

Dogs and Domestic Animals (Accommodation and Protection) Bill

[AS INTRODUCED]

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TO

Establish rights to keep dogs and other animals in domestic accommodation; to make provision about the protection of the welfare of dogs and other domestic animals; and for connected purposes.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Right to keep dogs and other animals in domestic accommodation

(1) A person has the right to keep a dog or other domestic animal in rented or temporary domestic accommodation in England.

(2) That right is—

(a) notwithstanding any contract or agreement to the contrary; but

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(b) subject to section 2.

(3) In this Act—

“temporary accommodation” includes halfway houses and shelters for the homeless;

“rented” includes leasehold arrangements.

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2 Exceptions to the right to keep dogs and other animals

A contract or agreement may restrict the right to keep a dog or other domestic animal in rented or temporary accommodation if—

(a) the person responsible for the animal does not hold a certificate of responsible animal guardianship; and

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(i) that person is unable to care responsibly for the animal, or

(ii) the welfare of the animal is threatened by being kept in the accommodation, or

(iii) the animal is a danger or causes a private nuisance to other persons in the vicinity; or

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(b) the landlord holds a certificate of exemption.

3 Certificates of responsible animal guardianship

- (1) The Secretary of State must, by regulations, make provision for a system of certificates of responsible animal guardianship for persons in England responsible for caring for—
- (a) dogs, in accordance with subsections (2), (3) and (4), 5
 - (b) cats, in accordance with subsections (2) and (3), and
 - (c) other domestic animals, in accordance with subsection (2).
- (2) Regulations under this section must provide for—
- (a) tests of responsible animal guardianship, establishing whether—
 - (i) a person is a responsible animal guardian, 10
 - (ii) the person has taken measures necessary for the welfare of the animal for which they are responsible, and
 - (iii) that animal is healthy and, where appropriate, well-trained;
 - (b) the issuing of a certificate by a registered veterinary surgeon confirming that the tests in paragraph (a) have been passed. 15
- (3) Regulations under this section must, for the purposes of a certificate to be issued to a person responsible for a dog or cat, require that such a certificate may not be issued unless the animal has been fitted with a microchip.
- (4) Regulations under this section must, for the purposes of a certificate to be issued to a person responsible for a dog, require that such a certificate may not be issued unless the dog— 20
- (a) has been appropriately vaccinated, and
 - (b) responds to basic training commands.
- (5) Regulations under this section may—
- (a) make different provision for different species or breeds; 25
 - (b) make provision for interim certificates to be granted to persons responsible for young animals;
 - (c) make provision for certificates to be granted for an animal to be kept responsibly only in certain categories of accommodation.

4 Certificates of exemption

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- (1) The Secretary of State must, by regulations, make provision for system of certificates which permit landlords to restrict the right to keep a dog or other domestic animal in rented or temporary accommodation.
- (2) Regulations under this section may provide that such certificates may be issued— 35
- (a) because the landlord or another tenant has a religious or medical reason to not come into contact with a dog or domestic animal, or
 - (b) because the accommodation is unsuitable for a dog or domestic animal.
- (3) Regulations under this section may provide for certificates of exemption covering— 40
- (a) groups of dwellings within in a building or area, or entire buildings;

- (b) orders, families, genera, species or breeds of animal.

5 Statements on measures to support animals in domestic accommodation

- (1) Organisations that are relevant landlords must prepare a statement on measures taken to support dogs and other animals in domestic accommodation for each financial year of the organisation. 5
- (2) An organisation is a relevant landlord if it—
- (a) is a landlord of domestic rented or temporary accommodation,
 - (b) is in a housing ownership sector prescribed by regulations made by the Secretary of State, and
 - (c) has a total turnover of not less than an amount prescribed by regulations made by the Secretary of State. 10
- (3) A statement under this section must, for the financial year—
- (a) set out the steps the landlord has taken—
 - (i) to support the keeping of animals in domestic rented or temporary accommodation; 15
 - (ii) to improve animal welfare in that accommodation, or
 - (b) state that the landlord has taken no such steps.
- (4) If the landlord has a website, it must publish the statement on that website.
- (5) If the landlord does not have a website, it must provide a copy of a statement under this section to anyone who makes a written request for one, and must do so before the end of the period of 30 days beginning with the day on which the request is received. 20
- (6) The Secretary of State may issue guidance on information to be included in statements under this section.

6 Microchipping of dogs and cats 25

- (1) The Secretary of State must, by regulations, make provision—
- (a) requiring owners of dogs and cats in England to ensure that those animals are fitted with a microchip,
 - (b) *for a national database of dogs and cats from which data about individual animals is available via their microchip, and* 30
 - (c) requiring veterinary surgeons in England to—
 - (i) scan any dog or cat entering their surgery to establish whether they are with their rightful owner,
 - (ii) take steps in relation to information held on the database regarding the animal and its ownership, and 35
 - (iii) enter information into the database, including the details of any certificates of responsible animal guardianship associated with an animal.
- (2) Regulations under this section may make provision for, about or connected with the imposition of civil sanctions relating to requirements made under subsection (1)(a). 40

7 Regulations

Regulations under this Act –

- (a) are to be made by statutory instrument;
- (b) may make different provision for different purposes;
- (c) may not be made unless a draft of the statutory instrument containing them has been laid before and approved by a resolution of each House of Parliament. 5

8 Extent, commencement and short title

- (1) This Act extends to England and Wales only.
- (2) Subject to subsection (3), this Act comes into force on the day on which it is passed. 10
- (3) Sections 1 and 2 come into force at the end of the period of 90 days beginning with the day of which this Act is passed.
- (4) This Act may be cited as the Dogs and Domestic Animals (Accommodation and Protection) Act 2021. 15

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