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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations provide for the compulsory microchipping of dogs and the recording of each dog's identity and its keeper's contact details on a database.

Regulation 3 imposes a duty on every keeper of a dog to have their dog microchipped and to record information on a database. In accordance with the definition of a keeper in these Regulations, a breeder is considered the first keeper of a puppy if the breeder owns the bitch that gave birth to the puppy. Accordingly the breeder is under a duty to have such a puppy microchipped in accordance with Regulation 3. Regulation 4 sets out requirements for the microchips to be used and Regulation 5 sets out the information to be recorded on a database. Regulation 6 sets out the conditions to be met by database operators.

Regulation 7 gives the Secretary of State power to request information from databases. It also, in circumstances where database operators are failing to meet the requirements in regulation 6, gives the Secretary of State the power to serve a notice on database operators requiring them to cease holding themselves out as meeting the requirements of the Regulations. The notice may also require them to provide an electronic copy of the data recorded in accordance with these Regulations to the Secretary of State or to another database operator.

Regulation 8 requires a new keeper to update the information on the database on the transfer of keepership and prevents a dog from being transferred to a new keeper until it has been microchipped. A new keeper who fails to update a database with the relevant details results in the dog not being properly microchipped in accordance with Regulation 3 and the new keeper being subject to enforcement action. Regulation 9 sets training standards for people who implant microchips. Regulation 10 provides for reporting of adverse reactions to, and migration of, microchips and reporting of microchip failures. Regulation 11 provides for the appointment of authorised persons to exercise powers under these Regulations.

Regulation 12 gives authorised person powers to serve a notice on a keeper to microchip their dog, to microchip a dog and recover the cost of doing so from the keeper and to take possession of a dog for the purpose of microchipping it.

Regulation 13 contains offences. Regulation 14 provides for appeals to the First-tier tribunal against various notices. Regulation 15 provides for offences committed by bodies corporate, partnerships and unincorporated associations.

Regulations 16 and 17 make provision for consequential amendments. Regulation 18 provides for a review of these Regulations within five years of their coming into force.

A draft of these Regulations was notified on 3rd March 2014 to the European Commission in accordance with the Technical Standards Directive ([Directive 98/34/EC](#) as amended by [Directive 98/48/EC](#)).

A full impact assessment of the effect that this instrument will have on the costs of business, and the voluntary sector is available on the Defra website ([www.defra.gov.uk](http://www.defra.gov.uk)) or from the Department for Food and Rural Affairs, Nobel House, 17 Smith Square, London SW1P 3JR and is published with the Explanatory Memorandum alongside the instrument on ([www.legislation.gov.uk](http://www.legislation.gov.uk)).