Open consultation

Cat microchipping in England: call for evidence document

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1. Purpose

In this call for evidence, we want people to send us evidence which will specifically help us to understand the consequences if owners were required to have their cats microchipped in England.

2. Overview

In common with many animal welfare charities, Defra strongly supports the voluntary microchipping of cats. We recognise that microchipping is the key method for identifying a pet and linking it to its owner. On that basis, Defra recommends that any owner should microchip their cat and ensure the database details linked to the microchip are up to date to increase the chance of it being reunited if it gets lost or strays.

In April 2018, Defra updated the Code of Practice for the welfare of cats (the Code) for England with the collaboration of Cats Protection and others. The Code now emphasises the benefits of microchipping cats, and Defra encourages owners to consider the benefits of microchipping which can be obtained for a modest fee.

Compulsory dog microchipping was introduced in England through the Microchipping of Dogs (England) Regulations 2015 (the 2015 Regulations), partly as a measure to ensure public safety and reduce nuisance caused by stray dogs. However, it is not currently a legal requirement for owners to microchip their cats. The exception is where cats are travelling under the Pet Travel Scheme (PTS), where they must be microchipped in order to meet the requirements of the scheme. Dog microchipping is also a requirement in other parts of the United Kingdom but there are no requirements for cat microchipping except in relation to the PTS.

Defra does not hold figures on the numbers of cats that are microchipped, but current estimates from the People’s Dispensary for Sick Animals’ 2019 report (https://www.pdsa.org.uk/media/7420/2019-paw-report_downloadable.pdf) indicate that 71% of cats are microchipped in this country. Defra has received strong representations that cat microchipping should be made a compulsory requirement on cat owners to increase the proportion of cats that are microchipped to benefit their welfare. This is a call for evidence and information from stakeholders and the public on the issue of cat microchipping in England, and specifically on the issue of introducing a legal obligation for owners to have their cat microchipped.

3. What is microchipping?

Microchipping involves the insertion of a microchip, generally about the size of a grain of rice, under the skin of a companion animal. The microchip has a unique serial number which can be read by a microchip scanner. The serial number is held by a commercial database provider and when cross referenced, the details of the cat, the name and address and contact details of its owner, and other information is available. When an animal strays or is lost, scanning the microchip can enable the registered owner to be identified so that the cat or dog can be reunited with them.

Under the 2015 Regulations owners are required to microchip any dog over 8 weeks old. There are some exceptions to this general rule, for example for working dogs or where doing so would cause a health issue to the animal. If an owner does not microchip their dog they are liable to a criminal conviction and face a fine of up to £500 (Level 2).

Under the 2015 Regulations a dog is considered to be “microchipped” only when the chip used complies with certain standards set by the International Standards Organisation and the microchip has been registered with one database that meets the requirements of the 2015 Regulations.
The microchip must be inserted by a vet or a veterinary nurse under the guidance of a vet or someone qualified under a Defra approved training course. Any adverse reactions to microchips, including failed or migrated microchips, must be reported to the Veterinary Medicines Directorate. There is an exemption from the microchip requirement if a vet is satisfied that inserting a microchip into a particular dog would have a detrimental effect on the dog’s health. In such circumstances, a vet needs to sign and issue an exemption certificate in respect of the dog. The details of the microchip must be entered onto a “compliant database”. A “compliant database” means one that is holding itself out as a database to hold details of dogs in England and that complies with the 2015 Regulations for databases. The 2015 Regulations set out the details that need to be recorded, including name and address of the keeper, details of the dog and the microchip details.

Under the 2015 Regulations databases must also meet certain requirements, to demonstrate that data can be held securely and retrieved, that they can respond to enquiries and that data can be shared between databases.

Databases must also provide any information requested by an authorised person. Any police constable, community support officer or local authority are regarded as an authorised person.

Local authorities are responsible for checking that dogs are microchipped and have powers to issue a warning notice to any owner who is found to have not microchipped their dog appropriately. Failure to comply with the notice could result in a fine of £500.

Concerns about databases are reported to Defra to investigate. Penalties for databases breaching the 2015 Regulations can be as high as £2,500.

4. Costs of microchipping

Microchipping is usually a relatively inexpensive procedure. Anecdotal costs are in the region of £25 to implant the microchip, although costs vary. In some instances, it may be funded by organisations who support microchipping, and as a result free of charge to pet owners. Blue Cross, for example, provides free microchipping services at their animal rehoming centres, animal hospitals and clinics. Other welfare charities do likewise. However, there may be additional costs associated with updating microchip records, charged by the databases.

Any proposals to make cat microchipping compulsory could therefore lead to a relatively small additional cost for cat owners.

5. Evidence requested

1. Your evidence is invited on the advantages and disadvantages related to the compulsory microchipping of cats in England. We are interested in what the benefits would be to cats, owners, and rescue and rehoming centres, and the concerns that interested parties have around any such scheme.
2. One of the aims of compulsory dog microchipping is to reduce the public nuisance caused by stray dogs, and to ensure public safety. We are interested in evidence to understand how far and in what ways this issue also applies to cats.
3. Evidence is also requested on the costs related to compulsory microchipping of cats for owners, local authorities and others.
4. How would people envisage any requirement for microchipping applying to feral cats who have no identifiable owner, or where ownership is not clear cut? Many cats have an owner, but unlike dogs, cats roam more freely, and therefore may be cared for by more than one household. Some cats also live wild – known generally as feral cats and do not have an owner. If there is no owner to microchip a feral cat how would the enforcement agency know a stray/feral cat from an owned cat with no microchip? If ownership is not clear, who should be held responsible for microchipping the cat?
5. Would there need to be any exemptions for cats on short term visits to England? Under the 2015 Regulations people visiting England with their dogs are allowed an exemption from being registered on a compliant database in England for up to 30 days. Are there any other circumstances where an exemption may be required?

6. The Microchipping of Dogs (England) Regulations 2015 include powers for local authorities to issue a notice on owners who have not microchipped their dogs. If this is not complied with within 21 days, the person can be prosecuted and fined up to £500. It is a criminal offence to not microchip your dog. The local authority may also seize a dog and microchip it at the owner’s expense. Evidence is requested on these enforcement arrangements applying to any scheme for compulsory cat microchipping. Evidence is also requested on the merits of civil offences and sanctions such as the use of fixed penalty notices for those who fail to comply. If there was a civil sanction, the owner would not receive a criminal record if they failed to microchip their cat. They could still receive a fine (fixed penalty notice) though if they did not do so. Civil sanctions could also potentially allow for an ‘improvement notice’ to be issued following a failure to comply, with a penalty issued if this was not then complied with.

7. Many of the microchipping databases that operate under the Microchipping of Dogs (England) Regulations 2015 already store information on cats and other pets. Evidence is requested on whether any scheme should continue to rely on the legal requirements placed on database operators under the 2015 Regulations, in addition to the controls on who can implant microchips and the adverse reaction reporting procedure.

8. We would be interested to hear about your experiences with the current compliant microchip databases. What do they do well, and what could be looked at to improve the service?

9. When the dog microchipping regulations were introduced, dog owners had over 12 months to comply. Evidence is requested on the most appropriate transitional period if cat microchipping were made a legal requirement in England.

10. The PDSA estimate that 71% cats are microchipped. We would be interested to hear whether any individuals or organisations have other figures on the number of cats already microchipped.

11. If compulsory microchipping of cats were to be taken forward, do you have a preference for the type of legislative vehicle that should be used – amending the 2015 Regulations for dogs or introducing new Regulations under the Animal Welfare Act 2006 or through another method?

12. We would be interested to hear if you think there are any situations where an exemption to the requirement would be suitable; other than it being detrimental to the health of the animal.

13. We would be interested to hear how the enforcement of any law making cat microchipping compulsory should be funded.

6. How to respond

To respond to this call for evidence please email AnimalWelfare.Consultations@defra.gov.uk including any supporting documents. The closing date for evidence is 5pm on 4 January 2020. Postal submissions can be made to:

Animal Welfare Team
Area 2D Nobel House
17 Smith Square,
London
SW1P 3JR

These must be received by the department before the closing date.

In your response please state whether you are replying on behalf of an organisation or as a member of the public.

If you are replying on behalf of an organisation or organisations:
- which organisation(s)?
- what is your name and position?
- what is your email address?

Due to the time constraints of this call for evidence, if you are a membership organisation it would be of great assistance if responses could be collated on behalf of your members and provided as one submission.

7. Confidentiality and data protection information

Information in responses to this call for evidence may be subject to release to the public or other parties in accordance with the access to information law (these are primarily the Environmental Information Regulations 2004 (EIRs), the Freedom of Information Act 2000 (FOIA) and the Data Protection Act 2018 (DPA)).

Defra may publish the content of your response to this call for evidence to make it available to the public without your personal name and private contact details (for example name and email address).

If you want your response kept confidential, please clearly state what information you would like to be kept confidential and why. This is to help us balance these obligations for disclosure against any obligation of confidentiality. If we receive a request for the information that you have provided in your response to this call for evidence, we will take full account of your reasons for requesting confidentiality of your response, but we cannot guarantee that confidentiality can be maintained in all circumstances.