



# **DÁIL ÉIREANN**

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## **AN BILLE UM SHLÁINTE AGUS LEAS AINMHITHE, 2012 ANIMAL HEALTH AND WELFARE BILL 2012**

### **LEASUITHE COISTE COMMITTEE AMENDMENTS**

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# DÁIL ÉIREANN

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## AN BILLE UM SHLÁINTE AGUS LEAS AINMHITHE, 2012 —ROGHCHOISTE

### ANIMAL HEALTH AND WELFARE BILL 2012 —SELECT COMMITTEE

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#### *Leasuithe Amendments*

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#### SECTION 2

1. In page 8, subsection (1), between lines 23 and 24, to insert the following:

“(d) an inspector of the Minister;”.

—Thomas Pringle, Éamon Ó Cuív, Michael McNamara.

2. In page 9, between lines 5 and 6, to insert the following:

“(c) for the purpose of this Act any animal registered in a herd register of bovine animals, breeding pig herd-book and register, sheep flock register or goat herd register shall be regarded as a farm animal,”.

—Michael McNamara.

3. In page 9, subsection (1), between lines 8 and 9, to insert the following:

““fur” means animal skin including its hair cover;

“fur farming” means the act of keeping, breeding, selling or slaughter of animals solely or primarily for the value of their fur;

“fur product” means a product made of, or containing, fur used as a garment, fashion accessory, toy, decoration or any other use;”.

—Thomas Pringle.

4. In page 9, subsection (1), between lines 8 and 9, to insert the following:

““inspector” means a person being a veterinary practitioner appointed by the Minister or a local authority to be an inspector for the purposes of this Act;”.

—Thomas Pringle, Éamon Ó Cuív.

5. In page 9, subsection (1), to delete lines 9 to 14.

—An tAire Talmhaíochta, Bia agus Mara.

6. In page 9, line 22, to delete “of a kind commonly”.

—An tAire Talmhaíochta, Bia agus Mara.

#### SECTION 8

7. In page 11, subsection (1), lines 10 and 11, to delete “necessary” and substitute “reasonable”.

—An tAire Talmhaíochta, Bia agus Mara, Éamon Ó Cuív.

[ SECTION 8 ]

8. In page 11, subsection (1)(b)(ii), line 19, to delete “is kept.” and substitute the following:

“is kept, having regard to shared boundaries and commonage.”.

—An tAire Talmhaíochta, Bia agus Mara.

9. In page 11, subsection (1)(b)(ii), line 19, after “kept” to insert “having regard to shared commonage and boundaries”.

—Éamon Ó Cuív.

10. In page 11, subsection (1)(b), between lines 19 and 20, to insert the following:

“(iii) the risk that the animal will damage the surrounding population of indigenous wild animals or the natural flora and fauna of the surrounding environment.”.

—Thomas Pringle.

SECTION 9

11. In page 11, lines 35 and 36, to delete paragraph (a) and substitute the following:

“(a) there is a risk or a suspicion that disease is present, or”.

—Thomas Pringle, Éamon Ó Cuív.

SECTION 11

12. In page 13, subsection (1), line 5, to delete “necessary” and substitute “reasonable”.

—Éamon Ó Cuív.

13. In page 13, subsection (1)(a)(i)(II), line 11, after “animal” to insert the following:

“including animals prior, during and after an entertainment or sporting event,”.

—Thomas Pringle.

14. In page 13, subsection (1)(a), between lines 16 and 17, to insert the following:

“(iii) treated in a manner that they are not kept in close quarters preventing them from experiencing their natural animal behaviour including the freedom to roam pasture land,”.

—Thomas Pringle.

15. In page 13, subsection (1), between lines 18 and 19, to insert the following:

“(b) the animal’s physiological and behavioural needs shall be taken to include

—

(i) its need for a suitable environment,

(ii) its need for a suitable diet,

(iii) its need to be able to exhibit normal behaviour patterns,

(iv) any need it has to be housed with, or apart from, other animals, and

[ SECTION 11 ]

- (v) its need to be protected from pain, suffering, injury and disease,”.

—Thomas Pringle, Éamon Ó Cuív.

SECTION 12

16. In page 13, subsection (1)(a), line 35, before “do,” where it firstly occurs to insert “intentionally”.

—Éamon Ó Cuív.

17. In page 13, subsection (1)(a), lines 36 and 37, to delete “injury (including disfigurement) or”.

—Éamon Ó Cuív.

18. In page 13, line 41 and in page 14, lines 1 to 7, to delete subsection (2).

—Thomas Pringle, Éamon Ó Cuív.

19. In page 14, subsection (5)(b), line 21, to delete “or a code of practice”.

—Éamon Ó Cuív.

20. In page 14, subsection (6), line 30, to delete “reasonable grounds” and substitute “evidence”.

—Éamon Ó Cuív.

21. In page 14, subsection (8), line 38, after “been” to insert “or will be”.

—Thomas Pringle, Éamon Ó Cuív.

22. In page 14, subsection (8), line 39, after “concerned” to insert “(and any dependant offspring of the animal)”.

—An tAire Talmhaíochta, Bia agus Mara.

23. In page 14, subsection (8), line 39, after “concerned” to insert “and any dependent offspring”.

—Thomas Pringle, Éamon Ó Cuív.

24. In page 14, subsection (9), line 44, after “or” where it secondly occurs to insert “by order of the court”.

—Éamon Ó Cuív.

25. In page 15, subsection (12), lines 10 to 12, to delete paragraph (c).

—Thomas Pringle.

SECTION 15

26. In page 17, subsection (1), between lines 4 and 5, to insert the following:

“(a) hare coursing and track racing, the netting of hares, the shooting of hares and the use of hares in the training of greyhounds before, during and after sporting events,

(b) the use of animals in sporting events which may result in the mutilation and/or mental and physical suffering of the animal before, during and after the event including the risk of temporary or permanent injury, death as a result of an injury, or death as a result of the killing of the animal due to excessive suffering,

[ SECTION 15 ]

- (c) the use of canines for the hunting of any animal, digging out of any wild mammal gone to ground and the use of terriers to attack and extract the wild mammal above or below ground,
- (d) the hunting of stags for the purpose of sport and/or leisure on private or public grounds,
- (e) the hunting of foxes including the digging out of foxes, the use of trapping foxes and mink underground, to protect nesting birds where alternative forms of protection shall be used such as fencing,
- (f) the shooting of wild birds, except for the purposes of disease control or environmental control carried out by legitimate personnel,
- (g) the use of Ladder traps and Larsen traps to trap birds and mammals,
- (h) the use of ferrets for the hunting of an animal,
- (i) badger culling and the use of wire snares to capture badgers,
- (j) farming of mink or foxes for their fur,
- (k) the use of wild animals in circus performances,”.

—Thomas Pringle.

27. In page 17, subsection (1)(a), line 5, after “animal” to insert “, save for normal, necessary farm practices”.

—Éamon Ó Cuív.

28. In page 17, subsection (1)(e), line 10, to delete “bull” and substitute “bovine”.

—An tAire Talmhaíochta, Bia agus Mara.

29. In page 17, subsection (1)(e), line 10, after “bull” to insert “, save for normal, necessary farm practices”.

—Éamon Ó Cuív.

30. In page 18, between lines 30 and 31, to insert the following subsection:

“(12) Nothing in *subsection (1)(a) or (e)* prevents the training of an animal by persons competent to train the animal provided—

- (a) unnecessary suffering is not thereby caused to the animal,
- (b) the public does not have access to the place where training occurs, and
- (c) any activity involved in the training of the animal is not prohibited by animal health and welfare regulations.”.

—An tAire Talmhaíochta, Bia agus Mara.

SECTION 16

31. In page 18, before section 16, to insert the following new section:

[ SECTION 16 ]

“Mutilation of animals.

16.—(1) Subject to *subsection (3)*, a person shall not, except in accordance with animal health and welfare regulations, carry out an operation or procedure to mutilate or cause or permit another person to mutilate an animal (including the docking or nicking of the tail of a bovine, canine or equine, the removal of horns or antlers from an animal or firing an equine).

(2) Where a person mentioned in *subsection (3)* proposes to carry out an operation or procedure referred to in *subsection (1)*, he or she must be of the opinion that the operation or procedure is necessary for the health and welfare of an individual animal and is for diagnostic, therapeutic or other medical purpose.

(3) *Subsection (1)* shall not apply to—

(a) a veterinary practitioner,

(b) a veterinary nurse, or

(c) a person carrying out an operation or procedure in relation to or connected with the practice of veterinary medicine prescribed in regulations made under section 54A (inserted by section 2 of the Veterinary Practice (Amendment) Act 2012) of the Veterinary Practice Act 2005,

acting in accordance with the Veterinary Practice Act 2005 and *subsection (2)*.

(4) A person shall not mutilate or cause or permit another person to mutilate an animal for—

(a) cosmetic reasons, or

(b) in a manner that obliterates or obscures any mark identifying the animal or that renders the identification of the owner of the animal more difficult.

(5) A person shall not show an animal at an event to which members of the public have access if the animal has been mutilated in contravention of *subsection (1)*.

(6) A person who contravenes this section commits an offence.

(7) Nothing in *section 12* applies to an operation or procedure carried out under and in accordance with this section.

(8) In this section—

“docking” means the removing of a bone or a part of a bone from the tail;

“firing” means the application of a hot liquid, caustic chemical or a heated iron or instrument to the leg of an equine;

“mutilate” means to carry out an operation or procedure which involves interference with the sensitive tissue or the bone structure of an animal;

“nicking” means the severing of a tendon or muscle in the tail.”.

—An tAire Talmhaíochta, Bia agus Mara.

[Acceptance of this amendment involves the deletion of section 16 of the Bill.]

**32.** In page 19, subsection (2), line 1, to delete “registered”.

—Thomas Pringle, Éamon Ó Cuív.

[ SECTION 16 ]

**33.** In page 19, subsection (5), line 15, after “equine” to insert the following:

“for the purpose of causing inflammation to the skin of the leg to produce counter-irritation”.

—Thomas Pringle, Éamon Ó Cuív.

**34.** In page 19, subsection (5), line 15, after “equine” to insert the following:

“for the purpose of causing inflammation to the skin to produce counter-irritation”.

—Michael McNamara.

SECTION 18

**35.** In page 19, before section 18, to insert the following new section:

“Protection of  
animals from  
poison.

18.—(1) A person shall not—

(a) poison a protected animal, or

(b) lay poison by a method or in a manner that a protected animal has or would have access to the poison.

(2) The owner, occupier or person in charge of land shall not lay or cause to be laid a poison or a substance containing a poison on land unless, before laying the poison or substance, he or she erects or causes to be erected, and maintains, a notice or notices of the laying of poison upon the land so that at least one notice is clearly visible from every public place adjoining or being upon the land.

(3) The owner, occupier or person in charge of land on which a poison or a substance containing a poison is laid shall give at least 7 days’ notice in writing in advance of the laying of the substance to the local authority for the functional area in which the land is situated.

(4) In proceedings for an offence under this section consisting of a contravention of *subsection (1)*, it is a defence for the accused to show that all reasonable precautions were taken to prevent access to the poison or substance by protected animals.

(5) A person who contravenes this section commits an offence and is liable on summary conviction to a class B fine.

(6) In this section “land” does not include areas within the structure of a building.

(7) This section is in addition to and not in substitution for any enactment relating to the laying of poison.”.

—An tAire Talmhaíochta, Bia agus Mara.

[*Acceptance of this amendment involves the deletion of section 18 of the Bill.*]

SECTION 19

**36.** In page 21, lines 29 and 30, to delete subsection (8) and substitute the following:



[ SECTION 19 ]

“(8) In this section “intensive unit” means a premises on which protected animals are kept under a husbandry system relying, for the purpose of providing for the care of the animals, on automatic equipment to such an extent that a failure of that equipment would, if it were not rectified or if some alternative arrangements were not made for the care of the animals contained therein, cause the animals unnecessary suffering.”.

—An tAire Talmhaíochta, Bia agus Mara.

SECTION 20

**37.** In page 22, between lines 5 and 6, to insert the following subsection:

“(5) In this section “intensive unit” has the meaning assigned to it in *section 19(8)* \*.”.

—An tAire Talmhaíochta, Bia agus Mara.

[\*Note: This is a reference to the subsection proposed to be inserted by amendment No. 36.]

SECTION 21

**38.** In page 22, subsection (1)(c), between lines 21 and 22, to insert the following:

“(iii) the substandard animal health and welfare conditions of the destination country of Irish animal exports,”.

—Thomas Pringle.

**39.** In page 22, between lines 29 and 30, to insert the following subsections:

“(2) The Minister will draft guidelines outlining acceptable animal health and welfare standards in countries receiving Irish animal exports and which will determine the standard of living to be experienced by that animal in the receiving country.

(3) The animal is not exported to countries that have substandard animal health and welfare regulations as determined by the guidelines defined by the Minister.”.

—Thomas Pringle.

SECTION 23

**40.** In page 23, subsection (2), lines 12 and 13, to delete all words from and including “If” in line 12 down to and including “regulations” in line 13 and substitute the following:

“If an inspector, an authorised officer acting on the advice of a veterinary practitioner or a person specified in animal health and welfare regulations acting on the advice of a veterinary practitioner,”.

—Thomas Pringle.

**41.** In page 23, subsection (2), lines 12 and 13, to delete all words from and including “If” in line 12 down to and including “regulations” in line 13 and substitute the following:

“If an authorised officer acting on the advice of a veterinary practitioner or a person specified in animal health and welfare regulations acting on the advice of a veterinary practitioner”.

[ SECTION 23 ]

—Éamon Ó Cuív.

42. In page 23, subsection (2), line 12, after “officer” to insert “acting on the advice of a veterinary practitioner”.

—Michael McNamara.

43. In page 23, subsection (2), line 13, after “regulations” to insert “acting on the advice of a veterinary practitioner”.

—Michael McNamara.

SECTION 24

44. In page 23, subsection (1), lines 39 to 41, to delete all words from and including “If” in line 39 down to and including “may” in line 41 and substitute the following:

“If an inspector or an authorised officer acting on the advice of a veterinary practitioner has reasonable grounds for believing that a protected animal is injured or suffering or is in a state of neglect or distress, the inspector or officer may”.

—Thomas Pringle.

45. In page 23, subsection (1), line 39, to delete “authorised officer” and substitute the following:

“inspector or an authorised officer acting on the advice of a veterinary practitioner”.

—Éamon Ó Cuív.

46. In page 23, subsection (1), line 41, to delete “acute”.

—Éamon Ó Cuív.

47. In page 24, subsection (4), lines 20 to 22, to delete all words from and including “or” where it secondly occurs in line 20 down to and including “person” in line 22.

—Michael McNamara.

SECTION 25

48. In page 24, subsection (1)(b), line 31, after “adopt” to insert “, in whole or in part,”.

—An tAire Talmhaíochta, Bia agus Mara.

49. In page 24, subsection (2), line 36, to delete “guidelines”.

—An tAire Talmhaíochta, Bia agus Mara.

50. In page 25, subsection (2), between lines 3 and 4, to insert the following:

“(h) allowing animals to exhibit their normal behaviour.”.

—Thomas Pringle, Éamon Ó Cuív.

51. In page 25, subsection (4), line 13, to delete “(if any)”.

—An tAire Talmhaíochta, Bia agus Mara.

SECTION 26

52. In page 26, subsection (2), line 14, to delete “an”.

—An tAire Talmhaíochta, Bia agus Mara.

[ SECTION 26 ]

**53.** In page 26, subsection (3), line 23, after “House” to insert the following:

“having been discussed by the relevant Committee of the House”.

—Éamon Ó Cuív.

SECTION 30

**54.** In page 28, subsection (1)(h), line 26, to delete “identified” and substitute “possible to identify”.

—Éamon Ó Cuív.

**55.** In page 29, lines 1 to 8, to delete subsection (3).

—Éamon Ó Cuív.

**56.** In page 29, subsection (4), line 9, to delete “may” and substitute “shall”.

—Éamon Ó Cuív.

**57.** In page 29, between lines 12 and 13, to insert the following subsection:

“(5) The Minister will ensure that humane practices are used in the eradication of mink for their fur or by products and that the use of gas in the killing and eradication of mink on mink farms is not practised, while ensuring that minimal suffering is caused to the animal during the eradication process.”.

—Thomas Pringle.

SECTION 31

**58.** In page 29, subsection (1), line 13, to delete “may” and substitute “shall”.

—Éamon Ó Cuív, Michael McNamara.

**59.** In page 29, between lines 43 and 44, to insert the following subsection:

“(5) Where the replacement of the removed animal/product is prevented by the Minister, or not feasible to allow return to normal production levels, payment for consequential losses to the value of the income foregone shall be payable.”.

—Éamon Ó Cuív.

SECTION 32

**60.** In page 29, before section 32, to insert the following new section:

“Valuation.

32.—(1) The Minister may appoint, for the purposes of assessing an amount of compensation for farm animals, animal products, animal feed or other thing relating to farm animals, such persons as valuers, if the Minister is satisfied that a person appointed has—

(a) the requisite experience in valuing, or

(b) knowledge of the value of,

farm animals, animal products, animal feed or other thing relating to farm animals having regard to criteria laid down in regulations under *subsection (8)* (if any).

[ SECTION 32 ]

(2) A valuer shall be furnished with a warrant of his or her appointment and, if requested by a person affected, the valuer shall produce the warrant, or other evidence that he or she is so appointed, for inspection.

(3) The owner or person in possession or control of a farm animal, animal product, animal feed or other thing relating to a farm animal, the subject of a claim for compensation and his or her employees, servants or agents shall give all assistance required and co-operate with a valuer or a person accompanying a valuer, during the valuation.

(4) Subject to *subsection (6)* or regulations under *subsection (8)*, a valuer is independent in the performance of his or her functions.

(5) A second valuation shall be carried out by another valuer chosen in accordance with regulations under *subsection (8)*.

(6) The Minister may issue guidelines relating to the valuation of a farm animal, animal product, animal feed or other thing relating to a farm animal and a valuer, or an arbitrator appointed under *section 34*, shall have regard to those guidelines (if any) when carrying out valuations.

(7) The killing, destruction or disposal of an animal, animal product, animal feed or other thing relating to a farm animal shall, in the interests of—

- (a) disease control,
- (b) minimising the risk of disease, or
- (c) curtailing the spread of disease or a disease agent,

proceed, without delay, under the direction of an authorised officer notwithstanding that there might subsequently be a question of the determination of ownership or value of the animal, animal product, animal feed or thing or an issue relating to valuation and compensation in respect of it.

(8) The Minister may by regulations provide for any or all of the following:

- (a) the method of assessing the value, subject to any limitation provided for under *section 34*, of a farm animal, animal product, animal feed or other thing relating to a farm animal;
- (b) historical reference periods on which to base the valuation of farm animals, animal products, animal feed or other things relating to farm animals, and different reference periods may be provided for farm animals, animal products, animal feeds or other things relating to farm animals generally or of farm animals, animal products, animal feed or other things relating to farm animals of a particular class or description;
- (c) the manner of assessment of compensation;
- (d) criteria to be taken into account in the assessment of compensation;
- (e) the determination of compensation by agreement between the applicant and the Minister;

[ SECTION 32 ]

- (f) the manner in which a valuer or arbitrator is chosen to act in a particular case whether agreement, by appointment by the applicant or the Minister, by lot, or by any other method that the Minister may prescribe in the regulations;
- (g) the periods within which—
  - (i) an application for compensation must be made,
  - (ii) a valuation, or part of a valuation, process must be completed, and
  - (iii) a request for arbitration must be made;
- (h) the consequences of failure to comply with a period set out in accordance with *paragraph (g)*.

(9) Regulations under *subsection (8)* may contain such incidental, supplementary and consequential provisions as appear to the Minister to be necessary for the purposes of the regulations.”.

—An tAire Talmhaíochta, Bia agus Mara.

[*Acceptance of this amendment involves the deletion of section 32 of the Bill.*]

**61.** In page 30, lines 40 to 44, to delete subsection (9).

—Éamon Ó Cuív.

SECTION 33

**62.** In page 31, line 12, to delete “arbitration” and substitute the following:

“an arbitration panel which includes a representative of the applicant and”.

—Éamon Ó Cuív.

SECTION 35

**63.** In page 32, subsection (1), lines 3 and 4, to delete “in his or her opinion, the owner” and substitute “he can establish that the owner”.

—Éamon Ó Cuív.

**64.** In page 33, subsection (3), between lines 3 and 4, to insert the following:

“(d) shall inform the owner of the independent appeals process to the decision and the associated timeframe.”.

—Éamon Ó Cuív.

SECTION 36

**65.** In page 34, between lines 14 and 15, to insert the following subsection:

“(5) All such regulations will be brought before the relevant committee of the House for discussion before being approved by the House.”.

—Éamon Ó Cuív.

[ SECTION 37 ]

SECTION 37

- 66.** In page 34, subsection (1), line 17, after “Minister” to insert “or an authorised officer of the Department”.

—Éamon Ó Cuív.

- 67.** In page 34, between lines 21 and 22, to insert the following subsections:

“(2) The Minister will appoint an independent animal welfare officer to inspect all greyhound breeding establishments in order to ensure the following—

- (a) hygiene standards are maintained and the greyhounds’ environment is protected,
- (b) adequate food, medicine, equipment, and space is provided for the greyhounds, and
- (c) access to essential facilities is provided to each greyhound.

(3) The Minister will appoint an independent animal welfare officer to monitor coursing clubs, gun clubs and fishery clubs whether privately, semi-State or publicly owned on an annual basis.”.

—Thomas Pringle.

- 68.** In page 34, subsection (3), line 27, after “Minister” to insert “or an authorised officer of the Department”.

—Éamon Ó Cuív.

- 69.** In page 34, subsection (3), lines 29 to 32, to delete all words from and including “appoint” in line 29 down to and including “agreement.” in line 32 and substitute the following:

“submit the names of persons he or she considers appropriately qualified to be authorised officers for the purpose of all or any of the functions that the person may exercise under the service agreement to the Minister who may appoint in writing any or all such person to be authorised officers.”.

—Éamon Ó Cuív.

- 70.** In page 34, between lines 32 and 33, to insert the following subsection:

“(4) Persons may only be appointed authorised officers under *subsections (1), (2) and (3)* where they have satisfied the Minister or appointing authority that they have the experience, technical competence, and other qualifications to undertake the functions of an authorised officer.”.

—Thomas Pringle, Éamon Ó Cuív.

SECTION 38

- 71.** In page 35, subsection (1), line 21, to delete “may” and substitute “should”.

—Thomas Pringle.

- 72.** In page 37, between lines 15 and 16, to insert the following subsection:

“(5) The power conferred on an authorised officer under *subsection (4)(a)* and *(b)* may only be exercised by an inspector of the Minister.”.

—Thomas Pringle, Éamon Ó Cuív.

[ SECTION 38 ]

**73.** In page 37, between lines 26 and 27, to insert the following subsection:

“(7) The Minister will appoint an independent animal welfare official to inspect the conditions of fur farms on a regular basis to ensure the highest animal health and welfare standards are achieved in respects of the natural behaviour attributed to mink.”.

—Thomas Pringle.

SECTION 42

**74.** In page 39, subsection (1), line 13, to delete “Where an authorised officer” and substitute the following:

“Where an inspector, or an authorised officer on the advice of a veterinary practitioner,”.

—Thomas Pringle.

**75.** In page 39, subsection (1), line 13, to delete “authorised officer” and substitute the following:

“inspector, or an authorised officer on the advice of a veterinary practitioner”.

—Éamon Ó Cuív.

**76.** In page 39, subsection (1)(b), line 18, to delete “as” substitute “or”.

—An tAire Talmhaíochta, Bia agus Mara.

**77.** In page 39, subsection (1)(b), line 18, to delete “, as may be,”.

—Thomas Pringle, Éamon Ó Cuív.

SECTION 45

**78.** In page 43, subsection (1), lines 43 and 44, to delete “on the sworn information” and substitute “by information on oath”.

—An tAire Talmhaíochta, Bia agus Mara.

SECTION 50

**79.** In page 47, between lines 5 and 6, to insert the following subsection:

“(5) In proceedings under this Act, evidence of information contained in a record may be given by producing a copy in legible form of that record, whether that record is maintained in legible or non-legible form and the copy is, until the contrary is shown, sufficient evidence of the information contained in the record.”.

—An tAire Talmhaíochta, Bia agus Mara.

SECTION 51

**80.** In page 47, subsection (1)(a), line 11, to delete “a copy” and substitute “the notice”.

—Thomas Pringle, Éamon Ó Cuív.

**81.** In page 47, subsection (1)(a), line 13, to delete “a copy” and substitute “the notice”.

—Thomas Pringle, Éamon Ó Cuív.

[ SECTION 51 ]

- 82.** In page 47, subsection (1)(b), line 14, to delete “a copy” and substitute “the notice”.

—Thomas Pringle, Éamon Ó Cuív.

- 83.** In page 47, subsection (1)(c), line 19, to delete “a copy” and substitute “the notice”.

—Thomas Pringle, Éamon Ó Cuív.

- 84.** In page 47, subsection (1)(d), line 28, to delete “a copy” where it firstly occurs and substitute “the notice”.

—Thomas Pringle, Éamon Ó Cuív.

- 85.** In page 47, subsection (1)(d), lines 28 and 29, to delete “a copy” where it secondly occurs and substitute “the notice”.

—Thomas Pringle, Éamon Ó Cuív.

- 86.** In page 47, subsection (1)(e), line 31, to delete “a copy” and substitute “the notice”.

—Thomas Pringle, Éamon Ó Cuív.

- 87.** In page 48, subsection (3), line 1, to delete “a copy” and substitute “the notice”.

—Thomas Pringle.

- 88.** In page 48, subsection (3), line 2, to delete “copy” and substitute “notice”.

—Thomas Pringle.

SECTION 52

- 89.** In page 48, subsection (2), line 15, to delete “16(4)” and substitute “16(6)\*”.

—An tAire Talmhaíochta, Bia agus Mara.

[\*Note: This is a reference to the section proposed to be inserted by amendment No. 31.]

SECTION 55

- 90.** In page 49, subsection (2), line 11, to delete “12 months” and substitute “two years”.

—Éamon Ó Cuív.

SECTION 58

- 91.** In page 51, subsection (1), line 3, to delete “section 52(1),” and substitute “section 52(1)”.

—An tAire Talmhaíochta, Bia agus Mara.

SECTION 63

- 92.** In page 55, subsection (2)(c), line 17, after “applies,” to insert the following:

“including the following types of animals—

- (i) greyhound canines for sporting and breeding purposes,
- (ii) cats sold as pets,



[ SECTION 63 ]

- (iii) each canine puppy before it leaves the State so as to identify their origin.”.

—Thomas Pringle.

**93.** In page 55, between lines 25 and 26, to insert the following subsections:

“(3) The Minister will enforce the following regulations in relation to dog breeding—

- (a) a dog breeding registration system to be introduced on a phased basis,
- (b) registration and microchip tagging of all dogs including canines used for the purposes of hunting, and
- (c) owners of greyhound canines must register their greyhounds with the Irish Greyhound Board and not the Irish Coursing Club.

(4) The Minister will implement a neutering scheme for dog and cat owners who are social welfare recipients in order to assist those who cannot afford the neutering procedure required for their pets.”.

—Thomas Pringle.

SECTION 68

**94.** In page 58, between lines 7 and 8, to insert the following subsection:

“68.—(1) The Minister will significantly reduce or eradicate any charges for a general licence required by any of the 135 registered animal rescue charities listed in the Department of Agriculture and will exempt registered animal rescue organisations from taxes, not just the 55 charities with a charity tax exemption number.”.

—Thomas Pringle.

SECTION 73

*Section opposed.*

—Éamon Ó Cuív.

NEW SECTIONS

**95.** In page 63, after line 26, to insert the following new section:

“Badger culling.

77.—The Minister will carry out the following in relation to badgers—

- (a) establish an independent body to conduct a population survey to ascertain levels and local distribution of badgers before continuing with the depopulation of badgers in certain areas, and
- (b) direct resources towards the establishment of a national vaccination programme in place of badger culling.”.

—Thomas Pringle.

**96.** In page 63, after line 26, to insert the following new section:

[ *NEW SECTIONS* ]

“National neutering campaign for feral cats.

77.—The Minister will carry out the following in relation to cats—

- (a) introduce a national neutering campaign for feral cats employing the tactics of capture, neuter and return, and
- (b) prohibit the sale of cats unless neutered, except in the case where the intention is not to make a profit.”.

—Thomas Pringle.

**97.** In page 63, after line 26, to insert the following new section:

“Funding for animal rescue centres.”.

77.—The Minister will ensure it directs resources and assistance to animal rescue centres.”.

—Thomas Pringle.

**98.** In page 63, after line 26, to insert the following new section:

“Review of list of wild birds hunted.

77.—The Minister will immediately carry out a review of the list of species of birds hunted during open season and will consider the need for protection of certain species increasingly threatened, in danger or in danger of extinction.”.

—Thomas Pringle.

**99.** In page 63, after line 26, to insert the following new section:

“Use of animals for laboratory experimentation.

77.—The Minister will carry out the following—

- (a) conduct biennial public consultations regarding the operation of the harm-benefit assessment of proposed and authorised animal experimentation projects, and
- (b) ensure that all processes carried out in the regulation of animal experiments, including inspectors, project evaluators, institutional ethical reviews, animal welfare bodies and the National Committee, are performed by bodies or groups of individuals comprised of a majority of people who have never held a licence to perform animal experiments or have a financial interest in companies or research groups who conduct animal experiments.”.

—Thomas Pringle.

**100.** In page 63, after line 26, to insert the following new section:

“Dog breeding establishments.

77.—The Minister will carry out the following processes in relation to dog breeding establishments—

- (a) the closing of substandard dog breeding establishments according to new inspections made on breeding grounds when in breach of hygiene standards, and
- (b) an exit programme to manage the surplus of dogs due to the closure of substandard dog breeding establishments and puppy farms.”.

—Thomas Pringle.

**101.** In page 63, after line 26, to insert the following new section:

[ *NEW SECTIONS* ]

“Regulation and  
eventual ban on fur  
farming.

77.—(1) A person shall be guilty of an offence if he keeps animals solely or primarily—

- (a) for slaughter (whether by himself or another) for the value of their fur, or
- (b) for breeding progeny for such slaughter including keeping animals or (as the case may be) breeding them for sale for slaughter for the value of their fur.

(2) This act requires—

- (a) the mandatory registration of current fur farmers, owners of farms used for fur farming,
- (b) the Minister to appoint an official to make mandatory inspections on a regular basis of fur farming establishments to inspect the conditions of fur farms and ensure that humane practices are used according to the killing and eradication of animals,
- (c) the prescribed forms be filled out by the appointed official inspecting the fur farms and be signed by the appointed official for each inspection of a place used for fur farming,
- (d) owners of fur farms to ensure that minimal suffering is caused to the animal prior, during and after the killing and eradication of animals for the purposes of their fur,
- (e) that only certified chemicals and processes can be used to kill and eradicate animals used for the purposes of fur and ones which are environmentally friendly and do not risk contamination, pollution or adverse effects on the surrounding natural environment,
- (f) the Minister to provide measures to minimise the risk of escaped mink and will ensure that escaped mink are captured and destroyed in a humane manner in line with *Part 3* of this Act in order to protect the surrounding flora and fauna and indigenous wild animals from attack by feral mink, and
- (g) owners of mink farms to contribute to the costs imposed on the National Parks and Wildlife Services to capture, contain and destroy feral mink and the costs associated with the damage incurred on the surrounding natural environment by escaped mink from fur farms.”.

—Thomas Pringle.

**102.** In page 63, after line 26, to insert the following new section:

“Ban on wild  
animals used in  
circus and  
performance acts.

77.—(1) This Act hereby prohibits the use of wild animals in circuses, performances and animal entertainment enterprise except for Zoological Parks used for the purposes of scientific study and the protection of wild animals in line with *Part 3* of this Act.

(2) The Arts Councils, prior to the allocation of grants to a circus production, performance and animal entertainment enterprise, must ensure the living conditions of the domestic and wild animals adhere to the animal health and welfare regulations as outlined in *Part 3* of this Act.”.

—Thomas Pringle.

SCHEDULE 2

**103.** In page 67, line 16, to delete “postular” and substitute “pustular”.

—An tAire Talmhaíochta, Bia agus Mara.

**104.** In page 68, between lines 30 and 31, to insert the following:

“85. Varroasis in bees”.

—An tAire Talmhaíochta, Bia agus Mara.

SCHEDULE 4

**105.** In page 75, between lines 26 and 27, to insert the following:

“

14.	Bovine Tuberculosis (Attestation of the State and General Provisions) (Amendment) Order 1996 (S.I. No. 85 of 1996)
15.	Brucellosis in Cattle (General Provisions) (Amendment) Order 1996 (S.I. No. 86 of 1996)

”.

—An tAire Talmhaíochta, Bia agus Mara.

**106.** In page 75, between lines 27 and 28, to insert the following:

“

15.	Brucellosis in Cattle (General Provisions) (Amendment) Order 1998 (S.I. No. 39 of 1998)
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”.

—An tAire Talmhaíochta, Bia agus Mara.

**107.** In page 75, to delete lines 32 and 33.

—An tAire Talmhaíochta, Bia agus Mara.

**108.** In page 75, between lines 35 and 36, to insert the following:

“

19.	Bovine Tuberculosis (Attestation of the State and General Provisions) (Amendment) Order 2000 (S.I. No. 161 of 2000)
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”.

—An tAire Talmhaíochta, Bia agus Mara.

**109.** In page 75, between lines 44 and 45, to insert the following:

“

23.	Brucellosis in Cattle (General Provisions) (Amendment) Order 2002 (S.I. No. 415 of 2002)
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”.

—An tAire Talmhaíochta, Bia agus Mara.

**110.** In page 76, between lines 29 and 30, to insert the following:

“

40.	Brucellosis in Cattle (General Provisions) (Amendment) Order 2009 (S.I. No. 357 of 2009)
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”.

[ *SCHEDULE 4* ]

—An tAire Talmhaíochta, Bia agus Mara.

**111.** In page 76, between lines 37 and 38, to insert the following:

“

44.	Bovine Tuberculosis (Attestation of the State and General Provisions) (Amendment) Order 2010 (S.I. No. 307 of 2010)
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”.

—An tAire Talmhaíochta, Bia agus Mara.