

The Welsh Government's Supplementary Legislative Consent Memorandum (Memorandum No. 2) on the Animal Welfare (Import of Dogs, Cats and Ferrets) Bill

September 2025



1. Background

1. The Animal Welfare (Import of Dogs, Cats and Ferrets) Bill¹ (the Bill) was introduced into the House of Commons on 16 October 2024. It is a Private Member's Bill, introduced by Dr Danny Chambers MP, and sponsored by the Department for Environment, Food and Rural Affairs.

2. According to its long title, the Bill makes provision “for and in connection with restricting the importation and non-commercial movement of dogs, cats and ferrets.”²

3. The Bill's Explanatory Notes state:

“The Bill introduces an enabling power to address the problem of low-welfare imports of dogs, cats and ferrets into the United Kingdom. The power must be used to prohibit the bringing into Great Britain of puppies and kittens under six months and dogs and cats that are mutilated or heavily pregnant.

The Bill also seeks to address the current issue of commercial imports being disguised as non-commercial movements by amending the rules that govern the non-commercial movement of dogs, cats and ferrets into Great Britain from third countries.”³

4. The Bill completed its passage through the House of Commons on 4 July 2025 and received its First and Second Reading in the House of Lords on 7 July and 5 September, respectively.⁴

The Welsh Government's Legislative Consent Memorandum

5. Standing Orders 29.1 and 29.2 provide 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 (a relevant Bill).

6. On 21 May 2025, Huw Irranca-Davies, the Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs (the Cabinet Secretary), laid before

¹ Animal Welfare (Import of Dogs, Cats and Ferrets) Bill, as introduced

² Animal Welfare (Import of Dogs, Cats and Ferrets) Bill, as introduced

³ Animal Welfare (Import of Dogs, Cats and Ferrets) Bill, Explanatory Notes, paragraphs 2 and 3

⁴ Animal Welfare (Import of Dogs, Cats and Ferrets) Bill, as brought from the Commons

the Senedd a legislative consent memorandum in respect of the Bill (the Memorandum).⁵

7. We reported on the Memorandum on 10 July 2025.⁶ Within our report, we broadly agreed with the Welsh Government's assessment, as set out in the Memorandum, of the provisions within the Bill which require the consent of the Senedd.⁷ However, we expressed our view that clause 8(3) of the Bill as introduced also requires consent.⁸

8. Our report on the Memorandum also recommended that the Cabinet Secretary should explain why, in accordance with the Welsh Government's principles on UK legislation in devolved areas, the creation of a concurrent power in this Bill represents an exceptional case for which the Welsh Ministers are content with its inclusion, and for which the Senedd should provide its consent.⁹ We also recommended that he should set out the Welsh Government's position in respect of the commencement power in the Bill, making specific regard to the absence of a requirement for the UK Government to seek the consent of the Welsh Ministers before commencing the Bill's provisions.¹⁰

9. The Welsh Government responded to our report on 8 August 2025.¹¹ The response states that, "upon further consideration and analysis", a supplementary legislative consent memorandum had been laid in respect of clause 8(3) of the Bill (see the next section).¹² It also provides the following justification for the inclusion of a concurrent power in the Bill:

"The inclusion of a concurrent power in this Bill is appropriate and exceptional due to the operational and practical benefits of a GB-wide approach, including a uniformed approach to export and import controls at borders.

⁵ Welsh Government, Legislative Consent Memorandum: Animal Welfare (Import of Dogs, Cats and Ferrets) Bill, 21 May 2025

⁶ LJC Committee, The Welsh Government's Legislative Consent Memorandum on the Animal Welfare (Import of Dogs, Cats and Ferrets) Bill, July 2025

⁷ LJC Committee, The Welsh Government's Legislative Consent Memorandum on the Animal Welfare (Import of Dogs, Cats and Ferrets) Bill, July 2025, conclusion 1

⁸ LJC Committee, The Welsh Government's Legislative Consent Memorandum on the Animal Welfare (Import of Dogs, Cats and Ferrets) Bill, July 2025, conclusion 2

⁹ LJC Committee, The Welsh Government's Legislative Consent Memorandum on the Animal Welfare (Import of Dogs, Cats and Ferrets) Bill, July 2025, recommendation 2

¹⁰ LJC Committee, The Welsh Government's Legislative Consent Memorandum on the Animal Welfare (Import of Dogs, Cats and Ferrets) Bill, July 2025, recommendation 3

¹¹ Welsh Government response, August 2025

¹² Welsh Government response, August 2025, response to recommendation 1

A fragmented approach could create unnecessary complexity for animal keepers, transporters, and enforcement agencies, particularly where cross-border movement is involved. A GB-wide approach best ensures cross-border consistency, aids effective enforcement, prevents loopholes, provides legal clarity and avoids confusion.

Animal health and welfare powers are devolved to Wales. However, in certain circumstances there are benefits in working collaboratively with the UK Government. I am content with the inclusion of this power as it enables coordinated implementation and retains the ability to act independently where needed. The Secretary of State must obtain the consent of the Welsh Ministers before making relevant regulations under the Bill which could be made by Welsh Ministers.”¹³

10. In respect of the Bill's commencement power, the Cabinet Secretary states:

“My officials have worked closely with their DEFRA counterparts on the development of the Bill. They will continue to work closely with DEFRA with regard to commencement of provisions and wider implementation of the Bill.

This is now the third time seeking to pass this Bill, which first formed part of the Animal Welfare (Kept Animals) Bill and secondly appeared as a Private Members' Bill under the last UK (Conservative) Government.

Whilst I recognise a consent mechanism for the Welsh Ministers would be preferable, I have committed to not seeking any amendments to this Bill to secure its passage through Parliament. My priority is to see this important Bill finally realised.”¹⁴

¹³ Welsh Government response, August 2025, response to recommendation 2

¹⁴ Welsh Government response, August 2025, response to recommendation 3

The Welsh Government's Legislative Consent Memorandum

11. On 7 August 2025, the Cabinet Secretary laid a supplementary legislative consent memorandum (Memorandum No. 2) in respect of the Bill.¹⁵

Provisions for the which the Senedd's consent is required

12. The Welsh Government's assessment, as set out in paragraphs 10 to 12 of Memorandum No. 2, is that consent is required for clause 8(3) of the Bill. It states:

"Subsection (3) of clause 8 makes provision about commencement of the other provisions in the Bill. It provides the Secretary of State with a power to bring into force sections 1 to 7 by the making of regulations.

*As consent is required for clauses 1 to 7 of the Bill, and this provision makes provision for commencement of those, it is my view that consent is also required for this clause, in so far as it makes provision with regard to devolved matters (notably animal welfare), and insofar as it applies to Wales."*¹⁶

UK Government view on the need for consent

13. The Cabinet Secretary states in Memorandum No. 2 that the UK Government is of the view that the Bill's provisions are within the legislative competence of the Senedd and agrees that consent is required.¹⁷

The Welsh Government's position

14. The Cabinet Secretary states in Memorandum No. 2:

"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.

¹⁵ Welsh Government, Supplementary Legislative Consent Memorandum (Memorandum No. 2): Animal Welfare (Import of Dogs, Cats and Ferrets) Bill, 7 August 2025

¹⁶ Memorandum No. 2, paragraphs 11 and 12

¹⁷ Memorandum No. 2, paragraph 13

The provisions of the Bill align with the Welsh Government policy objectives regarding the promotion of animal welfare and will ensure closer alignment of policy and implementation, especially in relation to cross border issues relating to enforcement. Taking them forward in this UK Bill will provide Wales with the same provisions as England and Scotland, at the same time, to strengthen animal welfare protections for companion animals. The Welsh Government is supportive of the Bill as drafted.”¹⁸

15. The Cabinet Secretary states that it remains his view that it is “appropriate to deal with these provisions” in the Bill “to progress important and high-profile animal welfare issues”, and recommends that the Senedd gives its consent.¹⁹

2. Committee consideration

16. We considered Memorandum No. 2 and agreed our report on 15 September 2025.²⁰

Our view

Legislative consent

17. We note the Welsh Government’s assessment of the provisions within the Bill that require the consent of the Senedd, as set out in Memorandum No. 2.

18. We also note the position of the UK Government as regards consent.

Conclusion 1. We agree with the Welsh Government’s assessment, as set out in Memorandum No. 2, of the provisions within the Bill which require the consent of the Senedd in accordance with Standing Order 29.

Delegated powers

19. We note the Cabinet Secretary’s justification for the inclusion of a concurrent power in the Bill, as set out in response to our report on the Memorandum. We have recently seen an increase in the number of such powers within UK Government Bills subject to the Senedd’s consent, as highlighted within our

¹⁸ Memorandum No. 2, paragraphs 15 and 16

¹⁹ Memorandum, paragraph 39

²⁰ Legislation, Justice and Constitution Committee, 15 September 2025

report on the Memorandum and within our reports laid in relation to the Crime and Policing Bill²¹, the Mental Health Bill²² and the Absent Voting (Elections in Scotland and Wales) Bill²³.

20. We note that the Cabinet Secretary states that the power in this Bill “enables coordinated implementation” and retains the Welsh Government’s ability to “act independently where needed.” We also acknowledge the Cabinet Secretary’s confirmation that the Secretary of State must obtain the consent of the Welsh Ministers before making relevant regulations under the Bill which could be made by the Welsh Ministers.

21. As highlighted in our report on the Memorandum, the Bill does not include a requirement for UK Government Ministers to obtain the consent of the Welsh Ministers before commencing its provisions. We note that the Cabinet Secretary told us in response to our report that the inclusion of a consent mechanism in the Bill was “preferable”, but that he would not be seeking any amendments to the Bill to secure its passage through the UK Parliament.

22. We believe that this situation is regrettable, given – as stated by the Cabinet Secretary – that Welsh Government officials have “worked closely” with UK Government officials during the development of the Bill. It is unclear what representations were made to the UK Government for the inclusion of commencement powers for the Welsh Ministers, and we believe that during the consent debate on the Cabinet Secretary should provide further clarity in this regard.

Recommendation 1. The Cabinet Secretary should explain what representations were made to the UK Government for the inclusion of commencement powers for the Welsh Ministers in the Bill.

²¹ LJC Committee, The Welsh Government's Legislative Consent Memorandum on the Crime and Policing Bill, June 2025, paragraph 22

²² LJC Committee, The Welsh Government's Supplementary Legislative Consent Memorandum (Memorandum No. 4) on the Mental Health Bill, July 2025, paragraphs 27 and 28

²³ LJC Committee, The Welsh Government's Legislative Consent Memorandum on the Absent Voting (Elections in Scotland and Wales) Bill, July 2025, paragraphs 32 to 34
