

The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

Conditions for Breeding Dogs

**Part A - GENERAL CONDITIONS**

**1.0 Licence Display**

- 1.1 A copy of the licence must be clearly and prominently displayed on any premises used for the licensable activity.
- 1.2 The name of the licence holder followed by the number on the licence holder's licence must be clearly and prominently displayed on any website used in respect of the licensable activity.

**2.0 Records**

- 2.1 The licence holder must ensure that at any time all the records that the licence holder is required to keep as a condition of the licence are available for inspection by any inspector in a visible and legible form or, where any such records are stored in electronic form, in a form from which they can readily be produced in a visible and legible form.
- 2.2 The licence holder must keep all such records for at least three years beginning with the date on which the record was created.

**3.0 Use, Number and type of animals**

- 3.1 No animals or types of animal other than those animals and types of animal specified in the licence may be used in relation to the relevant licensable activity.
- 3.2 The maximum number of animals kept for the activity at any time must not exceed the maximum that is reasonable taking into account the facilities and staffing on any premises used for the licensable activity.

**4.0 Staffing**

- 4.1 Sufficient numbers of people who are competent for the purposes must be available to provide a level of care that ensures that the welfare needs of all the animals are met.
  - Staffing levels will be up to 1 Full Time Equivalent attendant per 10 adult dogs kept
- 4.2 The licence holder or a designated manager and any staff employed to care for the animals must have competence to identify the normal behaviour of the species for which they are caring and to recognise signs of, and take appropriate measures to mitigate or prevent pain, suffering, injury, disease or abnormal behaviour.
  - Where there are staff employed at least one must have an OFQUAL regulated Level 3 qualification in a relevant subject and must be present during the working day.
  - A suitably qualified behaviour expert must be appointed in relation to the licensable activity and active engagement recorded.
- 4.3 The licence holder must provide and ensure the implementation of a written training policy for all staff

## 5.0 Suitable Environment

- 5.1 All areas, equipment and appliances to which the animals have access must present minimal risks of injury, illness and escape. They must be constructed in materials that are robust, safe and durable, in a good state of repair and well maintained.
- Dogs must be provided with a design and layout that provides them with choice beyond minimum enrichment requirements. This can be achieved by, for example, inclusion of raised platforms or more than one room.
- 5.2 Animals must be kept at all times in an environment suitable to their species and condition (including health status and age) with respect to –
- a) Their behavioural needs,
  - b) Its situation, space, air quality, cleanliness and temperature,
  - c) The water quality (where relevant),
  - d) Noise levels,
  - e) Light levels,
  - f) Ventilation.
- Ventilation must be managed, fixed or portable, air system to ensure appropriate temperatures are maintained in all weathers. This can be an air conditioning unit or use of removable fans.
  - A noise management plan must be in place e.g. physical barriers, sound absorbing materials, positive reinforcement training to keep barking down, kennel design to prevent noise generation with demonstration of effectiveness.
- 5.3 Staff must ensure that the animals are kept clean and comfortable.
- 5.4 Where appropriate for the species, a toileting area and opportunities for toileting must be provided.
- 5.5 Procedures must be in place to ensure accommodation and any equipment within it is cleaned as often as necessary and good hygiene standards are maintained. The accommodation must be capable of being thoroughly cleaned and disinfected.
- 5.6 The animals must be transported and handled in a manner (including for example in relation to housing, temperature, ventilation and frequency) that protects them from pain, suffering, injury and disease.
- 5.7 All the animals must be easily accessible to staff and for inspection. There must be sufficient light for the staff to work effectively and observe the animals.
- 5.8 All resources must be provided in a way (for example as regards, frequency, location and access points) that minimises competitive behaviour or the dominance of individual animals.
- 5.9 The animals must not be left unattended in any situation or for any period likely to cause them distress
- All individual dogs must be inspected at least once at an appropriate interval during the out of hours period (e.g. 1800-0800)

## 6.0 **Suitable Diet**

- 6.1 The animals must be provided with a suitable diet in terms of quality, quantity and frequency. Any new feeds must be introduced gradually to allow the animals to adjust to them.
- Dogs must be fed twice a day with a feeding plan for each dog balancing feeding with food enrichment such as use of scatter feeders. Inspector must see the enrichment tools and plan for each dog.
  - A minimum of a weeks supply of the puppies' current diet must be included when they go their new home.
- 6.2 Feed and (where appropriate) water intake must be monitored, and any problems recorded and addressed.
- 6.3 Feed and drinking water provided to the animals must be unspoilt and free from contamination.
- 6.4 Feed and drinking receptacles must be capable of being cleaned and disinfected, or disposable.
- 6.5 Constant access to fresh, clean drinking water must be provided in a suitable receptacle for the species that requires it.
- 6.6 Where feed is prepared on the premises used for the licensable activity, there must be hygienic facilities for its preparation, including a working surface, hot and cold running water and storage.

## 7.0 **Monitoring of behaviour and training of animals**

- 7.1 Active and effective environmental enrichment must be provided to the animals in inside and any outside environments
- 7.2 For species whose welfare depends partly on exercise opportunities to exercise which benefit the animals physical and mental health must be provided, unless advice from a veterinarian suggests otherwise.
- There must be a clear plan setting out two walks per dog each working day for a minimum of 20 minutes each or two sessions of access to a secure open area away from the kennel unit. There must be an alternative form of enrichment planned for dogs which cannot be exercised for veterinary reasons.
- 7.3 The animals' behaviour and any changes of behaviour must be monitored. Advice must be sought, as appropriate and without delay, from a veterinarian or, in the case of fish, any person competent to give such advice if averse or abnormal behaviour is detected.
- 7.4 Where used, training methods or equipment must not cause pain, suffering or injury.
- 7.5 All immature animals must be given suitable and adequate opportunities to –
- a) Learn how to interact with people, their own species and other animals where such interaction benefits their welfare, and
  - b) Become habituated to noises, objects and activities in their environment.

## 8.0 **Animal Handling and Interactions**

- 8.1 All people responsible for the care of the animals must be competent in the appropriate handling of each animal to protect it from pain, suffering, injury or disease.
- 8.2 The animals must be kept separately or in suitable compatible social groups appropriate to the species and individual animals. No animals from a social species may be isolated or separated from others of their species for any longer than is necessary.
- 8.3 The animals must have at least daily opportunities to interact with people where such interaction benefits their welfare.

## 9.0 **Protection from Pain, Suffering, Injury and Disease**

- 9.1 Written procedures must -
  - a) Be in place and implemented covering -
    - i. Feeding regimes,
    - ii. Cleaning regimes,
    - iii. Transportation,
    - iv. The prevention of, and control of the spread of, disease,
    - v. Monitoring and ensuring the health and welfare of all the animals,
    - vi. The death or escape of an animal (including the storage of carcasses).
  - b) Be in place covering the care of the animals following the suspension or revocation of the licence or during and following an emergency
- 9.2 All people responsible for the care of the animals must be made fully aware of these procedures.
- 9.3 Appropriate isolation, in self contained facilities, must be available for the care of sick, injured or potentially infectious animals.
- 9.4 All reasonable precautions must be taken to prevent and control the spread among animals and people of infectious diseases and parasites.
- 9.5 All excreta and soiled bedding for disposal must be stored and disposed of in a hygienic manner and in accordance with any relevant legislation.
- 9.6 Sick or injured animals, must receive prompt attention from a veterinarian or, in the case of fish, an appropriately competent person and the advice of that veterinarian or in the case of fish that competent person must be followed.
- 9.7 Where necessary, animals must receive preventative treatment by an appropriately competent person.
- 9.8 The licence holder must register with a veterinarian with an appropriate level of experience in the health and welfare requirements of any animals specified in the licence and the contact details of that veterinarian must be readily available to all staff on the premises used for the licensable activity.
- 9.9 Prescribed medicines must be stored safely and securely to safeguard against unauthorised access, at the correct temperature, and used in accordance with the instructions of the veterinarian.
- 9.10 Medicines other than prescribed medicines must be stored, used and disposed of in accordance with the instructions of the manufacturer or veterinarian.

- 9.11 Cleaning products must be suitable, safe and effective against pathogens that pose a risk to the animals. They must be used, stored and disposed of in accordance with the manufacturer's instructions and used in a way which prevents distress or suffering of the animals.
- 9.12 No person may euthanase an animal except a veterinarian or a person who has been authorised by a veterinarian as competent for such purpose or –
- a) In the case of fish, a person who is competent for such purpose
  - b) In the case of horses, a person who is competent, and who holds a licence or certificate, for such purpose.
- 9.13 All animals must be checked at least once daily and more regularly as necessary to check for any signs of pain, suffering, injury, disease or abnormal behaviour. Vulnerable animals must be checked more frequently. Any signs of pain, suffering, injury, disease or abnormal behaviour must be recorded and the advice and further advice of a veterinarian must be sought and followed.

## 10.0 Emergencies

- 10.1 A written emergency plan, acceptable to the local authority, must be in place, known and available to all staff on the premises used for the licensable activity, and followed where necessary to ensure appropriate steps are taken to protect all the people and animals on the premises in case of fire or in case of breakdowns for essential heating, ventilation, aeration or filtration systems or other emergencies.
- 10.2 The plan must include details of the emergency measures to be taken for the extrication of the animals should the premises become uninhabitable and an emergency telephone list that includes the fire service and police.
- 10.3 External doors and gates must be lockable.
- 10.4 A designated key holder with access to all animal areas must at all times be within reasonable travel distance of the premises and available to attend in an emergency.
- A competent person must be on site at all times.

## Part B – Specific Conditions for Breeding Dogs

### 1.0 Advertisements and sales

- 1.1 The licence holder must not advertise or offer for sale a dog –
- a) Which was not bred by the licence holder;
  - b) Except from the premises where it was born and reared under the licence;
  - c) Otherwise than to-
    - i. A person who holds a licence for the activity described in paragraph 2 of schedule 1; or
    - ii. A keeper of a pet shop in Wales who is licensed under the Pet Animals Act 1951 to keep the shop.

Knowing or believing that the person who buys it intends to sell it or intends it to be sold by any other person.

- 1.2 Any advertisement for the sale of a dog must –
- a) Include the number of the licence holder's licence
  - b) Specify the local authority that issued the licence,
  - c) Include a recognisable photograph of the dog being advertised, and
  - d) Display the age of the dog being advertised.
- 1.3 The licence holder and all staff must ensure that any equipment and accessories being sold with a dog are suitable for it
- 1.4 The licence holder and all staff must ensure that the purchaser is informed of the age, sex and veterinary record of the dog being sold.
- 1.5 No puppy aged under 8 weeks may be sold or permanently separated from its biological mother.
- 1.6 A puppy may only be shown to a prospective purchaser if it is together with its biological mother.
- 1.7 Sub-paragraphs 5 and 6 do not apply if separation of the puppy from its biological mother is necessary for the health or welfare of the puppy, other puppies from the same litter or its biological mother.
- The breeder must give all details of the sire to the buyer including date of birth, microchip number, registration body if applicable and details of any inherited diseases to which the father's breed is prone and any screening tests or surgery to amend confirmation the father received.
  - The breeder must give all details of the bitch to the buyer including date of birth, microchip number, registration body if applicable and details of any inherited diseases to which the bitch's breed is prone and any screening tests or surgery to amend confirmation that the bitch received.
  - The breeder will ensure all breeding stock or puppies are recorded in the UK with a registration organisation compliant with BSI 9001 which must make available health record of parent or lineage including coefficient of inbreeding and record of health screening test results.

## 2.0 **Suitable Environment**

- 2.1 Each dog must have access to a sleeping area which is free from draughts and an exercise area.
- 2.2 Each dog must be provided with sufficient space to –
- a) Stand on its hind legs,
  - b) Lie down fully stretched out,
  - c) Wag its tail,
  - d) Walk, and
  - e) Turn around
- Without touching another dog or the walls of the sleeping area.
- 2.3 The exercise area must not be used as a sleeping area.
- 2.4 Part or all of the exercise area must be outdoors.
- 2.5 There must be a separate whelping area for each breeding bitch to whelp in which contains a suitable bed for whelping.
- 2.6 Each whelping area must be maintained at an appropriate temperature (between and including 26 and 28 degrees centigrade) and include an area which allows the breeding bitch to move away from heat spots.
- 2.7 Each dog must be provided with constant access to a sleeping area.
- 2.8 A separate bed must be provided for each adult dog.
- 2.9 No puppy aged under eight weeks may be transported without its biological mother except –
- a) If a veterinarian agrees for health or welfare reasons that it may be so transported, or
  - b) In an emergency.
- 2.10 No breeding bitch may be transported later than 54 days after the date of successful mating except to a veterinarian.
- 2.11 No breeding bitch may be transported earlier than 48 hours after whelping except to a veterinarian where it is not otherwise practicable or appropriate for that person to attend to the bitch.
- 2.12 Each dog's sleeping area must be clean, comfortable, warm and free from draughts.
- 2.13 In this paragraph, "exercise area" means a secure area where dogs may exercise and play.

## 3.0 **Suitable Diet**

- 3.1 Staff must –
- a) Ensure that each puppy starts weaning as soon as it is capable of ingesting feed on its own,
  - b) Provide each breeding bitch with feed appropriate to its needs,
  - c) Provide each puppy with feed appropriate for its stage of development, and
  - d) Ensure that each puppy ingests the correct share of the feed provided.

## 4.0 **Monitoring of behaviour and training**

- 4.1 The licence holder must implement and be able to demonstrate use of a documented socialisation and habituation programme for the puppies.

- 4.2 Each dog must be provided with toys or feeding enrichment (or both) unless advice from a veterinarian suggests otherwise.
- 4.3 Except in the circumstances mentioned in sub-paragraph 4, all adult dogs must be exercised at least twice daily away from their sleeping area.
- 4.4 Where a veterinarian has advised against exercising a dog, the dog must be provided with alternative forms of mental stimulation.
- 4.5 Any equipment that a dog is likely to be in contact with and any toy provided must not pose a risk of pain, suffering, disease or distress to the dog and must be correctly used.

#### 5.0 **Housing apart from other dogs**

- 5.1 Each adult dog must be provided with opportunities for social contact with other dogs where such contact benefits the dogs' welfare.
- 5.2 Each adult dog must be given suitable and adequate opportunities to become habituated to handling by people.
- 5.3 Procedures must be in place for dealing with dogs that show abnormal.
- 5.4 There must be an area within each sleeping area in which dogs can avoid seeing people and other dogs outside the sleeping area if they so choose.

#### 6.0 **Protection from pain, suffering, injury and disease**

- 6.1 All dogs for sale must be in good health.
- 6.2 Any dog with a condition which is likely to affect materially its quality of life must not be moved, transferred or offered for sale but may be moved to an isolation facility or veterinary care facility if required until it has recovered.
- 6.3 The licence holder must ensure that no bitch-
  - a) Is mated if ahead less than 12 months;
  - b) Gives birth to more than one litter of puppies in a 12 month period;
  - c) Gives birth to more than six litters of puppies in total;
  - d) Is mated if she has had two litters delivered by caesarean section.
  - All bitches must be at least 18 months old before they are used for mating
  - A bitch must not be mated if she is 8 years of age or older.
  - A bitch must not give birth to more than four litters of puppies in total
  - A bitch must not be bred from if they have had one caesarean.
- 6.4 The licence holder must ensure that each puppy is microchipped and registered to the licence holder before it is sold.
  - The licence holder must ensure that the microchipping database is amended with the puppy buyer's details.
- 6.5 No dog may be kept for breeding if it can reasonably be expected, on the basis of its genotype, phenotype or state of health that breeding from it could have a detrimental effect on its health or welfare or the health or welfare of its offspring.
  - Licence holders must test all breeding stock for hereditary disease using the accepted and scientifically validated screening schemes relevant to their breed or type, and must carefully evaluate any test results as well as follow any breeding advice issued under each scheme, prior to breeding. No mating must take place if the test results indicate that it would be inadvisable in the sense that it is likely to

produce health or welfare problems in the offspring and/or it is inadvisable in the context of a relevant breeding strategy.

- No bitch will be intentionally mated when the Coefficient of Inbreeding of the puppies would exceed the breed average or 12.5% if no breed average exists as measured from a minimum five generation pedigree.
  - Surgery to correct exaggerated conformation must be reported to the appropriate organisation.
- 6.6 The health, safety and welfare of each dog must be checked at the start and end of every day and at least every four hours during the daytime.
- 6.7 Breeding Bitches must be adequately supervised during whelping and the licence holder must keep a record of –
- a) The date and time of birth of each puppy,
  - b) Each puppy's sex, colour and weight,
  - c) Placentae passed,
  - d) The number of puppies in the litter, and
  - e) Any other significant events.
- The puppy must be checked by a veterinarian before sale with proof of such held and available to the puppy buyer.
- 6.8 The licence holder must keep a record of each puppy sale including –
- a) The microchip number of the puppy,
  - b) The date of the sale, and
  - c) The age of the puppy on that date.
- A puppy contract must be used, which must include undertakings and warranties around health, vaccinations and socialisation carried out by the seller prior to sale, and also make clear the responsibilities of the buyer relative to the dog. This must then give both parties confidence that a transaction has taken place in good faith.
- 6.9 The licence holder must keep a record of the following in relation to each breeding dog –
- a) Its name,
  - b) Its sex,
  - c) Its microchip and database details,
  - d) Its date of birth,
  - e) The postal address where it normally resides,
  - f) Its breed or type,
  - g) Its description,
  - h) Date or dates of any matings, whether or not successful,
  - i) Details of its biological mother and biological father,
  - j) Details of any veterinary treatment it has received, and
  - k) The date and cause of its death (where applicable)
- 6.10 In addition to the matters mentioned in sub-paragraph (7), the licence holder must keep a record of the following in relation to each breeding bitch –
- a) The number of matings,
  - b) Its age at the time of each mating,

- c) The number of its litters,
  - d) The date or dates on which it has given birth, and
  - e) The number of caesarean sections it has had, if any.
- 6.11 Unless the licence holder keeps the dog as a pet, the licence holder must make arrangements for any dog no longer required for breeding to be appropriately homed.
- 6.12 A preventative healthcare plan agreed with the veterinarian with whom the licence holder has registered under paragraph 9(8) of Schedule 2 must be implemented.
- 6.13 The licence holder must keep a record of any preventative or curative healthcare (or both) given to each dog.
- 6.14 Where any other activity involving animals is undertaken on the premises, it must be kept entirely separate from the area where the activity of breeding dogs takes place.