



STATUTORY INSTRUMENTS.

S.I. No. 128 of 2014



PROHIBITION ON TAIL DOCKING AND DEW CLAW REMOVAL
(DOGS) REGULATIONS 2014

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The Minister for Agriculture, Food and the Marine, in exercise of the powers conferred on him by section 36 of the Animal Health and Welfare Act 2013 (No.15 of 2013), hereby makes the following regulations:

1. These Regulations may be cited as the Prohibition on Tail Docking and Dew Claw Removal (Dogs) Regulations 2014 and come into operation on 6 March 2014.

2. In these Regulations—

“Act” means Animal Health and Welfare Act 2013; “declaration” means a declaration to which Regulation 6 applies; “pointer” includes any combination of types of pointer; “spaniel” includes any combination of types of spaniel;

“terrier” includes any combination of types of terrier.

3. Subject to Regulation 4, a person shall not remove or cause or permit another person to remove the tail or part of the tail or the dew claws of a dog.

4. (1) For the purposes of section 16 of the Act, a veterinary practitioner or a veterinary nurse (within the meaning of the Veterinary Practice Act 2005) may remove the tail or part of the tail or the dew claws of a pointer, spaniel or terrier in respect of which that part of a declaration that is to be completed by the owner or person having possession or control of the dog has been completed by the owner or person having possession or control of the dog, if—

(a) the dog has not attained the age of 8 days,

(b) the dam of the dog, or adequate evidence that the dam has died since whelping, is produced to the veterinary practitioner or veterinary nurse, and

(c) the veterinary practitioner or veterinary nurse, on the basis of evidence specified in paragraph (2) produced to him or her has reasonable cause to believe that the dog is to be used in connection with lawful pest control or the lawful hunting or shooting of animals.

(2) The evidence referred to in paragraph (1)(c) is—

(a) a letter from a gamekeeper, the owner or occupier of land, the owner or lessee of shooting rights, a person responsible for the organisation of a shoot, an official of a live quarry shooting club acting in that

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 11th March, 2014.*

capacity or a person engaged in lawful pest control, stating that the breeder of the dog is known to him or her and that dogs bred by that breeder have been used on his or her land, in his or her shoot or for pest control,

- (b) a current firearms certificate issued to the owner of the dog, or
- (c) other evidence that the dog will be used in connection with lawful pest control.

(3) A veterinary practitioner or veterinary nurse who removes the tail or part of the tail or the dew claws of a dog in accordance with this Regulation shall complete that part of the declaration mentioned in paragraph (1) that is to be completed by the person who removes the tail or part of the tail or the dew claws of a dog and give the declaration so completed to the owner of the dog.

5. (1) The owner of a a dog from which the tail or part of the tail has, or the dew claws have been removed in accordance with Regulation 4 shall—

- (a) present the dog to be identified by means of a microchip at the same veterinary practice where the declaration mentioned in Regulation 4(3), issued, and
- (b) complete the part of the declaration that is to be completed by the person seeking to have the dog identified by means of a microchip and give it to a person competent to identify the dog by means of a microchip.

(2) A person competent to do so, at the practice mentioned in paragraph (1)(a), shall identify the dog by means of a microchip, complete that part of the declaration mentioned in Regulation 4(3) that is to be completed by the person identifying the dog by means of a microchip and give the declaration so completed to the owner of the dog.

(3) If a veterinary practice has ceased to operate since the removal of the tail or part of the tail or the dew claws of a dog, it is sufficient compliance with this Regulation if the dog is identified by means of a microchip at another veterinary practice and the person inserting the microchip records this fact in the declaration mentioned in Regulation 4(3).

(4) In this Regulation, a dog is identified by means of a microchip if it is implanted with a a read-only device in a sterile non-reactive bio-compatible casing, which—

- (a) generates a unique code when read with a scanning device,
- (b) complies with ISO Standard 11784, applies FDX-B technology and is capable of being read by a reading device compatible with ISO Standard 11785, and
- (c) is registered on a dog identification database.

6. (1) A declaration shall be in a form and contain the information that the Minister determines¹.

(2) A declaration shall be retained by the owner of the dog to which it relates and upon sale or supply of the dog given to the new owner who shall retain it during the currency of his or her ownership of the dog.

(3) The owner of a dog from which the tail or part of the tail has, or the dew claws have been removed in accordance with Regulation 4 shall make such returns and furnish such information to the Minister as the Minister may from time to time require in such form as the Minister requires.

(4) A veterinary practitioner shall retain a copy of any evidence produced to him or her for a period of 3 years ending on the expiry of the third year after a dog's tail is removed or partially removed and shall make such returns and furnish such information to the Minister as the Minister may from time to time require in such form as the Minister requires.

(5) The owner of a dog from which the tail or part of the tail has, or the dew claws have been removed in accordance with Regulation 4 shall keep a record of the person to whom he or she sells, supplies or disposes of the dog and shall maintain this record for a period of 3 years following sale, supply or disposal.

7. Regulations 3, 4, 5 and 6 are penal provisions to which section 36 (4) (b) of the Act applies.



GIVEN under the Official Seal of the Minister for Agriculture, Food and the Marine,
5 March 2014.

TOM MORAN,
An Officer Authorised to Authenticate the Seal of the
Minister.

¹The form of declaration may be downloaded from
[www.agriculture.gov.ie/animalhealthwelfare/legislation]

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

These Regulations set out the conditions under which the docking of a dog's tail is permitted.

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(Teil: 01 - 6476834 nó 1890 213434; Fax: 01 - 6476843)
nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
52 ST. STEPHEN'S GREEN, DUBLIN 2.
(Tel: 01 - 6476834 or 1890 213434; Fax: 01 - 6476843)
or through any bookseller.

€2.54



Wt. (B30505). 315. 3/14. Clondalkin. Gr 30-15.