Michael Creed, Minister for Agriculture, Food and the Marine has introduced a Statutory Instrument which will be effective from 1st February 2020 relating to the registration of people and premises who sell or supply five (5) or more pets in any one calendar year.

The Irish Kennel Club has been issued with a copy of the SI pertaining to the sale or supply of pets. Below are the relevant points as they will affect members of the Irish Kennel Club.

* The regulations cover anyone who sells or supplies **five** **or more pets in total**, of one or more species in any **one calendar year.**
* There will be a lead in time of 3 months for registrations and both the premises and person will need to be on the register and to publish their unique registration number together with the microchip number of the dog or puppy **on any advertisement**, together with **the country of origin**.
* No pup can leave the premises prior **to 8 weeks of age** .
* Breeders and suppliers must keep records for 3 years of the dog’s/ pup’s details, to whom supplied, any mortalities and possible cause, microchip and vaccination details.
* Those breeders with five or more bitches of a breeding age come under the jurisdiction of the Dog Breeding Establishment Act and therefore do not have to register under this scheme .
* **There will be no fee for registration.**

*The regulations come under the Animal Health and Welfare legislation and can be seen as an attempt to regulate the pet trade and traceability of all pets, increase animal welfare and consumer protection and is likely to be followed by similar E.U wide legislation . Many of the details for record keeping are what IKC breeders would normally do, so the burden of registration should not be too onerous. The regulations will bring into the public realm those “pet breeders” of so called designer dogs, those who trade in dogs and the unscrupulous who deliberately misinform consumers on the age or background of the dogs they supply. This should also put an end to the scams of selling pups from Air B&B premises etc to avoid detection or the sale of pups that are ill or too young. Certain contraventions (see 10 below) carry penal provisions under the Animal Welfare Act.*

*The IKC continues to be in discussion with the Department of Agriculture Food and Marine on the implementation on these regulations. As the regulations are part of the wider Animal Welfare Act 2013, it is likely that the enforcement authorities will include the ISPCA and DSPCA with whom the IKC are also in contact on an ongoing basis.*

***Once the Department has finalised the relevant webpage and registration process the IKC will provide a link, so please check for updates.***

*Jim Stephens*

*Chair IKC Health Welfare and Behaviour Committee.*

Below are the relevant portions of the regulations

S.I. No. 681 of 2019

ANIMAL HEALTH AND WELFARE (SALE OR SUPPLY OF PET ANIMALS) REGULATIONS 2019

These Regulations provide for registration of sellers and suppliers of pet animals, registration of premises used in connection with the sale or supply of pet animals, the advertisement of pet animals for sale or supply, and the maintenance of records relating to the sale or supply of pet animals.

**Interpretation**

2. In these Regulations—

“Act” means Animal Health and Welfare Act 2013;

“pet animal” means an animal kept, or intended to be kept, by a person—

(*a*) as a pastime or hobby,

(b) for companionship,

(c) for ornamental purposes, or

(*d*) any combination of (a) to (c),

**but does not include a farm animal**;

“premises” means a premises used in connection with the sale or supply of a pet animal, but does not include a premises already registered under the Dog Breeding Establishments Act 2010.

**3 Minimum age for sale of certain animals** .

 A person shall not sell or supply an unweaned pet animal or—

1. a dog or cat that has not attained the age of 8 weeks,

**4.Register of sellers and suppliers of pet animals**

Subject to paragraph (4), a person shall not sell or supply a pet animal unless—

(a) he or she is entered in the Register of Sellers and Suppliers of Pet Animals, and

(b) the premises he or she uses in connection with the sale or supply of a pet animal is entered in the Register of Premises in accordance with Regulation 5.

**Register of Premises**

5. (1) The Minister shall establish and maintain a register of premises (to be known as "the Register of Premises") that are used by sellers or suppliers of pet animals (to which Regulation 4 (3) applies) in connection with the sale or supply of such animals.

(2) The Minister may enter a person’s name and address, and the address of a premises in the Register of Premises, attach conditions to registration, revoke or vary a condition, attach a new condition, refuse an application or revoke registration.

(4) A person registered on the Register of Sellers and Suppliers of Pet Animals shall not sell or supply a pet animal from a premises unless that premises is entered in the Register of Premises.

**Records**

7. (1) A person who sells or supplies a pet animal shall maintain the following records regarding each animal kept—

(*a*) name and address of the person from whom an animal is obtained,

(b) date an animal is obtained,

(c) date of sale or supply of an animal,

(*d*) description of animal, including species, breed, sex, colour and distinctive markings, physical condition and health where practicable, age and animal identification, if applicable,

(*e*) name and address of the person to whom each animal is sold or supplied and date of sale or supply,

(*f*) details of disposal of each animal not sold or supplied, including cause of death, method of, and reason for, euthanasia, circumstances of escape, and date of the death or escape,

(*g*) for each animal receiving medical care, clinical signs, diagnosis, the type of service rendered, date and veterinary practitioner’s name.

(2) A record maintained under paragraph (1) shall be kept for a period of not less than 3 years and made available on request to an authorised officer.

**Advertising of a pet animal for sale or supply**

8. (1) A person shall not, without reasonable excuse, publish or display, or cause to be published or displayed, an advertisement of a pet animal for sale or supply, without including in the advertisement—

(a) the registration number of the person selling or supplying the pet animal, if Regulation 4 (3) applies to that person,

(b) the age of the animal,

(c) in the case of a dog, the unique code of the microchip implanted into the animal,

(d) the country of origin of the pet animal, and

(e) in the case the seller or supplier is a Dog Breeding Establishment to which the Dog Breeding Establishments Act 2010 (No. 29 of 2010) is applicable—

(i) the registration number issued by the relevant local authority to the Dog Breeding Establishment under that Act, or

(ii) in the case of a registered charitable organisation within the meaning of the Charities Act 2009 (No. 6 of 2009), the registration number within the meaning of that Act issued to that organisation.

(2) A person shall not make a statement which the person knows to be false with a view to securing a publication or display of an advertisement of a pet animal for sale or supply, that results in the publication or display being made.

(3) In paragraphs (1) and (2), “advertisement” includes every form of advertisement, whether to the public or not and whether in a newspaper or other publication, on television or radio or by display of a notice or by electronic means or by any other means.

**Publication of Registers**

9. The Minister may publish the Register of Sellers and Suppliers of Pet Animals or the Register of Premises in a manner that he or she considers appropriate.

**Penal provisions**

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| 10. Regulations 3, 4(3), 5(4), 6(9), 7(1) and (2), 8(1) and (2) are penal provisions to which section 36 (4) (b) of the Act applies.  |

**Section 36 (4) Animal Welfare Act 2013**

4) A person who contravenes or fails to comply with a provision of animal health and welfare regulations which is stated in the regulations to be a penal provision—

(b) to which this paragraph applies or is an instrument to which section 75 refers, commits an offence and is liable—

(i) on summary conviction, to a class A fine or to imprisonment for a term not exceeding 6 months, or to both, or

(ii) on conviction on indictment, to a fine not exceeding €250,000 or to a term of imprisonment not exceeding 5 years, or to both.