

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT

Fifth Delegated Legislation Committee

DRAFT MICROCHIPPING OF DOGS (ENGLAND)
(AMENDMENT) REGULATIONS 2022

Thursday 3 February 2022

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Monday 7 February 2022

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The Committee consisted of the following Members:

Chair: CLIVE EFFORD

Ali, Rushanara (*Bethnal Green and Bow*) (Lab)

† Bacon, Gareth (*Orpington*) (Con)

Bryant, Chris (*Rhondda*) (Lab)

† Churchill, Jo (*Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs*)

Coyle, Neil (*Bermondsey and Old Southwark*) (Lab)

† Glindon, Mary (*North Tyneside*) (Lab)

† Jones, Ruth (*Newport West*) (Lab)

McDonagh, Siobhain (*Mitcham and Morden*) (Lab)

† Mayhew, Jerome (*Broadland*) (Con)

† Nici, Lia (*Great Grimsby*) (Con)

Osborne, Kate (*Jarrow*) (Lab)

† Saxby, Selaine (*North Devon*) (Con)

† Simmonds, David (*Ruislip, Northwood and Pinner*) (Con)

† Smith, Greg (*Buckingham*) (Con)

† Sunderland, James (*Bracknell*) (Con)

† Wheeler, Mrs Heather (*South Derbyshire*) (Con)

† Wild, James (*North West Norfolk*) (Con)

Katya Cassidy, Jack Edwards, *Committee Clerks*

† **attended the Committee**

Fifth Delegated Legislation Committee

Thursday 3 February 2022

[CLIVE EFFORD *in the Chair*]

Draft Microchipping of Dogs (England) (Amendment) Regulations 2022

11.30 am

The Chair: I remind Members to observe social distancing and to wear masks when not speaking.

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Jo Churchill): I beg to move,

That the Committee has considered the draft Microchipping of Dogs (England) (Amendment) Regulations 2022.

It is a pleasure to serve under your chairmanship, Mr Efford.

This draft statutory instrument, laid before the House on 6 January, is short and simple. Its purpose is to extend the sunset clause contained in the Microchipping of Dogs (England) Regulations 2015 by two years, until 23 February 2024. That will allow the 2015 regulations to remain in force until we lay a new set of regulations later this year.

The 2015 regulations made it compulsory for dogs in England over eight weeks of age to be microchipped, unless they are exempted by a veterinary surgeon. The dog's details must also be registered on a compliant database. The regulations include a requirement for Government to review them within five years of coming into force.

At this point, I must apologise to the Committee that, due to pressures within the Department for Environment, Food and Rural Affairs from, first, EU exit and then the pandemic, that review was published only in December last year. At the same time, we published the DEFRA-commissioned research report from the University of Nottingham, which informed the review.

I am happy to report that almost 90% of dogs are now microchipped. The review clearly demonstrated that dog microchipping has had a positive effect on our ability to reunite stray dogs with their keepers, but it also highlighted a number of areas where improvements would be beneficial, and they largely relate to the databases. Since 2015, the number of databases that hold microchip records has increased from four to 17. That expansion provides choice and a diversity of services for dog owners, but it has also generated implications for how the overall system should operate in future.

Key users, such as dog wardens and vets, must be able to access the details linked to the microchip number quickly and easily. That point was echoed by the pet theft taskforce, which also recommended strengthening the checks that are in place for when a dog's records are moved to a new keeper. We intend to launch a consultation on proposed improvements soon.

Hon. Members will be aware that we are to extend compulsory microchipping to include cats, which will fulfil one of our manifesto commitments. As the existing

database system will also record those cat microchip details, it is even more important to address known issues before expanding the scope of the regulations.

Our intention is to lay a new set of regulations before the House by the end of the year, which will incorporate both compulsory dog and cat microchipping. The new regulations will maintain the existing provisions relating to dogs. New provisions, such as the compulsory microchipping of cats, will require an appropriate lead-in period. Members will have the opportunity to debate those in full before they are made.

In the meantime, however, I trust that hon. Members agree that we need to ensure that the 2015 regulations remain in force. The draft instrument before you has that clear and simple aim.

11.33 am

Ruth Jones (Newport West) (Lab): It is a pleasure to serve under your chairship, Mr Efford.

I am grateful to the Minister for outlining the contents of this draft piece of legislation and for bringing us back together to discuss more animal welfare-related legislation. It is an almost daily experience now.

The draft regulations are a relatively simple and self-explanatory piece of legislation. Its purpose, as we heard, is to extend the existing sunset clause contained in the 2015 regulations for a further two years, giving them effect until 23 February 2024. This is a straightforward proposal, and we do not want to see the sunset clause come into force on 24 February as a result of inaction in Committee so, as can be seen from the small number of Opposition Members present, we will not oppose the draft regulations. I will therefore not speak for too long, because I do not want to detain the Committee any longer than necessary—[HON. MEMBERS: "Hear, hear!"] I knew that would get a good response.

We do need to think about why a sunset clause was necessary in the first place. I will be grateful if the Minister could address that in her response. I note that the first report on the implementation of microchipping was due to be held within five years. The delay is what it is, but it is important to note that we acknowledge that.

As my noble friend Baroness Jones noted in the other place, and as the Minister indicated, a plethora of microchip database companies have sprung up, making ownership-tracing far more complex. I would appreciate it if the Minister took a moment to explain how the Government will look at the tracing point and the impact on ownership of individual animals. Will the Minister tell the Committee whether that was anticipated, and is she satisfied that we have the right standards for those databases? Are they scrutinised before they are set up, or will further regulations be required down the line? Will she identify whether any constraints exist on how much somebody can charge for using a database? I do wonder if we have so many all of a sudden because they are easy money.

It is increasingly apparent that we should have a single portal of access—or, indeed, one database—which could be agreed through some sort of nomination process. That would certainly make people's lives easier when trying to trace a dog's owners or check its history. The review also identified the failure of many breeders to microchip their puppies. Will that be made more emphatic in the new regulations so that before puppies are sold on,

the place of their ownership and birth is recorded, and a proper history of the animals is kept? The review also identified the failure of owners to keep their contact details up to date on the database. An outdated database is no help to anybody.

I look forward to seeing the revised regulations later this year, which I hope will provide a comprehensive update of the scheme to ensure that microchipping reaches its full potential. As a cat owner, I am also pleased that, as the Minister mentioned, cat microchipping is now recommended.

In a most extraordinary admission from a member of Her Majesty's Government, the Minister in the other place, the noble Lord Benyon, admitted that the recent importation of dogs from Afghanistan saw new diseases coming into the United Kingdom. Will the Minister outline a few points on that? When were Ministers notified that the dogs from Afghanistan were not healthy?

The Chair: Order. We are debating the extension of the existing powers. Please refrain from drifting away from that matter.

Ruth Jones: Thank you for your advice, Mr Efford. It would be helpful to have that information, so I will write to the Minister about that.

The regulations have some overlap with the provisions in the Animal Welfare (Kept Animals) Bill, particularly with regard to dog theft and the import of dogs and cats into our country. The Glue Traps (Offences) Bill, the Animals (Penalty Notices) Bill and the Animal Welfare (Sentience) Bill are also all currently working their way through the parliamentary process.

Members of both Houses have spent a great deal of time looking at and working on these issues, and I am grateful to have had the chance to do so again. I look forward to the Minister's response.

11.37 am

Jo Churchill: I am most grateful to the hon. Lady for articulating her support for the measures. Circumstances mean that we cannot have the legislation running concurrently, so we are here for a small technical extension to get the legislation into order.

We are committed to microchipping because we want to give every dog—and, looking forward, every cat—the best chance of being reunited with its keeper. Many of the hon. Lady's points will be covered in the consultation. We are looking at that review and understand its recommendation that we look across the piece. As she well knows, we need initially to consult with those whom the provisions will affect to make sure that we as legislators can get the right measures in the right place for owners and enforcers, and in a timely fashion.

This short draft statutory instrument will allow us to consult on those changes, which will make the microchipping regime more effective. I think every Member wants to see the regime doing what it says on the tin. I hope that the Committee is reassured that we are committed to ensuring animal welfare in a logical and sensible way, and just allowing the provisions to lapse would not have been logical or sensible. As the hon. Lady said, we are all committed to animal welfare right across the country. Making further improvements will give us the opportunity for further discussion, ensuring that we go further than just taking the review on board. In the meantime, to ensure that the 2015 regulations remain in force, I commend these draft regulations to the Committee.

Question put and agreed to.

11.39 am

Committee rose.

