

Proposed Responsible Breeding and Ownership of Dogs (Scotland) Bill

Page 1: Introduction

A Proposal for a Bill to improve the health and wellbeing of dogs throughout their lives by strengthening the regulation of the activity of breeding, and of selling or transferring puppies, and by establishing a more responsible and informed approach to acquiring and owning a puppy or dog. The consultation runs from 4 May 2018 to 30 July 2018 All those wishing to respond to the consultation are strongly encouraged to enter their responses electronically through this survey. This makes collation of responses much simpler and quicker. However, the option also exists of sending in a separate response (in hard copy or by other electronic means such as e-mail), and details of how to do so are included in the member's consultation document. Questions marked with an asterisk (*) require an answer All responses must include a name and contact details. Names will only be published if you give us permission, and contact details are never published – but we may use them to contact you if there is a query about your response. If you do not include a name and/or contact details, we may have to disregard your response. Please note that you must complete the survey in order for your response to be accepted. If you don't wish to complete the survey in a single session, you can choose "Save and Continue later" at any point. Whilst you have the option to skip particular questions, you must continue to the end of the survey and press "Submit" to have your response fully recorded. Please ensure you have read the consultation document before responding to any of the questions that follow. In particular, you should read the information contained in the document about how your response will be handled. The consultation document is available here: [Consultation document Privacy Notice](#)

I confirm that I have read and understood the Privacy Notice attached to this consultation which explains how my personal data will be used

Page 2: About you

Are you responding as an individual or on behalf of an organisation?

on behalf of an organisation

Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose "Member of the public".)

No Response

Please select the category which best describes your organisation

Public sector body (Scottish/UK Government/Government agency, local authority, NDPB)

Please choose one of the following:

I am content for this response to be published and attributed to me or my organisation

Please provide your name or the name of your organisation. This will not be published if you have asked for the response to be anonymous or "not for publication". Otherwise this is the name that will be published with your response.

South Ayrshire Council

Please provide details of a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number. We will not publish these details.

Page 8: A - Reducing the threshold for a breeding licence to three litters a year

Q1. Which of the following best describes your view of reducing the threshold for a breeding licence from five to three litters in a twelve month period?

Partially supportive

Please explain the reasons for your response, including any advantages or disadvantages.

The reduction in the number of litters will most likely bring more breeders into the licensing regime, which will have an impact on already limited resources within Local Authorities

Page 9: B - Extending the breeding licence regime to any form of transfer, not only sale

Q2. Which of the following best describes your view of requiring people to be licensed as breeders even if they do not sell their puppies, but transfer them/give them away?

Partially supportive

Please give reasons for your answer, including any advantages or disadvantages.

This seems like a practical step to avoid forensic checking of accounts to check if pups were sold or given away.

Page 10: C - Introducing a temporary registration scheme for those that breed fewer than three litters a year

Q3. Which of the following best describes your view of introducing a temporary registration scheme for those breeding one or two litters in a 12 month period who wish to sell or transfer their puppies?

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Partially supportive

Please explain the reasons for your answer, including any advantages or disadvantages.

Introducing a registration scheme would seem a simple method of monitoring the sale of pups. If, however a domestic bitch is in pup by accident or design it is unlikely the that member of public will know or being encouraged to register. The sale of pups gaining a financial advantage of on average £800 and a potential penalty of £200, will not be seen as a deterrent for not registering. It will only be encouraged if the public refused to purchase or reported offenders. It has been known the even when the dogs or conditions have been less than satisfactory the public feel obliged to "rescue the dog". It may also have an impact on dogs bred for showing or working dogs, where the dogs are not necessarily bred for sale.

Q4. Under the proposal, someone with only one or two litters in a 12 month period found to be selling or transferring puppies without completing an online temporary registration would be committing an offence and may be liable to pay a fine. Which of the following best describes your view on this?

Partially supportive

Please give reasons for your answer, including any advantages or disadvantages.

The evidence required to prove that an individual has sold a pup or litter of pups may be difficult where there is only one complainer. In any event a fixed penalty fine would be advantageous in the first instance.

Page 11: D - Ensuring future health and welfare needs of dogs through a more responsible and informed approach to acquiring and owning a puppy/dog

Q5. Which of the following best describes your view of creating an obligation on prospective owners to consider carefully a set of questions related to their capacity to take on a puppy/dog?

Partially supportive

Please give reasons for your answer, including any advantages or disadvantages.

Given the publicity and guidance currently available and the number of dogs re-homed or abandoned, it is unlikely that the public would follow this new requirement as it seems the desire to get a specific pup over-rides the logic of following the set of questions. Would there be a penalty for not following the questions and if so how would this be ascertained and enforced. If there is a penalty, it could be a deterrent for the public to complain or identify illegal traders.

Q6. Which of the following best describes your view of placing an obligation on the breeder/keeper of a dog to check that any prospective owner is aware that they should have considered these questions?

Fully supportive

Please give reasons for your answer, including any advantages or disadvantages

Good breeders will already utilise puppy packs etc and in some cases assess the purchaser to check whether they are suitable to purchase one of their pups. A trader can ask the prospective purchaser has considered all aspects of keeping a pup/dog, but can they be held accountable if the prospective owner, thereafter cannot

Q6. Which of the following best describes your view of placing an obligation on the breeder/keeper of a dog to check that any prospective owner is aware that they should have considered these questions?

cope or under-estimates their capacity for keeping the dog.

Q7. Which of the following best describes your view of obliging anyone acquiring a puppy from a breeder in Scotland to check that the breeder is licensed or registered?

Fully supportive

Please give reasons for your answer, including any advantages or disadvantages

Purchasers should always check where the puppy is from and the mother and siblings, but it is unclear how this could be enforced. Especially with internet purchases being available

Page 12: Financial impact

Q8. Taking account of both costs and potential savings, what financial impact would you expect the proposed Bill to have on:

	Significant increase in cost	Some increase in cost	Broadly cost neutral	Some reduction in cost	Significant reduction in cost	Unsure
(a) Local authorities		X				
(b) Dog breeders		X				
(c) General public (including dog owners)		X				
(d) Police and animal welfare organisations			X			

Please explain the reasons for your response.

The costs for Local Authorities will go up due to demand on resource, setting up registration schemes, taking payments for the scheme and ensuring data protection. In addition, pursuing breaches of legislation of those now covered by the new regulations will incur costs. Breeders will incur costs as they will have to pay licence fees, registration costs, compliance costs, and possibly planning issues if they are now considered to be a commercial enterprise. Members of the public will also be likely to see increase costs as some fi not all of any increased cost will be passed on by breeders. Police and animal welfare officers will continue to pursue the illegal trade in pups.

Q9. Are there ways in which the Bill could achieve its aim more cost-effectively (e.g. by reducing costs or increasing savings)?

No

Please explain the reasons for your response.

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It is unclear how increased regulation and enforcement can be achieved at a lower cost

Page 13: Equalities

Q10. What overall impact is the proposed Bill likely to have on equality, taking account of the following protected characteristics (under the Equality Act 2010): age, disability, gender re-assignment, marriage and civil partnership, race, religion and belief, sex, sexual orientation?

Neutral (neither positive nor negative)

Please explain the reasons for your response.

We cannot see any effect in this area

Page 14: Sustainability

Q11. Do you consider that the proposed Bill can be delivered sustainably i.e. without having likely future disproportionate economic, social and/or environmental impacts?

Unsure

Please explain the reasons for your response.

There will be some impact economically, but the health and welfare of the dogs should be the priority. If the illegal trade is reduced this could give rise to increased cost to the consumer if demand exceeds supply.

Page 15: General

Q12. Do you have any other comments or suggestions on the proposal?

In any new legislation, fixed penalty notices should be included. In addition enforcement notices should also be part of the Regulations to ensure enforcers have a wide range of tools and enforcement options.

Q13. Could the aims of the Bill be better delivered in another way (rather than by means of a Bill in the Scottish Parliament)?

No

Please explain the reasons for your response

Without the introduction of new legislation, registration schemes etc would not be implemented as non-compliance has no detrimental effect.

