

APPENDIX 2

Summary of responses for the Consultation on compulsory Micro-chipping of dogs

Issued by:

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Introduction

- 1.1 A consultation was undertaken on proposals for the introduction of a regime whereby all dogs would be required to be micro-chipped. This consultation commenced on Friday 20th March 2015. The consultation made no mention of detailed amendments to the Dogs Act 1990 or any potential secondary legislation. The purpose of the consultation was to outline a proposal to replace the dog licensing system with a modern alternative. .
- 1.2 The Dogs Act 1990 currently requires owners of dogs to pay an annual duty for a dog licence. There are reduced fees for neutered dogs, dogs owned by persons over 60 and dogs that are already micro-chipped. There are also specific exemptions from paying this duty e.g. dogs kept for sporting purposes tending sheep, guide dogs etc. Introduction of a regime requiring micro-chipping of all dogs would inevitably result in the demise of the dog licence system.
- 1.3 The main proposal in the consultation document was to introduce compulsory micro-chipping, requiring all dogs to be 'fitted' with an electronic transponder. This would include all dogs currently exempt from the duty payable under the licensing system. The proposal is to require puppies born after introduction of the amended (or new) legislation to be micro-chipped prior to selling, transfer of ownership or rehomed by the breeder. Older dogs would then be micro-chipped if they are sold or rehomed. All remaining dogs would have to be micro-chipped within 12 months of the commencement of the new requirements. This would provide a clear date for start of the new regime, and a date for all dogs to be in compliance.
- 1.4 The consultation papers are available from the Department's website www.gov.im/daff/consultations
- 1.5 This paper summarises the responses received.

2. List of respondents and summary of responses

2.1 Written responses and responses by e-mail

DEFA received 28 responses to this consultation which closed on Friday 1st May 2015.

Juan Turner MLC	Roxanne Oldham
Joan Brady-Rock	Braddan Parish Commissioners
Les Exton	Sean Young
Tony Wild MLC	Department of Infrastructure
Catie Angus	Laxey Village Commissioners
1 Anonymous Respondent	John Motley
Ravina Talbot	The Kennel Club
Louise Kennedy	Lonan Commissioners
Arbory Commissioners	Ramsey Town Commissioners
Milan Veterinary Practice	Shiona McAllister
Isle of Man Dog Club	Bill Henderson MLC
Mrs J Jewell & Mrs L Tyrer	Michael Commissioners
Tristram C Llewellyn Jones	Marown Parish Commissioners
Patrick Parish Commissioners	Mr & Mrs Geoffrey Watts

2.2 Responses

A full compilation of responses is available in Appendix 1.

Responses were largely in favour of the proposals (19) but some concerns were expressed relating to the precise details, requirements and enforcement etc. A small number were against the proposal (6) and 3 offered no comment. The following is a précis of the responses received and the intention of DEFA to address any queries, where appropriate.

3. Specific comments

3.1 Juan Turner MLC

"I support the abolition of the dog licence and the compulsory micro chipping of all dogs, including those currently exempt.

It's a sensible idea that will enable a far more efficient way of identifying animals and reuniting them with their owners as well as other obvious benefits."

3.2 Joan Brady-Rock

"I really do feel that this is unworkable and won't change anything except the amount of money made by the Vets who will do the chipping!!"

"I can appreciate that chipping dogs makes it easier to reunite them with owners in the event of them straying but beyond that I fail to see how it will enhance animal welfare."

3.3 Les Exton

"Why single out dogs? Cats are just as much as a nuisance - invading private property destroying private gardens and killing garden birds. Sorry - this does not include enough pests."

3.4 Tony Wild MLC

"100% support from me"

3.5 Catie Angus

"I do not believe that the cost of this proposed measure can be justified in light of the meagre benefits."

3.6 Anonymous

"I fully support the concept of micro-chipping, for security, safety and identification purposes."

"I am unaware of any negative aspects associated with their microchips."

3.7 Ravina Talbot

"Certainly good owners will have costed care, legal and veterinary costs before buying so it may deter poor owners which is good for the animals and charities who end up picking up the costs."

3.8 Roxanne Oldham

"I am in favour of the compulsory micro-chipping of all dogs in the Island. I have two dogs, both of whom are chipped."

"Yes owners should pay for micro-chipping. If you can afford to home and feed a dog you can afford a one of £20. Also it is cheaper in the long run. You will be saving £10py on the basis annual licensing will be scrapped."

3.9 Braddan Parish Commissioners

"The Commissioners considered your letter and the consultation document yesterday, but I have to advise that they wished to pass no opinion or comment."

3.10 Sean Young

"Yes all dogs should be micro-chipped at the earliest opportunity"

3.11 Department of Infrastructure

"With regard to the above consultation, the Department has no comments to make."

3.12 Laxey Village Commissioners

"I am directed to write to you by the Board of Laxey Village Commissioners regarding the above Consultation. The Board unanimously supports the proposals contained therein."

3.13 John Motley

"Since the UK will introduce compulsory micro-chipping in April 2016, the Isle of Man has no good reason for not following suit."

"Yes, all dogs should be micro-chipped."

"No, there should be no exemptions."

3.14 Louise Kennedy

"I do not think micro-chipping should be compulsory it should be an owner's informed choice of when or if they should micro-chip their family pet after considering all the pro's and con's."

"Who will police this?"

"How much will be spent on policing it?"

"How will you prove ownership?"

3.15 The Kennel Club

"The Kennel Club supports the proposed introduction of compulsory micro-chipping by the Isle of Man Government and believes that all dogs should be micro-chipped."

3.16 Lonan Commissioners

"Just to let you know that the Consultation on Dog Micro-chipping was discussed by Lonan Commissioners last night and they fully support the proposals."

3.17 Arbory Commissioners

"My Commissioners have discussed your Consultation Document in connection with the above, and they have instructed me to advise you that they fully support your proposals."

3.18 Ramsey Town Commissioners

"The Commissioners are broadly in favour with the proposed introduction of micro-chipping without any exceptions being applied. Their only comment was that the change of ownership responsibility should rest with the purchaser, they note that there is a cost associated with micro-chipping which would fall to the owner."

3.19 Milan Veterinary Practice

"I am very pleased to hear that compulsory micro-chipping of dogs is to be introduced. This in my view has been long overdue particularly with my work as veterinary surgeon to the MSPCA which gets to look after so many stray and unwanted dogs. Micro-chipping has so many benefits to owners and pets alike with security and the early return to the owner when the dog goes missing. However it is even more important in the regulation of those breeds / types of dogs that pose a threat to the safety and wellbeing of people and other dogs. Having a robust system in place that ensures that owners take responsibility for their dogs is essential. We have had many instances at the MSPCA where dogs of strong build and wholly unsuitable temperament are passed on from one person to the next usually ending up in a most unfavourable and dangerous situation."

3.20 Shiona McAllister

"I think this is sensible if replacement compulsory licencing"

"It is costly to have a dog, if you can afford the ongoing costs of a dog; cost of micro-chipping is minimal."

3.21 Isle of Man Dog Club

"Yes we fully endorse micro-chipping as a club, many of our members have their dogs micro chipped in order to compete in Agility competitions."

3.22 Bill Henderson MLC

"I haven't much to add to this, other than in the main it seems to be a good idea."

3.23 Mrs J Jewell & Mrs L Tyrer

"We are aware that the UK will make it compulsory in 2016. In a letter from the Manx SPCA (4/3/13) to all MHKs it is stated that the Blue Cross and Dogs Trust have said they will offer free micro-chipping for every unchipped dog in the UK. Where does the Isle of Man stand on this?"

"Dogs currently tattooed be offered free micro-chipping (or if not visiting UK to remain as simply tattooed for their lifetime)."

3.24 Tristram C Llewellyn Jones

"A fundamental principle of legislation is that it should only be applied when all measures available to resolve a problem have failed. Legislation is a last resort – not a first option. A fundamental principle of a public consultation is that all the proposals, including the legislation, are published for consideration."

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"In conclusion, the consultation simply does not contain the detail required for the public to make an informed view on either the reasons for the micro-chipping or the legality of the proposals."

"We are being asked to assess a Pig in a Poke!"

3.25 Michael Commissioners

"The Commissioners have asked me to reply regarding the Consultation on Compulsory Micro chipping of Dogs. Michael Commissioners fully support this project and feel this would be beneficial for the Isle of Man as a whole."

3.26 Marown Parish Commissioners

"The Commissioners considered the above at their meeting on Wednesday last. The Board supports the proposal and would go further: they believe that the opportunity should be taken to compile a DNA database of dogs as a means of enabling enforcement of the laws requiring dog-owners to clean up after their dogs."

3.27 Patrick Parish Commissioners

"The above was considered by the Board at their meeting on Monday last. They resolved to make no comment."

3.28 Mr & Mrs Geoffrey Watts

"In the UK they don't have any dog licences, surely it is up to an individual/s to decide as to whether their animals should be micro-chipped everyone should be given a choice especially as this is such a serious matter and not taken lightly, at the end of the day it is about common sense."

"I hope the Government will re-consider this issue nearer the time."

Appendix 1

1) Dear John,

Response to Consultation from Juan Turner MLC

I support the abolition of the Dog licence and the compulsory micro chipping of all dogs, including those currently exempt.

It's a sensible idea that will enable a far more efficient way of identifying animals and reuniting them with their owners as well as other obvious benefits.

J R Turner MLC

2) Dear John

I have just read the consultation document for the compulsory microchipping and I am aghast that once again the farmers don't have to spend any of the cash they get in the CCS!

Please may I enquire on what grounds are exemptions proposed for sporting and farming dogs? Or for any dog for that matter? Surely if a Police dog or a Guide dog were stolen a microchip would help to identify correct ownership? Exemptions for dogs visiting the Island are of course self-evident.

Who is going to pay for this? Why should responsible dog owners who have dog licences and look after their dogs properly be penalised yet more? The people who allow their dogs to roam free and defecate where they please will not get their dogs chipped and there will be no way of tracking these owners down to deal with them, compulsory chipping or not. And what would be done to them anyway? A fine which they won't pay and they will not be forced to pay either.

Will assistance be given to pensioners and those on low-incomes to assist them in covering the cost?

No doubt that if high profile people are found to have un-chipped dogs that will be acceptable.

I really do feel that this is unworkable and won't change anything except the amount of money made by the Vets who will do the chipping!!

I can appreciate that chipping dogs makes it easier to reunite them with owners in the event of them straying but beyond that I fail to see how it will enhance animal welfare.

Regards
Joan Brady Rock

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- 3)** Why single out dogs? Cats are just as much as a nuisance - invading private property destroying private gardens and killing garden birds. Sorry - this does not include enough pests.

Les Exton

- 4)** 100% support from me

Kind regards

Tony

Tony Wild MLC

- 5)** Dear John

We do not have stolen dogs on the island, and there are very few 'stray' dogs. We do have a minor problem with people not always picking up dog poo, which could be solved by providing bags and encouraging people to be responsible for their dogs.

I do not believe that the cost of this proposed measure can be justified in light of the meagre benefits.

Yours sincerely,
Catie Angus.

- 6)** As (I hope) a responsible owner of 2 miniature schnauzers aged 8 who were microchipped as puppies I fully support the concept of microchipping, for security, safety and identification purposes. I had no opinion on this matter until their breeder said she did this as standard practice, however we have noted no downside at all to this. In fact as the 2 dogs are brothers from the same litter, it also helps the vet tell them apart! I am unaware of any negative aspects associated with their microchips.

My responses to your questions are shown in Red below.

Do you think that all dogs on the Isle of Man should have to be micro-chipped? YES

- Should there be any exemptions from compulsory micro-chipping? **None that I am aware of**
- When a micro-chipped dog changes ownership, the registration details on the database would need to be updated. With whom should this responsibility lie: the seller, the buyer, or both? **Can you follow the same principle as for cars?**
- The compulsory micro-chipping of dogs would require owners to pay to micro-chip their dog. What are your thoughts on this issue? **It costs money to have a dog, and this is a minimal cost in terms of the lifetime costs of dog ownership so owners should pay. Arrange some cost effective micro chipping sessions – say on the prom on a Sunday afternoon(Pavillion near Queens hotel or**

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under Villa Marina Arcade (& other similar locations around IOM), so that a volume discount can apply, and owners just turn up pay say £10 and microchip is inserted and recorded .

• We have set out what we think are the benefits to micro-chipping your dog. We would like to know your views on compulsory micro-chipping. [See comments in intro above](#)

7) I would like to contribute to the discussion about micro chipping of dogs. the positives would be ;

- a) being able to trace all dog owners which may result in speedier resolution of dog related problems
- b) if a dog is sold the new buyer should be required to update the chip
- c) i can see this may not appeal to some owners who may find this a heavy handed solution
- d) certainly good owners will have costed care , legal and veterinary costs before buying so it may deter poor owners which is good for the animals and charities who end up picking up the costs.

just some thoughts

regards

Ravina Talbot

8) Dear John

I am in favour of the compulsory micro-chipping of all dogs in the Island. I have two dogs, both of whom are chipped.

I am in favour if this is INSTEAD OF licensing, but would not want licensing to continue as well as micro-chipping. I realise licensing brings in an income, but guess it costs more in administration than it makes in fees!

The only exemption I can think of would be if there was a health issue with a dog that would be made worse by micro-chipping, but I have never heard of such a thing.

Both seller and buyer should have responsibility, but bear in mind many dogs are not bought and sold – they are given away or abandoned. If they are abandoned or given away (say the owner dies) then the responsibility has to lie on the person taking over the dog, but it is important to give them sufficient time to do so – as updating the details is not always straightforward, and even finding out which database they are on in that situation could be difficult.

Yes owners should pay for micro-chipping. If you can afford to home and feed a dog you can afford a one of £20. Also it is cheaper in the long run. You will be saving £10py on the basis annual licensing will be scrapped.

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Regards

Roxanne Oldham

9) Good afternoon John,

The Commissioners considered your letter and the consultation document yesterday, but I have to advise that they wished to pass no opinion or comment

Sorry I can't be of any assistance.

Regards

Colin

J C Whiteway MBA
Clerk to Braddan Commissioners

10) Do you think that all dogs on the Isle of Man should have to be micro-chipped?

yes all dogs should be microchipped at the earliest opportunity

Should there be any exemptions from compulsory micro-chipping?

no there should be no exemptions from microchipping. every dog should be chipped. this will make the law simple to understand, straight forward to enforce. that way there can be no argument as to what would constitute a pet or a working dog.

When a micro-chipped dog changes ownership, the registration details on the database would need to be updated. With whom should this responsibility lie: the seller, the buyer, or both?

a breeder on the island should chip a dog as soon as possible, then as part of they're checks transfer the ownership to the new owner having seen proof of i.d. and address.

The compulsory micro-chipping of dogs would require owners to pay to micro-chip their dog. What are your thoughts on this issue?

the cost involved is minimal as is broadly the same as a dog licence anyway, this should not be an issue at all.

We have set out what we think are the benefits to micro-chipping your dog. We would like to know your views on compulsory micro-chipping.

i have recently bought a beagle puppy from a breeder in the UK. the process was that i had to show proof of i.d. and proof of address when collecting the dog. She was already chipped and then the transfer of ownership took place. pet insurers offer discounts and extra for a dog that is chipped. therefore i fail to see any responsible dog owner not chipping they're dog.

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the chips are easily and readily there to be read by anyone with suitable equipment and as such can lead to a quicker return to an owner.

will there be a requirement for compulsory scanning for a chip if a dog is involved in an road accident?

if a farmer is put into a position of having to shoot a dog, will there be a compulsory reporting of this to the police and thus scanning for a chip etc?

regards
Sean Young

11) Dear John,

With regard to the above consultation, the Department has no comments to make.

Best regards.

Erica

Erica Radcliffe
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Office of the Minister & Chief Executive
Strategy Policy and Performance Division
Dept of Infrastructure, Isle of Man Government
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12) Dear Mr Howie,

I am directed to write to you by the Board of Laxey Village Commissioners regarding the above Consultation. The Board unanimously supports the proposals contained therein.

Yours sincerely,

Peter Hill,
Deputy Clerk. (Laxey Commissioners)

13) Hi,

Here is my response to your consultation.

1) Since the UK will introduce compulsory microchipping in April 2016, the Isle of Man has no good reason for not following suit. Indeed, the problem of unchipped dogs being carried by the Steam Packet is sufficient reason.

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2) Since the consultation document opens 'this will effectively lead to the demise of the current dog licencing system', I assume that the proposal is to remove the requirement for annual renewal of licences. Removing this pointless administration would be a good idea.

3) The replacement system is described as compulsory initial registration following microchipping; and then a requirement to notify changes of address/ownership (and presumably when the dog ceases to live on the Isle of Man). I would agree with this.

4) Paragraph 4.3 is confusing. I assume this means that all dogs would have to be microchipped before any change of residence was permitted; but there would be a grace period of 12 months for dogs remaining in their current residence. I agree that existing exemptions should be removed, and the new act apply to all dogs without exception.

5) In the UK the number of dogs microchipped has been rising steadily in any case. In 2013, this reached 80% (source PDSA). If the IoM is similar, the number of owners affected will not be huge.

In answer to the specific questions in the consultation

- Yes, all dogs should be microchipped
- No, there should be no exemptions.
- Notification of changes should be the responsibility of both in the case of a sale, However other changes have to be considered. i.e.

- Change of ownership- primary responsibility on the seller, who would remain responsible for the dog until the change has been accepted. A form should pass with the dog, with part to be returned by the new owner.
- When the dog ceases to live on the IoM, the owner should notify this.
- When an owner changes address, they should notify this.

- Cost of microchipping is only a one off, and is not significant compared to the cost of ownership over the dog's life.

John Motley

14) Compulsory Micro-chipping consultation

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Points raised in the proposed amendments to the Dogs act 1990.

2.2 "it is an old system and does not fully address the problems associated with irresponsible ownership"

Please define irresponsible ownership.

a dog that has a poorly trained recall, an owner that has a badly maintained fence, a child that forgets to shut the front door or garden gate properly, an owner that doesn't pick up after their dog, a dog that is likely to bite being off lead in a busy public place. Please advise how a microchip being injected into a dog's neck will fix the fence, make the child shut the door, stop the dog biting etc

2.4 "costs of microchipping has identified an approximate figure of £15.00 to £20.00"

Due to the size of the needle I personally would ask for a local anaesthetic to be given which is currently not done, adding to the cost. This is then also injecting unnecessary chemicals into an animal for an exercise that will invariably have little or no impact on the reasons currently being given for implementing this legislation.

3.1 a) "improve animal welfare by making it easier to reunite a stray dog with it's owner"

The Scottish government decided against compulsory microchipping "no evidence compulsory microchipping would effectively tackle welfare issues"

Source <http://blogs.telegraph.co.uk/news/douglascarswellmp/100221179/microchipping-dogs-yet-another-government-scheme-that-will-give-officials-more-power-over-your-lives/>

In Northern Ireland where microchipping was made compulsory in 2012 figures from local council pounds show that microchipping does not work. In the 2 years prior to legislation of dogs taken in 32.31% were returned to their owners and the 2 years after legislation 32.63% were returned.

source <http://www.chipmenot.org.uk/news.asp>

Will owners fail to seek veterinary care should their dog fall ill for fear of prosecution? Will dogs die unnecessarily because of this and be destroyed by owners to avoid detection? (Lee Connor,

Dorset) <http://www.chipmenot.org.uk/news.asp>

3.1 b) "improved traceability "

Only if

a) everyone has a scanner that will read every brand of microchip

b) a new owner updates their details and doesn't give false details to the microchip company.

c) the microchip hasn't failed

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d) the microchip hasn't moved and can be found

e) the current owner updates any changes to their details with the microchip company

3.1 c) "help establish liability and prove ownership "

Irresponsible dog owners will continue to be just that they can use a false name and will fail to update details, change ownership or even have them microchipped in the first place.

3.1 d) "control measures in case of any disease"

Please advise on exactly how a microchip would assist in this area

3.1 e) "deterrent against dog theft"

Please provide the figures for dogs stolen in the Isle of Man or discovered as stolen.

Reasons for dog theft include use as bait dogs in dog fighting these dogs are never likely to be found with or without a microchip.

There have been cases of stolen dogs not being returned to their owners as the microchip companies will not release details under data protection to the registered owner if a new owner applies to change the details. Source <http://www.dailymail.co.uk/news/article-1314154/Microchip-firm-wont-tell-dog-owner-stolen-pet.html>

3.1 f) "this should reduce" "the number of strays and dogs that need to be rehomed"

What are the figures for unclaimed strays on the Island? These are likely dogs whose owner does not want them any more, can't cope with them, can't take them to new housing or can not afford them any more. These people are usually too upset to admit to anyone they have to give up their dog, they prefer someone else to find them and give them to the mspca rather than sharing their personal reasons and heartbreak at having to do so.

4.2 "puppies born after commencement of the proposed new legislation would be required to be microchipped prior to transfer of ownership "

The size of the needle used to insert a microchip is 12 gauge, in metric measurement this equates to a diameter of almost 3mm. A 6 week old chihuahua's neck probably measures approx 10cm in circumference, that's a pretty big hole in comparison to the size of the dog. How can anyone view putting a 3mm hole in a dogs neck acceptable.

Other items to consider

Microchips do and have failed. Even defra has a what to do if the microchip has failed section in it's pet travel information along with a section on failure of virbac microchips. Source <https://www.gov.uk/pet-travel-information-for-pet-owners#microchips>

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They also migrate and have been known to end up in hind legs, base of tails and head! Therefore I do not think microchipping should be compulsory it should be an owners informed choice of when or if they should microchip their family pet after considering all the pro's and con's. It will not make irresponsible owners suddenly responsible. Like the uninsured driver still drives uninsured despite the law. The person who doesn't currently licence their dog or pick up after it etc etc

Who will police this?

How much will be spent on policing it?

How will you prove ownership?

What is the current level of dogs on the Island microchipped, information via dog licensing?

Who will have access to the microchip companies database's?

Louise Kennedy



THE KENNEL CLUB

Making a difference for dogs

15) Isle of Man: Compulsory Microchipping Consultation – Kennel Club Response

The Kennel Club is the UK's largest organisation dedicated to improving the welfare, health and general wellbeing of all dogs throughout every stage of their lives. We offer all dog owners and those working with dogs an unparalleled source of education, experience and advice on dog breeding, dog health, dog acquisition, dog training and responsible dog ownership.

We also run Petlog, the UK's largest lost and found database for microchipped pets.

Do you think that all dogs on the Isle of Man should have to be micro-chipped?

The Kennel Club supports the proposed introduction of compulsory microchipping by the Isle of Man government and believes that all dogs should be microchipped.

Should there be any exemptions from compulsory micro-chipping?

Yes, in line with microchipping regulations being introduced in other parts of the UK, we believe that there should be two exemptions to compulsory microchipping with regards to the 8 week maximum age limit for puppies born after the commencement date.

The first exemption is where a veterinarian has certified the dog as a working dog and docked its tail in accordance with the Animal Welfare Act 2006. In such cases the time limit for the dog to be

microchipped and details recorded with a database is extended to 12 weeks. The dog can be passed on to a new keeper once it has been microchipped.

The second exemption is where a veterinarian certifies that a dog should not be microchipped because it could adversely affect its health. In such cases a vet would have to certify that this was the case and state when the exemption expired. The dog would then need to be microchipped on the expiry of that time limited certificate unless a veterinarian issued a further exemption certificate because of ongoing concerns with the dog's health. In this case the decision to exempt a dog from being microchipped would be made by the veterinary surgeon. In such a case a breeder may pass the puppy on with a copy of the veterinary exemption certificate and any time limit for microchipping though it would be for the puppy buyer to decide whether to take the dog given this information.

When a micro-chipped dog changes ownership, the registration details on the database would need to be updated. With whom should this responsibility lie: the seller, the buyer, or both?

Ultimately the responsibility should lie with the owner of the dog (i.e. the buyer). However the seller or previous owner should be allowed to update the details if they wish to do so, on the new owner's behalf. It is important that legal responsibility remain with the new owner, but that the previous owner is able to make the changes in order that they can satisfy themselves that from the date they transfer the dog they are not legally liable for that dog. This will be the case also in other parts of the UK.

The compulsory micro-chipping of dogs would require owners to pay to micro-chip their dog. What are your thoughts on this issue?

The cost to pet owners should be minimal as microchipping is a reasonably cheap procedure costing from as little as £10. Some organisations/charities offer free microchipping. Registration is also relatively cheap. Databases do have associated costs for the life time provision of the aftercare service – and these will vary by database. Given that compulsory microchipping would replace the dog licence, dog owners should not be significantly financially worse off (if at all).

We have set out what we think are the benefits to micro-chipping your dog. We would like to know your views on compulsory micro-chipping.

There are some issues that have not been addressed as part of the consultation:

1. Who would be able to implant microchips?

It is our view that only those who have been suitably trained may implant microchips

- a veterinarian, student veterinarian or veterinary nurse acting under the direction of a veterinarian
- someone who has been trained and assessed as competent under a training course approved by the Secretary of State
- someone who has had training including practical experience of implanting microchips prior to the Regulations coming into force

Those already implanting microchips into dogs before the regulations come into force should continue to be allowed to implant microchips provided they have received training that included

practical experience of implanting a microchip. For information, in England, as of 24 February 2015 the only approved course in England is run by Lantra but other providers may follow. However in the meanwhile people can continue to be trained by microchip manufacturers. Further information can be found here:

[https://www.petlog.org.uk/pet-owners/find-a-petlog-microchipper-\(implanter\)/](https://www.petlog.org.uk/pet-owners/find-a-petlog-microchipper-(implanter)/)

Breeders should be able to microchip their own puppies only if they comply with the above requirements.

It should be unlawful to buy microchips online and implant them unless the implanter has had the training specified above. The instructions for implanting on-line bought microchips will not meet the above training requirements in part because there will be no practical implantation training included.

2. What standardised information about each dog and its keeper will be required to be recorded on a microchip database operating in the Isle of Man?

We would suggest this information includes:

- The breeder's licence number and the name of the local authority by which they are licensed (if relevant)
- The original name given to the dog by the breeder
- The breed of the dog, or a description if it is a crossbreed
- The sex of the dog
- The colour(s) of the dog e.g. blue, brindle and white
- The most accurate estimate of the dog's date of birth which the keeper can give. If the keeper is the breeder then the exact date of birth should be known
- The full name and address of the keeper (including the full postcode)
- The contact telephone number(s) for the keeper
- The name given to the dog by the keeper if different to those already recorded
- The unique microchip number (NB: This may be found on the registration certificate issued by the database operator)

Further, it is our view that database operators should be compliant with ISO9001/27001 to ensure both quality service delivery and data protection.

3. Who would be liable for a dog in circumstances in which the new keeper does not update the microchip database with their details and the dog strays or is involved in a dog bite incident?

It is our view that as soon as the dog is transferred to a new keeper they become liable for that dog. The new keeper should ensure the contact details on the microchip database are up to date when they acquire the puppy. The new keeper's details should be able to be updated either by the previous keeper/breeder or the new keeper but responsibility should ultimately lie with the new keeper.

4. What would happen if the microchip failed or caused an adverse reaction

In the unlikely event that any microchip fails or causes any adverse reactions we would advise that this must be reported to the VMD (or as relevant to the Isle of Man). An Adverse Reaction Reporting System has been set up by the Veterinary Medicines Directorate (VMD) and anyone

Department of Environment, Food and Agriculture
Consultation on compulsory micro-chipping of dogs

finding an adverse reaction or a failed microchip in England must report it to the VMD at:
www.gov.uk/government/publications/microchip-adverse-event-reporting-scheme

16) Dear John,

Just to let you know that the Consultation on Dog Micro-chipping was discussed by Lonan Commissioners last night and they fully support the proposals.

Kind regards,

Peter. (Lonan Commissioners)

17) Dear John

My Commissioners have discussed your Consultation Document in connection with the above, and they have instructed me to advise you that they fully support your proposals.

Kind regards

Ian.

W I Lowey
Clerk. (Arbory Commissioners)

18) Dear John

The Micro-chipping consultation was discussed at the Commissioners meeting on Wednesday 15 April.

The Commissioners are broadly in favour with the proposed introduction of microchipping without any exceptions being applied. Their only comment was that the change of ownership responsibility should rest with the purchaser, they note that there is a cost associated with microchipping which would fall to the owner.

Kind regards

Peter

T. P Whiteway (Ramsey Town Commissioners)

19) Dear John

Following our telephone conversation this week I am very pleased to hear that compulsory microchipping of dogs is to be introduced. This in my view has been long overdue

particularly with my work as veterinary surgeon to the MSPCA which gets to look after so many stray and unwanted dogs. Microchipping has so many benefits to owners and pets alike with security and the early return to the owner when the dog goes missing. However it is even more important in the regulation of those breeds / types of dogs that pose a threat to the safety and well being of people and other dogs. Having a robust system in place that ensures that owners take responsibility for their dogs is essential. We have had many instances at the MSPCA where dogs of strong build and wholly unsuitable temperament are passed on from one person to the next usually ending up in a most unfavourable and dangerous situation.

A couple of points I would like to make regarding the proposed scheme;

The current registration of the microchips and owners' details with Petlog and Anibase should continue.

The onus should be on the first owner to transfer the details of a new owner when the dog is passed on in a system similar to car registration. A suitable form that could be downloaded from a website would help to ensure that all the correct details are recorded from the new owner would help. The success of the microchipping scheme is absolutely dependent on the accurate registering of owner details on the data base. We often find at the moment that owners do not update the details when they move house etc and when we pick up the pet we do have current contact details. A good publicity / education campaign will be required to make the scheme effective and a robust penalty (i.e. fine) should be put in place.

What minimum age will be stipulated for microchipping? Many puppies are homed and rehomed in their early lives so allowing 6 months for them to settle would not be unreasonable.

What dogs are to be made exempt? I would urge you to not to have any, working dogs / farm dogs that are unsuitable for their work are frequently dumped. Often these are big dogs and can be temperamentally unsound. I can no reason why working dogs should be exempt from microchipping, economics should not be an argument against chipping. Good working dogs are extremely valuable, bad ones get dumped. All Guide Dogs for the Blind are chipped as puppies.

Are there plans to regulate who and how dogs are to be microchipped? Placing a microchip is not deemed to be an act of veterinary surgery but it still requires a degree of skill. Standardising how and where the chip is to be inserted has long been in place within the veterinary profession. As lay people have started to chip so has the incidence of chip failure and migration increased.

Do you have plans for dealing with chip failures/ migration/ simply falling out? In the UK there are regulations regarding the reporting of chip failures etc as being an adverse reaction and therefore come under the auspices of the VMD.

These are just a few initial thoughts on the matter. I would be available to discuss any issues further.

Yours sincerely,

Raymond Cox MVB, MRCVS.

Milan Veterinary Practice

Department of Environment, Food and Agriculture
Consultation on compulsory micro-chipping of dogs

20) Hi John, I've just reviewed the consultation document in relation to micro-chipping dogs and would comment as follows:

Do you think that all dogs on the Isle of Man should have to be micro-chipped?

Yes, I think this is sensible if replacement compulsory licencing. Will this include those currently exempt?

• Should there be any exemptions from compulsory micro-chipping?

No. It is costly to have a dog, if you can afford the ongoing costs of a dog, cost of micro-chipping is minimal

• When a micro-chipped dog changes ownership, the registration details on the database would need to be updated. With whom should this responsibility lie: the seller, the buyer, or both?

Both

• The compulsory micro-chipping of dogs would require owners to pay to micro-chip their dog. What are your thoughts on this issue?

Per my comment above, however my concern is that if there is no legal restriction on suppliers capping the cost, because having it is compulsory they could keep increasing. There should be a cap on suppliers' fees, and/or they have to register to comply.

☑ We have set out what we think are the benefits to micro-chipping your dog. We would like to know your views on compulsory micro-chipping.

Will the likes of the Police have equipment/access to check/info. DEFA and MSPCA are restricted hours, typically closed when a stray dog is found. It would be appropriate to have provisions at the Police Station to at least check the owner information, if not able to house the dog.

Will there be any additional info on the system other than owner's details, i.e. health info like diabetes/character traits (not good with children or other dogs) etc, this would be useful.

Can owners access the system (self-service) to update their dog's details/change of address etc.

Regards

Shiona

21) Hello Steven,

I havent much to add to this, other than in the main it seems to be a good idea,

Bill Henderson

Bill Henderson, MLC

22) Dear Mr Howie,

The Commissioners have asked me to reply regarding the Consultation on Compulsory Micro chipping of Dogs. Michael Commissioners fully support this project and feel this would be beneficial for the Isle of Man as a whole.

Yours sincerely

Krystina Malcolm Hodgson

Clerk
Michael Commissioners

23) Isle of Man Dog Club

- Do you think that all dogs on the Isle of Man should have to be micro-chipped?

Yes we fully endorse micro chipping as a club, many of our members have their dogs micro chipped in order to compete in Agility competitions.

- Should there be any exemptions from compulsory micro-chipping?
No

- When a micro-chipped dog changes ownership, the registration details on the database would need to be updated. With whom should this responsibility lie: the seller, the buyer, or both?
Both

Department of Environment, Food and Agriculture
Consultation on compulsory micro-chipping of dogs

PATRICK PARISH COMMISSIONERS

Bannanter Skyll Pherick

CLERK OF COMMISSIONERS
IAN MAULE BSc DipLaw

HALL CAINE PAVILION
OLD CHURCH ROAD
CROSBY IM4 2HA
ISLE OF MAN

Tel 01624 803031
patrickcommissioners@manx.net

For the attention of John Howie, Manager
Isle of Man Government,
Department of the Environment, Food and Agriculture
Environment, Safety and Health Directorate
Thie Sliiau Whallian,
Foxdale Road,
ST JOHN'S,
Isle of Man,



April 14, 2015

Dear Sir,

CONSULTATION: COMPULSORY MICRO-CHIPPING OF DOGS

The above was considered by the Board at their meeting on Monday last. They resolved to make no comment.

Thank you nevertheless for the invitation to comment. Please contact the undersigned if you require further information.

Yours Faithfully

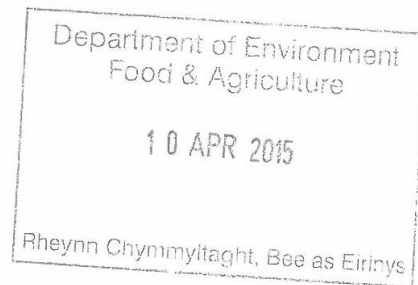


IAN MAULE
Clerk to the Commissioners

OFFICE HOURS 1000 – 1200 MONDAY TO THURSDAY ONLY

Department of Environment, Food and Agriculture
Consultation on compulsory micro-chipping of dogs

Mr & Mrs Geoffrey Watts
[REDACTED]
[REDACTED]
Isle of Man
[REDACTED]



9th April 2015

Dear Sir,

I am writing to you with the legislation that all dogs from 8 weeks old will be micro-chipped as from April 2016. As a responsible dog owner I am only to aware of the risks factors involved I have done some research into this matter. I am very concerned that the procedure are not clinically safe I have read with interest that the implant can migrate under the shoulder blades, or even travel all the way down to the belly, or worse still travel all the way down to the dogs hind quarters in such cases the pet animal needed to be put-down this has happened on a number of occasions [comments] that have been made on the websites we have visited. From 1996 – 2006 10% of vermin, including mice were experimented on in laboratories they had some sort of a reaction after being micro – chipped, there are other factors to take into consideration also it carries the risk of autoimmune reaction, or a degenerative reaction where pets immune system becomes aggravated, or chronically inflamed which can in turn lead to tissue degeneration and abnormal cell growth, or cancer at the site of implantation in some cases the implants were contaminated for unknown reasons. We are very concerned about the out-come of this legislation, I certainly don't want our family pet dog to suffer any ill-health due to having a "foreign object" implanted into her body, if the Government gives the go ahead with these plans I will be seeking compensation should anything happen to our beloved pet. Our pet is well-behaved at all times and always on a leash outdoors - most importantly she knows her name and "comes" when she is called if we let her off her leash, she has been to obedience classes at an early age, we have secure gates round our property so there is no chance of her escaping at any time of the day or early evening, if the legislation goes ahead she will be spayed so therefore there will be no unwanted pregnancies, we feed our pet animal on natural foods so this to us is unwarranted cruelty we want the best for our family pet dog at all times, she is up-to-date on her dog-license which when you check the number with the authorities databank it informs you who she is and where she lives. In the UK they don't have any dog licences, surely it is up to an individual/s to decide as to whether there animals should be micro-chipped everyone should be given a choice especially as this is such a serious matter and should not be taken lightly, at the end of the day it is about common sense. I am adamant that this procedure will not be carried out on our pet I would sooner be fined, or sent to prison then allow our pet to be micro-chipped, why should we jeopardize the health of our dog knowing the full-facts about micro-chipping – this would make us to be irresponsible dog owner's, and neither can the Government guarantee the safety, or well-being of our family pet dog. I hope the Government will re-consider this issue nearer the time.

Yours faithfully

Swatts
G. Watts

Department of Environment, Food and Agriculture
Consultation on compulsory micro-chipping of dogs



MAROWN PARISH COMMISSIONERS

Clerk to the Commissioners
Mr I. J. MAULE BSc DipLaw
Telephone: 01624 851630

Email: marown.comms@jeecsl.net

HALL CAINE PAVILION
OLD CHURCH ROAD
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IM4 2HA

For the attention of John Howie, Manager
Isle of Man Government,
Department of Environment Food and Agriculture,
Environmental Safety and Health Directorate,
Thie Sliu Whallian,
Foxdale Road,
ST JOHN'S
Isle of Man

16 April 2015

Dear Sir,

Department of Environment
Food & Agriculture

17 APR 2015

Rheynn Chymmyltaght, Baa as Erhys

CONSULTATION: COMPULSORY MICRO-CHIPPING OF DOGS

The Commissioners considered the above at their meeting on Wednesday last. The Board supports the proposal and would go further; they believe that the opportunity should be taken to compile a DNA database of dogs as a means of enabling enforcement of the laws requiring dog-owners to clean up after their dogs. The failure of owners to do this is a continuing and, if anything, worsening problem.

Attached for your information is some information on a means of doing this obtained by the Vice Chairman of Marown Commissioners.

Thank you for consulting this authority. Please contact the undersigned for further information.

Yours Faithfully


IAN MAULE
Clerk to the Commissioners

Office Open 1000 – 1200 Mondays to Thursdays only

Department of Environment, Food and Agriculture
Consultation on compulsory micro-chipping of dogs

C 2

From: Gary Downie <gary@streetkleen.co.uk>
Subject: Recent contact regarding PooPrints DNA program.
Date: 15 April 2015 11:36:36 GMT+01:00
To: craine@manx.net

Good morning Mr Craine,

Many thanks for your recent enquiry that was received through our website regarding the PooPrints DNA program. In the next week or so details will be released on the pilot project that is to take place with London Borough of Barking and Dagenham Council. This pilot will consist of a Public Space Protection Order to compel dog owners to compulsory register the dog's DNA before exercising their dog on community open spaces. In addition, amendments will be made to social housing tenancy agreements that will permit the companionship of a dog in council housing on the basis that they DNA register their dog in order to provide effective measures of accountability. The pilot will enable us to articulate the improvements in social outcomes for the program in Barking and Dagenham. We will also be gathering views on why dog mess is such a problem in the borough, the laws and interventions that have been attempted previously and of course gathering the opinions of those that may contribute locally or be affected by a new approach that the centre piece is the DNA registration of dogs. However, compiling this information specific to Barking and Dagenham will likely take us until the New Year.

Given the interest that we have received from local authorities across the UK, Ireland and the Channel Islands we will be hosting a series of workshops that interested land managers may attend. The first of these is taking place on April 28th, 2015 in London. The purpose of this particular workshop is to inform potential stakeholders of the introduction of the PooPrints program to the UK, and to showcase the positive results it has evidenced in other areas of the world such as USA, Canada, Spain and Israel. Subsequent workshops are planned for the North West of England (Warrington) - perhaps you may wish to attend a future workshop, or even host one as there has been historical interest in the PooPrints program from various entities on the Isle of Man.

We are currently awaiting new promotional brochures to be delivered to us and on receipt I will ensure that a copy is emailed and sent over by Royal Mail (do send over an address for delivery). Please feel free to contact me direct and we can discuss this matter further informally.

Kindest regards,

Gary Downie

Marketing Director

StreetKleen Ltd

02037 / www.streetkleen.co.uk/

Unit 10, The Old Mill, Church Lane, East Ham, London E6 3JH, UK
T: 0203 870000 | 020 3705 2000 | E: gary@streetkleen.co.uk

Department of Environment, Food and Agriculture
Consultation on compulsory micro-chipping of dogs



John Howie
Manager of the Environmental Health Unit
Environment, Safety & Health Directorate
Department of Environment, Food & Agriculture
The Sleaau Whallian
Foxdale Road
St Johns
IM4 3As



Consultation response - Compulsory Micro Chipping of Dogs

29th April 2015

Dear John Howie,

Please find attached my response to the 'Compulsory Micro Chipping of Dogs' consultation.

Yours faithfully,

Tristram C. Llewellyn Jones

Department of Environment, Food and Agriculture
Consultation on compulsory micro-chipping of dogs

Compulsory Micro Chipping of Dogs consultation response

1. A fundamental principle of legislation is that it should only be applied when all measures available to resolve a problem have failed. Legislation is a last resort – not a first option. A fundamental principle of a public consultation is that all the proposals, including the legislation, are published for consideration.
2. This consultation does not provide the justification for the proposals. E.g Para 2.4 refers to 'Research into costs of micro-chipping' but this is not referenced. Neither does the consultation provide a copy of the actual legislation that Tynwald would be asked, on our behalf, to enact.
3. Para 2.2 of the consultation says the 'existing database is slow and unreliable'. That does not provide justification for a micro chipping policy. No information is provided to show that an updated database could not be created without resorting to micro chipping.
4. Para 3.1 of the consultation states that 'the Department is of the opinion' etc. The Department may well have an opinion, but having an opinion cannot, and should not, be the basis for changing the law. None of the 'opinions' offered in 3.1 a,b,c,d,e, & f, are supported by actual evidence of a problem. How are we to judge whether the proposals are necessary without being informed, for example, about the transferable diseases the 'control measures' are claimed to assist with?
5. It is not clear from the consultation whether it is proposed to amend the primary legislation or create micro-chipping regulations by order. I note that the Dogs Act 1990 was amended by the Dogs Amendment Act 2006:

1. In section 4 (dog collars) of the Dogs Act 1990, at the end
insert –

*Alternative
means of
identification.*

“(5) Regulations may provide that this section shall
not apply, or shall apply subject to prescribed modifications,
to a dog which is implanted with an electronic transponder
as an alternative to a dog collar, by means of which, with
the use of an appropriate device, the dog may be identified
by reference to a prescribed register.

(6) The Department may by regulations provide
for alternative means of identification of dogs after
consultation with such persons as it considers
appropriate.”

6. An 'Alternative means of identification' presumably means what it says. There must be more than one (at least one of two) means by which dogs can be identified. I.e. a dog collar or a micro-chip. Having that choice does preserve the liberty of individual dog owners to choose whether or not to take part in what is, potentially, an unnecessarily intrusive measure.
7. In order to prescribe micro-chipping for all dogs Section 4 (6) would need to be amended to read something along the lines of:

The Department may by regulations provide for a single means of identification of dogs after consultation with such persons as it considers appropriate.

Department of Environment, Food and Agriculture
Consultation on compulsory micro-chipping of dogs

8. If it is intended to progress these proposals the opinion of Her Majesty's Attorney General should be sought to confirm whether the Dogs Act 1990 contains the necessary vires enable a secondary order for compulsory micro-chipping to be created. If the Act does not contain the vires then the consultation should be not be progressed in its present form.
9. Compulsory micro-chipping would involve the creation of a new database. I note that the existing legislation requires this information to be held on a Dog Collar:

4 Dog collars

[1976/75ch 2]

- (1) The keeper of every dog shall cause it, except when in a dwelling-house or the curtilage thereof, to wear a collar bearing the name and address of the owner and (except in the case of an exempt dog) having attached thereto a current token.
10. By its nature, a micro chip and a database will enable a lot more information than just name and address to be stored. This could, potentially, be very intrusive. No information is given in the consultation about the data that would be held on the micro-chip or on the associated database. This sort of detail, provided for in the Microchipping of Dogs (England) Regulations 2015, is missing:

Details to be recorded on databases

- 5.—(1) The details to be recorded on a database are—
- (a) the full name and address of the keeper;
 - (b) where applicable, the fact that the keeper is also the breeder;
 - (c) if the keeper is the breeder and is licensed by the local authority under the Breeding of Dogs Act 1973(b)—
 - (i) the breeder's licence number; and
 - (ii) the name of the local authority by which they are licensed;
 - (d) the original name or identification number given to the dog;
 - (e) the contact telephone number (if any) for the keeper;
 - (f) the name given to the dog by the keeper, if that is different to the details recorded pursuant to sub-paragraph (d);
 - (g) the sex of the dog;
 - (h) the breed of the dog, or a description if it is a cross-breed;
 - (i) the colour of the dog;
 - (j) the most accurate estimate of the dog's date of birth which the keeper is capable of giving; and
 - (k) the unique number of the microchip implanted in the dog.
- (2) In this regulation "breeder" means any keeper of a bitch which whelps, whether or not they carry on a business as a breeder of dogs.

Department of Environment, Food and Agriculture
Consultation on compulsory micro-chipping of dogs

11. Also missing are the rules specifying how the database would be operated. This is significant because, for example, contained within the Scottish Dog Control Database are powers for to say who has access to the database and who the information can be shared with:

B Scottish dog control database

- (1) The Scottish Ministers, after consultation with local authorities in Scotland and with such other persons as the Scottish Ministers think appropriate, may by order provide—
 - (a) for the establishment, maintenance, operation, management and control of a national database of dog control notices, and
 - (b) for the appointment of a database operator (that is to say, of a person to exercise functions in relation to the establishment, maintenance, operation, management and control of that database).
- (2) Any database established under subsection (1) is to be known as the ‘Scottish dog control database’.
- (3) Without prejudice to the generality of subsection (1), the order may—
 - (a) specify information which must or may be entered in the database,
 - (b) permit or require any person to be given access to the database (or to some part of the database) for research purposes,
 - (c) specify the length of time for which information so entered must or may be retained,
 - (d) provide for the cancellation or variation of information entered in the database,
 - (e) provide technical specifications for the database,
 - (f) provide for the security of the database,
 - (g) permit a local authority to disclose information for inclusion in the database,
 - (h) permit a local authority to share, for the purposes of this Act, the information so disclosed with other local authorities, Scottish Ministers and the police,
 - (i) require the submission to the database operator by a local authority of information as respects their area (including the form in which, and time within which, the information is to be so submitted), and
 - (j) require that a local authority meet such other requirements in relation to the database as may be specified in the

12. Again, this is missing from the Isle of Man consultation. Without this information how is the Isle of Man Data Protection Supervisor going to assess the legislation for compliance with the Data Protection Act? How are we to be assured that inappropriate information is not created and shared across Government? Any database needs full legal safeguards to prevent abuse.

13. In conclusion, the consultation simply does not contain the detail required for the public to make an informed view on either the reasons for micro-chipping or the legality of the proposals.

14. We are being asked to assess a Pig in a Poke!

Tristram C Llewellyn Jones

29th April 2015