



Review of the consultation document for Pet Grooming, Pet Sitting, Pet Boarding, and Dog Breeding

A REVIEW BY THE MSPCA

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REVIEW OF THE CONSULTATION DOCUMENT FOR PET GROOMING, PET SITTING, PET BOARDING, AND DOG BREEDING

In reviewing the consultation document and writing this response, the MSPCA has prioritised four key elements in its vision for such regulations to protect animals and professionalise the pet services industry:

- 1) Ensuring personnel involved in these pet related activities have the knowledge required to provide quality and safe services – this gives pet owners the peace of mind when availing of these often-essential services in the maintenance of their pets’ health and wellbeing.
- 2) Ensuring the equipment used and protocols are in line with evidence-based practice in the industry – this gives pet owners the peace of mind that their pets are treated fairly and humanely when availing of these often-essential services in the maintenance of their pets’ health and wellbeing.
- 3) Ensuring occupational safety for the personnel involved – this gives current and future professionals in the industry dignity in their work and creates sustainability for these professionals whom we will continue needing for as long as people keep pets.
- 4) Reducing the likelihood of past incidents happening again – the need for these regulations arises from examples of mild to severe cases of abuse and exploitation of pets and pet owners, therefore new regulations need to be tangibly able to prevent such incidents happening again.





PET GROOMING

MINIMUM STANDARDS FOR PET GROOMING SERVICES NEW REGULATIONS PROPOSED

CONSULTATION DOCUMENT TEXT

Pet grooming - clipping, trimming, styling, bathing, or drying a pet animal.

Pet grooming establishment - a commercial establishment where a pet animal is brought to the person operating a pet grooming establishment for pet grooming excluding a households.

Person operating a pet grooming establishment - a person who, amongst other things, clips, trims, styles, bathes, or dries a pet animal for financial remuneration.

COMMENT

We suggest adding **nail clipping, nail filing, coat stripping, ear and teeth cleaning** as grooming activities.

We suggest using wording inclusive of groomer salons in **static commercial premises, groomers operating out of their residence, groomers operating a mobile grooming vehicle**, thus also avoiding using the term being defined in its own definition.

We suggest a clearer definition of the **person responsible for a pet grooming establishment's** day to day operation including establishments which employ personnel.

We suggest adding a definition of "**pet groomer**" to ensure that freelance services are also included in these regulations thus ensuring all those offering the service are regulated and every animal protected.

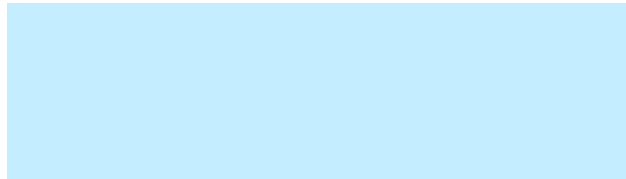
SUGGESTION

Pet grooming - clipping, trimming, styling, bathing, drying, nail clipping, nail filing, coat stripping, ear and teeth cleaning of pet animal species.

Pet grooming establishment - any commercial or residential space, whether static or mobile, where pet animals are brought to undergo pet grooming.

Person operating a pet grooming establishment – a person responsible for the day-to-day operation and running of a pet grooming establishment, including performing pet grooming, establishing standards of procedure, record keeping and overseeing employee activities, if any.

Pet groomer – a person offering pet grooming services, including services offered in static establishments, mobile establishments and house call services.



We suggest adding a definition for “**House-call Grooming service**”.

House-call grooming service – a person or collective offering grooming services on house-call basis in the property where the animal or their owner normally resides, using the animals personalised equipment or from the groomer’s toolkit.

MINIMUM STANDARDS FOR PET GROOMING

CONSULTATION DOCUMENT TEXT

- i. Individuals offering grooming services are to be registered with the competent authority.
- ii. In possession of a groomer’s licence issued by the Veterinary Surgeon’s Council in accordance with standards set by the Council, to be obtained within a transitory period.
- iii. A clean conduct with regards to animal cruelty.
- iv. Groomers will be required to keep appropriate records related to all animals groomed as well as to all treatments carried out.

COMMENTS

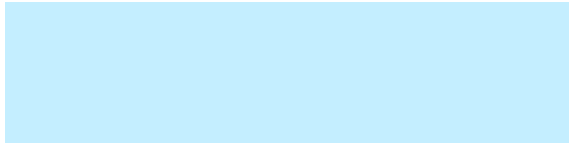
We suggest a consultation process for the standards set and enforced by the Council to ensure these can be transparently measured against industry and consumer needs. On the same lines of exclusion of persons found guilty of animals cruelty, we suggest further exclusion of person found guilty of other **crimes of care and neglect**. We further suggest that pet groomers operating independently to be in possession of **qualification in animal first aid** to ensure timely care in case of accidents.

We suggest a specified period of **3 years**. Additionally we suggest that records of treatments include any **abnormal incidents and medical abnormalities** such as reactive behaviour and adverse reactions to treatments, in such a way that facilitates **retrieval for future appointments**. We also suggest minimum requirements for the **sanitisation of equipment**.

SUGGESTION

Pet Groomers are to be:

- i. registered with the competent authority.
- ii. In possession of a groomer’s licence issued by the Veterinary Surgeon’s Council in accordance with standards set by the Council.
- iii. Of clean conduct with regards to animal cruelty and crimes of care and neglect,
- iv. Qualified in animal first aid if working independently.
- v. Groomers shall be required to keep appropriate records related to all animals groomed as well as to all treatments carried out, adverse reactions and abnormal behaviour.
- vi. Special written precautions to prevent future adverse reactions and abnormal behaviour should be kept with the animal’s records.

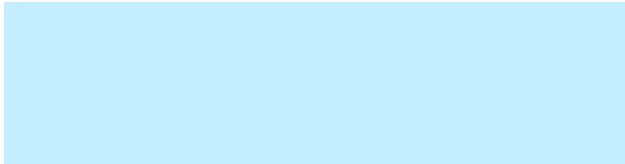


- vii. Groomers operating a house-call service shall ensure that equipment is adequately cleaned and sanitised between house-calls.

MINIMUM STANDARDS FOR PET GROOMING ESTABLISHMENTS

CONSULTATION DOCUMENT TEXT	COMMENTS	SUGGESTION
<ul style="list-style-type: none"> i. All pet grooming establishments will be required to be registered with the Directorate. ii. Operated by groomers licensed by the Veterinary Surgeon’s Council in accordance with standards set by the Council, to be obtained within a transitional period and be of clean conduct with regards to animal cruelty. 	<p>We suggest that establishment be obliged to guarantee one member of staff qualified in animal first aid during every shift to ensure timely care at all times in case of accidents. We suggest including other crimes of care and neglect in the exclusion criteria.</p> <p>We suggest minimum standards be contingent on the activities carried out and size of the establishment, to avoid creating unnecessary obstacles. E.g. If a groomer offers a late pick-up possibility or pickup/delivery service, there should be minimum standards for the temporary housing during the wait or transit, but this is unnecessary if they don’t offer such a service.</p>	<p>All pet grooming establishments will be</p> <ul style="list-style-type: none"> i. required to be registered with the Directorate. ii. Operated by groomers licensed by the Veterinary Surgeon’s Council in accordance with standards set by the Council, to be obtained within a transitional period and be of clean conduct with regards to animal cruelty and other crimes of care and neglect iii. Required to have at least one staff member during every shift qualified in animal first aid.
<ul style="list-style-type: none"> iv. Pet grooming establishments will be required to have in place an appropriate animal health control programme based on the activities carried out in order to guarantee the wellbeing of animals using the facilities. 	<p>We suggest such requirements to be produced in written form and that they be sensitive to the activities and species handled by the establishment, and therefore, the diseases that can be transmitted through cross contamination in the species handled by the establishment and the</p>	<p>Pet grooming establishments will be required to produce written protocols as part of their health control program including risk-assessment for the species handled and equipment used.</p>

<p>v. Base line requirements to guarantee suitable accommodation for animals according to species and breed, with respect to construction, size, temperature, lighting, ventilation, cleanliness and access to drinking water.</p> <p>vi. Grooming establishments will be subject to inspections by competent authorities before commencement as well as during operations.</p> <p>vii. A list of minimum required equipment will be published</p>	<p>potential for injuries from other animals handled by the establishment.</p> <p>We believe this and other hazards to both humans and animals would make the 5-point risk-assessment a suitable requirement to ensure health and safety protocols are completed and assessed.</p> <p>Having protocols for behaviourally challenging animals, such as veterinary monitoring sedation or behaviour modification, would ensure tools such as sedatives and punishment devices aren't misused at the detriment of welfare.</p> <p>We suggest including requirements for the materials used in the construction of accommodation for animals so ensure these are non-toxic, non-porous materials and in good state of repair to avoid injuries.</p> <p>We agree.</p> <p>Separate animal and human first aid kits should be equipped to assist with the most common and likely injuries. E.g. burns from hot air, accidental cuts and chemicals irritants.</p>	<p>i. equipment and housing disinfection protocols and the diseases they aim to eliminate,</p> <p>ii. handling protocols for animals that show signs of disease,</p> <p>iii. handling protocols of behaviourally challenging or reactive animals,</p> <p>iv. A 5-point risk-assessment for all activities that documents a) the hazards, b) who is at risk, c) evaluation of the risk (impact and probability), d) the precautions applied, and e) records of findings and review of precautions taken.</p> <p>Base line requirements to guarantee suitable accommodation for animals according to species and breed, with respect to construction, materials, size, temperature, lighting, ventilation, cleanliness and access to drinking water, and in good state of repair.</p> <ul style="list-style-type: none"> - Pet first aid kit including clear written instructions, flexible digital thermometer, gauze, pressure dressing, self-adhesive veterinary tape, eyewash, burn cream, space blanket, spare muzzles, leashes and collars, - Human first aid kit including plasters, gauze, pressure dressing, eye wash and burn cream,
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- Adequate **humane pet restraints** for grooming treatments and for emergency animal control,
- Adequate **personnel protection supplies** such as gloves, ear plugs and dust masks.

STANDARDS TO BE MET BY THE PET GROOMING ESTABLISHMENT TO ACHIEVE A SERVICE OF EXCELLENCE

CONSULTATION DOCUMENT TEXT

- i. Quality of customer service.
- ii. State of repair of establishment.
- iii. Suitable emergency precautions and written procedures.
- iv. Training programme for employees.
- v. A professional registered with the Veterinary Surgeons Council.
- vi. A closed-circuit television system (CCTV) to monitor and record grooming activities.

SUGGESTED AMENDMENT

We agree on the quality of customer service and CCTV to monitor and record grooming activities. However we view the state of repair of the establishment, suitable emergency precautions and written procedures, training programmes for employees and a professional registered with the veterinary surgeons council as **necessary minimum requirements for any groomer and/or establishment** and thus cannot accept these as criteria for a service of excellence. We suggest adding **compassionate work** to the criteria.

SUGGESTED TEXT

- i. Compliant with all relevant regulations
- ii. Quality of customer service.
- iii. A closed-circuit television system (CCTV) to monitor and record grooming activities.
- iv. A record of charitable work or compassionate work when services were provided for free to vulnerable animals either in charitable establishments or in the care of vulnerable persons, or participation in training programmes charity volunteers.

SUMMARY OF COMMENTS ON PROPOSED GROOMER REGULATIONS

- 1) Definitions should reflect all the realities of the various businesses set up to groom people's pets, including mobile groomers, mobile salons and static establishments, so animals can all be equally protected, and groomers regulated, thus avoiding loopholes and unfair competition.
- 2) We suggest grouping treatments by the risk and tools used, and establishing minimum standards for each, thus ensuring that the various models of operation in the market can continue to operate within a legal framework.
- 3) We suggest adding other crimes, such as crimes of care and neglect, to criteria excluding persons from being eligible to apply for a licence or register.
- 4) We suggest regulations ensure that a person able to provide animal first aid be present at all times when services are offered.
- 5) We suggest further Health and Safety requirements for instance a 5-point Assessments for every service offered and area in use and incident reports kept for every accident, which should identify when and what PPEs are needed for personnel such as dust masks, ear muffs and gloves.
- 6) We suggest adding groomers' insurance as a requirement for any person or establishment offering pet grooming on commercial basis.
- 7) We suggest that service of excellence award schemes be set up by private organisations that are better able to adapt and keep up with practices in the industry. We strongly believe that all establishments should be in good state of repair, have suitable emergency precautions and written procedures, and have an ongoing staff development program, and that these should thus be covered by the minimum standards. We suggest that Service of Excellence awards criteria require;
 - a. compliance with all relevant regulations including licence and/or registration,
 - b. quality of customer service,
 - c. closed-circuit television system (CCTV) to monitor and record grooming activities, and
 - d. a record of charitable work or compassionate work when services were provided for free to vulnerable animals either in charitable establishments or in the care of vulnerable persons, or participation in training programmes charity volunteers.



PET BOARDING ESTABLISHMENTS AND OTHER ACCOMODATION FOR THE SCOPE OF PET SITTING FOR CATS AND DOGS

EXISTING LAW

"**establishment**" means any premises, including a private dwelling, where accommodation for animals is provided on a commercial basis;

"**enclosure**" means any confined space within which animals are kept

PROPOSED LAW

Pet Sitters

Accommodation - a premises where animals are brought in by pet owners or keeper and where they are cared for by a pet sitter on a temporary basis in the owner's or keeper's absence and where the premises offers all the necessary amenities to ensure the animals' welfare while in temporary care.

Pet sitter - a person who provides pet care services at the owner's property and / or public places or can provide accommodation on a premises, including a private dwelling, for **not more than four (4) animals at once** for a period of **not more than one (1) week**, which animals do not belong to the same pet owner or the tenant or the same owner of the premises.

Pet sitting accommodation - a premises including a private dwelling house, where accommodation for not more than four (4) animals is provided, and where the owner of these animals is not the tenant nor the owner of the premises they are found within.

COMMENTS/QUESTIONS

Pet Sitters and Boarders

We are strongly opposed to definitions that limit the reach of these regulations to those offering services only for a week. **Many people go to hospital or abroad for many weeks and their animals should be protected too.**

We strongly believe the **number of animals** kept by boarders, whether in kennels or their residential property, **should be contingent on the sizes of the animals, the sizes of the areas available and the number of separate areas available when the animals come from different homes.**

Previously one definition included all premises that offer accommodation for animals, commercially. This **could** be interpreted as both kennels and residence-based accommodation. **It failed to include those that only offer the care on commercial basis in the pet owner's residence or in secondary property provided by the pet owner as these instances already assume the animal has accommodation.**



Pet Boarders

Accommodation - a premises where animals are brought in by pet owners or keeper and where they are cared for by a pet boarder on a temporary basis in the owner’s or keeper’s absence and where the premises offers all the necessary amenities to ensure the animals’ welfare while in temporary care.

Pet boarder - a person who can provide accommodation on a premises, including a dwelling house, for five (5) animals or more at once, which animals do not belong to the tenant or the same owner of the premises: Provided that, a pet boarder shall also include a person who can provide

accommodation on a premises, including a dwelling house, for not more than four (4) animals at once for a period of more than one week, which animals do not belong to the same pet owner or the tenant or the same owner of the premises.

Pet boarding establishment - a premises, including a private dwelling, where accommodation for five (5) or more animals at once is provided, and where the owner of these animals is not the tenant nor the owner of the premises they are found within.

Standards for Pet Sitters

- All pet sitters will be required to be registered with the Animal Welfare Directorate.

It is unclear what prevents the minister from amending definitions in LN439.15 to include the reality of pet sitting and care services offered in the owner’s home and other properties, especially given that the proposal imposes the same enclosure requirements for both sitters and boarders.

We suggest the following definitions:

Accommodation - a premises where animals are kept and cared for in the owner’s absence, where the premises offers all the necessary amenities to ensure the animals’ welfare while in temporary care.

Pet sitters – a person who offers pet care services in the owner’s home or accommodation leased to the owner.

Bet boarding establishment - a premises, including a private dwelling, that offers accommodation and care for pets in the owner’s absence, where the pet owner is not the tenant or owner of the property.

This indicates registration is not subject to vetting.

- The pet sitter is to ensure that all staff, including him/her self, working in the accommodation have sufficient knowledge and experience of the species of animals in the accommodation to ensure the animals' health and welfare, have minimum relevant qualifications with at least one person from the personnel shall have a certificate in Animal First Aid including a clean conduct with regards to animal cruelty.
- Accommodation must be suitable according to species with respect to construction, size, temperature, lighting, ventilation, cleanliness and access to drinking water and must be approved by the competent authority and in compliance with other relevant legislation.
- Keeping of appropriate animal records for at least a one year.
- Establishments and accommodations will be subject to inspections by the Directorate to ensure compliance.

Also required by pet boarders

We suggest including other crimes such as crimes of care and neglect to the exclusion criteria.

Also required by pet boarders.

We suggest 3 years to be equivalent to boarding regulations and offer clients/animals/the directorate equal protection of data for retrospective vetting.

We hope the € 2,956,317 increase in wages and salary budget (Budget2024) for the Animal Welfare Directorate reflects a commitment to human resource expansion to enable the Directorate to handle all these new tasks.

No person may operate an animal boarding establishment without a licence.

- Enclosures where animals are to be kept shall be constructed in a manner to prevent the escape of the animals and for the animals not to be harmed or injured and to ensure the well-being of the animals.
- Admitted animals shall be fully vaccinated in accordance with the respective regulations.
- Enclosure sizes must be **in line with the minimum standards for operating a boarding establishment for cats and dogs regulations including sleeping areas and exercise areas.**
- All reasonable precautions shall be taken to prevent the outbreak and spread of diseases and therefore, no animal suffering from any infectious or contagious disease or is infested with parasites shall be taken into an accommodation.
- Pet sitters shall inspect animals under their care at regular intervals and at least twice a day.
- Emergency precautions and written procedures shall be in place and shall be made known to all the staff including arrangements for the evacuation of animals.

STANDARDS FOR BOARDING ESTABLISHMENTS

- Any persons operating or wanting to operate as a pet boarder must apply for a licence (as per

This presumably brings the obligations **in line the Keeping of Dogs Regulations.**

No change.

- Licence applications are to be submitted using the form in Schedule A. This application has to be endorsed by the nominated veterinary surgeon responsible for the boarding establishment who has to place his signature and rubber stamp in section 4 of the application at Schedule A.
- All reasonable precautions shall be taken to prevent the outbreak and spread of diseases. No animal which is suffering from, or could reasonably be suspected of having come into contact with any other animal suffering from, any infectious or contagious disease, or which is infested with parasites, shall be brought into the establishment.
 - Animals boarded in the establishment shall have received vaccinations laid down in these regulations at least ten days before the first date of boarding but less than one year from date of departure from the establishment, or in accordance with manufacturers' instruction.
 - Dogs shall be vaccinated against **canine distemper, infectious canine hepatitis, leptospirosis, canine parvovirus** and other relevant diseases on the advice of a veterinarian.
 - Cats shall be vaccinated against **infectious feline enteritis, feline respiratory**

current obligations).

- As per current provisions, pet boarding establishments must designate a responsible veterinary surgeon. The veterinary surgeon will be responsible for designing and implementing the animal health control programme of the boarding establishment.
- Boarding establishments will be required to have in place an appropriate animal health control programme based on the activities carried out in order to guarantee the wellbeing of animals using the facilities.
- Admitted animals shall be fully vaccinated in accordance with the respective regulations.
- All reasonable precautions shall be taken to prevent the outbreak and spread of diseases and therefore, no animal suffering from any infectious or contagious disease or is infested with parasites shall be taken into an accommodation. There should be facilities for isolating ill or injured animals.

New specific requirement for veterinary surgeon to design and implement an animal health control programme, as well as new specific requirements for **isolation facilities for ill and injured animals**. These new requirements are a welcome addition to biosecurity measures to curb the spread of communicable disease.

There is no apparent change.

diseases and other relevant diseases on the advice of a veterinarian.

- Licences shall only be issued to persons of good conduct and persons who have never been convicted of cruelty to animals under the Act or any other crime involving public order where the minimum term of imprisonment exceeds six months.
- The persons taking care of the animals must have relevant qualifications acceptable to the Director.
- Animals shall at all times be kept in an accommodation suitable to their species with respect to construction, size, temperature, lighting, ventilation and cleanliness. All accommodation shall be kept in good repair.
- Accessories which are placed inside the animal enclosure shall be suitable for the species.
- Records shall be kept for a minimum period of three years and made available to the Director during inspections or on demand.
- The Director shall conduct an inspection of the establishment to determine whether or not the conditions of these regulations are being complied with.

- The operators must have minimum relevant qualifications including a clean conduct with regards to animal cruelty and at least one person from the personnel shall have a certificate in Animal First Aid.

- Boarding establishments must be suitable according to species with respect to construction, size, temperature, lighting, ventilation, cleanliness, and access to drinking water.

- The obligation of the keeping of appropriate animal records for at least a period of three years will remain.

- Establishments will be subject to inspections by the Directorate to ensure compliance.

We suggest including other crimes such as **crimes of care and neglect** to the exclusion criteria.

Acceptable qualifications should cover basic **husbandry, disease and ethology** of the relevant species.



- Enclosures shall be constructed in a way as to prevent the escape of animals. Suitable equipment for the capture of escaped animals shall be present in the establishment.

- Minimum height 2m, minimum floor surface as current Minimum Standards for Boarding Establishments (N=number of dogs);

Small dogs (1+N) x 1,0 m²

Medium dogs (1+N) x 1,2 m²

Large Dogs (1+N) x 1,5 m²

The sleeping area is to be at least 0.85 sq m per cat plus 0.2 sq m per additional cat.

The exercise area has to have a floor area of at least 1.7 sq m for a single cat together with 0.5 sq m per additional cat.

- Animals shall be inspected at regular intervals by the staff and at least twice a day.

- There shall be suitable emergency precautions and written procedures and they shall be made known to all the staff, including arrangements for the evacuation of animals.

- Enclosures where animals are to be kept shall be constructed in a manner to prevent the escape of the animals and for the animals not to be harmed or injured and to ensure the well-being of the animals.

- Enclosure sizes will be increased from current provisions to be in line with the Keeping of dog regulations, as amended by LN 98 of 2023.

- Pet boarders shall inspect animals under their care at regular intervals and at least twice a day.

- Emergency precautions and written procedures shall be in place and shall be made known to all the staff including arrangements for the evacuation of animals.

New minimum for dogs as per Keeping of dogs Regulations (N=number of dogs):

Small dogs (1+N) x 1m²

Medium dogs (1+N) x 1.2m²

Large dogs (1+N) X 1.5m²

No change is apparent.

No apparent change.

Service of Excellence Award

- Customer service
- In possession of a professional licence
- Training program for employees
- Areas housing the animal enclosures in boarding establishment shall be monitored by close circuit television (CCTV) system.
- Solicit additional accommodation facilities such as play areas.

- i. Compliant with all relevant regulations
- ii. Quality of customer service.
- iii. A closed-circuit television system (CCTV) to monitor and record activities.
- iv. A record of charitable work or compassionate work when services were provided for free to vulnerable animals either in charitable establishments or in the care of vulnerable persons, or participation in training programmes charity volunteers.

SUMMARY OF COMMENTS ON MINIMUM STANDARDS FOR PET SITTING REGULATIONS UPGRADE TO EXISTING REGULATIONS PROPOSED

- 1) Definitions should reflect all the realities of the various businesses set up to mind pets in the owner's absence, including live-in pet sitters, pet minders who accommodate pets in their residence, day-care centres and boarding kennels, so animals can all be equally protected, and minders regulated, thus avoiding loopholes and unfair competition.
- 2) While pet sitters (people who mind your pet in your own home) may at time be able to service several households at any time, the limit should be established by the availability of personnel to ensure the daily minimum requirements can be met.
- 3) Capacity limit for pet boarders who look after your pet in their residence should be established on the sizes of the animals, the sizes of the areas available and the number of separate areas available so one can separate animals if necessary or if from different homes.
- 4) Pet boarders who look after your pet in their residence should have the facility to segregate all animals present, especially but not only when children under the age of 10 reside at the same address.
- 5) The duration for which the services are provided should not be capped. Many pet owners need pet minding services for long distance holidays, hospitalisations, recovery periods when they are unable to mind their own pets, all of which often last several weeks. Using definitions that cap the duration at 1 week, or any defined period really, runs the risk of establishments adapting their mode of operation to completely evade regulation. Arguably, longer stays justify regulation of the sector more than short stays due to the longer exposure to any pathogens, dangers and bad practices in the mode of operation and thus the greater impact they can potentially have on the animal's welfare.
- 6) We suggest regulations ensure that a person able to provide animal first aid be present at all times when services are offered.
- 7) We suggest further Health and Safety requirements for instance a 5-point Assessments for service offered and areas in use and incident reports kept for every accident, which should identify when and what PPEs are needed for personnel such as earmuffs and gloves.
- 8) We suggest adding other crimes, such as crimes of care and neglect, to criteria excluding persons from being eligible to apply for a licence or register.
- 9) We suggest adding pet boarders and sitters' insurance as a requirement for any person or establishment minding other people's pets on commercial basis.
- 10) We suggest that service of excellence award schemes be set up by private organisations that are better able to adapt and keep up with practices in the industry.

MINIMUM STANDARDS FOR BREEDING AND SALE OF DOGS REGULATIONS

EXISTING LAW

Definitions

- (not a definition per se) Breeders intending to breed more than four litters a year shall register with the Director by applying for a licence.

Electronic Identification of Dogs Regulations SL437.101

PROPOSED LAW

Definitions

- Breeder - person who breed more than one litter in any two consecutive years and who sells, advertises to sell, exchanges or offers for adoption with or without charge.
- Breeding - planned mating and production of offspring of dogs.
- Pure breed dogs – dogs whose genealogy is traceable for three generations within the same breed.

Standards for Breeders

- Breeders intending to breed more than one litter in any two consecutive years shall register with the Director.

CHANGES AND COMMENTS

This definition effectively includes most instances of dog breeding, even kennels with one breeding bitch, but **excludes instances where the offspring remain with the establishment, such as dog show enthusiasts and hoarders.**

Unfortunately, though accurate, this definition preserves a lacuna **whereby intentional (or careless) accidents are excluded**, thus providing a loophole to those attempting to evade regulation.

This is technically the definition of a Pedigree purebred dog. Used to narrow down the scope of these proposed regulations, **it excludes many breeding operations** of landrace breeds, pure breeds without a genealogy record and designer breeds, i.e. tal-Kacca, tal-Fenek, Malta’s Fox terriers, tal-But, Pitbulls, Lurchers and designer crosses.

This is down from intentionally breeding 4 litters or more per year.

Breeders shall keep accurate breeding records, including the whelping date, name of sire, sexes of the puppies born, number of puppies born and deaths, if any.

No person shall:

- (a) mate a bitch which is less than twelve months old;
- (b) whelp more than six litters from one bitch;
- (c) whelp two litters within a period of twelve months from the same bitch;
- (d) sell a puppy before it is at least eight weeks old

The Animal Welfare Act Cap439

All persons involved in the breeding of animals shall be responsible for the anatomical, physiological and behavioural characteristics of such animals, which are likely to put at risk the health and welfare of either the offspring or the parents.

- Must have a clean conduct with regards to animal cruelty.
- Keep accurate breeding records which shall be made available to the Director.
- Must not allow bitches that have had a caesarean section to be bred from again unless authorised by a veterinarian.
- Must not allow bitches that have had two litters delivered by caesarean section to further be bred from.

- Must not breed bitches and stud dogs which are under the age of eighteen (18) months and over the age of six (6) years for bitches and eight (8) years for stud dogs.
- Must not breed bitches within twelve (12) months of a previous litter.
- Must not breed bitches more than three (3) times in their lifetime.
- Must not breed bitches and stud dogs unless certified as suitable and healthy for breeding by a veterinarian.

We suggest including **other crimes of care and neglect.**

While caesarean section has lower incidence in most breeds, it is a necessity for most bitches of specific breeds, such as Bulldogs, due to their exaggerated conformation. **This proposal should consider more specific regulations to ban breeding deformities and ill-health for the sake of conformation, that endanger the bitch's life during whelping, including extreme conformations that make C-sections practically a must.**

Minimum age **up from 12 months to 18 months** –

New maximum age of bitch mating 6 years.

Unchanged limit of whelping per year per bitch.

Limit of litters whelped per bitch **down from 6 litters to 3 litters.**

New requirement for health certification.

New requirement for no contagious disease.

We agree with age limits in both males and females as it allow **enough time for development** thus preventing developmental deficits from breeding bitches too early and **enough time for observation and diagnosis of some common hereditary disorders.** Furthermore, excessive genetic representation of one dog in its breed's gene pool only serves to propagate their known and hidden genetic problems wider in the

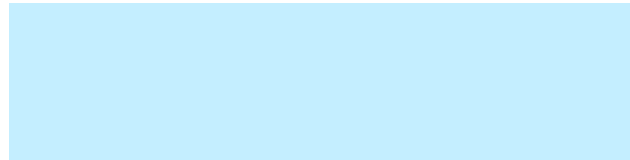
- Not to breed from studs or bitches suffering from infectious or contagious disease.
- Must not wean a puppy from the mother before it is at least eight weeks old.
- Take precautions to prevent the outbreak and spread of diseases and vaccinate against a number of diseases.
- To microchip and register puppies born by the age of eight (8) weeks but not less than six (6) weeks from date of birth.
- Ensure that dogs sold or adopted are registered on the name of the new owner within seven (7) days.
- Prohibited from breeding non-pure breed dogs by artificial insemination.

gene pool, thus we agree with any measure that limits how many times one dog/bitch is bred including but not limited to the age gap. **We suggest also adding a limit to how many times a stud may be bred** to avoid such genetic over-representation.

At 8 weeks of age most vaccination regimens will not have been complete, thus moving the immunologically naïve puppies into a new environment with potentially new pathogens may compromise their health. The presence of other ongoing infections can divert the immune system's attention and compromise its ability to respond adequately to the next vaccine. Furthermore, 8 weeks is the average age at which the first fear-period peaks in dogs, and is as such not the ideal time to put them through the potentially traumatising experience of removing them from the mother, changing their environment and with new people. **We suggest 10 to 12 weeks to be a more suitable period for to complete weaning. During this time it is not only the mother's presence but also the littermates that are important, as litter mates learn many of the soft skills they need from interacting with each other.**

We suggest vaccines cover at the least **Distemper, Herpesvirus, Parvovirus, and Canine Parainfluenza.**

Proposed requirement for breeders to chip and register before sale/weaning thus requiring at least one contact with a veterinarian, is a **very welcome addition.** The limited scope of the proposed definitions however means this is unlikely to increase



compliance to compulsory chipping in the general dog population.

LICENSING OF KENNEL CLUBS AND PURE BREED BREEDERS REGULATIONS

Analysis

CURRENT LAWS	PROPOSED LAWS	COMMENTS
	<p><i>Definitions</i></p> <ul style="list-style-type: none"> • Breeder - a person who breed more than one litter in any two consecutive years and who sells, advertise to sell, exchange or offers for adoption with or without charge. • Breeding - planned mating and production of offspring of pure-bred dogs. • Breeding book - a book that contains information of every pure-bred bitch that is being used for breeding which can also be maintained electronically. • Breeding establishment - any site and, or premises including a private dwelling house and, or accommodation where breeding activities are carried out. • Kennel club - a registered voluntary organisation with the Commissioner for Voluntary Organisations 	<p>While the definition for establishment includes dwelling houses, the current application for a breeder’s licence requires the PA reference and the process requires documents from the PA which will not be issued unless the premises are 100m or more away from residential buildings. Very few residential properties can hope to fulfil those criteria and that number gets smaller every day. Forcing breeders into rural or industrial zones goes against good puppy socialisation practice as raising them in the human home ensures they are acclimatised to the human home, where they are most likely going.</p>

which keeps records of the pedigree of pure-bred dogs.

Standards for breeding establishment

- Breeding establishments will continue (as per current provisions) to be licensed with the Directorate
- One breeder is to be registered per establishment.
- Breeding establishments must designate a responsible warranted veterinary surgeon who will be responsible for designing and implementing the animal health control programme of the establishment.
- The operators must have a clean conduct with regards to animal cruelty.
- Establishments and accommodations will be subject to inspections by the Directorate to ensure compliance.
- Enclosures where animals are to be kept shall be constructed in a manner to ensure the well-being of the animals. Enclosure sizes will be in line with the Keeping of dog regulations, as amended by LN 98 of 2023.
- Breeders are to be registered with the Animal Welfare Directorate and should have the necessary knowledge and competence on the health and welfare of the dogs and puppies. Those holding one bitch will be exempted from registration. Breeders must control the number of litters per year and must not sell the puppies before they are 8 weeks old. They

Given the lack of space in Malta and Gozo, many examples can be found of breeders sharing kennel premises. **We suggest each breeder be accountable for their operation and thus be able to register independently.**

We suggest including crimes of care and neglect in this exclusion criteria.

Considering a bitch may be bred once in every 12 months, and a breeder must be registered if they breed more than 1 litter every 2 years, **it is counterintuitive to exempt breeders who only own**

	<p>must also keep a breeding book and records of breeding</p>	<p>one bitch from these minimum standards. Their offspring as well as the families receiving them deserve equal protection. We suggest removing this exemption.</p>
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OTHER PROVISIONS

<p>Kennel Clubs Obligations</p>	<ul style="list-style-type: none"> • Licence requirement to operate. • Licences must have not been convicted of cruelty to animals under CAP 439. • Publication of licensed clubs. • Issue of pedigree certificate to registered breeders. • Maintain a generic database. • Only register breeders which are registered with the competent authority. • Affiliated with a recognised international association. 	<p>We suggest adding other crimes, such as crimes of care and neglect.</p> <p>We support this initiative in line with our proposal for a CANINE CODIS for all intact dogs.</p>
<p>Advertisement</p>	<ul style="list-style-type: none"> • Authorisation required or sponsored by the licensed kennel clubs. • Limited to the sale from registered bitches. 	<p>We hope this will put an end to Facebook and Maltapark advertising and other channels where exploitation is rife.</p>
<p>Welfare of dogs</p>	<ul style="list-style-type: none"> • Prohibition of breeding due to medical or health conditions. • Not breed bitches and stud dogs unless certified as suitable and healthy for breeding by a veterinarian. 	<p>We welcome this and suggest this be worded to specifically include conditions and conformations that make the pregnancy one of high risk, especially for invasive caesarean section; hereditary</p>

- Prevent the outbreak and spread of diseases through vaccination programmes.
- Microchipping and registration of puppies born by the age of eight (8) weeks but not less than six (6) weeks from date of birth.
- Age of breeding (not be bred under the age of eighteen (18) months and over the age of six (6) years for bitches and eight (8) years for stud dogs.
- Not breed bitches within 12 months of previous litters.
- Minimum period of 8 weeks for weaning of puppies.
- Not breed bitches more than three (3) times in their lifetime.
- Obligation to notify births by exempt breeders.
- Must not allow bitches that have had a caesarean section to be bred from again unless authorised by a veterinarian.
- Must not allow bitches that have had two litters delivered by caesarean section to further be bred from.
- Dogs sold or adopted are registered on the name of the new owner within seven (7) days.
- The Competent Authority must establish a Pure-Bred Dog Breeders Registry.

characteristics such as exaggerated conformations that cause pathology such as syringomyelia; and testable hereditary disease such as epilepsy, depending on the industry's leading guidelines for breed-specific testing.

Here again we see no mention of any requirements to **socialise and habituate puppies** to the human household and stimuli they will need to live with. **Stress immunisation** in the first 8 weeks of a puppy's life, when they are unequivocally in the care of the breeder, helps prevent many welfare and behavioural issues in adulthood. Preventing such issues ensures the dog can continue receiving the care it needs without endangering other animals or people to do so thus improving their welfare throughout life. We suggest that breeders be required to submit a detailed weekly socialisation and habituation plan designed by a qualified pet behaviourist.

We suggest the competent authority also maintain genetic records of all registered intact dogs so that abandoned puppies, illegal breeding and other crimes may be identified more easily.

Register

The proposed regulations increase the coverage of licensing regulations for dog breeders and further restricts the breeding activities they may undertake legally. We, and responsible/ethical breeders who have spontaneously undertaken to fulfil higher standards, welcome such proposals as a step forward in combatting the irresponsible exploitation of dogs used in puppy mills/farms and by back yard breeders.

The proposed regulations may be appropriate for regulating the pure-breed dog market but have very little, if any, impact on the number of puppies produced by accidental breeding and designer dog breeders. We propose amendments to the Electronic Identification of Dogs Regulations to require all intact males and female dogs to have their DNA tested and kept in a database (e.g. CANINE CODIS) for comparison and forensic analysis.

SUMMARY OF COMMENTS ON MINIMUM STANDARDS FOR BREEDING AND SALE OF DOGS REGULATIONS

- 1) Definitions and regulations should reflect all the realities of the various set ups in which dogs are bred while being sensitive to the different welfare issues each model poses so it can tackle each one appropriately.
- 2) As the Act calls for responsibility by all persons involved in the breeding of animals, we suggest including definitions inclusive of those who breed purebred, landrace breeds and designer breeds. We propose a definition for intact dogs that have reached sexual maturity of any breed, type and size, to be acknowledged as potential breeding stock requiring similar genealogical traceability as purebreds through a Canine Combined DNA Index System (CODIS). This would facilitate forensic traceability of abandoned puppies, overbreeding, and other animal welfare issues, while opening new avenues for participation in research on hereditary disease testing. As such the MSPCA proposes alterations to the Electronic Identification of Dogs Regulations to require DNA profiling on all intact dogs registrations.
- 3) We fully support the proposed limitations on the ages one can breed, minimum intervals between litters and requirement for health certification.
- 4) We suggest additional requirements on genetic testing for breed-typical disorders, as well as requirements to have a socialisation and habituation plan in place to prepare the puppies for living in the human household. As behaviour issues of an emotional nature are by far more frequent reasons for euthanasia than any of the diseases targeted by vaccines, we believe this proposal to be within reason.
- 5) We suggest raising the weaning age to 10 to 12 weeks, due to immunisation and immune response considerations, as well as neuro-affective development milestones known to take place at 8 weeks which can leave detrimental effects on the puppies' future if mishandled.
- 6) Vaccinations should cover at least Distemper, Herpesvirus, Parvovirus, and Canine Parainfluenza.
- 7) This proposal should consider more specific regulations to ban breeding deformities and ill-health for the sake of conformation, that endanger the bitch's life during whelping, including extreme conformations that make C-sections practically a must, conformations that hinder breathing, conformations that are detrimental to neurological and other systems healthy development.
- 8) Although the overpopulation of stray cats is more likely of feeding strays, longer and wider street light coverage and lack of ecological competition, as cat breeding presents the same potential for exploitation and ill-treatment, we believe cat breeding should also be regulated. This has been clearly demonstrated to us recently by a case in which several Siamese cats of different ages, including newborns, other kittens from a previous litter as well as the parents, were kept in a filthy yard with no bedding, denning, litter trays or anything one might expect to find in a living space for cats especially newborns.



SUMMARY & CONCLUSION

AUTONOMOUS AWARDS SCHEMES

The MSPCA agrees that quality service awards have many benefits that improve performance and product, and are a desirable driver in the sector. However, such quality marks that people have come to trust and look for in several sectors are ordinarily granted through non-governmental organisations, that are able to adapt to changing industry needs and standards faster than government entities. We suggest assigning the responsibility to existing sectorial organisations or new organisations to run and regulate the scheme, thus separating the scheme from state control.

EQUALITY IN PROTECTION

Definitions that impose regulations on some operators offering the same services but not others leave a lot of room for exploitation and abuse of animals and pet owners alike to continue. They also discriminate between pets and owners as some of them will be protected by the law while others will be left to do their own verifications that can never be as comprehensive as those covered by regulations. We suggest that regulations should govern all activities small and large scale in the relevant sectors equally to ensure uniform protection under the law to all pets and pet owners using these essential services.

REGULATIONS THAT REFLECT PROFESSIONALISATION

The MSPCA believes these new regulations need to be based in the realities of the industry today and need to demonstrate a clear and concrete direction towards better standards across the board.

To that end we have made suggestions in this review that build public trust in the sector, through improved equipment and service standards.

REGULATIONS FOR SUPPORTING PROFESSIONS

Groomers, Boarders, Sitters and Breeders in their day-to-day work often require the services of other professions, mainly vets and pet behaviourists and trainers. Behaviourists and trainers are often called in to assist in handling difficult animals, to consult on temperament assessment and socialisation, and assist the general public in raising and training their pets. Dangerous practices and/or advice by unqualified or underqualified persons endanger the public and the professionals the proposed law aims to regulate and protect, not to mention the animals.

While vets have been regulated for many years now, behaviourist and trainers remain unregulated. While the MSPCA advises the public to ask for professional qualifications, this can never replace professional regulations and a licence vetting process.

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