

Classification Level

Official.

Freedom of Information Exemption(s)

Decision Summary:	None.
Written Report:	None.
Supporting Document(s):	N/A - There are no supporting documents.

Reason for the application of a Freedom of Information Exemption(s)

Decision Summary:	N/A - There are no exemptions being applied.
Written Report:	N/A - There are no exemptions being applied.
Supporting Document(s):	N/A - There are no exemptions being applied.

Data Protection

[Data Protection principles](#) have been applied to this Written Report and the Supporting Document(s), if any. The following can be shared with Scrutiny and/or published:

Decision Summary:	No - pseudonymization/redaction(s) cannot be applied in so far as to meet data protection principles.
Written Report:	No - pseudonymization/redaction(s) cannot be applied in so far as to meet data protection principles.
Supporting Document(s):	No - pseudonymization/redaction(s) cannot be applied in so far as to meet data protection principles.

Legal Advice

In accordance with the [Ministerial Code](#), its supplementary guidance on [Ministerial Decisions](#), and legal privilege principles: no verbatim legal advice, nor any text alluding to legal advice having been sought, is found in any of the documentation supporting the Ministerial Decision.

Preparatory Information

Ministerial Decision Type:	Drafting Instructions
Ministerial Office:	Environment
Signatory:	Minister
Lead Department:	Infrastructure and Environment (I&E)
Lead Directorate:	Natural Environment (I&E)
Lead Officer:	Senior Scientific Officer – Veterinary

Required for the States Assembly:	No - the document(s) supporting this Ministerial Decision DO NOT require presenting/lodging with the States Assembly.
Children's Rights Impact Assessment:	No, a Children's Rights Impact Assessment is not required for this type of decision.
Human Rights Impact Assessment:	A Human Rights Impact Assessment is not required as part of this decision.

Draft Animal Welfare Law

Introduction

This is a written report to support a Ministerial Decision and is to be read alongside the supporting documents, if any. This report has been prepared by officers and is viewed to be in accordance with the [Ministerial Code](#), supplementary guidance on [Ministerial Decisions](#), appropriate [Freedom of Information exemptions](#), and with consideration of [Data Protection Principles](#).

Supporting Documents

There are no other documents supporting this Ministerial Decision.

Reason for the Decision

1. In line with the rest of the British Islands (other than Northern Ireland) where legislation has been introduced, Jersey will prohibit the export of certain livestock for slaughter and fattening. The animal welfare organisation Compassion in World Farming launched a petition calling for a ban on live exports that attracted 100,752 signatures. In September 2023, a further petition with 95,000 signatures was delivered to the UK Prime Minister.
2. Microchipping improves animal welfare by increasing the traceability of pets, making it easier for lost, stray or stolen pets to be reunited with their keepers and returned home safely. Breeders of puppies and kittens will be required to have them microchipped before being transferred to a new owner at 8 weeks of age. Breeding cats and dogs will also have to be identified so that accurate records can be kept for the welfare of the breeding stock. Microchipping is now for dog's compulsory in most of the British Islands and cats in England. Microchipping is important when managing disease control measures. Microchipping is a safe procedure involving the insertion of a chip, generally about the size of a grain of rice, under the skin of a pet. Once the microchip has been inserted, contact details are registered with a compliant database. The draft order will also include provisions that relate to ensuring that microchips are inserted by competent people.
3. The draft order will prohibit;
 - a. the importation and bring in a licensing scheme setting strict rules to ensure that only private keepers who meet new welfare and licensing standards will be able to keep primates, skunks and other exotic species listed in the draft order. The RSPCA on their website report, "Primates are very intelligent, social, wild animals with complicated needs that can't be met in a home environment".
 - b. the importation of mutilated animals listed such as
 - i. the commercial and non-commercial movement into Jersey of dogs with cropped ears other than with an import licence as we do not permit these procedures within Jersey. There will be exceptions for those looking to move a dog with a non-exempted mutilation and the procedure has been carried out on the dog by a veterinary surgeon or any other person permitted to carry out that procedure in an emergency for the purpose of saving the life or relieving the pain of the dog. This could be demonstrated by the provision of veterinary

- evidence, or the dog is an assistance dog or the procedure was carried out before the prohibition comes into force, as examples. These exceptions would align with our domestic legislation.
- ii. the commercial and non-commercial movement into Jersey of cats which have been mutilated by having been declawed.
 - c. the commercial and non-commercial movements into Jersey of pregnant dogs and cats (dams and queens) which are more than 42 days pregnant (within the final 33.3% of gestation or final trimester). The existing rules for commercial importation require that a pregnant dam or queen cannot be transported in her final 10% of gestation (1/2005 Welfare during transport regulation). At 42 days, there are more reliable markers (the kidneys have developed in the foetus which can be detected by scanning) and so pregnant dams and queens can be reliably identified (by a veterinarian) via a scan once they have passed this stage. Lowering the gestation limit will also mean that pet checkers will have greater confidence in refusing travel to dams that appear pregnant. Dams and queens that are visibly pregnant are highly likely to be beyond 42 days pregnant, but they may not be within the last 10%.
 - d. the importation and sale of cat and dog fur products. The Council of Ministers recommended the following measure – to Introducing a ban on the importation and sale of cat and dog fur products as soon as the relevant legislation has been introduced in the EU. The recommendation was made in the “FUR PRODUCTS: PETITION (P.72/2006, AS AMENDED) – [REPORT TO THE STATES](#) on the 7 March 2007. The EU [Regulation - 1523/2007 - EN - EUR-Lex](#) bans “the placing on the market and the import to, or export from, the Community of cat and dog fur, and products containing such fur”. Regulation 1523/2007 has been assimilated into UK legislation and enforced under [The Cat and Dog Fur \(Control of Import, Export and Placing on the Market\) Regulations 2008](#).
4. Make provision on the protection of animals at the time of killing of livestock to include poultry in a slaughterhouse and a place outside a slaughterhouse. A person must be authorised by a licence from the Minister, however exemptions will be permitted such as a veterinary surgeon acting in the exercise of the veterinary surgeon’s profession or a person who carries out the emergency killing of an animal, other exemptions will be allowed.
 5. Livestock keepers of cattle, sheep, goats and pigs will be required to be licensed and subject to conditions. The conditions will vary depending on if they are breeding animals, sending them to slaughter or just keeping them as pets, and the keeper will have to demonstrate that they are suitable qualified for the purpose they are keeping the animals. to be qualified consideration will be given to years of experience. A dairy farmer who is producing milk for Jersey Dairy would be exempt from requiring a licence. It is proposed a fee is to be charged which will reflect the time required to licence the keeper, its operation and any inspection that may occur from time to time.
 6. The draft order will provide welfare requirements of farmed animals including poultry and the responsibility of a person or an animal on a permanent or temporary basis, a person who is in charge of an animal, an owner of an animal and a person with actual care and control of a child under the age of 16 years who is responsible for an animal; and includes a keeper of animals. A “farmed animal” means an animal bred or kept for the production of food, wool or skin or for other farming purposes, subject to certain limited exceptions.

The draft order will provide specific additional welfare requirements for dogs and will require owners of dogs to meet certain obligations designed to ensure that dogs do not for example injure, endanger, or cause distress to any stock, poultry, domestic animal, or protected wildlife; and to make provision in relation to damage caused by dogs.

Recommendation

The Minister is recommended to approve the secondary legislation under the Draft Animal Welfare Law to be drafted.

Action Required if the Recommendation is Adopted

The department and/or Ministerial Office to update relevant parties of the decision.

Resource Implications

There are no resource implications arising from this decision.

Conflict of Interest

The decision-maker does not have an actual or perceived conflict of interest as relates to this decision.