

**THIRD SUPPLEMENT TO THE GIBRALTAR
GAZETTE**

No. 4,222 of 3rd December, 2015

B. 34 /15

BILL

FOR

AN ACT to amend the Animals and Birds Act.

ENACTED by the Legislature of Gibraltar.

Title and commencement.

1. This Act may be cited as the Animals and Birds (Amendment) Act 2016 and comes into operation on the day of publication.

Amendments to the Animals and Birds Act.

2.(1) The Animals and Birds Act is amended in accordance with this section.

(2) In section 10–

(a) in subsection (3) insert “, irrespective of the wishes of a person to whom a license is issued under this section,” after “may”;

(b) insert the following subsection after subsection (3)–

“(3A) In exercising its powers under subsection (3) an authorised officer or Licensing Officer may use such measures as are reasonable and proportionate under the circumstances to cause a dog to be vaccinated.”;

(c) in subsection (4) substitute “a licensing officer” with “one or more Licensing Officers”;

- (d) in subsection (5) substitute “the licensing officer” with “a Licensing Officer”;
- (e) substitute subsection (6) with the following subsections—
 - “(6) No dog shall be registered or licensed under the provisions of this Act, unless—
 - (a) it has been vaccinated within the previous twelve months;
 - (b) at the time of registration or licensing there is produced to the Licensing Officer a certificate to that effect in such form as may satisfy him; and
 - (c) it has been implanted with a microchip.
 - (6A) For the purposes of subsection (6)(c) a dog shall be considered to be implanted with a microchip if the following conditions are met—
 - (a) a microchip has been implanted in the dog before the coming into operation of this subsection; or
 - (b) a microchip is implanted in the dog in accordance with section 10A.
 - (6B) Subsection (6)(c) does not apply if the keeper of a dog produces to a Licensing Officer a document certified in writing and signed by a veterinary surgeon to the effect that implanting (or the continued implantation) of a microchip would have an adverse effect on the health of the dog.
 - (6C) Subject to subsection (6B), a dog to which this section applies must be implanted with a microchip by the 1st day of September 2016 for its registration and license to remain valid.”;
- (f) delete subsection (7);
- (g) in subsection (8)–

- (i) substitute “the licensing officer” with “a Licensing Officer”,
- (ii) delete “; and any person may, on payment of such fee as may be prescribed, require to be furnished with such copy.

(3) Insert the following section after section 10–

“Microchips.

10A.(1) A microchip implanted in a dog must–

- (a) generate a unique number when read by a scanning device;
- (b) be implanted by a competent person (if implanted in Gibraltar);
- (c) comply with either ISO standard 11784:1996 or Annex A to ISO standard 11785:1996 of the International Standards Organisation’s standards for microchips; and
- (d) be registered in the dog register.

(2) The dog register shall record the unique number generated by the microchip.

(3) For the purpose of this section a competent person means a veterinary surgeon or a person who has received instruction on how to implant a microchip.

(4) An authorised officer or a Licensing Officer may, for the purpose of executing his duty under this Act, require the scanning of a microchip implanted in a dog.”.

EXPLANATORY MEMORANDUM

This Bill introduces a requirement for a dog to be microchipped before it can be registered and licensed; however, it allows for a grace period to the 1st day of September 2016 for a person whose dog is not already microchipped.

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