

## Illegally imported pets? Guidance and compliance flowchart for vets in Scotland

### When, who and how to report to the competent authorities if you suspect the illegal importation of pets in Scotland

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#### Working collaboratively

Veterinary surgeons can often be the first to suspect that an animal may have been illegally imported when a client brings their pet for its first check-up. It is therefore paramount that, where appropriate, vets, Local Authority Animal Health Function (LAAHF) and APHA work collaboratively to report and act upon the suspected illegal importation of animals in a timely and effective manner.

The LAAHF is a term used to identify the personnel within a local authority that are responsible for the provision of animal health and welfare enforcement. The LAAHF is normally located within trading standards or environmental health services.

To achieve this, the British Veterinary Association (BVA), Society of Chief Officers for Trading Standards in Scotland (SCOTSS), Trading Standards Scotland (TSS) and the Scottish Society for Prevention of Cruelty to Animals (SSPCA) have developed the following guidance note and flow chart to support vets in their considerations of when and how to report the suspected illegal importation of pets. As such, this document provides summary guidance on navigating client confidentiality, how to report concerns of illegal imports and an overview of how local authorities are likely to respond.

#### Primary consideration: Ensuring animal health and welfare

In terms of monitoring and reporting the illegal importation of pets, veterinary surgeons in the UK are required by the [RCVS Code of Professional Conduct](#) to ensure the health and welfare of animals committed to their care:

*'Veterinary surgeons must make animal health and welfare their first consideration when attending to animals.'*

Decisions to report suspected illegal importations must therefore balance whether to report suspicions of illegal importation and the public or animal health risks that this may pose, with a veterinary surgeon's primary consideration to ensure the health and welfare of the animal that is under their care.

#### Confidentiality concerns

We recognise that vets may be concerned about potentially breaching client confidentiality or the [Data Protection Act 2018](#), when reporting concerns regarding illegal imports to local authorities.

#### RCVS Professional Code of Conduct

We would emphasise that in terms of monitoring and reporting the illegal importation of pets, veterinary surgeons in the UK are required by the [RCVS Code of Professional Conduct](#) to **ensure the health and welfare of animals committed to their care.**

In addition, under the [RCVS Code of Professional Conduct](#) the veterinary profession can disclose information to the authorities where it is deemed necessary:

*“In circumstances where the client has not given permission for disclosure and the veterinary surgeon or veterinary nurse considers **that animal welfare or the public interest is compromised, client confidentiality may be breached and appropriate information reported to the relevant authorities.** Some examples may include situations where an animal shows signs of abuse; where a dangerous dog poses a risk to safety; where child or domestic abuse is suspected; where there is some **other significant threat to public health or safety or to the health or safety of an individual; or where the information is likely to help in the prevention, detection or prosecution of a crime.**”*

*If a client refuses to consent, or seeking consent would be likely to undermine the purpose of the disclosure, **the veterinary surgeon or veterinary nurse will have to decide whether the disclosure can be justified.** Generally the decision should be based on personal knowledge rather than third-party (hearsay) information, where there may be simply a suspicion that somebody has acted unlawfully. **The more animal welfare or the public interest is compromised, the more prepared a veterinary surgeon or veterinary nurse should be to release information to the relevant authority.**”*

The [RCVS Code of Professional Conduct](#) states that veterinary surgeons ‘must seek to ensure the protection of public health and animal health and welfare, and must consider the impact of their actions on the environment’. Specifically, on dealing with illegal imports, the [RCVS Code of Professional Conduct](#) states:

*“In cases of suspected illegal imports, veterinary surgeons and veterinary nurses should follow the general guidance on client confidentiality above. **There is no legal or professional obligation to inform the authorities, but veterinary surgeons and veterinary nurses may choose to do so in the public's interest. Ultimately, the decision to report is for the individual professional.** The RCVS will support a veterinary surgeon or veterinary nurse who believes they are acting on the basis of animal welfare or public interest. Equally, the RCVS will support a veterinary surgeon or veterinary nurse, who, for various reasons, does not wish to make a report. Veterinary nurses employed by a veterinary surgeon or practice should discuss the issues with a senior veterinary surgeon in the practice before breaching client confidentiality.”*

#### Data Protection Act 2018 and GDPR

Legislation relating to client confidentiality and data protection also supports veterinary surgeons in their decision to provide information to the authorities, namely Section 170 of the [Data Protection Act 2018](#), which provides an overlapping exemption to offences relating to personal data where any disclosure is necessary for ‘the purposes of preventing or detecting crime.’ Additionally, Sch. 2 to the Data Protection Act 2018, suspends the requirement to notify the subject that their data is being processed, for example, where doing so would be prejudicial to the prevention and detection of crime.

If a veterinary surgeon or nurse suspects that an animal has been brought into the country illegally, or is going to otherwise be dealt with in circumstances which are illegal, they can report the details to the relevant authority (**See flow chart at Annex A**).<sup>1</sup> All enforcement bodies have data protection policies and will treat any data in accordance with the [Data Protection Act 2018](#), as well as the [General Data Protection Regulation \(GDPR\)](#).

#### **Legal regulations: Importation of cats, dogs and ferrets into the UK**

Pets must comply with [EU Pet Travel Scheme requirements](#) (EU Regulation 576/2013) or the [Balai Directive](#) and [Trade in Animals and Animal Related Products Regulations 2011](#), which apply for the

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<sup>1</sup> Legal requirements:

- There is a duty under the [Animal Health Act](#) and [Rabies Control Order 1974](#), for anyone (therefore including a veterinary practice) to report a suspected case of rabies and to keep the animal in question away from other animals.
- The [Non-Commercial Movement of Pet Animals Order 2011](#) 16 (2)(b) also contains a requirement to provide assistance or information that a person enforcing the legislation may reasonably require. It is an offence under the above Regulations to furnish false or misleading information (including movement documents such as passports or certificates), so any suspicions should be reported.
- In addition, it should be noted that there is a duty under the relevant pieces of disease legislation to [report suspected cases of other notifiable diseases](#) to APHA

commercial import and export of animals being moved in and out of EU member states. If they do not comply with these requirements, cats and dogs entering the UK are normally required to spend 4 months in quarantine.

The [EU Pet Travel Scheme](#) permits the non-commercial movement of pet animals (dogs, cats and ferrets) to the UK without the need for quarantine, providing they meet certain conditions, such as having the correct documentation, identification, vaccinations and treatments.

EU pet travel regulations for the non-commercial movement of dogs, cats and ferrets travelling [within EU and listed non-EU countries](#) set out that pets must:

- be microchipped before rabies vaccination;
- be vaccinated against rabies at least 21 days before travel, pets must be at least 12 weeks old before receiving the rabies vaccination on the scheme;
- have a valid EU pet passport;
- travel with an approved transport company on an authorised route;
- Dogs entering the UK, Ireland, Finland, Norway or Malta must be treated for tapeworms by a vet with a product containing praziquantel (or equivalent) no less than 24 hours and no more than 120 hours (between 1 and 5 days) before its arrival in the UK.

For those [pets travelling from unlisted non-EU countries](#), they must meet the above requirements and additionally take a blood serology test after rabies vaccination, followed by a three-month wait before entry into the UK.

[Read the UK Government guidance document on the EU Pet Travel scheme and how to complete Pet Passports in full. The Scottish Government Guidance can also be accessed here.](#)

You can also [check the country and ISO code of microchip manufacturers to ascertain the country of origin of the microchip](#), or consult [Europetnet](#) by entering the chip ID. (Note: database must have signed up to Europetnet and chip must be registered for it to be searchable).

### **Supporting vets in their considerations of when and how to report the suspected illegal importation of pets: Compliance flowchart**

Recent cases continue to highlight the fact that veterinary surgeons can often be the first to suspect that an animal may have been illegally imported when an owner takes their pet for its first check-up following its importation.

With this in mind, we have created the below compliance flowchart to aid decision-making for vets in what are often complex situations. The flow-chart outlines what to consider when a client presents an animal with a pet passport, how to report suspected illegal imports if you have concerns and if appropriate, and an overview of how local authorities are likely to respond.

[Download the BVA, Society of Chief Officers for Trading Standards in Scotland \(SCOTSS\), Trading Standards Scotland and SSPCA compliance flowchart](#)