Compulsory Microchipping of Dogs in Wales

Date of issue: 16 March 2015
Action required: Responses by 10 May 2015
Overview

The Welsh Government will be introducing legislation requiring all dogs in Wales to be microchipped, and for the information relating to the microchip and ownership of the animal to be recorded on an approved database.

Microchipping is a physically robust method of identification. The process should only need to be done once in the lifetime of a dog.

The legislation would be made under Section 12 of the Animal Welfare Act 2006.

The Welsh Ministers are proposing all puppies over 56 days old and dogs are microchipped.

The key benefit of compulsory microchipping of all dogs is improved animal welfare. It will encourage owners to take greater responsibility for their dogs’ welfare and behaviour, and could also provide traceability for disease control purposes.

This consultation provides stakeholders and members of the public with the opportunity to comment on the provisions that could be drafted into legislation.

How to respond

You can respond by filling in the questionnaire at the back of this document and sending to the postal or email addresses below. You could also fill out an online questionnaire; please see below for the website hyperlink.

Further information and related documents

Large print, Braille and alternate language versions of this document are available on request.

Contact details

For further information:
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Data protection

How the views and information you give us will be used

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone’s name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.
Where are we now?

The Pet Food Manufacturers Association’s 2014 survey estimated that there were 690,000 dogs in Wales, with approximately 66.6% (approximately 460,000) of those already microchipped.

Dogs Trust, in conjunction with some veterinary practices, campaign widely to encourage dog owners to voluntarily microchip their animals. They also carry out events where free microchipping is offered: in some cases, upward of 100 dogs are microchipped per day (www.chipmydog.org.uk).

The records of dogs that have been microchipped are held on commercially owned databases. There are four main database holders in the UK, who make up the majority of the market. All of these databases are commercial, privately owned organisations.

The practice of microchipping is already a legal requirement in Northern Ireland under the Dogs (Licensing and Identification) Regulations (Northern Ireland) 2012. It is also a requirement of the Pet Travel Scheme for dogs that are not tattooed, and for dogs that have had their tails docked under the Docking of Working Dogs’ Tails (Wales) Regulations 2007. Also, if a dog’s behaviour is having a detrimental effect on the quality of life of those in the locality in which it’s kept, the Police and Local Authorities can issue enforcement notices requiring it to be microchipped under the Anti-social Behaviour, Crime and Policing Act 2014.

England is also introducing compulsory microchipping for dogs: it will be mandatory for trainers, microchip implanters and database providers to meet the required technical standards as set out in the Microchipping of Dogs (England) Regulations 2015 by 6th April 2015, and for all dogs to be microchipped by 6th April 2016.

The Welsh Position

In October 2009, the Welsh Government carried out 2 surveys on microchipping: one to Local Authorities, the other to Veterinary Surgeries. Seven of the 12 Local Authorities that responded took the view that microchipping of dogs should be made compulsory, whilst 65% of the 83 vets that responded felt that microchipping should not remain voluntary.

In March 2010, Welsh Government officials organised a workshop with key stakeholders to discuss the advantages and disadvantages of microchipping. Whilst concerns such as the requirement to update records and migration of the microchip were raised, overall there was enormous support for microchipping as an identification tool which would help in preventing an animal’s welfare from being compromised.

In 2012, the Welsh Government held a consultation on the principles of introducing compulsory microchipping; 84% of those who responded felt that compulsory microchipping for dogs should be introduced in Wales.
The Draft Regulations laid in the National Assembly for Wales in 2014 were withdrawn for further consideration of the technical issues in relation to the standard of the microchip to be used, data base operators' role, enforcement and implantation standards. As a result of those changes, a second consultation exercise is required. It is very narrowly focused on the enforcement and technical aspects of the policy, therefore will be open for eight weeks only.

**Evidence for Change**

**What are the main issues?**

Under the Control of Dogs Order 1992, it is a legal requirement for a dog (unless exempted) to be identifiable by wearing a collar, with the owner’s name and address on it when in a public place. However, due to the ease in which a collar can be removed or lost, this legislation is not sufficiently robust. Tattooing is also a popular method of identification, particularly with working dogs. However, these can fade over time and, in abandonment cases, it has been known for dogs to be mutilated to remove any evidence of such tattoos. Microchipping would provide permanent identification that is difficult to remove.

The Dogs Trust Stray Dog Survey 2014 suggested that, UK-wide, the number of stray dogs is increasing. In 2014, it was estimated that 8,140 stray dogs were handled in Wales.

Compulsory microchipping will:

- Improve animal welfare by making it easier to reunite a stray dog with its owner. The period of confinement for microchipped stray dogs may be reduced, therefore reducing the level of stress for the dog when separated from its owner, and potentially reducing kennelling costs for Local Authorities and animal shelters.
- Develop further, responsible ownership by introducing greater traceability of owners (past and current).
- Help establish liability and prove ownership.
- Will assist control measures in case of any diseases that can be transferred to humans.
- Act as a deterrent against dog theft – the microchip relates the dog to its owner and therefore it can be determined if the dog is stolen.

**Proposal**

The Welsh Government will introduce a requirement for keepers of dogs in Wales to microchip their animals. Local Authority or charity re-homing centres are not considered to be keepers as it is not considered that dogs “normally reside” with them (but breeders will need to register as the first keeper). Accordingly they have no obligation to microchip or record any dogs in their name. They may microchip dogs however if they are not already
microchipped and may record details on a database of the person with whom the dog is re-homed.

All dogs will need to be microchipped by the coming into force date of the legislation and, from then on, all puppies from the age of 56 days old.
Question 1: It is proposed that to enforce the microchipping regulations, enforcers will need to take possession of a dog for scanning and, if the dog is not microchipped, require the keeper of the dog to take appropriate action. It is proposed that Local Authorities will be the primary enforcers, with the power to authorise persons to enforce the legislation on their behalf. Police and Community Support Officers will be able to enforce the Regulations without written authorisation required, and the Welsh Ministers will have the power to enforce or authorise persons to enforce. Do you agree with this approach?:

Please enter here:

Question 2: It is proposed that database operators will be required to record the following information as a minimum, to allow for traceability. Do you agree that this is acceptable as a minimum? Is there any other information that should be recorded as a minimum requirement?:

(a) the full name, address and contact telephone number of the keeper, and to record if they are also the breeder;

(b) the name, sex, breed, colour and date of birth of the dog;

(c) the unique number of the microchip implanted in the dog.

Please enter here:

Question 3: It is proposed that database operators will be required to meet minimum standards in the following areas to ensure that they are providing a service that is fit for purpose, to allow traceability and the proper reunification of dogs and their keepers. Do you agree?:

a) Sufficient storage and back-up of data;

b) Provision of information to a keeper of a dog or authorised enforcer;

c) Record keeping;

d) Monitoring and handling of telephone and online requests, including transfers;

Please enter here:

Question 4: It is proposed that persons that were not qualified to implant microchips prior to the legislation coming into force will need to achieve a
qualification accredited by Welsh Ministers. Existing implanters will be able to continue implanting without undergoing additional training unless deemed necessary by an enforcer. The requirement to report on adverse reactions (see Q5 below) would apply.

Do you agree?:

Please enter here:

**Question 5**: It is proposed to place a formal duty on all persons to report any adverse reactions to the Veterinary Medicines Directorate. Until recently such data has been collected on a voluntary basis by the British Small Animals Veterinary Association (BSAVA).

Do you agree with this?:

Please enter here:

**Question 6**: The proposed legislation may have a cost impact on pet owners, enforcers, implanters and microchip databases: do you have any evidence that could be used by the Welsh Government to assist in the quantification of this cost?

Please enter here:

**Question 7**: We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Please enter here:

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here: