STATUTORY RULES OF NORTHERN IRELAND

2000 No. 405

WELFARE OF ANIMALS

Petshops Regulations (Northern Ireland) 2000

Made . . . . . 21st December 2000

Coming into operation . . 5th February 2001

The Department of Agriculture and Rural Development**(a)**, in exercise of the powers conferred on it by section 11(1) of the Welfare of Animals Act (Northern Ireland) 1972**(b)** and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Petshops Regulations (Northern Ireland) 2000 and shall come into operation on 5th February 2001.

Interpretation

2.—(1) In these Regulations—

"the Department" means the Department of Agriculture and Rural Development;

"enclosure" means any form of accommodation in which an animal is kept and includes a pen, cage, aviary, tank, or vivarium; and

"licence" means a licence to keep a petshop granted under section 8(1) of the Welfare of Animals Act (Northern Irerland) 1972.

(2) References in these Regulations to a "rodent" or an "insect" do not include any creatures (alive or dead) kept by the licence holder on the premises under controlled conditions for sale or for feeding to stock.

(3) For the purposes of paragraph (2), a rodent or insect is kept under controlled conditions where, in the case of a dead creature, it is kept in a refrigerator or freezer and in any other case is kept in an enclosure.

Conditions for keeping a petshop

3.—(1) Subject to paragraph (2), a licence holder shall, in relation to the premises on which he keeps a petshop, comply with the conditions laid down in the Schedule.

(2) The Department may by notice in writing exempt any person from complying with any specified part of the conditions in paragraph 1 of the Schedule for such a period as shall be specified in the notice.

(**a**) Formerly the Department of Agriculture. *See* S.I. 1999/283 (N.I. 1) Article 3

(**b**) 1972 c. 7 (N.I.) as amended by S.I. 1984/702 (N.I. 2) Article 16 and S.I. 1994/1891 (N.I. 6) Article 12

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 21st December 2000.

(L.S.) *R. S. Johnston*

A senior officer of the Department of Agriculture and Rural Development.

SCHEDULE

Conditions for keeping petshops

1. After 4th February 2001—

(*a*) the licence holder shall ensure that the insulation, heating and ventilation of the premises are of sufficient quality that the air circulation, dust level, temperature and relative air humidity and gas concentrations are kept within limits which are not detrimental or likely to cause suffering or distress to any species of animals kept within the premises;

(*b*) all animals shall be kept in enclosures which are constructed so as to ensure their health, safety and welfare;

(*c*) all animals shall be housed in such a way as to protect them from suffering, harm or distress, taking into account their number, age, size, species and, where appropriate, oestrus or pregnancy state;

(*d*) enclosures shall be situated, maintained and cleaned in such a way as to ensure the health, safety and welfare of the animals kept within them.

2. The petshop shall not be managed by or left in the sole charge of a person of less than 18 years of age.

3. The petshop shall be managed only by a person who, to the satisfaction of the Department, has either sufficient experience or suitable training and qualifications to provide a reasonable level of care and supervision in respect of the number and range of species which are permitted to be kept within that petshop.

4.—(1) The licence holder shall keep a register, which may be kept in either written or electronic form, containing information as follows:

(i) a description of animals kept within the premises both in terms of numbers and of species;

(ii) details of each animal's origin or the source from which it was purchased;

(iii) the date of each animal's arrival and sale;

(iv) details of any illness suffered by an animal and any treatment given to it in relation to such illness; and

(v) the date of any death of an animal which occurred on the premises.

(2) Information about the sale, illness, treatment or death of an animal shall be recorded on the register under paragraph 4(1) within 2 working days of the event in question.

(3) Any other information about an animal required by that paragraph shall be recorded on the register within 2 working days of the arrival of that animal.

(4) The information recorded on the register under sub-paragraph (1) shall be retained for a minimum of 2 years from the date it was recorded on the register.

5.—(1) The licence holder shall, if required to do so by an authorised officer of the Department, produce for inspection at all reasonable times the register kept under paragraph 4 and, where the register is kept in written form, permit copies to be taken therefrom.

(2) The licence holder shall, where the register is kept in electronic form, if required to do so by an authorised officer of the Department produce the information contained therein in a form in which it may be taken away.

6. Animals shall be inspected not less than twice a day (including days on which the premises are not open for trading) to check that they are in a state of well-being. Where they are found not to be in a state of well-being, such measures shall be taken as are required to safeguard them from unnecessary suffering or distress. Where necessary, they shall be isolated in suitable accommodation and veterinary advice shall be obtained as soon as possible if animals are not responding to the attendant's care.

7. The licence holder shall ensure that adequate isolation facilities are provided in which sick or injured animals can be placed and retained during treatment.

8. Sick or injured or, in the case of mammals, unweaned animals shall not be offered for sale and any enclosure in which such animals are displayed shall be clearly identified as such by the attendants.

9. All animals shall have free and appropriate access to an adequate supply of fresh clean water at all times.

10. All animals shall be supplied with sufficient wholesome food to satisfy their physiological and ethological needs.

11. All animals shall be provided with adequate substrate or other suitable environmental enrichment to satisfy their ethological and physiological needs.

12. All animals shall be provided with lighting of a pattern, wavelength and intensity (including appropriate periods of darkness) that satisfies their ethological and physiological needs.

13. The premises and any enclosures, equipment and utensils located therein shall be properly cleansed and disinfected regularly so as to prevent cross-infection and build up of disease-causing organisms. Faeces and uneaten or spilled food shall be removed as often as is necessary to minimise the generation of noxious gases and avoid attracting vermin.

14. Food and substrates shall be stored in such a way that they will be maintained in a condition which satisfies the requirements of paragraphs 10, 11 and 13.

15. All necessary precautions shall be taken to ensure that the premises are kept free from wild birds, rodents and insects.

16. Reasonable precautions shall be taken for the protection of animals in the case of fire or other emergency and written procedures for emergency precautions shall be kept up to date and shall be made known to all staff.

17. All reasonable precautions shall be taken to ensure that animals are kept free from lice and other external parasites.

EXPLANATORY NOTE

(This note is not part of the Regulations.)

The Regulations require that any person licensed to keep a petshop must comply with the conditions laid down in the Schedule unless they have been temporarily exempted by the Department from complying with any of the requirements of the first paragraph thereof.

As these regulations ensure that all animals kept for sale as pets are kept in suitable accommodation with adequate arrangements for exercise, protection and welfare of the animals, these regulations have been notified to the European Commission in accordance with Article 12 of Directive 98/34/EC of the European Parliament and of the Council of 22nd June 1998.

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