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An Comhchoiste um Thalmhaíocht, Bia agus Muir
Saincheisteanna a Fhearann ar Leas na Madraí in Éirinn

Deireadh Fómhair 2022

Joint Committee on Agriculture, Food and the Marine
Issues Impacting Dog Welfare in Ireland

October 2022

Membership

The following Deputies and Senators are members of the Joint Committee on Agriculture, Food and the Marine of the 33rd Dáil Éireann and the 26th Seanad Éireann.



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Sinn Féin



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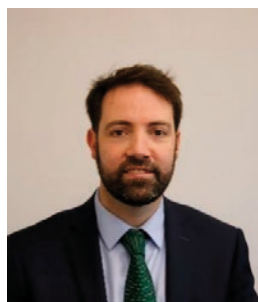
Michael Fitzmaurice
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Paul Kehoe T.D.
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Brian Leddin T.D.
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Sen. Tim Lombard
Fine Gael [Leas-
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Sen. Denis O'Donovan
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Michael Ring T.D.
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Foreword



Dogs have a key place in the heart of homes throughout Ireland. They bring joy and add value to peoples' lives as loyal companions. Due to the pandemic, with many people working from home, there has been a significant increase in the demand for dogs in recent years. With this increase of dog ownership, public awareness of dog welfare issues and knowledge of the responsibilities of owning a dog as a pet needs be highlighted to ensure that dogs are born into and live in healthy, happy environments.

As part of its work programme, the Committee believed that it was important to examine a number of issues which impact dog welfare in Ireland including ear cropping, microchipping and the sale and supply of dogs. In particular the Committee heard concerning reports of the increase of canine fertility services performed by non-veterinary practitioners to meet the current market demand. From the series of hearings, it became clear that key issues need to be addressed to improve the welfare of dogs in Ireland.

As Cathaoirleach of the Committee, I would like to thank Members for their commitment in bringing forward this important Report. On behalf of the Committee, I would like to express my sincere gratitude to every stakeholder that came before the Committee. The evidence provided by stakeholders and their engagement with the Committee at these hearings were critical to the development of this Report. From the series of Committee meetings, the shared commitment of all stakeholders in ensuring that canine welfare is at the forefront in their work was evident.

A handwritten signature in black ink that reads "Jackie Cahill".

Jackie Cahill T.D.
Cathaoirleach
October 2022

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Introduction

In 2021 as part of its Work Programme the Joint Committee on Agriculture, Food and the Marine ('the Committee') agreed to begin a post-enactment scrutiny of the Animal Health and Welfare Act 2013¹ with a focus on canine welfare issues in particular. During the process of scrutiny, the Committee expanded its examination of canine welfare issues and related legislation.

Canine Welfare

This Report covers a wide range of issues in relation to canine welfare that arose during the Committee's series of meetings. Topics examined by the Committee in these meetings included:

- Canine Artificial Insemination & Canine Fertility Clinics;
- Ear Cropping of Dogs;
- Microchipping of Dogs;
- Sale & Supply of Dogs; and
- Dog Breeding Establishments.

Stakeholders

The Committee held six days of hearings between June 2021 and May 2022 and engaged with various stakeholder groups with experience in the canine sector and policy. Table 1 below provides details of these meetings with stakeholders.

Table 1 - Joint Committee Hearings - Stakeholders / Witnesses

1 June 2021	
Dogs Trust Ireland	Ms. Becky Bristow, Executive Director Mr. Conor Brennan, Account Director, Instinctif Partners

¹ Irish Statute Book, *Animal Health and Welfare Act 2013*, Act, 29 May 2013. [Link](#) to Legislation.

10 November 2021

**Dublin Society for the
Prevention of Cruelty to
Animals (DSPCA)**

Mr. Brian Gillen, Chief Executive Officer
Mr. Liam Kinsella, Chief Inspector

23 February 2022

PetBond

Dr. Tim Kirby, Founder & Director

30 March 2022

Fido

Dr. Finbarr Heslin, Chief Executive Officer
Mr. Timothy McMullen, Chief Operations Officer

Dogs.ie

Mr. Paul Savage, Founder

**Veterinary Council of Ireland
(VCI)**

Ms. Niamh Muldoon, Registrar & CEO
Professor Vivienne Duggan, President

**Department of Agriculture,
Food and the Marine (DAFM)**

Mr. Martin Blake, Chief Veterinary Officer and
Assistant Secretary
Ms. Patricia Reilly, Deputy Chief Veterinary
Officer
Ms. Mary McCarthy, Principal Officer

6 April 2022

**Irish Society for the
Prevention of Cruelty to
Animals (ISPCA)**

Mr. Conor Dowling, Chief Inspector

Dogs Trust Ireland

Ms. Sarah Lynch, Compliance and Research
Manager

Mr. Conor Brennan, Account Director, Instinctif
Partners

25 May 2022

**Department of Rural and
Community Development
(DRCD)**

Ms. Bairbre Nic Aongusa, Assistant Secretary

Mr. Paul Geraghty, Principal Officer

Ms Catherine Burns, Assistant Principal Officer

Ms. Teresa Gavaghan, Higher Executive Officer

Transcripts

The transcripts of the meetings of 1 June 2021², 10 November 2021³, 23 February 2022⁴, 30 March 2022⁵, 6 April 2022⁶ and 25 May 2022⁷ are available online on the Committee's webpage.

² Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 1 June 2021. [Link](#) to debate.

³ Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 10 November 2021. [Link](#) to debate.

⁴ Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 23 February 2022. [Link](#) to debate.

⁵ Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 30 March 2022. [Link](#) to debate.

⁶ Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 6 April 2022. [Link](#) to debate.

⁷ Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 25 May 2022. [Link](#) to debate.

Presentations and Submissions

The presentations and submissions made to the Committee for the meetings of 1 June 2021, 10 November 2021, 23 February 2022, 30 March 2022, 6 April 2022 and 25 May 2022 are available online on the Committee's webpage.⁸

⁸ Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Webpage. [Link](#) to webpage.

Chapter 1 – Legislation & Canine Welfare

During its series of meetings, the Committee considered the following pieces of legislation as they were examining issues in relation to canine welfare. The Committee heard that different pieces of legislation with regards to canine welfare fall under the remit and responsibility of the Department of Rural and Community Development (DRCD), the Department of Agriculture, Food and the Marine (DAFM) and Local Authorities.

1.1 - Animal Health and Welfare (Sale or Supply of Pet Animals) Regulations 2019

The introduction of the Animal Health and Welfare (Sale or Supply of Pet Animals) Regulations 2019⁹, which is under the remit of DAFM, brought in new rules on the sales or supply of pet animals. The following came into effect on 1 February 2020:

1. sellers/suppliers of six or more pet animals in a calendar year must apply to be entered into the Register of Sellers and Suppliers of Pet Animals;
2. premises used in connection with the sale or supply of pet animals must be entered into the Register of Premises;
3. sellers/suppliers of six or more pet animals in a year must keep certain records on the animals, for at least three years;
4. all advertisements of pet animals must include the following information-
 - the registration number of the seller/supplier of the animal;
 - the age of the animal;
 - the unique code of the microchip implanted in a dog;
 - the country of origin of the animal;
 - if the seller/supplier is a dog breeding establishment to which the Dog Breeding Establishment Act 2010 is applicable, the registration number issued by the relevant Local Authority, or -
 - in the case of a registered charitable organisation (Charities Act 2009) the registration number issued under the Charities Act 2009; and

⁹ Irish Statute Book, *Animal Health and Welfare (Sale or Supply of Pet Animals) Regulations 2019*, Statutory Instrument, 19 December 2019. [Link](#) to Legislation.

5. the new regulations prohibit the sale or supply of pet animals under certain specified minimum ages. A dog must be of the minimum age of 8 weeks to be sold.

1.2 - Microchipping of Dogs Regulations 2015

The Microchipping of Dogs Regulations 2015¹⁰, which is under the remit of DAFM, was introduced to:

- assist in uniting stray dogs with their owners,
- act as a deterrent for those who abandon dogs, and
- assist in identifying marauding dogs.

Under this regulation all dogs must be microchipped by the age of 12 weeks old, at the latest, even if they are remaining at the premises on which they were born in. These regulations should apply to any dog being bought/sold/supplied at any age and leaving the premises from which they were born (unless to visit a veterinary practitioner). The possession, movement, sale, or supply of an unchipped dog is an offence. There are four approved microchip database operators in Ireland - Animark, Fido, the Irish Kennel Club and MicroDogID by the Irish Coursing Club. They are required to provide their data to Europetnet which is a Europe-wide umbrella group of associations that registers owner information for microchipped pets. Any Authorised Officers under the Animal Health and Welfare Act 2013 can enforce this regulation.

1.3 - Animal Health and Welfare Act 2013

The introduction of the Animal Health and Welfare Act in 2013¹¹, which is under the remit of DAFM, updated and consolidated existing animal welfare legislation which:

- modernised legislation in line with newer knowledge and understanding of animal welfare,
- provided a regulatory framework for the welfare of all animals, and

¹⁰ Irish Statute Book, *Microchipping of Dogs Regulations 2015*, Statutory Instrument, 20 February 2015. [Link](#) to Legislation.

¹¹ Irish Statute Book, *Animal Health and Welfare Act 2013*, Act, 29 May 2013. [Link](#) to Legislation.

- assigned specific responsibility for animal welfare policy to DAFM.

The Committee was informed that under the Act, DAFM have over 200 Authorised Officers who carry out welfare inspections, provide advice and support to the keepers of animals. Members of An Garda Síochána, ISPCA and DSPCA are also Authorised Officers under this legislation. This Act ensures that Authorised Officers have the legal basis to issue improvement and compliance notices. DAFM stated at a Committee meeting that when necessary, legal sanctions can be imposed, and prosecutions are taken when other efforts to ensure compliance have failed or there is blatant disregard for an animal's welfare. DAFM also informed the Committee at this meeting that over 100 successful prosecutions have been taken to date under the Animal Health and Welfare Act, of which 72 relate to dogs, and a number of other investigations are ongoing.

1.4 - Dog Breeding Establishments Act 2010

The Dog Breeding Establishments Act 2010¹², which is under the remit of DRCD, regulates the operation of dog breeding establishments (DBEs). The Act requires Local Authorities to establish and maintain registers of DBEs and it prohibits the operation of unregistered DBEs.

DRCD informed the Committee that Local Authorities are responsible for all operational matters in relation to DBEs including:

- licensing,
- monitoring, and
- inspection of dog breeding establishments.

The Committee was told that where a serious and immediate threat exists to public health or animal health and welfare, Local Authorities are responsible for the closure of such dog breeding establishments. Legislative and policy responsibilities of this Act was transferred to DRCD from the Department of Housing, Planning, Community and Local Government in July 2017 when DRCD was formed.

¹² Irish Statute Book, *Dog Breeding Establishments Act 2010*, Act, 21 July 2010. [Link](#) to Legislation.

1.5 - Control of Dogs Act 1986

The Control of Dogs Act 1986¹³, which is under the remit of DRCD, provides for the licensing and control of dogs. The Act also provides for the protection of livestock from worrying by dogs.

Under this Act, DRCD informed the Committee that Local Authorities have the power to:

- issue dog licences,
- appoint dog wardens,
- provide dog shelters,
- seize dogs,
- impose on-the-spot fines, and
- take court proceedings against dog owners.

Legislative and policy responsibilities of this Act was transferred to DRCD from the Department of Housing, Planning, Community and Local Government in July 2017 when DRCD was formed.

¹³ Irish Statute Book, *Control of Dogs Act 1986*, Act, 17 December 1986. [Link](#) to Legislation.

Chapter 2 – Key Topics

2.1 - Ear Cropping of Dogs

Cropping the ears of dogs is an offence in Ireland. Under Section 16 of the Animal Health and Welfare Act 2013 it is illegal to ‘carry out, or cause or permit another person to carry out’ a ‘procedure which involves interference with, or the removal of, the sensitive tissue or the bone structure of the animal’.¹⁴ The Committee heard harrowing evidence in relation to ear cropping procedures being performed on dogs from PetBond at a meeting in February 2022:

‘Ear cropping is happening in facilities without any veterinary supervision and without anaesthetic or even pain relief. It is without doubt one of the most callous and visceral forms of animal cruelty.’¹⁵

PetBond put it plainly to the Committee and recommended that the term "ear cropping" should actually be replaced with the term "ear chopping" as it better represents the brutality and the lack of humanity involved in the impact of this procedure. At a meeting ISPCA also highlighted to the Committee that a dog does not just suffer from the pain inflicted during the ear cropping procedure and immediate aftermath.

‘Dogs can experience life-long pain as a result of having their ears cut off. And the dogs are impacted in other, less obvious ways including their ability to communicate. Dogs use visual cues to communicate and express emotion and removing part or all of their ears severely limits their ability to do so.’¹⁶

Veterinary Council of Ireland (VCI) informed the Committee that it is not permissible even for a veterinary practitioner to perform ear cropping for aesthetic purposes. If a veterinary practitioner performs ear cropping, they are committing an offence under the Animal Health and Welfare Act 2013 and may leave themselves open to

¹⁴ Irish Statute Book, *Animal Health and Welfare Act 2013*, Act, 29 May 2013. [Link](#) to Legislation.

¹⁵ Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 23 February 2022. [Link](#) to debate.

¹⁶ Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 6 April 2022. [Link](#) to debate.

prosecution and/or to disciplinary action before the VCI's Fitness to Practise Committee. At the meeting in March 2022, VCI informed the Committee that to date they have yet to receive a complaint in relation to the involvement of any veterinary practitioner in performing such procedures on a dog for aesthetic purposes.

However, the Committee was informed that at present there is no law in place against owning a dog with cropped ears. According to DAFM, Authorised Officers have no legal basis to seize dogs or otherwise sanction those in possession of such dogs, unless the owner admits to carrying out the procedure or having someone else carry out the procedure on their behalf. ISPCA stated that it has submitted files on this issue to DAFM that have resulted in convictions, however, they are very 'small in number compared with the amount of dogs that are being subjected to this mutilation on a weekly basis. As the law presently stands, it is very difficult to prove offences in court.'¹⁷

The Committee welcomes DAFM's statement at its meeting in March 2022 that it 'believes that it is now necessary to revisit the legislation, to support more effective investigation and enforcement, and to reduce the demand for dogs with cropped ears.'¹⁸ The Department confirmed to the Committee that it is currently in the process of drafting legislation.

2.2 - Canine Artificial Insemination & Canine Fertility Clinics

Generally canine artificial insemination has been used in particular where dogs live in remote geographical areas and cannot travel to mate naturally, however, this practice has now allegedly increased nationwide. The Committee heard that there has been a significant increase in demand of certain breeds of dogs in particular French Bulldogs, Pugs and Shih Tzus. At a meeting PetBond informed the Committee that due to this demand sellers are using artificial insemination in their breeding process of dogs to increase efficiency and maximise the chances of output which is puppies and, in turn, profit. Derivatives of this procedure also include the

¹⁷ Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 6 April 2022. [Link](#) to debate.

¹⁸ Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 30 March 2022. [Link](#) to debate.

more invasive Transcervical Insemination (TCI) technique and surgical insemination. The Committee learned that surgical insemination is illegal in the United Kingdom whereas as all three forms of canine insemination currently can legally be performed in Ireland.

At the meeting PetBond explained that during surgical insemination it is necessary for the recipient to undergo general anaesthesia and provided details on the procedure:

- a surgical incision is made through the body wall into the abdominal cavity where the uterus is identified,
- the uterine tubes are inseminated, and
- the patient is then surgically repaired and recovered from anaesthesia.

‘This procedure is highly invasive, and requires considerable anatomical skill, knowledge and experience in ensuring the best possible recovery for the patient. Alarming, such a high-risk procedure is actually being performed by un-trained and unskilled lay persons, which is a complete contravention of the animal welfare act.’¹⁹

As there has been an increase in demand for puppies, in particular ‘designer puppies’, the Committee was informed that some puppy suppliers have identified the commercial and practical ease offered by all forms of insemination techniques. According to PetBond, there has been an increase of “fertility clinics” in an attempt to match this demand for designer breed puppies.

The Committee heard that fertility clinics are unregulated places that can lack professional veterinary oversight or care. The Committee heard disturbing evidence that it is ‘believed among many veterinary professionals that caesarean sections are being performed in some such fertility centres, which is a highly disturbing concept. Attempting to subject any animal to such invasive surgery without the appropriate

¹⁹ Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 23 February 2022. [Link](#) to debate.

skills, procedures or medication is a gross violation of the most serious nature.²⁰ VCI stated that ‘some of the services offered by canine fertility clinics, including artificial insemination, could constitute the practise of veterinary medicine. Canine fertility clinics offering services such as taking blood samples, artificial insemination, semen analysis and diagnostic testing, without such services being delivered by a registered veterinary practitioner operating from a premises the subject of a Certificate of Suitability could be committing an offence and be liable to prosecution.’²¹

According to DAFM, there is no legal requirement to approve or register canine germinal product establishments, and that the Department does not maintain a list of canine fertility clinics. Ms Niamh Muldoon of VCI highlighted that currently some aspects of artificial insemination in greyhounds can be carried out by non-veterinarians under the Artificial Insemination of Greyhound Regulations 2005. Rásaíocht Con Éireann/Greyhound Racing Ireland is responsible for these regulations and enforcement is carried out by the Irish Coursing Club.

At a meeting ISPCA recommended to the Committee that more oversight and transparency is required in the area of canine fertility clinics.

‘Who is involved? What services are they providing? Are they qualified to do so? Who are they providing them for? All that information should be recorded and available to somebody who could access these places.’²²

ISPCA explained that in their experience An Garda Síochána require search warrants to go in to look at these places whereas due to the services that they are offering ‘it should be transparent and subject to routine checks.’²³

VCI confirmed to the Committee that it currently has a number of investigations in relation to canine artificial insemination and/or fertility clinics underway under part 10

²⁰ Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 23 February 2022. [Link](#) to debate.

²¹ Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 30 March 2022. [Link](#) to debate.

²² Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 6 April 2022. [Link](#) to debate.

²³ Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 6 April 2022. [Link](#) to debate.

of the Veterinary Practice Act 2005.²⁴ These investigations were initiated in 2020 following concerns raised by members of the public to VCI in relation to services allegedly offered, which may infringe on the practise of veterinary medicine.

2.3 - Microchipping of Dogs

In Ireland all dogs over 12 weeks old must be microchipped. DAFM informed the Committee that the possession, movement, sale, or supply of an unchipped dog is an offence. Microchips help ensure the security of a dog and improves the chances of reuniting a lost or stolen dog with their owner. ISPCA informed the Committee that:

‘When it works, microchipping and registration is extremely effective. It has been proven to be the most reliable method of reuniting lost dogs with their owners, it allows for the identification of owners of dogs that are not kept under control, and it can be used to hold those responsible for cruelty and neglect to dogs accountable.’²⁵

There are four approved microchip database operators in Ireland - Animark, Fido, the Irish Kennel Club & MicroDogID by the Irish Coursing Club. They are required to provide their data to Europetnet which is a Europe-wide umbrella group of associations that registers owner information for microchipped pets. DAFM informed the Committee that any Authorised Officers under the Animal Health and Welfare Act 2013 can enforce the Microchipping of Dogs Regulations 2015 which includes Authorised Officers in DAFM, An Garda Síochána, dog wardens, members of the local authority veterinary service, Customs agents and officers of the ISPCA and DSPCA.

At a meeting in March 2022, DAFM stated that there is a high level of compliance with the Microchipping of Dogs Regulations 2015 with almost 600,000 dogs throughout Ireland microchipped since 2017. However, the Committee heard from several witnesses that while there is a good rate of compliance this does not mean that the data recorded in the microchips are kept up to date. In some cases, due to

²⁴ Irish Statute Book, *Veterinary Practice Act 2005*, Legislation, 12 July 2005. [Link](#) to legislation.

²⁵ Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 6 April 2022. [Link](#) to debate.

lack of data or old/incorrect details stored on the microchip, Authorised Officers are unable to identify the current owner of a lost or stolen dog. When registering a dog's microchip 30 data fields of information are required to be uploaded, however the Committee was informed that this is not always being carried out.

At a meeting Dogs Trust and ISPCA explained that the information provided in some microchips are inaccurate or inadequate to identify a person. 'Whoever is providing the data, taking the information from the person who has presented these dogs or pups to be microchipped, is quite often not getting sufficient information. Sometimes the data will include a generic townland, area or road without a specific address.'²⁶ ISPCA highlighted one particular example where this was an issue: 'There were large numbers of puppies being held in a derelict premise for sale. They had been microchipped with different variations of the same name, all on the same road, so we could not identify precisely who this person was.'²⁷

One of the databases, Fido, appeared before the Committee in March 2022 and highlighted that as computer systems are so advanced now a centralised portal for microchip data could be quickly established. The Committee was told that Fido has already 'coded a centralised system and presented it to the Department of Agriculture, Food and the Marine and the other databases last year'.²⁸ A central online portal would be beneficial in allowing Authorised Officers and canine welfare organisations to access microchip data. This would speed up the process of reunification between lost dogs and their owners.

*'If every database was online, at least, and it was mandatory for them to have all this information accessible in a digital way whereby those who have access can access it 24-7, it would make everything much quicker, particularly in terms of reunification.'*²⁹

²⁶ Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 6 April 2022. [Link](#) to debate.

²⁷ Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 6 April 2022. [Link](#) to debate.

²⁸ Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 30 March 2022. [Link](#) to debate.

²⁹ Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 6 April 2022. [Link](#) to debate.

A central online portal could also assist in the enforcement of the required data recorded in microchips as the quality inputted could be monitored and the full journey of a dog could be tracked if it changes owners during its lifetime.

2.4 - Proving Ownership of Dogs

The Committee heard that there can be disputes over the proof of ownership of dogs. The lack of a convenient way to establish ownership gives rise to difficulties for authorised officers especially when animals are seized by the Gardaí, as Mr. Brian Gillen from the DSPCA explained:

‘A situation arises when gardaí seize animals as evidence or seize aggressive dogs, primarily when operating under search warrants, particularly when combatting drug crime. There is really no accommodation anymore to deal with such animals. It was the role of the local authority pound in Dublin but the circumstances have changed. Therefore, there is a gap in that the Garda, when it seizes animals, is now calling on the likes of us, as charities, to take them in.’³⁰

The animals can end up in the care of the DSPCA and charities for years, not only draining the resources of the organisations and impounding animals against their own best interest.

‘It can sometimes take a year or two for the cases concerning the animals to come to court.... It is not in an animal’s best interest to be sitting for two or three years in the DSPCA. Disregarding the cost for a minute, it is not good for an animal’s welfare to have it waiting in premises such as ours while a court case is pending. We would like to see some system for handling dogs that are seized by gardaí and for the disposal of those animals, by which I mean rehoming as opposed to anything else.’³¹

³⁰ Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 10 November 2021. [Link](#) to debate.

³¹ Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 10 November 2021. [Link](#) to debate.

The situation could be addressed if the microchip was made the definitive proof of ownership:

‘We would like to see a change whereby the microchip in an animal would become definitive proof of ownership and whereby, if such proof is not available, the animal would, after five days, be available for rehoming and could be rehomed.’³²

Currently, dog licences are acceptable as proof of ownership, but this is not satisfactory because information on the licence is not connected to a specific dog. Mr Liam Kinsella of the DSPCA told the committee:

‘Someone can walk in at 12 o'clock in the day, ask for a licence for a female black and white collie and he or she will get the dog licence. That is it. The problem we see with that is that the licence is not attached to any particular dog because it is for just a dog. Therefore, it is acceptable for a dog of a similar breed and colour.’³³

According to the DSPCA, the current licences “are of no value whatsoever” for proving ownership because ‘they are just a piece of paper with a description of the dog’.³⁴ Whereas, with microchips it is necessary to have proof of identity and address to register the microchip in a person’s name. ‘This provides a reasonable system to allow us to track owners’.³⁵

2.5 - Sale & Supply of Pet Dogs

With the introduction of the Animal Health and Welfare (Sale or Supply of Pet Animals) Regulations 2019, Ireland is in a unique position in that it is the first country in Europe to have a statutory requirement for verification of the details of a dog being

³² Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 10 November 2021. [Link](#) to debate.

³³ Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 10 November 2021. [Link](#) to debate.

³⁴ Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 10 November 2021. [Link](#) to debate.

³⁵ Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 10 November 2021. [Link](#) to debate.

advertised for sale or supply. At a meeting in March 2022, Fido informed the Committee that when the regulations were first introduced some advertisers:

‘simply put in fake microchip numbers, adding no improved traceability or transparency to the ads and doing little to improve consumer protection.’³⁶

To overcome this practise Fido developed a verification system called VeriPet and has worked in collaboration with the current main online pet marketplace in Ireland, Dogs.ie, where VeriPet went live on this platform in November 2021. Fido explained that by using the VeriPet system only the registered owner of a dog is allowed to advertise the dog for sale. The registered owner's details have been independently verified and their proof of identity and proof of address have been seen, in most cases by a veterinary practitioner, and certified in the database.

The Committee was informed that when placing an advertisement on a participating selling platform, the seller will need to provide the dog's microchip number along with their mobile phone number or email address. The VeriPet system will then carry out an automatic check with the pet registration database that the details match. If they do, a one-time code will then be sent to the registered owner of the dog and that code will need to be added to the advertisement in order for it to go live. Fido told the Committee that this IT system has now been integrated into the European platform, Europetnet.

From these discussions it became apparent to the Committee that it can be difficult for members of the public to be diligent in their research before purchasing a puppy online when it is not clear from the advertisement what type of environment the puppy being sold is from or if the advertisement contains the correct details. A public information campaign is needed to increase awareness in what potential buyers should look for when purchasing puppies online. The Committee believes that verified ads should get prominence on selling platforms as Fido highlighted that:

³⁶ Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 30 March 2022. [Link](#) to debate.

‘When it comes to the purchase of a pup, emotion trumps any form of will to do due diligence. As soon as someone sees the picture or the puppy, he or she is sold.’³⁷

If verified ads are given prominence on selling platforms it will encourage other sellers to verify their advertisement as well as making it easier for potential buyers who want to ensure they are purchasing their puppy from a legitimate source.

2.6 - Operation/Oversight of legislation relating to Dogs

The Committee heard that operational oversight and different pieces of legislation with regards to canine welfare fall under the remit and responsibility of Department of Rural and Community Development (DRCD), Department of Agriculture, Food and the Marine (DAFM) and Local Authorities. During the series of meetings, it became apparent to the Committee that it may be beneficial for legislation and policy of canine welfare to lie with one department to avoid confusion in remit and increase joined-up thinking with regards to canine welfare policy. As DAFM is currently responsible for general animal welfare policy the Committee believes that the responsibility for canine welfare policy and legislation should fall under their remit.

During the course of meetings, it also became apparent to the Committee that it can be difficult for a member of the public to access the necessary information in order to make a responsible decision on where they are purchasing their puppy from. Under the Dog Breeding Establishments Act 2010, Local Authorities are required to establish and maintain a register of Dog Breeding Establishments (DBEs) in their area. The Committee heard that some Local Authorities do not have their DBE register published on their website and readily available for the public to see. DSPCA informed the Committee that in DBE registers that are readily available online there can be a variance in the information provided publicly.

³⁷ Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 30 March 2022. [Link](#) to debate.

‘In many cases, the information is not there, while in other cases, the people involved are named and the licence references are provided, etc. In other cases, again, a pseudonym is used for identification.’³⁸

The Committee believes that there should be a standard approach in the information published on DBE registers and in how they are maintained by the Local Authorities. A central online website with all of the DBE registers should be established where a member of the public can easily access this important information and help them to make an informed decision when buying a puppy from a DBE.

There should also be a standard and consistent approach between all Local Authorities in how they oversee the Dog Breeding Establishments Act 2010 and inspect DBEs. The Committee is aware that in some Local Authorities inspections are carried out by the Local Authority’s dog warden and in others it is a veterinary practitioner. A consistent approach between the Local Authorities in the process of inspecting DBEs is essential to ensure a standard level of canine welfare in all DBEs throughout the State.

2.7 - Welfare of Dogs

A number of canine welfare issues were raised during the series of Committee meetings which have been discussed in detail in previous sections. Further concerns were raised by stakeholders on potential welfare issues in Dog Breeding Establishments in particular with regards to number of breeding bitches at an establishment and the ratio of staff to the number of dogs. The Committee was informed that the current guidelines for DBEs recommend that there is one fulltime staff member per 25 breeding bitches in an establishment. Dogs Trust believe that this is impractical and highlighted that:

‘In practical terms, workers must fulfil a thorough sanitisation programme for each of the 25 dogs as well as the number of puppies

³⁸ Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 10 November 2021. [Link](#) to debate.

born to them, which could result in as many as 150 dogs under the care of one staff member during full-time working hours.’³⁹

During the Committee’s meetings stakeholders have stated that there should be a cap in the number of breeding bitches allowed in a DBE. In November 2021, DSCPA highlighted to the Committee that they ‘have yet to see a good dog coming out of a puppy farm that has 500 or 600 breeding bitches in it’⁴⁰ and that implementing a cap ‘would result in a better environment for the animals’.⁴¹ The possible negative impact of the use of automatic feeders in DBEs was also raised during the Committee’s meetings. Dogs Trust highlighted that automated feeding and cleaning are the main types of automation that are emerging on DBEs and that they ‘would warn sternly against that because dogs, by their nature, need socialisation, playtime and so forth.’⁴²

DRCD acknowledged in a meeting in May 2022 the importance of human interaction and the socialisation of dogs:

‘We know that better socialised pups, housed in appropriate accommodation, make for better pets. Where there is a focus on socialisation in the key first few weeks of life, there is a smoother transition to life in a family home.’⁴³

The Committee recommends that the staff to dog ratio in DBEs are reconsidered and that with the increase of automation at DBEs the socialisation needs of the dogs are not diminished.

The Committee would like to highlight that DAFM operates a confidential, dedicated Animal Welfare Helpline, where members of the public can report concerns about the welfare of any animal by phone or by email. DAFM informed the Committee that

³⁹ Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 6 April 2022. [Link](#) to debate.

⁴⁰ Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 10 November 2021. [Link](#) to debate.

⁴¹ Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 10 November 2021. [Link](#) to debate.

⁴² Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 6 April 2022. [Link](#) to debate.

⁴³ Houses of the Oireachtas, *Joint Committee on Agriculture, Food and the Marine*, Debate, 25 May 2022. [Link](#) to debate.

each report is followed up by a Department official or an ISPCA or DSPCA Authorised Officer. If any member of the public has a dog or any animal welfare concern to report, the Committee recommends contacting DAFM's helpline at 01 607 2379 or by email at animalwelfare@agriculture.gov.ie

Recommendations & Observations

Following the series of meetings and key discussions with stakeholders, the Committee has made the following recommendations and observations: -

1. The Committee welcomes the shared commitment of the stakeholders who appeared before the Committee in adhering to and improving canine welfare in Ireland.
2. From the Committee's hearings it became apparent that there are several government bodies involved with different parts of canine welfare related legislation which can lead to confusion over which body is responsible for which part. Three pieces of legislation currently fall under the remit of the Department of Agriculture, Food and the Marine including:
 - Animal Health and Welfare (Sale or Supply of Pet Animals) Regulations 2019,
 - Microchipping of Dogs Regulations 2015, and
 - Animal Health and Welfare Act 2013.

The following two pieces of legislation are currently under the remit of the Department of Rural and Community Development:

- Dog Breeding Establishments Act 2010, and
- Control of Dogs Act 1986.

The Committee recommends that all five pieces of legislation should fall under the remit of one Department to ensure joined-up thinking and a consistent approach in canine welfare policy. It is the Committee's opinion that the Department of Agriculture, Food and the Marine should have this remit as it is currently responsible for general animal welfare.

3. The Committee is concerned that there are untrained people carrying out illegal procedures of ear cropping on dogs to meet market demands for a certain cosmetic aesthetic of a dog breed. Currently it is difficult to prosecute those who have performed this procedure unless they are caught in the act. There may be a lack of general public awareness of the emotional and physical pain that occurs to a dog during and as a result of this procedure.

The Committee recommends that there is a ban on owning dogs with cropped ears. The Committee notes that this would require a period of amnesty and recommends that an information campaign is conducted by the Department of Agriculture, Food and the Marine to inform the public of the impact that this procedure has on a dog's wellbeing.

4. The Committee is also concerned that canine fertility services are being performed illegally by untrained people. The Committee heard that artificial insemination techniques can be evasive and dangerous to a dog. Canine fertility services should be regulated in order to prosecute illegal occurrences of these practises, however, given Surgical Artificial Insemination carries risks even when performed in a controlled, sterile and surgical environment, the Committee recommends a complete ban on Surgical Artificial Insemination.
5. The Committee welcomes the work of stakeholders in the last decade with regards to increasing the numbers of microchipped dogs in Ireland. However, the Committee believes that there needs to be a standardisation of the quality of information inputted into the microchip system to include all relevant details, including date of birth; breed; colour; markings gender; and owner contact details. Filling out the required data to a standard quality needs to be enforced as a central online depository with quality data is imperative to dog welfare.
6. The Committee learned that there are currently four microchip databases in Ireland. The Committee recommends that access to this information is collated and stored in one central online portal held by DAFM that Authorised Officers and canine welfare organisations can access. Records should be regularly updated to ensure accurate data of transfer of ownership or if the dog has deceased. This will help with the reunification of lost dogs to their owners and ensure that previously owned microchips are not used as a method to sell puppies illegally. Moving to a vet verified system of microchipping should be examined.

7. The Committee learned that the dog licence system is an inadequate means to prove ownership of dogs and is a loophole that can be exploited. It leads to animals being held by charities for years, against the best interests of the dogs and at significant expense to the organisation. The Committee recommends the passing of the Animal Health and Welfare (Dogs) Bill 2022 to address this.
8. The Committee welcomes the development of technology that verifies advertisements to sell dogs. The Committee recommends mandating for all online platforms that sell dogs to incorporate a two-step verification system in their advertisements. On this note, the Committee also recommends that an information campaign is conducted to inform the public on how to spot a verified advertisement and what steps to take to ensure that they are purchasing their dog from a legitimate source.
9. Local Authorities are responsible for operational oversight in relation to Dog Breeding Establishments Act 2010 and each Local Authority maintains their own register of dog breeding establishments. The Committee recommends that all Local Authorities make their register of Dog Breeding Establishments readily available online and accessible to the public. It's the view of the Committee that there should be a standard approach between the Local Authorities in how the registers are maintained and accessed by the public and recommends that there is a central online database where the public can access this information in one place. That information should include the number of breeding bitches.
10. The Committee believes that the ratio of 1 fulltime staff member to 25 breeding bitches in Dog Breeding Establishments in the DRCD's guidelines needs to be reconsidered. The current ratio is impractical when the reality of the number of dogs that the staff member is caring for is significantly higher when you include the number of puppies birthed at the DBE.

11. The Committee recommends that a maximum limit of breeding bitches permitted at a DBE is introduced to ensure a better quality of welfare for the dogs. The Committee heard that there are some DBEs with upwards of 500 breeding bitches, this is a considerable number of dogs in one place without even including the number of the other dogs on these premises such as puppies and sires.
12. With the increase of automation in DBEs the Committee would also recommend that DRCD's guidelines ensure that the human interaction and socialisation of the dogs is rigorously enforced.
13. Finally, if any member of the public has a dog or any animal welfare concern to report, the Committee recommends contacting DAFM's helpline at 01 607 2379 or by email at animalwelfare@agriculture.gov.ie.

Appendix 1: Terms of Reference of the Committee

Scope and context of activities of Select Committees (DSO 94 and SSO 70)

DSO 94

- (1) The Dáil may appoint a Select Committee to consider and, if so permitted, to take evidence upon any Bill, Estimate or matter, and to report its opinion for the information and assistance of the Dáil. Such motion shall specifically state the orders of reference of the Committee, define the powers devolved upon it, fix the number of members to serve on it, state the quorum, and may appoint a date upon which the Committee shall report back to the Dáil.
- (2) It shall be an instruction to each Select Committee that—
 - (a) it may only consider such matters, engage in such activities, exercise such powers and discharge such functions as are specifically authorised under its orders of reference and under Standing Orders;
 - (b) such matters, activities, powers and functions shall be relevant to, and shall arise only in the context of, the preparation of a report to the Dáil;
 - (c) it shall not consider any matter which is being considered, or of which notice has been given of a proposal to consider, by the Joint Committee on Public Petitions in the exercise of its functions under Standing Order 125(1) ¹; and
 - (d) it shall refrain from inquiring into in public session or publishing confidential information regarding any matter if so requested, for stated reasons given in writing, by—
 - (i) a member of the Government or a Minister of State, or
 - (ii) the principal office-holder of a State body within the responsibility of a Government Department or
 - (iii) the principal office-holder of a non-State body which is partly funded by the State,

Provided that the Committee may appeal any such request made to the Ceann Comhairle, whose decision shall be final.

- (3) It shall be an instruction to all Select Committees to which Bills are referred that they shall ensure that not more than two Select Committees shall meet to consider a Bill on any given day, unless the Dáil, after due notice to the Business Committee by a Cathaoirleach of one of the Select Committees concerned, waives this instruction.

¹ Retained pending review of the Joint Committee on Public Petitions.

SSO 70

- (1) The Seanad may appoint a Select Committee to consider any Bill or matter and to report its opinion for the information and assistance of the Seanad and, in the case of a Bill, whether or not it has amended the Bill. Such motion shall specifically state the orders of reference of the Committee, define the powers devolved upon it, fix the number of members to serve on it, state the quorum thereof, and may appoint a date upon which the Committee shall report back to the Seanad.
- (2) It shall be an instruction to each Select Committee that—
 - (a) it may only consider such matters, engage in such activities, exercise such powers and discharge such functions as are specifically authorised under its orders of reference and under Standing Orders;
 - (b) such matters, activities, powers and functions shall be relevant to, and shall arise only in the context of, the preparation of a report to the Seanad;
 - (c) it shall not consider any matter which is being considered, or of which notice has been given of a proposal to consider, by the Joint Committee on Public Petitions in the exercise of its functions under Standing Order 108 (1) ¹; and
 - (d) it shall refrain from inquiring into in public session or publishing confidential information regarding any matter if so requested, for stated reasons given in writing, by—
 - (i) a member of the Government or a Minister of State, or
 - (ii) the principal office-holder of a State body within the responsibility of a Government Department, or
 - (iii) the principal office-holder of a non-State body which is partly funded by the State,

Provided that the Committee may appeal any such request made to the Cathaoirleach, whose decision shall be final.

¹ Retained pending review of the Joint Committee on Public Petitions

Functions of Departmental Select Committees (DSO 95 and SSO 71)

DSO 95

- (1) The Dáil may appoint a Departmental Select Committee to consider and, unless otherwise provided for in these Standing Orders or by order, to report to the Dáil on any matter relating to—
 - (a) legislation, policy, governance, expenditure and administration of—
 - (i) a Government Department, and
 - (ii) State bodies within the responsibility of such Department, and
 - (b) the performance of a non-State body in relation to an agreement for the provision of services that it has entered into with any such Government Department or State body.
- (2) A Select Committee appointed pursuant to this Standing Order shall also consider such other matters which—
 - (a) stand referred to the Committee by virtue of these Standing Orders or statute law, or
 - (b) shall be referred to the Committee by order of the Dáil.
- (3) The principal purpose of Committee consideration of matters of policy, governance, expenditure and administration under paragraph (1) shall be—
 - (a) for the accountability of the relevant Minister or Minister of State, and
 - (b) to assess the performance of the relevant Government Department or of a State body within the responsibility of the relevant Department, in delivering public services while achieving intended outcomes, including value for money.
- (4) A Select Committee appointed pursuant to this Standing Order shall not consider any matter relating to accounts audited by, or reports of, the Comptroller and Auditor General unless the Committee of Public Accounts—
 - (a) consents to such consideration, or
 - (b) has reported on such accounts or reports.
- (5) A Select Committee appointed pursuant to this Standing Order may be joined with a Select Committee appointed by Seanad Éireann to be and act as a Joint Committee for the purposes of paragraph (1) and such other purposes as may be specified in these Standing Orders or by order of the Dáil: provided that the Joint Committee shall not consider—
 - (a) the Committee Stage of a Bill,
 - (b) Estimates for Public Services, or

- (c) a proposal contained in a motion for the approval of an international agreement involving a charge upon public funds referred to the Committee by order of the Dáil.
- (6) Any report that the Joint Committee proposes to make shall, on adoption by the Joint Committee, be made to both Houses of the Oireachtas.
- (7) The Cathaoirleach of the Select Committee appointed pursuant to this Standing Order shall also be Cathaoirleach of the Joint Committee.
- (8) Where a Select Committee proposes to consider—
 - (a) EU draft legislative acts standing referred to the Select Committee under Standing Order 133, including the compliance of such acts with the principle of subsidiarity,
 - (b) other proposals for EU legislation and related policy issues, including programmes and guidelines prepared by the European Commission as a basis of possible legislative action,
 - (c) non-legislative documents published by any EU institution in relation to EU policy matters, or
 - (d) matters listed for consideration on the agenda for meetings of the relevant Council (of Ministers) of the European Union and the outcome of such meetings,

the following may be notified accordingly and shall have the right to attend and take part in such consideration without having a right to move motions or amendments or the right to vote:

- (i) members of the European Parliament elected from constituencies in Ireland,
 - (ii) members of the Irish delegation to the Parliamentary Assembly of the Council of Europe, and
 - (iii) at the invitation of the Committee, other members of the European Parliament.
- (9) A Select Committee appointed pursuant to this Standing Order may, in respect of any Ombudsman charged with oversight of public services within the policy remit of the relevant Department consider—
 - (a) such motions relating to the appointment of an Ombudsman as may be referred to the Committee, and
 - (b) such Ombudsman reports laid before either or both Houses of the Oireachtas as the Committee may select: Provided that the provisions of Standing Order 130 apply where the Select Committee has not considered the Ombudsman report, or a portion or portions thereof, within two months (excluding Christmas, Easter or summer recess periods) of the report being laid before either or both Houses of the Oireachtas.²

² Retained pending review of the Joint Committee on Public Petitions.

SSO 71

- (1) The Seanad may appoint a Departmental Select Committee to consider and, unless otherwise provided for in these Standing Orders or by order, to report to the Seanad on any matter relating to—

- (a) legislation, policy, governance, expenditure and administration of-
 - (i) a Government Department, and
 - (ii) State bodies within the responsibility of such Department, and
 - (b) the performance of a non-State body in relation to an agreement for the provision of services that it has entered into with any such Government Department or State body.
- (2) A Select Committee appointed pursuant to this Standing Order shall also consider such other matters which –
- (a) stand referred to the Committee by virtue of these Standing Orders or statute law, or
 - (b) shall be referred to the Committee by order of the Seanad.
- (3) The principal purpose of Committee consideration of matters of policy, governance expenditure and administration under paragraph (1) shall be—
- (a) for the accountability of the relevant Minister or Minister of State, and
 - (b) to assess the performance of the relevant Government Department or a State body within the responsibility of the relevant Department, in delivering public services while achieving intended outcomes, including value for money.
- (4) A Select Committee appointed pursuant to this Standing Order shall not consider any matter relating to accounts audited by, or reports of, the Comptroller and Auditor General unless the Committee of Public Accounts—
- (a) consents to such consideration, or
 - (b) has reported on such accounts or reports.
- (5) A Select Committee appointed pursuant to this Standing Order may be joined with a Select Committee appointed by Dáil Éireann to be and act as a Joint Committee for the purposes of paragraph (1) and such other purposes as may be specified in these Standing Orders or by order of the Seanad: provided that the Joint Committee shall not consider-
- (a) the Committee Stage of a Bill,
 - (b) Estimates for Public Services, or
 - (c) a proposal contained in a motion for the approval of an international agreement involving a charge upon public funds referred to the Committee by order of the Dáil.

- (6) Any report that the Joint Committee proposes to make shall, on adoption by the Joint Committee, be made to both Houses of the Oireachtas.
- (7) The Cathaoirleach of a Joint Committee appointed pursuant to this Standing Order shall be a member of Dáil Éireann.
- (8) Where a Select Committee proposes to consider—
 - (a) EU draft legislative acts standing referred to the Select Committee under Standing Order 116, including the compliance of such acts with the principle of subsidiarity,
 - (b) other proposals for EU legislation and related policy issues, including programmes and guidelines prepared by the European Commission as a basis of possible legislative action, non-legislative documents published by any EU institution in relation to EU policy matters, or
 - (d) matters listed for consideration on the agenda for meetings of the relevant EC Council (of Ministers) of the European Union and the outcome of such meetings,

the following may be notified accordingly and shall have the right to attend and take part in such consideration without having a right to move motions or amendments or the right to vote:

- (i) members of the European Parliament elected from constituencies in Ireland,
 - (ii) members of the Irish delegation to the Parliamentary Assembly of the Council of Europe, and
 - (iii) at the invitation of the Committee, other members of the European Parliament.
- (9) A Select Committee appointed pursuant to this Standing Order may, in respect of any Ombudsman charged with oversight of public services within the policy remit of the relevant Department consider—
 - (a) such motions relating to the appointment of an Ombudsman as may be referred to the Committee, and
 - (b) such Ombudsman reports laid before either or both Houses of the Oireachtas as the Committee may select: Provided that the provisions of Standing Order 113 apply where the Select Committee has not considered the Ombudsman report, or a portion or portions thereof, within two months (excluding Christmas, Easter or summer recess periods) of the report being laid before either or both Houses of the Oireachtas.²

² Retained pending review of the Joint Committee on Public Petitions.

Powers of Select Committees (DSO 96 and SSO 72)

DSO 96

Unless the Dáil shall otherwise order, a Committee appointed pursuant to these Standing Orders shall have the following powers:

- (1) power to invite and receive oral and written evidence and to print and publish from time to time—
 - (a) minutes of such evidence as was heard in public, and
 - (b) such evidence in writing as the Committee thinks fit;
- (2) power to appoint sub-Committees and to refer to such sub-Committees any matter comprehended by its orders of reference and to delegate any of its powers to such sub-Committees, including power to report directly to the Dáil;
- (3) power to draft recommendations for legislative change and for new legislation;
- (4) in relation to any statutory instrument, including those laid or laid in draft before either or both Houses of the Oireachtas, power to—
 - (a) require any Government Department or other instrument-making authority concerned to—
 - (i) submit a memorandum to the Select Committee explaining the statutory instrument, or
 - (ii) attend a meeting of the Select Committee to explain any such statutory instrument: Provided that the authority concerned may decline to attend for reasons given in writing to the Select Committee, which may report thereon to the Dáil, and
 - (b) recommend, where it considers that such action is warranted, that the instrument should be annulled or amended;
- (5) power to require that a member of the Government or Minister of State shall attend before the Select Committee to discuss—
 - (a) policy, or
 - (b) proposed primary or secondary legislation (prior to such legislation being published),

for which he or she is officially responsible: Provided that a member of the Government or Minister of State may decline to attend for stated reasons given in writing to the Select Committee, which may report thereon to the Dáil: and provided further that a member of the Government or Minister of State may request to attend a meeting of the Select Committee to enable him or her to discuss such policy or proposed legislation;

- (6) power to require that a member of the Government or Minister of State shall attend before the Select Committee and provide, in private session if so requested by the attendee, oral briefings in advance of meetings of the relevant EC Council (of Ministers) of the European Union to enable the Select Committee to make known its views: Provided that the Committee may also require such attendance following such meetings;
- (7) power to require that the Chairperson designate of a body or agency under the aegis of a Department shall, prior to his or her appointment, attend before the Select Committee to discuss his or her strategic priorities for the role;
- (8) power to require that a member of the Government or Minister of State who is officially responsible for the implementation of an Act shall attend before a Select Committee in relation to the consideration of a report under Standing Order 197;
- (9) subject to any constraints otherwise prescribed by law, power to require that principal officeholders of a—
 - (a) State body within the responsibility of a Government Department or
 - (b) non-State body which is partly funded by the State,

shall attend meetings of the Select Committee, as appropriate, to discuss issues for which they are officially responsible: Provided that such an office-holder may decline to attend for stated reasons given in writing to the Select Committee, which may report thereon to the Dáil; and

- (10) power to—
 - (a) engage the services of persons with specialist or technical knowledge, to assist it or any of its sub-Committees in considering particular matters; and
 - (b) undertake travel;

Provided that the powers under this paragraph are subject to such recommendations as may be made by the Working Group of Committee Chairmen under Standing Order 120(4)(a).

SSO 72

Unless the Seanad shall otherwise order, a Committee appointed pursuant to these Standing Orders shall have the following powers:

- (1) power to invite and receive oral and written evidence and to print and publish from time to time –

- (a) minutes of such evidence as was heard in public, and
 - (b) such evidence in writing as the Committee thinks fit;
- (2) power to appoint sub-Committees and to refer to such sub-Committees any matter comprehended by its orders of reference and to delegate any of its powers to such sub-Committees, including power to report directly to the Seanad;
- (3) power to draft recommendations for legislative change and for new legislation;
- (4) in relation to any statutory instrument, including those laid or laid in draft before either or both Houses of the Oireachtas, power to –
 - (a) require any Government Department or other instrument making authority concerned to –
 - (i) submit a memorandum to the Select Committee explaining the statutory instrument, or
 - (ii) attend a meeting of the Select Committee to explain any such statutory instrument: provided that the authority concerned may decline to attend for reasons given in writing to the Select Committee, which may report thereon to the Seanad, and
 - (b) recommend, where it considers that such action is warranted, that the instrument should be annulled or amended;
- (5) power to require that a member of the Government or Minister of State shall attend before the Select Committee to discuss–
 - (a) policy, or
 - (b) proposed primary or secondary legislation (prior to such legislation being published),

for which he or she is officially responsible: provided that a member of the Government or Minister of State may decline to attend for stated reasons given in writing to the Select Committee, which may report thereon to the Seanad: and provided further that a member of the Government or Minister of State may request to attend a meeting of the Select Committee to enable him or her to discuss such policy or proposed legislation;
- (6) power to require that a member of the Government or Minister of State shall attend before the Select Committee and provide, in private session if so requested by the attendee, oral briefings in advance of meetings of the relevant EC Council (of Ministers) of the European Union to enable the Select Committee to make known its views: Provided that the Committee may also require such attendance following such meetings;

- (7) power to require that the Chairperson designate of a body or agency under the aegis of a Department shall, prior to his or her appointment, attend before the Select Committee to discuss his or her strategic priorities for the role;
- (8) power to require that a member of the Government or Minister of State who is officially responsible for the implementation of an Act shall attend before a Select Committee in relation to the consideration of a report under Standing Order 168;
- (9) subject to any constraints otherwise prescribed by law, power to require that principal office-holders of a –
 - (a) State body within the responsibility of a Government Department, or
 - (b) non-State body which is partly funded by the State,

shall attend meetings of the Select Committee, as appropriate, to discuss issues for which they are officially responsible: Provided that such an office-holder may decline to attend for stated reasons given in writing to the Select Committee, which may report thereon to the Seanad; and

- (10) power to-
 - (a) engage the services of persons with specialist or technical knowledge, to assist it or any of its sub-Committees in considering particular matters; and
 - (b) undertake travel;

Provided that the powers under this paragraph are subject to such recommendations as may be made by the Working Group of Committee Chairmen under Standing Order 107(4)(a).

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