

## **DRAFT CONSULTATION RESPONSE**

### **New Rules for Selling and Supplying Puppies and Kittens**

About you

**Q1. What is your name?** Helen Morrissey

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**Q3. Are the views and opinions in your response personal or expressed on behalf of an organisation?**

Personal

Organisation ☒ X

**If the views and opinions expressed are on behalf of an organisation, please provide the name of the organisation below.**

Belfast City Council (*'the Council'*)

**Q4. Please indicate if you are happy for your response to be published.**

Yes ☒ X

No

**Q5. If you are responding on behalf of an organisation, please indicate if you are content for the name of the organisation to be associated with your response.**

Yes ☒ X

No

Not Applicable

### **Proposed requirement to register with local council**

**Q6. Do you agree that any person who wishes to sell, give away, or otherwise transfer the ownership of puppies should be required to register with their local council?**

Yes

No **X**

### **Comments**

The Council is aware that this is the first of a number of proposed changes to Animal Welfare (AW) legislation where The Department for Agriculture, Environment and Rural Affairs (DAERA) has indicated the allocation of additional responsibilities to Councils.

The Council is of the opinion that other reforms need to be addressed prior to the introduction of the proposed registration regime, and that the review of dog breeding legislation and the regulation of rescue and rehoming centres remain the priority.

Whilst Council Officers welcome any legislation to improve animal welfare, the Council does not agree that councils should be required to take on this new legal requirement for puppies to be registered.

The Council recommends that other alternative organisations be explored further to facilitate this new requirement e.g. DAERA, USPCA and other animal charities. We also advocate that a centralised register is created and maintained for NI. It is noted that the Department of Agriculture, Food and the Marine are responsible for a registration scheme in ROI.

At prior engagement meetings there was no indication that the new functions will be self-funding. The Council is of the view that there has not been sufficient engagement with councils, particularly on fees and full cost recovery.

The proposal reflects a concerning and growing trend whereby central government seeks to devolve enforcement responsibilities to local government without a corresponding transfer of resources, powers or legal protections. Councils cannot continue to absorb additional responsibilities by default, particularly where they fall outside our core remit and expertise.

DAERA has withdrawn funding from Councils for the AW function. Belfast City Council employs 2 Animal Welfare Officers (AWOs) and 1 Administrative Assistant. The Council's Dog Warden Service has 14 FTE staff. Both teams of staff are fully employed fulfilling their current duties.

DAERA recently introduced the XL Bully legislation which has already significantly added to the workload of Council Dog Warden teams, again without any additional funding for ongoing costs. It must be stressed that any further intentions by DAERA to make councils responsible for future changes in AW legislation, without adequate funding on an ongoing basis, will have significant financial implications for the Council.

The AW Service operates a computer software system which is solely for the AW function. The AW Service is not linked to the dog warden function and operates as an independent unit. The Dog Warden software system for dog licensing and receipt of service requests has no connection with the AW software system. Any new proposed registration system would need significant investment to allow for registration, annual renewal and management of payments. In addition, the system would need to be able to facilitate a public register. The Council has concerns as to how this additional IT upgrade would be financed via the proposed self-funding model.

Although inspection is not anticipated as part of the scheme – any complaints and associated enforcement will require inspections to be carried out by suitably trained staff.

Initial direct costs will be required to implement a computer system for recording registration details for puppies, generate a publicly facing register and manage the fees associated with registration.

Additional staff resource will also be required i.e. Administrative Support and Enforcement Officer(s) and all associated costs including a vehicle(s), training, IT equipment, protective clothing etc.

Ongoing costs will be required to maintain the computer system and vehicle(s) and also staff salaries including employer costs.

**Q7. Do you agree that any person who wishes to sell, give away, or otherwise transfer the ownership of kittens should be required to register with their local council?**

Yes

No **X**

**Comments**

The Council is aware that this is the first of a number of potential changes to Animal Welfare legislation where DAERA proposes to allocate additional responsibilities to Councils.

Officers are of the opinion that other reforms need to be addressed prior to the introduction of the proposed registration regime, and that the review of dog breeding legislation and the regulation of rescue and rehoming centres remain the priority.

Whilst council officers welcome any legislation in improving animal welfare, the Council does not agree that councils should be responsible for the new legal requirement for kittens to be registered.

The Council recommends that other alternative organisations be explored further to facilitate this new requirement e.g. DAERA, USPCA and other animal charities. We also advocate that a centralised register is created and maintained for NI. It is noted that the

Department of Agriculture, Food and the Marine are responsible for a registration scheme in ROI.

The Northern Ireland Dogs Advisory Group, on behalf of all 11 Councils provided feedback at a DAERA Workshop in February 2025. As advised at that time, councils strongly believe that it would be difficult to enforce the proposed legislative provisions in respect of cats.

Councils are of the opinion that the roaming/wandering behaviour of cats means that they may have several owners, or no known owner at all. As cat microchipping is not yet mandatory in Northern Ireland, it is anticipated that officers would have difficulty proving ownership, in the absence of a valid microchip. It is the view of the Council that cats should be either excluded from the proposals, or both the registration and microchipping of cats should be placed with a charity.

DAERA has withdrawn funding from Councils for the Animal Welfare function. Belfast City Council employs 2 AWOs and 1 Administrative Assistant. The AW Service operates a computer software system which is solely for the AW function. Any new proposed registration system would need significant investment to allow for registration, annual renewal and management of payments. In addition, the system would need to be able to facilitate a public register.

Although inspection is not anticipated as part of the scheme, any complaints and associated enforcement will require inspections to be carried out.

The current staff resource of AWOs and administrative support would not be capable of taking on this new legislative requirement. Additional AWOs and administrative staff would be required, including vehicles and other assets.

Councils are particularly not in favour of the proposed requirement to register for the purpose of "giving away" kittens, as it is believed that this may lead to criminalising individuals who are simply trying to give away their pet's offspring to a friend or neighbour etc.

### **Proposed exemptions**

**Q8. Do you agree with the proposed list of exempted groups who will be exempt from the proposed new rules?**

Yes

No **X**

**If not, which groups do you believe should be exempted?**

While we agree in principle that certain groups may be exempted from the proposed new rules, the following comments should be considered -

### Rescue and Rehoming Charities

The Council appreciates the role of rescue and rehoming charities in sourcing a new home for abandoned puppies or kittens and as such are of the opinion that those who are operating as legitimate rescue and rehoming charities should be exempted from the proposed requirements. We are however mindful of the potential for unscrupulous organisations posing as charities and therefore feel that this exemption would apply solely to those who are registered with the Charity Commission for Northern Ireland.

### Council Operated Dog Pounds

We are satisfied that Council owned and operated pounds may be exempted from the proposed new rules, as existing controls are already in place in such premises and it is widely known and accepted that they will rehome/give away puppies to other animal charities. We do however feel that where contractors are employed to provide kenneling services on behalf of councils, that the requirements should apply to them.

### Persons who give puppies/kittens to a rescue and rehoming organisation with charitable status.

We are satisfied that anyone giving puppies or kittens to an animal rescue or rehoming registered charity may be exempt from the requirement to register with their local council. Equally, we agree that any person who has acquired a puppy or kitten either from a registered seller or supplier, from a council dog pound, or from a registered rescue or rehoming charity, and then shortly thereafter, decides that they do not want to keep it, would not be required to register. In such circumstances, this person did not breed the animal themselves, and therefore could not meet the registration conditions.

We agree that it is necessary to restrict the options available to legally move a puppy or kitten under 6 months old, to prevent any loopholes for third party sellers.

### Proposed registration fee

**Q9. Do you agree that the first year of registration should be free of charge, except for businesses?**

Yes

No **X**

### **Comments**

The Council is of the opinion that a centralised register should be created and maintained for NI.

The Regulatory Impact Assessment makes various assumptions on the number of puppies and kittens being sold annually in NI and the potential income generated extrapolated from such figures.

*The document states “The Department does not hold information on the numbers of people or pet shops that will become sellers/suppliers of puppies and kittens. Nor does it hold information on licensed Dog Breeding Establishments. The cost to these people and businesses of registering with their local council as sellers and suppliers of puppies and kittens, is unknown at this juncture”*

While it is appreciated that a "first year free" approach for pet owners would encourage owners to take action to prevent further unplanned pregnancies by getting their pet neutered, the Council is of the opinion that implementation of the proposed registration scheme would require significant funding prior to being launched, and that this must be reflected in any proposed registration fee from the outset to ensure full cost recovery for the new registration organisation.

Fee setting must be balanced, the council has concerns that where costs are too prohibitive, activity could be driven underground, hence any short fall in full cost recovery needs to be borne by DAERA.

It is considered that any fee must be set at a realistic level to ensure that all cost considerations are accounted for. The fee should be set in legislation and should be on a sliding scale based on the number of pets

In addition, it is essential that any fee associated with the registration scheme must be inflation linked and subject to a periodic review to account for any subsequent amendments.

#### **Proposed application process (council role)**

**Q10. Do you agree that a person who sells, gives away, or otherwise transfers the ownership of puppies and kittens, should be required to do so at the address where the puppies and kittens, and the biological mother are kept?**

Yes ☒ X

No

#### **Comments**

Yes, the Council supports this requirement on owners to promote responsible purchasing and rehoming practices. However, any requirements need to deter different dogs being presented as the biological mother.

#### **Proposed conditions for registration**

**Q11. Do you agree with the conditions of registration, as listed in the consultation document?**

Yes ☒ X

No

#### **Comments**

While we agree with the proposed conditions of registration in principle, the following comments should be duly considered:

Condition 1 - The registered person cannot sell, give away or otherwise transfer the ownership of puppies or kittens which they did not breed at the registered address.

**AGREE**

Condition 2 - The registered person cannot sell, give away or otherwise transfer the ownership of puppies or kittens that are un-weaned, weaned at an age which they should not have been weaned, or aged under eight weeks old.

**AGREE**

Condition 3 – A puppy or kitten may only be shown to a prospective purchaser or new owner if it is together with its biological mother. There will be an exemption if the biological mother has died.

**AGREE**

Condition 4 - The sale of, giving away of, or otherwise transfer of ownership of a puppy or kitten must take place in person and when the puppy or kitten is in the presence of its biological mother and must be completed in the presence of the potential purchaser or new owner at the registered address.

**AGREE**

Condition 5 - The purchaser or new owner must be provided with specified information on caring for a puppy or kitten and with information on dog licensing requirements.

**AGREE** – However, onus should not be on rehoming organisations to provide this information to new owners and DAERA should provide templates for this prescribed information.

Condition 6 - The registered person must keep and maintain a register for all the dogs and cats, including puppies and kittens, on the premises.

**AGREE** - However we feel that the word "register" should be changed to "record", as in reality in the majority of instances, this may simply relate to one litter.

The Council agree that the proposed conditions are the minimum necessary to allow for compliance to be assessed.

While it is appreciated that the proposals do not require mandatory inspection, and there will be no onus to visit every house/premises from which a person wishes to sell or supply puppies or kittens, it is highly unlikely that the relevant registration organisation would not have to carry out inspections.

The Council believes that this would be necessary to confirm and verify that the biological mother is present, and feel that the conditions, as listed, will always generate the requirement for a visit to the property/premises from which puppies/kittens are being sold or supplied to ensure confidence in welfare and husbandry standards for the public. Inevitably this will add additional responsibilities to the relevant registration organisation.

The Council believes that an additional condition relating to a cap on the number of puppies/kittens that can be sold/transferred/given away etc. in one 12-month period would be an effective and useful provision.

An education/promotional campaign should form part of the implementation plan, with a clear focus on educating both the public on responsibly sourcing a pet and pet owners/businesses on the requirements for registration.

### **Proposed conditions for advertising puppies and kittens**

**Q12. Do you agree that any advertisement for the sale of, giving away of, or other transfer of ownership of a puppy or kitten must include the information, as listed in the consultation document?**

Yes ☒ X

No

### **Comments**

The Council agrees with the requirements, as laid out in the consultation document. However, we feel that point 7 should be reworded. Rather than the advertisement containing a "warning" about the life changing decision that buying/getting a new puppy or kitten is, it may be more appropriate to provide an informative for prospective new owners around their commitment/responsibilities.

It is recommended that DAERA provide a template advertisement, for use by those intending to sell, give away or transfer a puppy or kitten.

### **Proposed online publication of Register of Sellers of Puppies and Kittens**

**Q13. Do you agree that an online, public register of sellers and suppliers of puppies and kittens should publish the detail, as listed in the consultation document?**

Yes ☒ X

No

### **Comments**

The Council agrees in principle with the proposal that an online public register should include all information as listed in the consultation document and feel that this would be beneficial for prospective buyers in terms of providing assurance. The Council strongly advise that a central register should be created and maintained for NI and as referred to earlier be administered by DAERA.

We would however highlight that due consideration must be given to potential GDPR issues, particularly around "hobby" or "accidental" breeders, and the publication of their home addresses. While we do not necessarily have concerns around disclosure of commercial addresses, we are mindful of potential health and safety risks associated with publishing private addresses.



It is understood that the requirement to register will automatically mean a person's details will be publicly available. Is this a legal requirement or is there an option to "opt out" i.e. could the addition of names and addresses to a public register be voluntary?

### **Impact Assessments**

**Q14. Do you have any comments to make in relation to the Regulatory Impact Assessment, and its conclusions, or any additional information regarding impacts/costs?**

Yes ☒ X

No

### **Comments**

Council Officers have attended two events with DAERA officials on the above proposals and have highlighted significant concerns regarding the potential implications for councils given that Animal Welfare funding has been withdrawn by DAERA. DAERA have however continued to issue the first of a number of consultations with the intention of allocating new duties to councils without clear funding being identified.

The Council is of the opinion that additional reforms need to be addressed prior to the introduction of the proposed registration regime, and that the review of dog breeding legislation and the regulation of rescue and rehoming centres remain the priority.

The Council is of the view that this first consultation from the Animal Welfare Policy Reform requires further engagement with DAERA. We do not believe that councils should automatically be the registration organisation. The options for other organisations e.g. charities to register puppies and kittens and maintain a register should be further explored including a centralised register for NI. DAERA should also be considered as an option for maintaining such a register, in a similar manner to the Department of Agriculture, Food and the Marine in ROI.

The Regulatory Impact Assessment sets out the options for generating funding through a registration fee. The document states "*The Department does not hold information on the numbers of people or pet shops that will become sellers/suppliers of puppies and kittens. Nor does it hold information on licensed Dog Breeding Establishments. The cost to these people and businesses of registering with their local council as sellers and suppliers of puppies and kittens, is unknown at this juncture*"

Various assumptions have been made on the number of puppies and kittens being sold annually in NI and the potential income generated, extrapolated from such figures.

This is speculative and given the fact that DAERA are proposing a zero fee in the first year of registration for non-businesses, it is hard to provide any assurance on the likely income that could be generated.

Initial direct costs will be required to implement a computer system for recording registration details for puppies & kittens, generate a publicly facing register and manage the fees associated with registration.

DAERA is aware that the register in Republic of Ireland is updated with new applicants every two weeks.

Additional staff resource will also be required i.e. Administrative Support and Enforcement Officer(s) and all associated costs including a vehicle(s), training, IT equipment, protective clothing etc

Ongoing costs will be required to maintain a computer system and vehicle(s) and also staff salaries including employer costs.

The Council is not in favour of the proposal to include kittens and feel that this would pose significant difficulties for practical enforcement. As advised during the Workshop held in February 2025, councils highlight how the roaming nature of cats may mean that they have several owners, or no known owner at all. As cat microchipping is not yet mandatory, staff would have difficulty proving ownership of a cat without a valid microchip. Councils believe that cats should be excluded from the proposals / placed with a charitable organisation such as Cats Protection.

Councils appreciate that with the original "Option 4", a Licensing system would bring with it mandatory inspection. As provided via feedback at the DAERA Workshop in February 2025, councils highlighted significant concerns around additional burdens, and expectations around enforcement.

Whilst we appreciate that moving from a licensing scheme to a registration scheme removes the mandatory inspection requirement, concerns remain that in practical terms, an inspection would likely still be required in the vast majority of cases, as it is considered the only means of checking compliance with the relevant conditions.

The Council is not in favour of the provision for a registration requirement for "giving away" puppies or kittens as it is believed that it may lead to criminalising individuals who are simply trying to give away their pet's offspring to a friend or neighbour. It is however appreciated that the inclusion of "giving away" may avoid potential loopholes for unscrupulous owners/organisations.

There are concerns that the prosecution of individuals who were ignorant to the law could lead to negative press, particularly where no animal welfare offences have been committed.

**Q15. Do you have any comments to make in relation to the Rural Needs Impact Assessment, and its conclusions?**

Yes ☒

No ☐

**Comments**

The Council welcomes the opportunity to comment on the Rural Needs Impact Assessment and its conclusions. From the perspective of animal welfare and rural community life, it is important to highlight the significant role that kittens and puppies play in the social fabric and emotional well-being of rural residents.

Pets, particularly young animals like kittens and puppies, are not only beloved companions but also contribute to reducing rural isolation and supporting mental health. In many rural areas, where access to social infrastructure may be limited, these animals offer companionship to elderly residents, families, and children, fostering a sense of care and routine.

Moreover, responsible breeding and rehoming practices for kittens and puppies are often supported by small rural businesses and community networks. Therefore, policies that impact veterinary services, transport, licensing, or animal welfare directly influence rural pet ownership and the local economy.

The Council encourages the assessment to give further consideration to the indirect but meaningful impact of any proposals on rural households that care for animals, particularly young pets. Ensuring accessible, affordable, and well-regulated services for pet owners is a rural need that should not be overlooked.

**Q16. Do you have any comments to make in relation to the Equality and Disability Screening, and its conclusions?**

Yes ☒ X

No

**Comments**

We are of the opinion that the Equality and Disability screening does not accurately reflect the reality of the impact of the proposals. On page 6 in the section entitled Main stakeholders affected it states that “Local councils are responsible for enforcing the 2011 Act in respect of canines and felines. The proposed policy will therefore fall to councils to enforce.”

This statement is wholly inaccurate as the 2011 Act is only enforced by councils in relation to the **welfare** of animals and not the sale of animals. Furthermore, Dog Breeding Establishments are managed under a different piece of legislation which Animal Welfare Officers do not enforce. This was highlighted previously to DAERA in the review of Animal Welfare which included a reference to feral cats.