

SCHEDULE 6 **S**

Regulation 2

Specific conditions: breeding dogs

Interpretation **S**

1. In this schedule—

“adult dog” means a dog aged 6 months or more,

“breeding procedure” means a procedure involving—

(a) artificial insemination of semen into the vagina or uterus, or

(b) the placement of one or more embryos into the uterus,

with the purpose of establishing pregnancy,

“microchipped” means microchipped in accordance with regulation 6(5) of the Microchipping of Dogs (Scotland) Regulations 2016⁽¹⁾,

“prospective purchaser” means a person who seeks to purchase a puppy,

“sleeping area” means a fully-enclosed indoor area in which a dog can rest and sleep.

Commencement Information

11 Sch. 6 para. 1 in force at 1.9.2021, see [reg. 1](#)

Advertisements and sales **S**

2.—(1) A dog must not be advertised or offered for sale—

(a) which was not bred by the licence holder,

(b) from any place other than the premises where it was born and reared under the licence,

unless the dog is over the age of 12 months and was procured by the licence holder for breeding purposes.

(2) Any advertisement for the sale of a dog must—

(a) include the number of the licence holder’s licence,

(b) specify the local authority that issued the licence,

(c) include a recognisable photograph of the dog being advertised, and

(d) display the age of the dog being advertised.

(3) Any equipment and accessories being sold with a dog must be suitable for it.

(4) The purchaser must be informed of the age, sex and veterinary record of the dog being sold.

(5) No puppy aged under 8 weeks may be—

(a) sold, or

(b) permanently separated from its biological mother.

(6) A puppy may only be shown to a prospective purchaser if it is together with its biological mother.

(7) Sub-paragraphs (5)(b) and (6) do not apply in relation to a puppy if—

(1) [S.S.I. 2016/58.](#)

Changes to legislation: There are currently no known outstanding effects for the *The Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021, SCHEDULE 6.* (See end of Document for details)

- (a) separation of the puppy from its biological mother is necessary for the health or welfare of the puppy, other puppies from the same litter or its biological mother, or
 - (b) the puppy’s biological mother is deceased.
- (8) A dog may only be sold if the name, and an address, of the licence holder are disclosed to the purchaser.

Commencement Information
I2 Sch. 6 para. 2 in force at 1.9.2021, see [reg. 1](#)

Number of breeding bitches and litters produced **S**

- 3.—(1) The number of breeding bitches kept in relation to the licensable activity of breeding dogs at any time on the premises specified in the licence and on which the licensable activity is carried on must not exceed the maximum number specified by the local authority in the licence.
- (2) The number of litters produced on the premises during each consecutive 12 month period commencing with the date on which the licence was granted or, as the case may be, renewed must not exceed the maximum number of breeding bitches specified in the licence.

Commencement Information
I3 Sch. 6 para. 3 in force at 1.9.2021, see [reg. 1](#)

Suitable environment **S**

- 4.—(1) Each dog must have access to—
- (a) a clean, dry and warm sleeping area with comfortable bedding and which is free from draughts, and
 - (b) an exercise area.
- (2) Each dog must be provided with sufficient space to—
- (a) stand upright on its hind legs,
 - (b) lie down fully stretched out,
 - (c) wag its tail,
 - (d) walk, and
 - (e) turn around,
- without touching another dog or the walls of the sleeping area.
- (3) The exercise area must not be used as a sleeping area unless the dog chooses to do so.
- (4) There must be a separate whelping area for each breeding bitch to whelp in which contains a suitable bed for whelping.
- (5) Each whelping area must be maintained at an appropriate temperature and include an area which allows the breeding bitch to move away from heat spots and from her young if she chooses to do so.
- (6) Each dog must be provided with constant access to a sleeping area.
- (7) A separate bed or area with bedding must be provided for each adult dog.
- (8) No puppy aged under 8 weeks may be transported without its biological mother except—

- (a) if a veterinary surgeon agrees for health or welfare reasons that it may be so transported, or
- (b) in an emergency.

(9) No pregnant breeding bitch may be transported later than 54 days after the date of successful mating or breeding procedure except to a veterinary surgeon.

(10) No breeding bitch may be transported earlier than 48 hours after whelping except to a veterinary surgeon where it is not otherwise practicable or appropriate for that person to attend to the bitch.

(11) In this paragraph, “exercise area” means a secure area where dogs may exercise and play.

Commencement Information

I4 Sch. 6 para. 4 in force at 1.9.2021, see [reg. 1](#)

Suitable diet **S**

5.—(1) Each puppy must be provided with the opportunity to start weaning as soon as it is capable of ingesting feed on its own.

(2) Each adult dog must be provided with feed appropriate to its needs.

(3) Each puppy must be provided with feed appropriate for its stage of development.

(4) Reasonable efforts must be made so that each puppy ingests the correct share of the feed provided.

Commencement Information

I5 Sch. 6 para. 5 in force at 1.9.2021, see [reg. 1](#)

Monitoring of behaviour, exercise and training **S**

6.—(1) The licence holder must implement and be able to demonstrate use of a documented socialisation and habituation programme for the puppies.

(2) All puppies must be given suitable and adequate opportunities to—

(a) learn how to interact with people, dogs and other animals where such interaction benefits their welfare, and

(b) become habituated to noises, objects and activities associated with a domestic environment.

(3) Each dog must be provided with toys or feeding enrichment (or both) unless advised otherwise by a veterinary surgeon.

(4) All adult dogs must be exercised at least twice daily away from their sleeping area unless advised otherwise by a veterinary surgeon.

(5) Where a veterinary surgeon has advised against exercising a dog, the dog must be provided with alternative forms of mental stimulation or environmental enrichment.

(6) All adult dogs must have at least daily opportunities to interact with people where such interaction benefits their welfare.

Commencement Information

I6 Sch. 6 para. 6 in force at 1.9.2021, see [reg. 1](#)

Housing with or apart from other dogs **S**

7.—(1) Each adult dog must be provided with opportunities for social contact with other dogs where such contact benefits the dog's welfare.

(2) Each adult dog must be given suitable and adequate opportunities to become habituated to handling by people.

(3) There must be an area within each sleeping area in which dogs can avoid seeing people and other dogs outside the sleeping area if they so choose.

Commencement Information

I7 Sch. 6 para. 7 in force at 1.9.2021, see [reg. 1](#)

Protection from suffering, injury and disease **S**

8.—(1) All dogs for sale must be in good health.

(2) Any dog with a condition which materially affects, or is likely to materially affect, its quality of life must not be—

- (a) transferred in ownership,
- (b) offered for sale, or
- (c) moved from the premises specified in the licence and on which the licensable activity is carried on, other than to an isolation facility or veterinary care facility where the animal is in need of isolation or treatment,

until it has recovered, ceased to require isolation or, where there is no need for the animal to be isolated, been certified by a veterinary surgeon as being in a condition that is suitable for such transfer, sale or movement.

(3) The licence holder must ensure that no bitch—

- (a) is mated or undergoes a breeding procedure if aged less than 12 months,
- (b) gives birth to more than one litter of puppies in a 12-month period,
- (c) gives birth to more than 6 litters of puppies in her lifetime,
- (d) is mated or undergoes a breeding procedure if she has had—
 - (i) two litters delivered by caesarean section, or
 - (ii) one litter delivered by caesarean section if the need for the caesarean section was due to the conformation of the bitch or her offspring.
- (e) is mated or undergoes a breeding procedure if aged 8 or more years.

(4) Each puppy must be microchipped and registered to the licence holder before it is sold.

(5) No dog may be kept for breeding if it can reasonably be expected, on the basis of its genotype, conformation, behaviour or state of health, that breeding from it could have a detrimental effect on its health or welfare or the health or welfare of its offspring.

(6) Each dog must be checked in person at least two times per day.

(7) Breeding bitches must be adequately supervised during whelping and the licence holder must keep a record of—

- (a) the date of birth of each puppy,
- (b) each puppy's sex and colour,
- (c) the number of puppies in the litter, and
- (d) any other significant events.

(8) The licence holder must keep a record of each puppy sale including—

- (a) the microchip number of the puppy,
- (b) the date of the sale, and
- (c) the age of the puppy on that date.

(9) The licence holder must keep a record of the following in relation to each breeding dog—

- (a) its name,
- (b) its sex,
- (c) its microchip and database details,
- (d) its date of birth,
- (e) the postal address where it normally resides,
- (f) its breed or type,
- (g) the date or dates of any matings and breeding procedures (whether or not any such mating or procedure is successful),
- (h) details of its biological parents,
- (i) details of any veterinary treatment it has received, and
- (j) the date and cause of its death (where applicable).

(10) In addition to the matters mentioned in sub-paragraph (9), the licence holder must keep a record of the following in relation to each breeding bitch—

- (a) the number of matings and breeding procedures,
- (b) its age at the time of each mating and breeding procedure,
- (c) the total number of its litters,
- (d) the date or dates on which it has given birth, and
- (e) the caesarean sections it has had, if any, and their cause.

(11) Any preventative healthcare plan agreed with the veterinary surgeon with whom the licence holder has registered under the condition specified in paragraph 9(8) of the general conditions must be implemented.

(12) The licence holder must keep a record of any preventative or curative healthcare (or both) given to each dog.

(13) Where any other activity involving animals is undertaken on the premises on which the licensable activity of breeding dogs is carried on, it must be kept entirely separate from the area where that licensable activity is carried on.

Commencement Information

18 Sch. 6 para. 8 in force at 1.9.2021, see [reg. 1](#)

Changes to legislation: *There are currently no known outstanding effects for the The Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021, SCHEDULE 6. (See end of Document for details)*

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