

# Report on the Legislative Consent Memorandum on the Animal Welfare (Import of Dogs, Cats and Ferrets) Bill

July 2025

## 1. Background

1. The Animal Welfare (Import of Dogs, Cats and Ferrets) Bill (“the Bill”) was introduced in the House of Commons on 16 October 2024.<sup>1</sup>

2. The long title of the Bill states that it is:

*“A Bill to make provision for and in connection with restricting the importation and non-commercial movement of dogs, cats and ferrets.”*

3. The Bill’s Explanatory Notes (EN) explain that dogs, cats and ferrets can enter the United Kingdom as either commercial imports or non-commercial pet travel.<sup>2</sup> More stringent requirements apply to commercial imports than to non-commercial movements.

4. The EN states that evidence has shown that commercial movements are frequently being disguised as non-commercial movements to avoid these more stringent requirements. In particular, the EN references concerns about an emerging market involving the importation of heavily pregnant dogs and cats,

---

<sup>1</sup> UK Parliament, Animal Welfare (Import of Dogs, Cats and Ferrets) Bill

<sup>2</sup> Animal Welfare (Import of Dogs, Cats and Ferrets) Bill, Explanatory Notes



and those which have been mutilated (ear cropped dogs, tail docked dogs and declawed cats).

**5.** The Bill makes provision to restrict the commercial importation and non-commercial movement of dogs, cats and ferrets into the United Kingdom from third countries on animal welfare grounds. Similar provision was previously proposed as part of the Animal Welfare (Kept Animals) Bill in 2021, which fell in May 2023.

**6.** Standing Order 29.1 provides that the Welsh Ministers must lay a Legislative Consent Memorandum where a UK Bill makes provision in relation to Wales that has regard to devolved matters.

**7.** The Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs, Huw Irranca-Davies MS (“the Cabinet Secretary”), laid a Legislative Consent Memorandum in respect of the Bill (“the LCM”) on 21 May 2025.<sup>3</sup>

**8.** On 4 June, the Business Committee referred the LCM to the Economy, Trade and Rural Affairs Committee, and the Legislation, Justice and Constitution Committee, with a reporting deadline of 18 July 2025.<sup>4</sup>

## 2. The LCM

**9.** Paragraphs 3 and 4 of the LCM set out the policy objectives of the Bill. Paragraph 4 notes:

*“... the Bill aims to address issues of illegal puppy smuggling and increasing levels of low welfare pet animal movements. These issues raise significant animal health and welfare concerns around the ways in which animals are sourced, kept, treated and transported.”<sup>5</sup>*

### Provisions for which consent is sought

**10.** Paragraphs 7 to 32 set out the provisions of the Bill for which the Welsh Government considers that consent of the Senedd is required.

---

<sup>3</sup> Welsh Government, Legislative Consent Memorandum: Animal Welfare (Import of Dogs, Cats and Ferrets) Bill, May 2025

<sup>4</sup> Business Committee, Timetable for consideration: Legislative Consent Memorandum on the Animal Welfare (Import of Dogs, Cats and Ferrets) Bill, June 2025

<sup>5</sup> Welsh Government, Legislative Consent Memorandum: Animal Welfare (Import of Dogs, Cats and Ferrets) Bill, May 2025

**11.** In particular, the LCM provides that consent is required for clauses 1, 2, 4, 5, 6 and 7 in their entirety, and for clauses 3(1) and 3(3), and clause 8(5) to the extent they apply to Wales.

**12.** The Bill was amended in Public Bill Committee on 14 May 2025. The substantive provisions were not materially amended, but certain clauses were re-ordered. Following amendment, the clause numbers in the latest version of the Bill do not exactly correlate with the clause numberings in the LCM. Where relevant, this is highlighted in the summary of clauses below.

## **Clause 1**

---

**13.** This clause enables an appropriate national authority, which includes the Welsh Ministers (see clause 3), to make regulations about bringing dogs, cats or ferrets into the United Kingdom for the purpose of promoting their welfare.

**14.** Subsections (3) and (4) ensure that the first regulations made in each of England, Scotland and Wales under subsection (1) in relation to dogs or cats must prohibit the bringing into that part of the United Kingdom dogs or cats where they are:

- below the age of 6 months,
- more than 42 days pregnant,
- or have been subject to non-exempted mutilations.<sup>6</sup>

## **Clause 2**

---

**15.** This clause sets out supplementary provisions in relation to the regulation making power in clause 1. It contains a non-exhaustive list of provisions that may be required in the regulations, such as the conferral of functions on specified persons, provisions in relation to powers of entry, inspection, search, seizure and detention.

---

<sup>6</sup> The definition of 'mutilation' in the Bill mirrors the definition in the Animal Welfare Act 2006 - that being a dog or cat that's undergone a procedure which involves interference with its sensitive tissues or bone structure otherwise than for the purpose of its medical treatment.

### **Clause 3**

---

- 16.** This clause defines 'national authority' for the purposes of clause 1. This is the Secretary of State, and the Welsh Ministers to the extent they have legislative competence.
- 17.** This clause creates a concurrent plus power. Clause 3(3) allows the Secretary of State to make regulations under clause 1 that could otherwise be made by the Welsh Ministers, provided the Welsh Ministers give their consent.
- 18.** Restrictions in Schedule 7B to the *Government of Wales Act 2006* ("GoWA") generally prevent the Senedd from removing a Minister of the Crown function that is exercised concurrently or jointly with the Welsh Ministers without the consent of the UK Government.
- 19.** However, subsections (5) to (8) of clause 3 insert what are commonly known as 'carve outs' to these restrictions. In essence, these carve outs protect the legislative competence of the Senedd by negating the potential restriction on competence that may arise in connection with concurrent powers.
- 20.** Specifically, the Bill disapplies the relevant restrictions in respect of the concurrent powers in this Bill by adding the future Act to the lists of enactments in paragraphs 9(8)(b) and 11(6)(b) of Schedule 7B to GoWA. This will allow the Senedd to alter the concurrent arrangements relating to devolved matters under the Bill without needing the UK Government's consent.

### **Clause 4**

---

- 21.** Clause 4 as referred to in the LCM relates to the 'disapplication of non-commercial rules in certain cases'. This clause is now clause 5 in the latest version of the Bill. While certain amendments have been made to the provision, the substance of both provisions is comparable.
- 22.** This clause amends Regulation (EU) No 576/2013 (the "Pet Travel Regulation") to provide that the rules applicable to non-commercial movements of dogs, cats and ferrets into Great Britain do not apply in certain situations.
- 23.** In particular, this clause amends the Pet Travel Regulations to provide that a movement of dogs, cats or ferrets into Great Britain is not a 'non-commercial movement' where there are more than five such animals in total per motor vehicle, or three in total per foot or air passenger, at any time during the movement. Therefore, if there are more than five animals in a vehicle or more

than three animals with a foot passenger, it will be deemed a commercial movement, and more stringent requirements will apply.

**24.** Subsection (5) also inserts a new provision into the Pet Travel Regulation which provides that a movement of dogs, cats or ferrets into Great Britain is not a non-commercial movement unless the animal is either accompanied by its owner or accompanied by a person authorised by the owner, and the owner has entered or is expected to enter Great Britain within five days of the movement of the animal.

## **Clause 5**

---

**25.** Clause 5 as described in the LCM refers to the clause heading 'Corresponding application of commercial rules'. This is now clause 6 in the latest version of the Bill. The substance of both clauses is comparable.

**26.** This clause amends the regulations which apply to the commercial imports of dogs, cats and ferrets to make amendments consequential on the provisions made under clause 4 of the Bill.

## **Clause 6**

---

**27.** Clause 6 as described in the LCM refers to the clause heading 'consequential provision'. This is now clause 7 in the latest version of the Bill. This clause makes certain consequential provisions in connection with the Bill.

## **Clause 7**

---

**28.** Clause 7 as described in the LCM refers to the clause heading 'regulations'. Following amendments to the Bill, this clause has been re-ordered and moved to new clause 4. Whilst the provision has been amended, the substance is comparable.

**29.** This clause sets out the procedure for making regulations in the UK Parliament and in the devolved legislatures. The regulation-making powers are exercisable by statutory instrument. Save for the power to specify a fee in relation to a permit application (which are subject to the negative procedure), all other regulations made under clause 1 are subject to the affirmative procedure

## **Clause 8**

---

**30.** This is a general provision setting out the territorial extent of the Bill, provisions concerning commencement and the short title of the Bill.

## **UK Government view on the need for consent**

**31.** The LCM notes that the UK Government is “of the view that the Bill provisions are within the competence of Senedd Cymru and agrees that the Consent of the Senedd is required”.<sup>7</sup>

**32.** The prohibition and regulation of imports and exports is generally reserved to the UK Parliament under paragraph 71 of Schedule 7A to GoWA. However, there is an exception to the reservation in respect of the prohibition and regulation of movement into and out of Wales of animals for the purposes of protecting animal health and animal welfare.

## **Reasons for making these provisions for Wales in the Bill**

**33.** Paragraph 35 states:

*“Animal welfare is a priority of the Welsh Government, and it is the view of the Welsh Government that it is considered appropriate to deal with the provisions in this Bill for reasons of timing and coherence which is of particular importance in relation to enforcement on cross borders and border controls.”*

**34.** The LCM continues to note the Welsh Government’s support for the Bill as drafted. It concludes with the Cabinet Secretary’s view that the Senedd should give its consent to the Bill:

*“In my view it is appropriate to deal with these provisions in this UK Bill to progress important and high-profile animal welfare issues. Therefore, I recommend that the Senedd supports the proposals and gives its consent.”<sup>8</sup>*

## **3. Committee consideration**

**35.** The Committee considered the LCM at its meeting on 2 July 2025.<sup>9</sup>

---

<sup>7</sup> Welsh Government, Legislative Consent Memorandum: Animal Welfare (Import of Dogs, Cats and Ferrets) Bill, May 2025, paragraph 33

<sup>8</sup> Welsh Government, Legislative Consent Memorandum: Animal Welfare (Import of Dogs, Cats and Ferrets) Bill, May 2025, paragraph 38

<sup>9</sup> Economy, Trade and Rural Affairs Committee, 2 July 2025

**36.** The Committee notes the reasons given by the Welsh Government for making these provisions for Wales in UK Bill, and is broadly supportive of the policy objectives.

**Conclusion 1.** The Committee has found no reason to object to the Senedd agreeing the Legislative Consent Motion associated with the LCM.

**37.** The Committee notes the regulation-making powers within the Bill and that the majority are subject to the affirmative procedure. However, given the lesser scrutiny that is often afforded to subordinate legislation, the Committee would suggest that particular attention is given to any unintended consequences which could arise as a result of regulations made under this Bill. The Committee is particularly concerned about animals which would usually be banned due to mutilation, but for which there is a legitimate explanation, i.e. for health reasons, or the mutilation was carried out by a previous abusive owner but the animal has now been rehomed. For example any regulations made under this Act should not prevent a family who had adopted an animal with cropped ears from a legitimate rescue organisation from taking that dog on holiday overseas if they so wish.

**Conclusion 2.** Any regulations made under this Bill, should it be passed, must be carefully scrutinised to avoid unintentionally preventing animals which have had legitimate surgery or been abused but rescued and rehomed from travelling.

**Recommendation 1.** The Welsh Government should keep this Committee and its successor informed about any intention to use the regulation-making powers provided for in the Bill.