe set out within the new EU regulations, which could take over ten years to be fully implemented.

Northern Ireland falls behind the rest of the UK on several key pieces of animal welfare legislation including dog breeding, regulation of the animal welfare sector, and compulsory microchipping of cats. We cannot afford to wait up until ten years before these key changes are implemented. We have long been campaigning for the introduction of these measures through domestic legislation

Resources

We are also aware of the resource implications of the changes that will be required. We understand the significant pressures on the public purse and suggest that, as part of a review of domestic legislation, some of the funding required could be generated through significant increases to the current dog breeding licensing fee and boarding kennel fees.

Enforcement

We would welcome penalties aimed at combating the illegal trade of dogs and cats and ensuring compliance. However, we also recognise that it is crucial to establish a robust enforcement framework to guarantee regulations are effectively implemented.

To achieve this, we recommend provide training for officers on the specifics of the new regulations, including identification, registration, and welfare standards. Adequate resources, including funding and personnel, should be allocated to ensure that these officers can perform their duties effectively.

Collaboration

Collaboration with the broader animal welfare sector and DAERA will be key. To work in partnership with animal welfare charities to promote compliance and raise awareness about the regulations and a programme of education and training. Animal welfare charities already play a vital role in grassroots education and reporting.

Response ID ANON-71DY-7Z5X-3

Submitted to COM/2023/769 Proposed EU Regulation on the welfare of dogs and cats and their traceability

Submitted on 2024-10-29 11:12:38

Consent

The Windsor Framework Democratic Scrutiny Committee would like your permission to publish your consultation response. Please indicate your publishing preference.

Publish Response

Introduction

What is your organisation (if any)?

Organisation:

Belfast City Council, N.Ireland

Impact of EU Act

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

Yes

Tell us why :

The proposed EU legislation is likely to have significant everyday impacts in Northern Ireland and there would be costs to implement these NEW proposals. This is especially significant for District Councils, who have rely on delivering an Animal Welfare Service through funding from DAERA to support a minimum regional model. This funding was withdrawn in 2024, with Councils currently awaiting decision of a Judicial Review of the decision by DAERA to cease funding.

The view of Belfast City Council officers is that any additional responsibilities would increase this current funding gap further, and that we would be unable to deliver this new regulatory function without a review of the funding stream from DAERA. Officers have not had an opportunity to take this request through our formal committee structure given the tight deadline for 'a view'. We kindly request to be kept updated on any formal consultation for Council to consider and hope that further engagement regarding the regulatory impacts and resourcing needs associated with the proposed legislation within Northern Ireland will follow.

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

Yes

Tell us why:

The proposed EU legislation is likely to have significant everyday impacts in Northern Ireland and there would be costs to implement these NEW proposals. This is especially significant for District Councils, who have rely on delivering an Animal Welfare Service through funding from DAERA to support a minimum regional model. This funding was withdrawn in 2024, with Councils currently awaiting decision of a Judicial Review of the decision by DAERA to cease funding.

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3 Are there any other matters regarding the EU act that you wish to draw to the Committee's attention? Please note, any information provided should be of an evidential nature rather than a commentary.

Yes

Tell us why :

The proposed EU legislation is likely to have significant everyday impacts in Northern Ireland and there would be costs to implement these NEW proposals. This is especially significant for District Councils, who have rely on delivering an Animal Welfare Service through funding from DAERA to support a minimum regional model. This funding was withdrawn in 2024, with Councils currently awaiting decision of a Judicial Review of the decision by DAERA to cease funding.

The view of Belfast City Council officers is that any additional responsibilities would increase this current funding gap further, and that we would be unable to deliver this new regulatory function without a review of the funding stream from DAERA. Officers have not had an opportunity to take this request through our formal committee structure given the tight deadline for 'a view'. We kindly request to be kept updated on any formal consultation for Council to consider and hope that further engagement regarding the regulatory impacts and resourcing needs associated with the proposed legislation within Northern Ireland will follow.

Response ID ANON-71DY-7Z5Z-5

Submitted to COM/2023/769 Proposed EU Regulation on the welfare of dogs and cats and their traceability
Submitted on 2024-10-07 21:32:18

Consent

The Windsor Framework Democratic Scrutiny Committee would like your permission to publish your consultation response. Please indicate your publishing preference.

Publish Response without name

Introduction

What is your organisation (if any)?

Organisation:
N/A

Impact of EU Act

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

Unsure

Tell us why :

As a consumer, I am not sure how it affects me personally. However, I would like to know if the quality of our foods are falling below the standards of the EU.

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

Yes

Tell us why:

It might need to shortages and higher prices - more complex checks at the ports, maybe?

3 Are there any other matters regarding the EU act that you wish to draw to the Committee's attention? Please note, any information provided should be of an evidential nature rather than a commentary.

Yes

Tell us why :

I am concerned that young people have less opportunities to visit Europe if they have to apply for student visas and work permits.

Response ID ANON-71DY-7Z51-V

Submitted to COM/2023/769 Proposed EU Regulation on the welfare of dogs and cats and their traceability
Submitted on 2024-11-06 12:26:15

Consent

The Windsor Framework Democratic Scrutiny Committee would like your permission to publish your consultation response. Please indicate your publishing preference.

Publish Response

Introduction

What is your organisation (if any)?

Organisation:
Causeway Coast Dog Rescue

Impact of EU Act

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

No

Tell us why :

The EU Act will support the enhancement of the current legislation which aims to protect the health and well being of dogs and cats. However, it does not go far enough to include all companion animals, the timeline is too long and there are elements which have not been included which are important to delivering full Reform of the current services, ensuring a fit for purpose for our communities.

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

Yes

Tell us why:

It will force Northern Ireland to consider the serious impact that animal welfare has on our communities, while recognising the importance of alignment in benchmarking, legislation and transparency. Northern Ireland already has a number of these elements within our legislation which is currently not being enforced. These proposed changes will enhance the legislation and aimed services for the betterment of Northern Ireland, however we are still left in the current deficit of enforcement and service delivery by those legislatively responsible.

Enforcement of any proposed changes. Northern Ireland's evidence shows actions on enforcement rather than outcome. Without a strategy to deliver a fit for purpose service, there is no benchmarking, transparency, or accountability in how we aim to improve and reduce the current level of cruelty in our communities which charities are experiencing on a daily basis.

Microchipping is, and has not since the original transfer of powers been investigated, enforced or prosecuted for non compliance of the current legislation. The same is for illegal breeders and breeding. Evidence is provided in the current statistics published in the past 10 years and through experience by those working and volunteering in Animal Welfare Charities. It was also clarified in a formal meeting which took place in 2023 with senior local government staff that this is a policy to NOT investigate or enforce in these two areas of animal welfare. Oblivious to the subsequent impact of not fulfilling these two legislative requirements, local government will never be able to collate or assess evidence for outcomes or to support The Committee in the implementation of any future EU Changes. Non compliance in delivery and cost to deliver must be taken into account with any future proposals.

In addition, the focus from correspondence in previous meetings seems to be on the regulation of those in animal welfare charities, from evidence of the 'Scottish Model'. While charities welcome this, Scotland are not fully enforcing the new legislation which results in little evidence to support the change or for any future impact assessment. In addition, regulation of charities will not resolve the many issues still outstanding in the current legislation which we are currently experiencing, within the three government agencies for delivery.

3 Are there any other matters regarding the EU act that you wish to draw to the Committee's attention? Please note, any information provided should be of an evidential nature rather than a commentary.

Yes

Tell us why :

Causeway Coast Dog Rescue, strongly supports the proposed EU regulations, which are to apply to EU countries and Northern Ireland, and welcomes their intention of imposing common standards across Europe. However, there are some areas within the regulations that need to be strengthened to close down potential loopholes or routes to avoidance.

Specifically, we would advocate extending the regulations to cover all pet owners and companion animals, and not just those deemed to be traded for economic purposes. In addition, the pet registry must provide a clear line of sight regarding ownership from the breeder through to the eventual owner or owners. All breeders should be licenced or registered (including hobby breeders) and their details should be included on any microchip or other tracing mechanism for traceability purposes. The details of breeders and their breeding licence status should also be publicly available to promote full transparency.

We agree with the NICAWG response that the sale of cats and dogs and companion animals from pet shops should be banned; it is best practice that sales should come direct from the breeder with full transparency, rather than through third parties which breaks the traceability (and accountability) trail. We also agree with that canine fertility clinics need to be covered in the new regulations and are disappointed that they don't seek to regulate disturbing practices relating to extreme breeding, particularly as this practice is only possible through using veterinary methods without veterinary licences. The effectiveness of the new regulations will be determined by the resources put into their promulgation and enforcement. Providing adequate staffing and other resources to roll out the regulations is essential, as is the training of relevant staff in state agencies and voluntary sector organisations to ensure that they have an impact on current practices. Causeway Coast Dog Rescue also requires a higher level of monitoring, evaluation and assessment in view of having a positive outcome, rather than only reporting daily, monthly and annual actions.

At present, Northern Ireland already has legislation which outlines how a pup must have a 'registered microchip' not just an implanted microchip at eight weeks, which is currently not being enforced. In theory, a breeder is legally obliged to have a microchip implanted and registered to the breeder as the first legal owner as well as ensuring the microchip of the mother is also logged in the pups details prior to sale at 8 weeks. Additionally, the father could also be added with small changes which microchip companies will be happy to oblige.

This registration can be accessibly to track by an agency enforcer to confirm -

1. How many pups the breeder has registered with a microchip
2. How many pups each mother has had within a 12 month period
3. Who then purchased the pup.

In addition, Northern Ireland's eleven councils have a central register of the current 56 breeding licences issues to businesses during 2024. There is no lawful reason why this central register is not made public of the business addresses and business names on NI Direct. This would safeguard public from purchasing a pup from an illegal breeder. Safeguard public from purchasing through black market and unsafe activity. Support DAERA in their plea to support 'Paws for Thought' but actually educating and informing public who or what is an illegal breeder. Supports the ongoing protection of animal welfare and helps to close down both illegal activity and abuse towards animals.

In addition, there is no lawful reason why councils do not also incorporate the microchip number of the 'breeding mum' onto each licence purchased. This enables full transparency to the welfare of the mothers and enables a clear process to check the mothers health and well being as well as the pups which have been registered, all fully accessible by enforces through the registration process. These are just some examples of current legislation not being delivered or managed appropriately to protect the welfare of companion animals. These processes could be replicated throughout all breeding of companion animals.

There is also a need to promote closer collaborative working between state and voluntary sector agencies, through co-design and closer working we should be providing seamless services to promote public awareness and take a joined-up approach to addressing gaps in provision and enforcement. Online advertising and purchasing of animals are either validated or closed down and illegal activity prosecuted.

Children at 16 or under are banned from trading.

Credit to purchase a pet is banned to stop impulse purchases.

'In breeding' is banned which will be easily identified through the above monitoring process.

A minimum level of training and certification for all breeders to enable an equality of monitorisation.

Finally, the issues regarding poor animal welfare practices are with us now! The original transformation of powers for animal welfare was poorly implemented which has left Northern Ireland in a position, whereby we cannot afford to wait 8 or more years for full implementation.

Noting that Northern Ireland has already fallen behind best practices in the UK and Ireland, we would encourage the Northern Ireland Executive to seize the initiative and legislate at Stormont to bring these very necessary regulations, with some enhancements as proposed by the animal welfare charities, into force within the current mandate. This must be in line with ensuring the other two agencies responsible for the oversight and delivery within the current and any future legislation are also fully equipped through training and resources to deliver their areas of responsibility and held accountable where failings are identified. By protecting animals we protect people, and evidence is showing in our communities when there is a lack of accountability from companion animal owners and companion animal enforcers.

Causeway Coast Dog Rescue welcomes the possibility of a Review and full Transformation of services to deliver a fit for purpose service in companion animal welfare, including the proposed changed with additional noted points as above,

Kind Regards

Margaret Dimsdale-Bobby

Chair

Causeway Coast Dog Rescue

Response ID ANON-71DY-7Z56-1

Submitted to COM/2023/769 Proposed EU Regulation on the welfare of dogs and cats and their traceability
Submitted on 2024-11-06 11:31:14

Consent

The Windsor Framework Democratic Scrutiny Committee would like your permission to publish your consultation response. Please indicate your publishing preference.

Publish Response

Introduction

What is your organisation (if any)?

Organisation:
Cats Protection

Impact of EU Act

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

No

Tell us why :

Cats Protection welcomes the proposed EU Regulation on the welfare of dogs and cats and their traceability. The charity believes the EU Regulation would not have a significant negative impact to everyday life of communities in Northern Ireland. Cats Protection also supports the submissions to this consultation from other animal welfare organisations including NICA WG, ADCH, CFSG and PAAG.

Cats Protection is the UK's largest cat welfare charity. Cats Protection has a Northern Irish network of four volunteer-run branches and a Northern Irish Cat Centre all working to rehome stray and abandoned cats and kittens, promote neutering and microchipping, control feral cat populations through trap neuter and return programmes and deliver education talks to schools and community groups. In 2023 in Northern Ireland, the charity rehomed 573 cats, helped neuter 10,470 cats and microchipped 4648 cats.

The proposals seek to ensure harmonised rules throughout the EU and create a level-playing field for all operators. The EU Regulation is not likely to have a persistent negative impact on communities in Northern Ireland, but rather, enhance animal welfare throughout the country and improve the lives of Northern Irish pets and their owners.

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

Yes

Tell us why:

Northern Ireland is a nation of cat lovers with 240,000 pet cats in Northern Ireland and 21% of households owning a cat (Cats Protection's Cats and Their Stats (CATS) Northern Ireland Report 2024 <https://www.cats.org.uk/media/tgeblmcb/cats-report-northern-ireland-2024.pdf>). However, Northern Ireland falls behind the rest of the UK and parts of the EU when it comes to protecting cats in legislation. The proposed EU Regulation on the welfare of dogs and cats and their traceability creates protections for cats by proposing uniform standards across the EU for microchipping, breeding, housing, and handling these animals in breeding establishments, selling establishments, and animal welfare establishments. Cats Protection would like to see these measures applied to Northern Ireland to improve animal welfare and ensure that Northern Ireland maintains high standards in line with the rest of the EU.

Microchipping

Under the proposals, all cats and dogs kept in establishments and placed on the market must be microchipped. Currently, in Northern Ireland, there is no requirement for cat owners to microchip their pets. Cats Protection is calling for compulsory microchipping of pet cats in Northern Ireland. We welcome this proposal in the EU Regulation but think it should go further and apply to all pet cats, regardless of whether they are bought or kept in an establishment. Cats Protection's research shows that 88,000 owned cats were taken on or taken in from a neighbour, friend or family so these cats would be excluded from the proposed microchipping legislation and these cats would not be able to be traced (Cats Protection's Cats and Their Stats (CATS))

Northern Ireland Report 2024 <https://www.cats.org.uk/media/tgeblmcg/cats-report-northern-ireland-2024.pdf>). Microchipping gives any cat the best chance of being reunited with their owner if they go missing.

Breeding

Cat breeding is unregulated in Northern Ireland. Cats are being bred without adequate safeguards. Female cats in ill health may be overbred, giving birth to repeated litters in poor conditions and producing kittens that are sick and diseased. Male stud cats can also experience poor welfare, by being kept in inadequate accommodation with a lack of essential items, such as litter trays and food bowls, and opportunities to express their natural instincts and behaviours.

Cats Protection believes that Northern Ireland should introduce the cat breeding regulations in the proposals. The proposals are extensive including protecting Queens from overbreeding with limits on frequency, and minimum and maximum breeding ages.

Cats Protection suggests Northern Ireland go further than the proposals, by licensing anyone breeding more than two litters of cats in a year. The EU Regulation state "Operators of breeding establishments that either produce or intend to produce more than five litters per calendar year or that keep more than five bitches or queens at any given time shall only place dogs or cats on the market after the approval of their establishment by the competent authority."

The proposals also seek to address the breeding of cats with extreme traits. Over the last 200 years, cats have increasingly been bred with distinctive characteristics to make them look a certain way. Unfortunately, these distinctive physical characteristics are increasingly becoming extreme and overexaggerated. Popular cat breeds such as Scottish Folds, known for their folded ears and 'round' appearance, have a mutation causing the folded ear which also affects the whole body and causes serious health problems causing continuous and debilitating pain in all cats of this breed. The EU Regulation looks to stamp out the breeding of cats like this by ensuring "breeders should exclude from reproduction dogs and cats with excessive conformational traits". Cats Protection recommends Northern Ireland also introduces this proposal to protect cats from lives of pain and suffering. Additionally, Cats Protection welcomes the EU Regulation banning the hybridisation of domesticated cats. "Given the significant difficulty in meeting the specific behavioural needs of hybrids and the discomfort or suffering that will result thereof, breeding to produce hybrids should be prohibited." Wildcat hybrids are a cross between domestic cats and exotic wildcats. The mating and birthing process often represents a real danger for the domestic cat (the female). Offspring are often poorly suited temperamentally to life in a domestic environment, exhibiting territorial behaviour and are stressed when kept as pets within the home. These are essentially wild cats. They also represent a threat to neighbourhood cats if let outside to roam free. The price of hybrid kittens can reach thousands of pounds, fuelling demand for hybrid cat breeding and risking the illegal importation of exotic wildcats for breeding purposes.

Selling Establishments

Northern Ireland is the last place in the UK to ban the commercial third-party sale of kittens. Cats Protection would like Northern Ireland to go further than the EU Regulation by banning the sale of kittens by third parties such as pet shops.

Shelters/Foster Homes

Animal shelters and foster homes include individuals or organisations that take in vulnerable companion animals on a regular basis, with the intention of rehabilitating, rehoming or providing long-term care. While anyone caring for animals in Northern Ireland must meet the welfare standards and duty of care set out in the Welfare of Animals Act 2011, there is no specific regulation of Animal Welfare Establishments. Cats Protection welcomes the proposals to regulate these.

Responsible pet ownership

Cats Protection welcomes the EU Regulation ensuring anyone selling, or rehoming a cat must promote responsible pet ownership, when rehoming they must include "information on responsible ownership and on the specific needs of the dog or cat in terms of feeding, caring, health, housing and behavioural needs, as well as information on its health. including vaccination status." This could reduce incidents of unintentional neglect, and improve cat welfare.

3 Are there any other matters regarding the EU act that you wish to draw to the Committee's attention? Please note, any information provided should be of an evidential nature rather than a commentary.

Yes

Tell us why :

Cats Protection welcomes the EU regulation as a significant step against illegal kitten trading and a way to clamp down on unscrupulous breeders putting profit before the welfare of cats. The proposals are a positive step in addressing the gaps in Northern Ireland legalisation needed to properly protect cat and kitten welfare, however, the charity believes they could go further.

Timelines

Northern Ireland has the opportunity to introduce domestic legislation ahead of the EU Regulation coming into force to ensure the timely protection of cats. Cats Protection would encourage the Northern Ireland Executive to act now to introduce compulsory microchipping of pet cats, licence cat breeding and regulate animal welfare establishments.

Enforcement

The EU Regulation does not set out specific penalties but recommends 'the penalties provided for shall be effective, proportionate and dissuasive'. If the Northern Ireland Executive were to implement the proposals, we would suggest penalties that are proportionate enough to combat the illegal trade of dogs and cats and ensure compliance. It is also crucial that a fully funded enforcement system is in place to ensure regulations are implemented.



The ADCH is the umbrella group for the cat and dog rescues in eight jurisdictions in the UK and Ireland. ADCH has 172 members including eight members that work solely in Northern Ireland with another two members that have centres there in addition to centres in Britain. ADCH welcomes the European Commission's proposed Regulation on the welfare of cats and dogs and their traceability (COM(2023) 769 final) and welcomes the extension of this Regulation when agreed and implemented to Northern Ireland.

This Regulation is implementing new rules to improve the traceability of dogs and cats bred, kept, and traded as companion animals for economic purposes. There is undoubtedly a problem with the welfare and traceability of cats and dogs in Northern Ireland that this legislation is seeking to improve. Northern Ireland is a large volume breeder of dogs for the British market and a conduit country for the trade in puppies bred in the Republic of Ireland being traded into the British market. Over 6,000 dogs were traded from Ireland legally in 2023 into the UK and thousands were also exported from Northern Ireland. Reports show many thousands of other dogs were bred and traded illegally avoiding controls by not being adequately identified or being bred in conditions which did not satisfy their welfare needs.

ADCH is against the long distance transport and illegal and low-welfare importation of puppies and kittens. Studies show that transportation is stressful and multiple factors are likely to contribute to this stress including handling, containment, ventilation, temperature, driving style, access to food and water and opportunities for exercise¹. There is scientific evidence that early separation of puppies and kittens from their mothers before eight weeks may inflict acute or chronic stress² and that this occurs in puppies imported to the UK³, with significant potential behavioural consequences for both the puppy and the unsuspecting family with whom it goes to live.

Introduction and mixing of young and unfamiliar animals may pose a disease risk especially as puppies and kittens separated from their mother before 7-8 weeks are highly likely to be unprotected against diseases including canine parvovirus and distemper virus.

Dogs entering ADCH members' care have risen each year since lockdown as more dogs are abandoned, a direct result in part to the unregulated puppy trade. ADCH members are now operating at over 140% capacity with over 5,000 dogs on a waiting list at the end of 2023. Partly this is due to the 15% rise in the number of stray dogs taken from local authorities. It is clear from reports received from local authorities and ADCH members that current legislation such as the prohibition on selling of dogs from anyone except the breeder under the Licensing of Activities Involving Animals (England) Regulation 2020 have failed. This is due to inadequate identification

¹ Mariti, C., Ricci, E., Mengoli, M., Zilocchi, M., Sighieri, C., & Gazzano, A. (2012). Survey of travel-related problems in dogs. The Veterinary Record, 170 (21), 542. <http://doi.org/10.1136/vr.100199>

² Serpell, J., Duffy, D.L., Jagoe, A., 2016. Becoming a dog: Early experience and the development of behaviour. In Serpell, J., (ed) The Domestic Dog. Its evolution, behaviour and interactions with people. Cambridge University Press. London.)

³ Dogs Trust. 2014 The puppy smuggling scandal. An investigation into the illegal entry of dogs into Great Britain under the Pet Travel Scheme.



on dogs traded, importing pregnant bitches and enforcement problems which all allow the trade in imported puppies to continue and indeed increase to meet the demand.

Northern Ireland is behind the rest of the UK on several key pieces of animal welfare legislation including dog breeding, cat breeding, regulation of the animal welfare sector, and compulsory microchipping of cats.

The proposed EU Regulation on the welfare and traceability of dogs and cats aims to solve these problems by establishing uniform standards across the EU for breeding, housing, and handling these animals for breeders, pet shops, and shelters. These measures are designed to improve animal welfare and ensure that Northern Ireland maintains high standards in line with the rest of the EU. ADCH supports these measures particularly for raising standards for rescue organisations as ADCH already has minimum welfare standards for our members. The proposed Regulation will bring in enhanced traceability to control the breeding and trade of cats and dogs, a particular issue in Northern Ireland. As the five domains concept will be fully embraced by the new regulation, this will raise welfare standards particularly on the emotional needs of dogs and cats as well as their physical needs.

While we broadly believe the proposal sets good standards for the objectives it seeks to achieve, there are specific points we would like to highlight:

Identification and Registration

The new proposal does not apply uniformly to all dogs and cats, only to those deemed traded for “economic purposes.” We recommend that this extend to all pet owners, given that animals may be sold some months or even years after their birth.

The pet registry should include all dog breeder details (include hobby breeders) to enable full traceability back to the breeder if required. Online platforms used for the trade of pets should be authenticated before they are posted live to ensure that the dog breeder is registered and traceable.

Breeding regulations

Breeding regulations should extend registration obligations to **all** breeders to ensure full transparency and traceability linked to a single address, thereby ensuring that the animal welfare of hobby breeders is not compromised. We are aware of existing loopholes in domestic dog breeding legislation that allow multiple people in the same household to claim ownership of individual dogs, thus avoiding the three-litter threshold.

The proposal fails to address other important measures such as the rise in canine fertility clinics which are currently unregulated in Northern Ireland. Scotland is the only country in the UK at the moment which is proposing licensing canine fertility clinics to raise standards in these centres. With the rise in breeding of flat-faced dogs such as pugs and English bulldogs and cats such as the Scottish old and Munchkin, ADCH would also prefer to see specific references concerning

Association of Dogs and Cats Homes • enquiries@adch.org.uk • www.adch.org.uk



extreme breeding, such as “minimizing negative welfare consequences”.

Timelines

Once the Regulation is agreed, Member States will have three years to set up the databases and five years to ensure interoperability throughout Europe. Microchipping will then come into force three years after the regulation is introduced, and traceability information should be available to customers after five years. We believe, as Northern Ireland already has a dog licensing system, that the Northern Ireland Executive could bring in regulatory changes through domestic legislation quicker than this timetable.

Enforcement

We welcome the penalties aimed at combating the illegal trade of dogs and cats and ensuring compliance. However, it is crucial to establish a robust enforcement framework to guarantee regulations are effectively implemented. This can be achieved through training for officers on the specifics of the new regulations, including identification, registration, and welfare standards. There also needs to be improved collaboration with the broader animal welfare sector including ADCH members to educate the public and report non compliances.



CCDog Rescue



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**CAUSEWAY COAST
DOG RESCUE**

Victoria Bourquin,
 Assistant Assembly Clerk
 Windsor Framework Democratic Scrutiny Committee
 (DSC) Ref: DSC 220/24

5 November 2024

Proposed EU Regulation on the Welfare of Dogs and Cats and their Traceability

Causeway Coast Dog Rescue, strongly supports the proposed EU regulations, which are to apply to EU countries and Northern Ireland, and welcomes their intention of imposing common standards across Europe. However, there are some areas within the regulations that need to be strengthened to close down potential loopholes or routes to avoidance.

Specifically, we would advocate extending the regulations to cover all pet owners and companion animals, and not just those deemed to be traded for economic purposes. In addition, the pet registry must provide a clear line of sight regarding ownership from the breeder through to the eventual owner or owners. All breeders should be licenced or registered (including hobby breeders) and their details should be included on any microchip or other tracing mechanism for traceability purposes. The details of breeders and their breeding licence status should also be publicly available to promote full transparency.

We agree with the NICAWG response that the sale of cats and dogs and companion animals from pet shops should be banned; it is best practice that sales should come direct from the breeder with full transparency, rather than through third parties which breaks the traceability (and accountability) trail.

We also agree with that canine fertility clinics need to be covered in the new regulations and are disappointed that they don't seek to regulate disturbing practices relating to extreme breeding, particularly as this practice is only possible through using veterinary methods without veterinary licences.

The effectiveness of the new regulations will be determined by the resources put into their promulgation and enforcement. Providing adequate staffing and other resources to roll out the regulations is essential, as is the training of relevant staff in state agencies and voluntary sector organisations to ensure that they have an impact on current practices. Causeway Coast Dog Rescue also requires a higher level of monitoring, evaluation and

assessment in view of having a positive outcome, rather than only reporting daily, monthly and annual actions.

At present, Northern Ireland already has legislation which outlines how a pup must have a 'registered microchip' not just an implanted microchip at eight weeks, which is currently not being enforced. In theory, a breeder is legally obliged to have a microchip implanted and registered to the breeder as the first legal owner as well as ensuring the microchip of the mother is also logged in the pups details prior to sale at 8 weeks. Additionally, the father could also be added with small changes which microchip companies will be happy to oblige.

This registration can be accessibly to track by an agency enforcer to confirm –

1. How many pups the breeder has registered with a microchip
2. How many pups each mother has had within a 12 month period
3. Who then purchased the pup.

In addition, Northern Ireland's eleven councils have a central register of the current 56 breeding licences issues to businesses during 2024. There is no lawful reason why this central register is not made public of the business addresses and business names on NI Direct. This would safeguard public from purchasing a pup from an illegal breeder. Safeguard public from purchasing through black market and unsafe activity. Support DAERA in their plea to support 'Paws for Thought' but actually educating and informing public who or what is an illegal breeder. Supports the ongoing protection of animal welfare and helps to close down both illegal activity and abuse towards animals.

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Online advertising and purchasing of animals are either validated or closed down and illegal activity prosecuted.

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A minimum level of training and certification for all breeders to enable an equality of monitorisation.

Finally, the issues regarding poor animal welfare practices are with us now! The original transformation of powers for animal welfare was poorly implemented which has left Northern Ireland in a position, whereby we cannot afford to wait 8 or more years for full implementation.

Noting that Northern Ireland has already fallen behind best practices in the UK and Ireland, we would encourage the Northern Ireland Executive to seize the initiative and legislate at Stormont to bring these very necessary regulations, with some enhancements as proposed by the animal welfare charities, into force within the current mandate. This must be in line with ensuring the other two agencies responsible for the oversight and delivery within the current and any future legislation are also fully equipped through training and resources to deliver their areas of responsibility and held accountable where failings are identified. By protecting animals we protect people, and evidence is showing in our communities when there is a lack of accountability from companion animal owners and companion animal enforcers.

Causeway Coast Dog Rescue welcomes the possibility of a Review and full Transformation of services to deliver a fit for purpose service in companion animal welfare, including the proposed changes with additional noted points as above,

Kind Regards

Margaret Dimsdale-Bobby
Chair
Causeway Coast Dog Rescue



**CAUSEWAY COAST
DOG RESCUE**

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'We believe every dog deserves a second chance'



Dogs Trust

Windsor Framework Democratic Scrutiny Committee

Call for views on Regulation of the European Parliament and of the Council on the welfare of dogs and cats and their traceability.

What is your name?

Laura Orr

What is your email address?

publicaffairs@dogstrust.org.uk

What is your organisation (if any)?

Dogs Trust

Dogs Trust is the UK's largest dog welfare charity. We have twenty-one Rehoming Centres across the UK, and one in Dublin, through which we care for approximately 13,000 dogs each year. We have one Rehoming Centre in Northern Ireland, operating since 1970 and based in Ballymena. In 2023 Ballymena provided care for 560 dogs.

Dogs Trust advocates at local, devolved, and reserved levels of government on behalf of dogs and their owners, operating across all nations and regions of the UK. We also invest substantial resources in information services, community outreach programmes, and education programmes, including our dog school classes.

Dogs Trust Chair the Pet Advertising Advisory Group (PAAG) was created in 2001 to combat growing concerns regarding the irresponsible advertising of pets for sale, rehoming, and exchange. The Group comprises a combination of animal welfare organisations, trade associations and veterinary bodies. DAERA, Defra, the Welsh Government and the Scottish Government have endorsed PAAG.

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

Yes / **No** / Unsure

Tell us why?



There are articles within the regulations which Dogs Trust welcomes and would address legislative deficits or introduce called for legislative changes.

However, there are other articles within the regulations which we believe are insufficient in protecting the welfare of our dogs and cats, that merit further questioning and consideration, or that we feel would be difficult to implement.

Whilst we broadly welcome the regulations, we have concerns about enforcement of certain articles were they to be approved, and the timelines allocated to several of them.

Furthermore, where the Department of Agriculture, Environment and Rural Affairs has stated that domestic legislation is in place concerning particular articles, it is our view that some of domestic legislation itself is not sufficient in protecting the welfare of our dogs and cats, nor will this EU legislation address it. In these instances, we would welcome domestic legislation as the primary mechanism for the introduction of these safeguards for our dogs and cats.

Comments on each article are provided within this response.

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

Yes / **No** / Unsure

Tell us why.

There are articles within the regulations which Dogs Trust welcomes and would address legislative deficits or introduce legislative changes we have called for. For example, in the areas of identification and registration, traceability, and responsible ownership.

However, as previously noted there are other articles within the regulations which we believe are insufficient in protecting the welfare of dogs and cats, that merit further questioning and consideration, or that we feel would be difficult to implement.

Whilst we broadly welcome the regulations, we have concerns about enforcement of certain articles were they to be approved, and the timelines allocated to several of them.

Furthermore, where the Department of Agriculture, Environment and Rural Affairs has stated that domestic legislation is in place concerning particular articles, it is our view that some of domestic legislation itself is not sufficient in protecting the welfare of dogs and cats, nor will this EU legislation address it. In these instances, we would welcome domestic legislation as the primary mechanism for the introduction of these safeguards for our dogs and cats.



Comments on each article are provided within this response.

Are there any other matters regarding the EU act that you wish to draw to the Committee's attention? Please note, any information provided should be of an evidential nature rather than a commentary.

Yes / No / Unsure

Tell us why?

Objectives of the regulatory proposals:

Dogs Trust broadly welcomes the overall objectives of the regulatory proposals; these being:

- to regulate the trade in dogs and cats in the EU internal market, including imports from third countries
- to avoid barriers to trade and combat illegal trade, whilst ensuring a high level of protection of animal welfare.

Dogs Trust broadly welcomes the specific objectives of the regulatory proposals; these being:

- Ensuring common animal welfare standards for the breeding, keeping, and placing on the market or supplying of dogs and cats.
- Improving the traceability of dogs and cats placed or supplied to the EU market.
- Promoting competence for animal caretakers.
- Enhancing consumer protection.
- Supplementing existing rules for the imports of dogs and cats.

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)

- Articles 5 and 6 – general welfare principles and restrictions on breeding animals with excessive conformational traits which cause them suffering.

General welfare: Dogs Trust welcomes the general welfare principles set out for breeding establishments; persons selling cats; and dogs' establishments and shelters. These include provision of appropriate hydration and nutrition, an



appropriate physical environment, a safe and clean environment, optimisation of their mental state and provision of positive, species-appropriate stimuli.

These principles are currently enshrined within the current Welfare of Animals Act (Northern Ireland) 2011 and The Welfare of Animals (Dog Breeding Establishments and Miscellaneous Amendments) Regulations (Northern Ireland) 2013. These include the five welfare needs as outlined; the need for a suitable environment; the need for a suitable diet; the need to be able to exhibit normal behaviour patterns; any need it has to be housed with, or apart from, other animals; and the need to be protected from pain, suffering, injury and disease.

Dogs Trust's concern lies with the assessment and enforcement of these regulatory requirements. For example, the largest breeding establishment in Northern Ireland is currently licenced for up to 695 breeding bitches. Breeding on this industrial scale calls into question the provision of minimum welfare standards and whether the dogs and pups are being kept in conditions which meet these five welfare needs.

Furthermore, licenced premises inspectors are not specifically trained to inspect animal establishments. We would recommend that inspectors are suitably trained to conduct inspections of breeding establishments. Inspectors must have the full support of both the Government and their Local Council to enforce the right standards.

These concerns would not be addressed by the proposed EU regulations. Dogs Trust believes that the Northern Ireland Executive should pursue the regulation changes through domestic legislation.

Should the domestic legislation be updated, we would very much welcome a progressive approach of using the five domains model rather than the five welfare needs to better ensure the overall welfare of animals.

Caretakers: The staff-to-dog ratio for breeding establishments in Northern Ireland is set very high, at one full-time attendant to twenty adult dogs, and does not take the number of puppies into account. Working on a basis of an average litter size of six to eight puppies, one caretaker could be responsible for up to 180 adult dogs and puppies at one time. We have serious concerns about the ability of an attendant to adequately provide for the five welfare needs of all dogs.

These concerns would not be addressed by the proposed EU regulations. Dogs Trust believes that the Northern Ireland Executive should pursue the regulation changes through domestic legislation.

Foster homes: Dogs Trust defines Animal Welfare Establishments as 'a person, organisation or establishment who holds themselves out to receive vulnerable animals on a regular basis, whether companion, farmed, wild or other animals, with a view to rehabilitating and either rehoming or releasing (back to the wild), or providing long term care'. As such we welcome the extension of the regulations to foster homes given the increasing number of AWEs operating in this manner and



the hands-on care they provide. We must ensure animals' welfare needs are suitably met irrespective of establishment type. However, we also welcome the flexibility concerning numbers of dogs, or litters to be placed in foster homes. Provision of such dwellings, often by volunteers, can be a core element of operation for many charities, including Dogs Trust, and excessive regulation may hamper them from effectively executing their work.

Excessive conformational traits: Dogs Trust considers that securing the genetic health of dogs should be the fundamental objective in the breeding of all dogs. Breeding decisions should be taken with the aim of conferring healthy or healthier conformational traits, being mindful of the potential health and welfare impact of selection for specific or desirable features. Dogs Trust welcomes regulation which seeks to minimise breeding practices which could have a detrimental effect on a dog health or welfare or the health or welfare of its offspring. **For example, we would like to see a legislative requirement for all dogs being used for breeding to undergo an innate health assessment and achieve the required score, ahead of breeding.**

Hybrids: Dogs Trust is opposed to the sale, breeding, and importation of any wolf hybrid or cross. We believe that they would be purchased for the wrong reasons or by persons unaware of their particular breed characteristics. There is a potential danger to people in keeping these breeds in a domestic environment, as well as an impact on the dog's welfare.

- Article 7 - minimum age for breeding animals and a restriction on the frequency of pregnancies. There would be mandatory approval and registration of these establishments.

Under the Welfare of Animals (Dog Breeding Establishments and Miscellaneous Amendments) Regulations (Northern Ireland) 2013 dog breeders in Northern Ireland are currently required to be registered.

However, they are not, as set out in the proposed regulations, required to provide information on the breed of dogs or the estimated number of litters to be placed on the market that year.

Furthermore, the current domestic legislation on the maximum number of animals to caretakers only relates to breeding bitches and does not include puppies or stud dogs.

We welcome the inclusion in the regulation that the maximum number of animals relates to the total number of dogs and cats which can be kept in the establishments. This would provide us with a more accurate picture on the scale of breeding in Northern Ireland.



However, in the negotiating mandate, the Council has limited this requirement to establishments that produce more than five litters per year or that keep more than five female cats or dogs.

As current rules on dog breeding in Northern Ireland require those breeding three or more litters a year to be licensed, it seems these Regulations as currently proposed would not improve the rules on dog breeding in Northern Ireland.

For this reason, and due to the lengthy timelines set out in the EU proposal, Dogs Trust believes the Northern Ireland Executive should pursue regulation changes through domestic legislation.

With regards to the stipulations set out in Annex 1, section 3 (health) relating to Article 7 regulations on breeding, Dogs Trust does not feel these suitably address the welfare needs of cats and dogs. **Should the Northern Ireland Assembly wish to pursue domestic regulation concerning these breeding practices listed we would recommend the following:**

3.2 – That bitches shall only be bred as of their second oestrus.

3.3 – That there should be a maximum of one litter from each bitch within a 12-month period.

3.4 – That no dog may be kept for breeding if it can reasonably be expected, on the basis of its genotype, phenotype, or state of health, that breeding from it could have a detrimental effect on its health or welfare or the health or welfare of its offspring.

3.4a – That a dog should not breed if they have had two caesareans, or one caesarean where this has been due to the conformation of the bitch or puppies.

3.4b – That no bitch should be mated if they are over eight years of age, or after six litters.

- Article 8 - Information on responsible pet ownership must be provided to those acquiring a dog or cat.

Dogs Trust welcomes the regulation requiring those acquiring a dog or cat to be provided with information on their welfare needs and responsible pet ownership.

However, we believe the legislation could go further than the prescribed warning, to ensure buyers are aware of what pet ownership involves and how to ensure they buy a pet responsibly.

We would like to see the full list of Pet Advertising Advisory Group (PAAG) Standards incorporated into legislation. These include ensuring that every view item page includes prominent links to the PAAG advice on buying and selling an animal, as well as links to PAAG approved care information on feeding, housing,



handling, husbandry, life expectancy, provision of suitable accessories and veterinary care for the animal being advertised.

Member States will be best placed to direct buyers and sellers in those countries to the relevant information. Therefore, we recommend that this should be taken forward in Northern Ireland domestic legislation.

Dogs Trust would encourage DAERA and the advertising sector to work with the charitable sector in Northern Ireland, including Dogs Trust, to ensure that this information can be easily accessed and provided to owners.

- 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.

Dogs Trust welcomes the regulation regarding required competencies and training and the flexibility in acquiring these competencies and training, either through formal education, training, or professional experience. We further welcome the flexibility afforded to member states on provisions for volunteers and interns. Dogs Trust provides suitable training and supervision for these groups, but realises that, particularly for smaller, volunteer run charities, there will be a time and financial cost associated with this training, as such supervision by a competent animal caretaker is required.

However, it is important to reiterate that training is necessary to meet the five animal welfare needs. Whilst many caretakers operate with good intentions, a lack of suitable education and / or training can inadvertently jeopardise the welfare of dogs.

- Article 10 - Annual advisory visits by a vet for welfare purposes will be required for animal shelters and breeding establishments.

Dogs Trust welcomes the regulation requiring that animal shelters and breeding establishments require a visit by a veterinarian within the first year after the date of application of the regulation or within the first year after having notified a new establishment. The introduction of uniform criteria will allow a standardised approach to visitation and reporting.

Regulation of Animal Welfare Establishments (AWEs) and improved regulation of breeding establishments is something Dogs Trust has long called for, and an advisory veterinary visit is a positive move towards ensuring improved animal welfare standards within these sectors.



However, Dogs Trust recommends that comprehensive domestic legislation is introduced to thoroughly regulate AWEs including rehoming organisations, and breeding establishments.

There is currently no legislation in place, so anyone can set up their own rehoming organisation. As such, there is little to proactively safeguard the animals involved.

Dogs Trust does welcome the flexibility afforded to member states as to whether an annual vet visit is required on an ongoing basis. We realise that, particularly for smaller volunteer run charities, there will be a cost associated with these visits, and for veterinary services additional time implications on an already stretched service.

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

Dogs Trust welcomes these provisions concerning cleanliness, quality, quantity and adequate supply of food and water etc. to ensure EU member states are meeting minimum welfare requirements.

These principles are currently enshrined within the current Welfare of Animals Act (Northern Ireland) 2011 and The Welfare of Animals (Dog Breeding Establishments and Miscellaneous Amendments) Regulations (Northern Ireland) 2013 under the five welfare needs. These include the need for a suitable environment, and the need for a suitable diet.

Should the current domestic legislation be updated, we would very much welcome a progressive approach of using the five domains model rather than the five welfare needs to better ensure the overall welfare of animals.

- Article 12 - Minimum standards for housing for animal shelters and dog breeding establishments.

Dogs Trust welcomes these provisions concerning establishments, equipment, temperature, heating, air quality, rest places and outdoor space etc. to ensure EU member states are meeting minimum welfare requirements.

These principles are currently enshrined within the current Welfare of Animals Act (Northern Ireland) 2011 and The Welfare of Animals (Dog Breeding Establishments and Miscellaneous Amendments) Regulations (Northern Ireland) 2013 under the five welfare needs. These include the need for a suitable environment, the need to be able to exhibit normal behaviour patterns; any need it has to be housed with, or apart from, other animals; and the need to be protected from pain, suffering, injury, and disease.



However, Dogs Trust recommends that comprehensive domestic legislation is introduced to thoroughly regulate AWEs including animal shelters, and breeding establishments. There is currently no legislation in place, so anyone can set up their own rehoming organisation or sanctuary. As such, there is little to proactively safeguard the animals involved.

Should the domestic legislation be updated, we would very much welcome a progressive approach of using the five domains model rather than the five welfare needs to better ensure the overall welfare of animals.

- Articles 13 and 14 - Requirements to take care of the health and behavioural needs of dogs and cats.

Dogs Trust welcomes these provisions concerning inspections, treatment, breeding, movement, restraint, socialisation, and enrichment etc. to ensure EU member states are meeting minimum welfare requirements.

These principles are currently enshrined within the current Welfare of Animals Act (Northern Ireland) 2011 and The Welfare of Animals (Dog Breeding Establishments and Miscellaneous Amendments) Regulations (Northern Ireland) 2013 under the five welfare needs. These are: the need for a suitable environment; the need for a suitable diet; the need to be able to exhibit normal behaviour patterns; any need it has to be housed with, or apart from, other animals; and the need to be protected from pain, suffering, injury, and disease.

Should the domestic legislation be updated, we would very much welcome a progressive approach of using the five domains model rather than the five welfare needs to better ensure the overall welfare of animals.

- Article 15 - Certain painful practices are prohibited, with allowances in some circumstances, for example ear cropping is banned but the notching of cats' ears in the context of trap neuter return programmes is permitted. The use of muzzles is prohibited, other than for the welfare of the animal or for public health or animal safety reasons. Applying electric currents to dogs or cats is prohibited.

Dogs Trust welcomes the prohibition of painful practices including ear cropping, tail docking, claw removal or other partial or complete digit amputation, and resection of vocal cords or folds.

Surgical mutilations, such as tail docking, ear cropping, devocalisation, and declawing, are illegal in all EU Member States for both dogs and cats. However, in a third of Member States, there are some exceptions, such as tail docking or declawing of certain dogs bred for hunting. Surgical mutilations are also illegal in the UK, including in Northern Ireland.



However, it is not currently illegal to sell or import dogs with cropped ears; a serious loophole in the legislation, which is being exploited by criminals to enable them to continue to sell mutilated dogs.

Dogs Trust would welcome the implementation of domestic legislation banning the importation and sale of dogs with mutilations, to help tackle these cruel practices.

Dogs Trust would welcome further information and scrutiny on the medical or welfare reasons noted in section 36a, whereby it may be “necessary to tie up body parts, apply electric current or use muzzles in order to be able to give medical treatment to a dog or cat”. Dogs Trust does not support the application of electric current to dogs, including via an electronic collar (including remote operated), containment fencing or other means.

- Articles 17 and 19 - Identification of pets and national databases: All cats and dogs placed on the market would have to be microchipped and registered in a national database, and these databases will need to be interoperable. This means that it will be easy to search across all these approved databases, using a new single search portal to be developed by the Commission. For online sales, suppliers would have to provide information on the identification and registration of dogs and cats through a website connected to national databases. This would allow buyers to verify the authenticity of their purchase.

Dogs Trust believes that only a system of dog breeding and selling that has total traceability of all dogs involved can be fully effective in promoting animal welfare, protecting the consumer, and preventing inherited disease and conditions.

Microchipping and national database: Current legislation in Northern Ireland requires that all dogs be licenced and that a microchip number is included on the paperwork to secure a licence. Therefore, it follows that it is a requirement that all owned dogs in Northern Ireland are microchipped.

Dogs Trust welcomes the regulation on the microchipping of dog and cats placed on to the EU market. However, the new proposal does not apply uniformly to all dogs and cats, only to those deemed traded for “economic purposes.”

Whilst these proposals are welcome, as any pet could become part of an economic activity at some stage in their lives, Dogs Trust believes the microchipping and registration requirements should apply to all owned dogs and cats. Dogs Trust believes the Northern Ireland Executive should pursue these regulation changes through domestic legislation.

Microchipping is an important protection for both animals and their owners. However, due to the substantial number of databases in operation it can be difficult for owners to search, locate, add, or change their dog or cats’ information.



Often microchips will hold out of date information, and in some instances, they have not been updated since the puppy's initial implantation. Furthermore, they are not interoperable, being owned by different private companies.

Dogs Trust has long called for a centralised, publicly accessible, single point of search within the UK, including Northern Ireland, making easier for owners to navigate the system, update their dog or cats' information and ultimately protect their pets.

As such we welcome the regulations on registration within a national database and interoperability across EU member states.

The proposed national database should include all breeder details (including hobby breeders) to enable full traceability back to the breeder if required. Online platforms used for the trade of pets should be authenticated before they are posted live to ensure that the breeder is registered and traceable.

However, whilst the creation of this database and the regulations on interoperability would harmonise information sharing and search between Northern Ireland and the Republic of Ireland, this may create issues for the same between Northern Ireland and Great Britain. Although non-EU countries (including GB) exporting dogs and cats into Europe must also register animals accordingly and fulfil the basic welfare requirements, they would not be bound to the same requirements on interoperability, creating difficulty for pet owners, microchip database operators and the respective administrations.

Whilst not covered by the regulations, significant traceability would be gained if there was a requirement for microchip databases to include a mandatory field at first registration to ask if the person registering their details was the person that bred the puppy. If the information on the breeder was not entered the individual would be unable to complete registration.

This would help meet the EU's objective on allowing buyers to verify the authenticity of their purchase.

Advertising and selling: Dogs Trust believes that breeders should be required to be either registered or licensed by their local authority so their licence details can be displayed on an advert, and these should be verifiable.

Again, this would ensure considerable progress on traceability and on allowing buyers to verify the authenticity of their purchase.

Timescales: Regarding the implementation timescales for this article, EU Member States (Northern Ireland included should the regulations be approved) will have three years to set up the databases and five years to ensure interoperability throughout Europe. Microchipping will then come into force three years after the regulation is introduced, and traceability information should be available to customers after five years.



Dogs Trust would encourage the Northern Ireland Executive to pursue the regulation changes through domestic legislation. We strongly urge the Executive not to wait until the legislative timeframe set out within the new EU regulations, which could take over ten years to be fully implemented. Animals and owners cannot afford to wait up until ten years before these key changes are implemented.

- 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.

Dogs Trust welcomes the regulation that certified training courses be made available for all animal caretakers.

Regulation of Animal Welfare Establishments and improved regulation of breeding establishments is something Dogs Trust has long called for, and provision of certified training courses is a positive move towards ensuring improved animal welfare standards within these sectors.

Dogs Trust would encourage DAERA / the competent authority to work with the charitable sector, including Dogs Trust, to ensure that suitable training courses for animal caretakers are provided as required.

- 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.

Dogs Trust welcomes the requirement within the regulation that dogs and cats to be placed for sale on the EU market are compliant with these regulations, the primary motivation being improving overall standards of animal welfare.

At present, there are no routine physical or documentary checks on the non-commercial movement of UK resident pet dogs, cats and ferrets travelling with their owners or authorised person between GB and NI.

In Northern Ireland, should these regulations be adopted, individuals and organisations undertaking the non-commercial movement of animals from Great Britain into Northern Ireland will be subject to full EU third country requirements.

If implemented dog and cat owners must ensure they have:

- Fitted their pet with a transponder (microchip) that complies with EU Reg 576/2013.



- Applied to and joined the NI Pet Travel Scheme and have secured a Pet Travel document.
- Submitted their pet to both documentary and full identity checks when joining and leaving the point of access.

If any lack of compliance is found, then, they will be sent to an SPS (point of entry inspection) facility.

As Great Britain, Northern Ireland and the Republic of Ireland all have a similar health status, we believe pet travel between Great Britain and Northern Ireland should be as safe, simple, and proportionate as possible.

We share and empathise with concerns about the impact and disruption that the new requirements may have on well-meaning pet owners travelling between Great Britain and Northern Ireland.

However, robust checks for entry to the Republic of Ireland would be imperative given that there are no border checks between the Republic of Ireland and Northern Ireland. It is therefore impossible to prove whether a dog originated from the Republic or Northern Ireland. We are aware from Operations Delphin and Paws for Thought, multi-agency puppy smuggling taskforces led by the SSPCA and DEARA respectively, that this makes Belfast to Cairnryan (and similar passages) lucrative routes for individuals involved in illegal importation.

In addition, ferries operate between the Republic of Ireland and the UK, including the port of Holyhead. We have concerns that the island of Ireland could be used as a transit country for companion animals from mainland Europe, particularly underage puppies, destined for sale in Great Britain, which would potentially open another source for the introduction of disease. Considering significant profits that can be made there would be increased incentive for unscrupulous importers to take this route if it becomes more difficult to import pet animals through Great Britain's ports.

The Republic of Ireland and Northern Ireland should also be viewed as a distinct epidemiological unit especially with regards to disease surveillance and outbreak preparedness. Extra consideration must be given to how, from a disease prevention and control point of view, the Island of Ireland can have an all-island approach and coordinated policy to prevent disease spread.

Other concerns

Pounds: Dogs Trust notes the description of a pound (section 12) included in the regulations. Whilst a pound's primary purpose is provision of emergency housing,



all Council operated pounds in Northern Ireland have the option to place dogs which have not been reclaimed on sale to the public.

Whilst some local Council pounds choose not to sell unclaimed animals others do. As detailed in the Council Dog Summary statistics one Council area (Newry Mourne and Down) sold 158 impounded dogs in 2023-24. As noted, whilst the sale of animals is not considered the primary function or motivation of pounds, they are none-the-less placing animals for sale and consideration should be given to the welfare needs of these animals and the requirements of owners purchasing a dog in this manner.

Dogs Trust would welcome pounds, either local Council owned / operated or private, to be licenced and regulated in the same manner as other AWEs, to ensure the welfare needs of the animals in their care are met.

More information:

For further information or questions please contact publicaffairs@dogstrust.org.uk

END.



Windsor Framework Democratic Scrutiny Committee

Call for views on Regulation of the European Parliament and of the Council on the welfare of dogs and cats and their traceability

What is your name?

Claire Wilson-Leary

What is your email address?

Paag@dogstrust.org.uk

What is your organisation (if any?)

The Pet Advertising Advisory Group.

The Pet Advertising Advisory Group (PAAG) was created in 2001 to combat growing concerns regarding the irresponsible advertising of pets for sale, rehoming, and exchange. The Group comprises a combination of animal welfare organisations, trade associations and veterinary bodies. DAERA, Defra, the Welsh Government and the Scottish Government have endorsed PAAG.

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

~~Yes~~

No

~~Unsure~~

Tell us why (Required)

As DAERA's Initial Impact Assessment states, the proposal will have an impact on cat and dog breeders; rescue and rehoming shelters; persons selling or buying a cat or dog; and those owning a cat or dog, as the regulation would introduce additional requirements, not present in domestic legislation, covering these areas. Whilst the proposal would impose additional requirements, it is not expected that the proposals would have a negative impact.



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

~~Yes~~

No

~~Unsure~~

Tell us why (required)

As DAERA's Initial Impact Assessment states, the welfare of animals in breeding establishments and rescue and rehoming organisations, and the regulation of breeding and selling cats and dogs, are already catered for under domestic legislation, albeit PAAG believes they should be improved. There is also a valuable opportunity to strengthen these rules through domestic legislation. Therefore, we do not foresee that not applying the proposed new EU Act would have a significant negative impact.

Are there any other matters regarding the EU act that you wish to draw to the Committee's attention? Please note, any information provided should be of an evidential nature rather than a commentary.

Yes

~~No~~

~~Unsure~~

Tell us why (Required)

The Pet Advertising Advisory Group (PAAG) welcomes the proposed EU Regulations on the welfare of dogs and cats and their traceability, which aim to introduce consistent rules across the EU for the breeding, keeping and placing on the market of dogs and cats bred or kept in establishments.

We have limited our feedback to the elements of the Bill which have an impact on online pet advertising and have not commented on the wider proposals which we consider outside of PAAG's remit.

Authorisation of breeding establishments

PAAG believes greater transparency is needed of those advertising pets for sale online, and this includes dog and cat breeders. We would like all forms of pet advertising to be verifiable, and a



requirement for breeders' licence details to be displayed on adverts plays an important part in this.

There is currently no regulation of cat breeding in Northern Ireland. For dogs, domestic legislation in Northern Ireland requires those breeding three or more litters a year to be licensed. There is currently no requirement for licence details to be displayed on pet adverts.

The majority of PAAG members believe more dog and cat breeders should be required to be either registered or licensed by their local authority so their registration or licence details can be displayed on an advert, and these should be verifiable.

More specifically, the majority of PAAG members, excluding the Kennel Club, believe the threshold for dog breeders must be set at two or more litters per year. The majority of members, excluding the Kennel Club, also believe those breeding dogs below the licensing threshold should be required to register with their local authority.

For cat breeders, BVA would like to see those breeding three or more litters a year to be licensed. Other members would like to see anyone breeding two or more litters of kittens a year to be licensed.

PAAG generally supports registration of breeders breeding below the licensing threshold, but Cats Protection has reservations about requiring registration for a single litter of kittens due to concerns that it may have an unintended consequence of increasing kitten abandonment for individuals who find themselves with an unexpected litter.

In general, by bringing more breeders within scope of registration or licensing and requiring them to display their registration or licence number on any advert, this would increase traceability of these breeders and transparency of how many litters they are breeding.

With this in mind and looking at the licensing requirements in the EU proposals, the original Commission proposal required breeding establishments that keep more than three female cats or dogs and that produce in total two litters or more per year to be authorised after an on-site inspection by competent authorities.

In the Council's negotiating mandate, the Council has limited this requirement to establishments that produce more than five litters per year or that keep more than five female cats or dogs.

Therefore, the EU Regulations would bring improvements by creating a new licensing system for cat breeders but would not result in more dog breeders in Northern Ireland being brought within the scope of licensing. In the EU proposals, there is also currently no requirement for establishments to display their establishment ID on adverts.

PAAG would like to see the legislation in Northern Ireland strengthened for both dog and cat breeding, and for this to be adequately enforced, and the EU proposals could offer some improvements. However, the Commission has set out lengthy timescales for the



implementation of the proposals. We therefore support the ADCH position that the Northern Ireland Executive should pursue the regulation changes through domestic legislation.

Identification and Registration

With online advertising now being a significant avenue for the sale of pets, sellers can place an advert in a matter of minutes with minimal checks on their identity. During the pandemic, PAAG saw an increase in concerns relating to buyers putting deposits down for pets that did not exist. As well as concerns around deposit scams, PAAG is also extremely concerned around the issue of mis-selling of pets via online adverts. In the case of cats and dogs, this often occurs with a seller lying about the age of a kitten, kit or puppy on an advert.

As microchipping of dogs and cats is not compulsory in all Member States, it is therefore welcome that the proposed Regulations intend to introduce consistent rules and improve traceability by requiring all dogs and cats kept in establishments for supply in the Union, including adult dogs and cats kept in breeding establishments, dogs and cats kept in shelters, and dogs and cats supplied by natural persons, to be microchipped. Whilst these proposals are welcome, as any pet could become part of an economic activity at some stage in their lives, PAAG believes the microchipping and registration requirements should apply to all **owned** dogs and cats. However, this recommendation from groups such as the EU Dog & Cat Alliance was not taken forward in the Council's negotiating mandate.

Suppliers will also need to prove the identification of dogs and cats, and acquirers of dogs and cats will be able to verify the authenticity of the identification and registration of dogs and cats via a website connected to national databases. Increased traceability is welcome, however due to the legislative timeframe set out in the EU proposals, as before, we support the ADCH position to pursue improvements such as compulsory cat microchipping through domestic legislation.

In addition, we question the likely impact of the requirements for online platforms to inform acquirers how to check the identification and registration of pets, as this will not apply to all platforms where the advertising of pets for sale takes place. The regulations refer to online platforms as defined under the Digital Services Act, which applies to very large online platforms and search engines only i.e. those with over 45 million users in the EU. There will be many platforms hosting advertisements for the sale of pets which will be outside the scope of these regulations, and this is a significant loophole.

We would like to see the requirements for online platforms to inform acquirers of how to verify the identification and registration of pets apply to all platforms advertising pets for sale.

Obligation of informing on responsible ownership



Article 8 of the EU proposals sets out an obligation of informing on responsible ownership. When the supplying of dogs and cats is advertised via online means, the listing shall display, in clearly visible and bold characters, the following warning: “An animal is not a toy. Buying or adopting an animal is a life-changing decision. As an animal owner, you are obliged to ensure that all the needs for its health and wellbeing are met at all times.”

PAAG believes the legislation could go further than this to ensure buyers are aware of what pet ownership involves and how to ensure they buy a pet responsibly. We would like to see our full list of Advertising Standards incorporated into legislation. These include ensuring that every view item page includes prominent links to PAAG advice on buying and selling an animal, as well as links to PAAG approved care information on feeding, housing, handling, husbandry, life expectancy, provision of suitable accessories and veterinary care for the animal being advertised. Member States will know where best to direct buyers and sellers in those countries to the relevant information. Therefore, we recommend that this should also be taken forward in Northern Ireland domestic legislation.



Who is the USPCA?

The USPCA is the second oldest animal welfare charity in the world. Established in 1836, we have been advocating for animal welfare for nearly two hundred years.

The animals around us play an essential role in our society and natural environment. They enhance our quality of life; however, they can often be taken for granted or, worse still, abused.

The USPCA engages with policymakers and politicians to inform and influence the debate on a range of priority animal welfare issues. Our work is guided by a coherent ethical approach to how society should treat all animals.

Sadly, Northern Ireland lags behind the rest of the UK and Ireland in legislating to enhance animal welfare across various areas. Although this deficit is significant, there is still time to catch up by learning from other jurisdictions to produce legislation and update policies that will position us as leaders in animal welfare. This should begin with a firm commitment to animal welfare within the Programme for Government.

Our Response

The USPCA welcomes the Commission's proposed new EU rules and their extension to Northern Ireland. For the first time, these new EU rules will focus on the welfare and traceability of dogs and cats bred, kept, and traded as companion animals for economic purposes.

The new EU regulations on the welfare and traceability of dogs and cats aim to establish uniform standards across the EU for breeding, housing, and handling these animals in breeding establishments, pet shops, and shelters. These measures are designed to improve animal welfare and ensure that Northern Ireland maintains high standards in line with the rest of the EU.

Key aspects of the proposal include:

- **Mandatory Identification and Registration:** All dogs and cats must be identified and registered in national databases to combat illegal trade.
- **Minimum Welfare Standards:** Uniform standards for housing, care, and handling will be applied across the EU and Northern Ireland.
- **Enhanced Traceability:** Stricter traceability requirements will help authorities control the breeding and trade of these animals.

- **Responsible Ownership:** Prospective pet owners will be informed about responsible ownership.

These measures are part of a broader effort to improve animal welfare and tackle issues related to the illegal trade of pets. Overall, we view the new regulations as a significant step against illegal puppy trading. It is also important to highlight that the five domains concept will be fully embraced by the new regulation, reinforcing the message that emotional needs are equally important as the physical needs of animals.

Non-EU countries exporting dogs and cats into Europe must also register animals accordingly and fulfill the basic welfare requirement, which is a positive step forward to advance animal welfare.

While we broadly believe the proposal sets good standards for the objectives it seeks to achieve, there are specific points we would like to highlight.

Identification and Registration

The new proposal does not apply uniformly to all dogs and cats, only to those deemed traded for “economic purposes.” We recommend that this extend to all pet owners, given that animals may be sold some months or even years after their birth.

The pet registry should include all breeder details (include hobby breeders) to enable full traceability back to the breeder if required. Online platforms used for the trade of pets should be authenticated before they are posted live to ensure that the breeder is registered and traceable.

Breeding regulations

Breeding regulations should extend registration obligations to **all** breeders to ensure full transparency and traceability linked to a single address, thereby ensuring that the animal welfare of hobby breeders is not compromised. We are aware of existing loopholes in domestic dog breeding legislation that allow multiple people in the same household to claim ownership of individual dogs, thus avoiding the three-litter threshold.

The proposal fails to address other important measures, the ban on the sale of cats and dogs in pet shops. Additionally, the rise in canine fertility clinics has presented numerous animal welfare concerns, an industry which is currently unregulated. It is unfortunate that this issue has not been addressed in the new regulations. Specific

references concerning extreme breeding, such as “minimizing negative welfare consequences,” are needed. We agree with Eurogroup’s position on an ownership ban, as well as a ban on the use of extreme-featured breeds in media, exhibitions, and competitions, as these would provide much better restrictions.

We note the description of a pound (section 12) included in the regulations. Whilst a pound’s primary purpose is provision of emergency housing, all Council operated pounds in Northern Ireland have the option to place dogs which have not been reclaimed on sale to the public.

Whilst some local Council pounds choose not to sell unclaimed animals others do. As detailed in the Council Dog Summary statistics one Council area (Newry Mourne and Down) sold 158 impounded dogs in 2023-24. As noted, whilst the sale of animals is not considered the primary function or motivation of pounds, they are none-the-less placing animals for sale and consideration should be given to the welfare needs of these animals and the requirements of owners purchasing a dog in this manner.

We would welcome pounds, either local Council owned / operated or private, to be licenced and regulated in the same manner as other AWEs, to ensure the welfare needs of the animals in their care are met.

Timelines

Regarding the implementation timescales, EU Member States will have three years to set up the databases and five years to ensure interoperability throughout Europe. Microchipping will then come into force three years after the regulation is introduced, and traceability information should be available to customers after five years.

We encourage the NI Executive to pursue the regulation changes through domestic legislation. Not to wait until the legislative timeframe set out within the new EU regulations, which could take over ten years to be fully implemented.

Northern Ireland falls behind the rest of the UK on several key pieces of animal welfare legislation including dog breeding, regulation of the animal welfare sector, and compulsory microchipping of cats. We cannot afford to wait up until ten years before these key changes are implemented. We have long been campaigning for the introduction of these measures through domestic legislation.

Resources

We are also aware of the resource implications of the changes that will be required. We understand the significant pressures on the public purse and suggest that, as part of a review of domestic legislation, some of the funding could be generated through significant increases to the current dog breeding licensing fee and boarding kennel fees.

Enforcement

We would welcome penalties aimed at combating the illegal trade of dogs and cats and ensuring compliance. However, we also recognise that it is crucial to establish a robust enforcement framework to guarantee regulations are effectively implemented.

To achieve this, we recommend the following measures:

Training and Resources: Provide training for officers on the specifics of the new regulations, including identification, registration, and welfare standards. Adequate resources, including funding and personnel, should be allocated to ensure that these officers can perform their duties effectively.

Collaboration with the broader animal welfare sector: Work in partnership with animal welfare charities to promote compliance and raise awareness about the regulations. Animal welfare charities can play a vital role in grassroots education and reporting. The USPCA's Special Investigation Unit examines organised animal cruelty crimes in N.Ireland. The illegal puppy trade is one of our top priorities.

Clear Penalties and Consequences: Ensure that penalties for non-compliance are clearly defined and proportionate to the severity of the violation. This should include fines, revocation of licenses, and, in severe cases, criminal charges.

Feedback and Improvement: Establish a system for feedback on the enforcement process, allowing stakeholders to suggest improvements and highlight challenges. This iterative approach can help refine enforcement strategies over time.