



The Scottish  
Government



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# CODE OF PRACTICE FOR THE WELFARE OF DOGS





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Edinburgh 2010

## **Code of Practice for the Welfare of Dogs**

This Code which has been prepared following consultation, is issued with the authority of the Scottish Parliament pursuant to section 37 (animal welfare codes) of the Animal Health and Welfare (Scotland) Act 2006.

This Code applies in Scotland and has been issued by the Scottish Ministers (following approval by the Scottish Parliament).

THIS CODE OF PRACTICE FOR THE WELFARE OF DOGS WAS MADE ON 17 DECEMBER 2009, WAS APPROVED BY RESOLUTION OF THE SCOTTISH PARLIAMENT ON 27 JANUARY 2010 AND COMES INTO EFFECT ON 1 MAY 2010.

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## Preface

The aim of this Code is to help you to look after your dog properly. Under the Animal Health and Welfare (Scotland) Act 2006 (the Act) anyone who is responsible for an animal has a legal duty to take reasonable steps to ensure its welfare. The legislation quoted in Appendix 1 is not part of the Code but is intended to highlight the relevant legal requirements. The law, as quoted, is that in force on the date of publication or reprinting of the Code.

Generally, there is a duty to comply with legislation. Although the Code does not have legislative effect, it is intended to promote and give examples of good practice. Failure to comply with a provision of this Code, whilst not an offence in itself, may be relied upon as tending to establish liability where a person has been accused of an offence under Part 2 of the Act. Equally, compliance with a provision of the Code may be relied upon as tending to negate liability by a person in any proceedings for an offence under Part 2 of the Act.

This Code covers all domesticated dogs for which a person is responsible.

A dog under veterinary supervision may have additional or special needs resulting from treatment which will supersede the requirements of this Code. As veterinary bills can be expensive, owners may wish to consider taking out appropriate pet insurance.

In addition to veterinary surgeons you will also find reference in the Code to 'pet care specialists'. These are people who, through qualification or experience, can provide expert advice on welfare and some aspects of health for one or more types of pet animal. Examples are clinical animal behaviourists, veterinary nurses and dedicated welfare organisations.

To find out more about the Animal Health and Welfare (Scotland) Act 2006 and details of your responsibilities under it, see Appendix 1 at the end of this Code. For further links, including links to other sources of information, see Appendix 2.

This preface is not part of the Code but is intended to explain its purpose and broad aims. Similarly Appendix 1, which provides information on the relevant legal requirements and Appendix 2, which lists some additional sources of information, are not part of the Code itself.



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## Introduction

1. Owning and caring for a dog can be very rewarding, but it is also a big responsibility and a long term financial and caring commitment. Any potential owner should consider the size and breed of dog they are thinking about buying in relation to how much time will need to be spent looking after and exercising it; thus ensuring that they purchase a dog that is right for their circumstances.
2. Section 24(1) of the Animal Health and Welfare (Scotland) Act 2006 states that:  
“A person commits an offence if the person does not take such steps as are reasonable in the circumstances to ensure that the needs of an animal for which the person is responsible are met to the extent required by good practice”.  
Thus, animal owners and keepers have a legal duty of care for the animals for which they are responsible.
3. The duty of care placed on an animal owner or keeper is based on the ‘Five Freedoms’ originally recommended by the Farm Animal Welfare Council, but now generally accepted to cover any animal for which a person is responsible:
  - its need for a suitable environment;
  - its need for a suitable diet;
  - its need to be able to exhibit normal behaviour patterns;
  - any need it has to be housed with, or apart from, other animals, and
  - its need to be protected from suffering, injury and disease.
4. These needs are explained in more detail in this Code, however, your dog may have other needs that should also be met to ensure its welfare. If you are unsure what these might be, seek advice from a veterinary surgeon, a pet care specialist or a professional organisation such as the Scottish Society for the Prevention of Cruelty to Animals (Scottish SPCA), the Dogs Trust or one of the other dog welfare organisations. Some of the main organisations are listed in Appendix 2.
5. People are therefore responsible for an animal if they own or manage it. An owner has ongoing responsibility for their animal even if another person is in charge of it. A parent or guardian of a child under 16 years old is responsible for any animal that is owned or cared for by the child. This ensures that an adult can normally be identified as a person responsible for an animal. If an owner leaves an animal in the charge of another person, it is the owner’s duty to ensure that the person is competent and has the necessary authority to act in an emergency, as ultimately the owner bears responsibility even if someone else is temporarily caring for the animal.
6. Responsibility for an animal includes having an understanding of the specific health and welfare needs of the animal and having the appropriate knowledge and skills to care for the animal. Those responsible for animals will also have to be aware of and comply with the legislation and Codes, and to know when to seek qualified advice and help.



7. Every animal is different and as you get to know your dog, you will recognise its normal behavioural patterns. Observing your dog enables you to judge whether it is relaxed, healthy and comfortable. It is important that you are able to recognise any changes in behaviour, as these might show that your dog is distressed, ill, or is not having its needs met in some other way.
8. You control your dog's lifestyle, such as the amount of time it spends indoors and the exercise it receives. It is your responsibility to make sure that its needs are met, whatever the circumstances.
9. If you are worried about your dog, or you would like further advice about how to look after it and any future health care programme, vets, other appropriate professionals and animal welfare organisations are the best sources of advice.



## SECTION 1: THE NEED FOR A SUITABLE ENVIRONMENT

1.1. This section offers guidance on providing your dog with a suitable place to live.

### Sleeping and resting areas

**Provide a resting area where your dog will feel secure and to which it has constant access**

1.2. Dogs should have:

- their own bed, with comfortable bedding, which should be placed in a quiet, dry, draught-free area;
- their bedding regularly cleaned and replaced when necessary;
- a bed with no sharp corners or splinters as these may cause injury.

### Keeping a dog outside

1.3. If your dog is to be kept outside the home there are a number of additional considerations that should be taken into account. These include:

- security;
- adequate comfort and shelter;
- companionship and interaction;
- injury;
- nuisance to neighbours.

1.4. The environment that your dog is kept in should be secure with good quality fencing to prevent it from escaping or roaming and to prevent the intrusion of other animals, unwelcome visitors, or even theft.

1.5. When considering the type of fencing, consideration should be given to the size and weight of your dog and its ability to escape by jumping, climbing or digging. Gates should be secured with good quality fixings to ensure that they cannot be accidentally unfastened. Further, there should be no sharp edges on any surface that could cause your dog injury.

1.6. Outside housing should consist of a kennel and run and there should be protection from adverse weather conditions including heat, cold and damp. The kennel should be large enough for your dog to lie comfortably both in and beside its bed and it should be provided with clean comfortable bedding.

1.7. Any area that you provide for your dog should be large enough for it to stretch, walk and turn around and the run should be large enough for it to be able to relieve itself without needing to walk through the soiled area to return to its kennel. All faeces and urine should be removed at least daily and the run should be regularly cleaned.

- 1.8. Dogs that are kept outside and away from people or other animals, and denied mental stimulation, can suffer emotional problems signified by excessive chewing or other abnormal behaviours. Therefore, care should be taken to ensure that your dog is provided with enough company, exercise and other stimulation to ensure that it remains well balanced and free from stress. You should also regularly visit your dog to ensure that it receives social interaction and to check on its welfare. Company may be provided by keeping a second dog.
- 1.9. You should also remember that dogs kept outside may react to sights and sounds that they may not normally see or hear inside the home. Your dog may bark, howl or cry for extended periods if it is bored or stressed and this can cause a nuisance to your neighbours. Such nuisance behaviour can result in legal action under the Civic Government (Scotland) Act 1982.



## Hygiene

1.10. Part of providing a suitable environment is making sure that it is safe, clean and hygienic. It is good hygiene practice and a legal requirement to clean up after your dog using a plastic bag or 'pooper scooper' and to dispose of any faeces appropriately. This not only makes the environment cleaner, but also helps to prevent the potential spread of disease.

## Household hazards

1.11. Dogs, and especially inquisitive puppies, may eat things that are poisonous to them. Some examples are:

- foods such as raisins, grapes, and chocolate. It is important to keep these foodstuffs out of the reach of dogs at all times.
- poisonous plants should be avoided or placed where your dog cannot reach them. Make sure that any large plants are in stable containers that cannot be knocked over;
- poisonous chemicals. A dog may drink or eat poisonous substances either by accident or because they find them palatable. Such chemicals should be kept out of reach and any spillages cleaned up immediately. Examples of poisonous substances that are commonly used and may be attractive to dogs are slug pellets, rat poison and anti-freeze;
- eating or applying medicines intended for people or other animals. It is important that your dog is only given medicine or veterinary treatment that has been specifically prescribed or advised by your vet or, in the case of non prescription medicines, by a pet care specialist.

**You should always consult your vet immediately if you are concerned that your dog has come into contact with anything that could be harmful.**

## When travelling

**Make sure your dog is transported safely**

1.12. Dogs are regularly transported by car or other vehicles.

During transportation:

- when in a vehicle make sure dogs are suitably restrained so they cannot distract you while you are driving or injure you, or themselves, if you stop quickly. A seat belt harness, dog cage of adequate size and good ventilation or dog guard are ways of restraining animals in cars. You should ensure, however, that when securing your dog in a restricted area, it is not being subjected to constant direct sunlight;
- on long journeys you should regularly offer your dog water and where necessary food. Remember to give your dog the opportunity to relieve itself.

**Your dog should never be left alone in a vehicle in warm weather**

- 1.13. Dogs should **never** be left unattended in a car or other vehicle in warm weather. **This can cause immense suffering and be life threatening.** The temperature in the vehicle can become very high extremely quickly even when the car windows are left open and cause heat stroke or death. However, when using specifically designed boot gates the car boot can safely be left open allowing full air circulation.

## SECTION 2: THE NEED FOR A SUITABLE DIET

2.1. This section offers guidance on providing your dog with a suitable diet.

**Your dog should have access to fresh water at all times**

2.2. Your dog should always have access to fresh clean water from a clean bowl. This is essential for all dogs unless your vet tells you differently. Many dogs may not drink large amounts but their thirst may increase in hot weather or if you feed them dried food. Changes in the amount of water your dog drinks may also indicate illness.

### Balanced diet

**Your dog must have a balanced diet that meets its nutritional needs**

- 2.3. To keep your dog healthy it is essential to provide it with a nutritionally balanced diet. This will ensure it receives essential nutrients in the correct quantities. A good diet can help prevent the effects of many diseases.
- 2.4. Dogs need a high quality protein, fat and carbohydrate diet which can either be given in the form of commercially prepared foods or home-made meals. When feeding prepared foods, you should follow the food manufacturer's instructions closely and avoid feeding your dog between meals.
- 2.5. An alternative to a commercially prepared dog food is a home-made diet. Unlike cats, dogs are not totally carnivorous and will, therefore, enjoy some green vegetables added to their food. Providing a home-made diet requires a good understanding of your dog's nutritional needs and if you choose to feed it this way you should obtain advice from your vet or pet care specialist.
- 2.6. Dogs should not be given more food than they need as overeating leads to obesity. Remember that if you are using food rewards for training purposes you may unwittingly overfeed your pet. You will need to adjust the amount of food your dog has at meal times to take this into account.
- 2.7. It is important that your dog has the correct diet in appropriate portions and, if you have more than one dog, that each is fed according to its needs. You should also clear away any uneaten food after each mealtime.
- 2.8. Leave your dog in peace while it is eating as disturbing it or repeatedly taking its food bowl away can cause anxiety and may lead to food related aggression.

## A dog's healthy weight

**Your dog should not be too fat or too thin**

- 2.9. **An obese dog is an unhealthy dog** and pet obesity is the most frequent nutritional problem seen by vets. If a dog eats too much and exercises too little, it will put on weight leading to a reduced quality of life. Obesity can also lead to health problems such as heart disease and diabetes.
- 2.10. An underweight dog may also be ill so you should know the best weight for your pet and try to make sure that this stays approximately the same throughout its adult life. Ideally you should just be able to feel its ribs and clearly see its waist when viewed from above. If in doubt, ask your vet or pet care specialist whether your dog is within its correct weight range.

### Body condition

#### Too thin

- Ribs and other bony areas can be seen from a distance – less obvious in longhaired breeds;
- Loss of muscle mass – small amount of muscle over the back and hips, upper leg muscles feel “stringy”, skull bone very obvious when stroking the head, feels “bony” when stroked.

#### Ideal

- Well muscled;
- Ribs can be easily felt without pressing directly on the ribs.

#### Too heavy

- Ribs not easily felt as covered with a lot of fat;
- Lots of fat on the loin area and base of tail.

## How often to feed your dog

**You should make sure that your dog eats regularly**

- 2.11. The number of meals will depend upon the age of your dog and how much work or exercise it takes. Whilst it is acceptable to feed a dog one meal a day, it is generally better to feed an adult dog two smaller meals a day. This is because:
- a dog will be less hungry after 12 hours compared to 24 and therefore will eat its food more slowly;
  - a second meal adds interest to the day, reducing boredom;
  - having two meals a day generally reduces the number of extra titbits given;
  - two meals will be easier for your dog to digest than one.

- 2.12. If you do feed your pet twice a day, the daily food allowance may be divided up into two equal portions, or a third and two-thirds division. Part of the diet may also be offered in dried food 'puzzle feeders' that release food gradually and so provide mental stimulation for dogs indoors.
- 2.13. If you have more than one dog it is important to give each animal sufficient space so that it can eat without being disturbed.
- 2.14. If your dog loses its appetite it may be a sign of illness. You should consult your vet if the problem persists or if there are other signs of disease.

### Other dietary needs

- 2.15. Dogs that are pregnant, feeding their puppies, ill, old or young may well have different dietary needs from the average healthy adult dog. Specially formulated life-stage foods are available on the market to address these varying nutritional needs. Your vet is the best person to advise you about the care of your dog in these circumstances.
- 2.16. Puppies require about two and half times as many calories per kilogram bodyweight as an adult dog while they are growing. Food for this age group should be higher in calories, protein and other necessary nutrients.
- 2.17. You should avoid feeding your dog immediately before travelling, to avoid travel sickness, or within an hour before or after vigorous exercise as this can lead to bloating.
- 2.18. If you need to change your dog's diet, do it gradually, over a week or so, unless your vet tells you otherwise.





## SECTION 3: THE NEED TO BE ABLE TO EXHIBIT NORMAL BEHAVIOUR PATTERNS

- 3.1. This section offers guidance on your dog's behaviour. Although this section focuses mainly on puppies, many of the principles equally apply to older dogs.

### Early experiences

- 3.2. Socialisation with people, dogs and other animals is an essential part of early learning. The important period of learning is from approximately 3 weeks to 8 weeks of age. Therefore, it is essential that you obtain your puppy from an environment where its behavioural needs have been met. The first few weeks when your puppy is in your home are also very important in terms of it learning how to react to other dogs, people and the environment. It will also learn to interact and understand how dogs communicate with each other by mixing with them, and your vet will tell you when it is safe to allow this. Your dog should continue to have a range of social and environmental stimuli throughout its life.
- 3.3. Your puppy should be carefully introduced to as wide a range of noises, objects, other animals and people as possible. If puppies learn at an early age that these are not a threat, then they will probably be happy in their presence for the rest of their lives. However, it is important not to overwhelm your puppy, and you should always allow it an escape route from things that it finds frightening and stressful. Forcing your puppy to interact may lead to behavioural problems so it is important to make situations as relaxed and positive as possible so that it wants to investigate and interact.
- 3.4. A puppy needs long periods of rest to develop a healthy body and temperament. A sleeping puppy should not be disturbed but allowed to awaken naturally.
- 3.5. The veterinary practice where you have chosen to register may run 'puppy parties' for owners to seek advice about how to care for their new puppy and you could ask about this at your first appointment. Similar parties or socialisation parties are sometimes offered by dog training clubs, pet shops and other pet care businesses.



## Training your dog

### Your dog should be well trained

- 3.6. Social training is important from an early age. It is easier to change the behaviour of a puppy that nips than to deal with a dog that bites.
- 3.7. Training a dog of any age should begin with simple tasks such as teaching it to respond to its name and to come when called. It is important to be consistent and positive when training your dog; using the same command words and responding to it in the same way every time will help it to learn more quickly and will avoid confusion.
- 3.8. Reward good behaviour with something that your dog finds enjoyable (such as play, food or attention) and make sure that you respond immediately. These positive training methods are based on a dog's natural willingness to obey. You should avoid punishment when training your dog as it teaches response out of fear; this is bad for its welfare and can cause behavioural problems later in its life.
- 3.9. As puppies have very short attention spans, it is best to train them for short periods on a regular basis. They also respond far better to cheerful voice tones rather than threatening orders. Take every opportunity to praise your puppy for good behaviour.
- 3.10. Good dog-training classes can show you positive training techniques that can prevent and correct different types of unwanted behaviour. There are a number of suitable training schemes.

## Exercise

### Your dog should receive a suitable amount of exercise

- 3.11. The amount of exercise your dog needs will vary according to its age and breed. For example, as your dog gets older it may prefer a more sedentary life, or your vet may recommend a restricted exercise regime, where physical exercise may be replaced by toys for mental stimulation.
- 3.12. If you over exercise a growing puppy, you can damage its developing joints, but obviously puppies need sufficient exercise to provide outlets for their physical and mental energy. If you are in any doubt about what exercise your puppy needs, seek professional advice.
- 3.13. Your puppy is not immediately protected from disease when it is first vaccinated. Always ask your vet when it will be protected, and do not exercise it outside your home until then.

- 3.14. It is important to keep your dog on a lead in a built-up area and when near livestock; not only are there dangers from the traffic, but also from other dogs. Only let it off the lead when you are sure that it is safe and legal to do so. It is also important to train it to return to you when called. Before walking your dog in the countryside, you should familiarise yourself with the advice given in the Scottish Outdoor Access Code.
- 3.15. You should also avoid walking your dog when it is particularly hot. Early morning or in the evening are the best times to walk your pet during periods of hot weather.



### Boredom and frustration

**Your dog should have plenty of things to stimulate it mentally**

- 3.16. Dogs are social animals with active minds and so they need mental stimulation to be happy. This can be provided by contact with humans or another dog, by providing toys to play with or an environment where a lot is going on. However, not to such an extent that the dog becomes over stimulated or stressed.
- 3.17. Interacting with your dog by playing games using appropriate toys will provide the best mental stimulation for it. It is not advisable, however, to leave it alone with flimsy toys, especially if it chews very vigorously, as swallowing small parts of them could lead to serious intestinal problems. Toys should be checked regularly to ensure they are not dirty or damaged. Changing them often means that your dog will not become bored with an individual toy.



## Signs of stress

**Observe your dog closely for signs of stress or changes in behaviour**

- 3.18. Dogs will generally convey contentment through looking calm and relaxed; they will be happy to approach and interact with people, dogs and other animals. It is important that you recognise any changes in the behaviour of your dog as this may indicate stress, which can vary from dog to dog.
- 3.19. Signs of stress include:
- panting, salivation, licking of the lips;
  - excessive activity, such as pacing around;
  - fouling or urinating indoors;
  - barking;
  - excessively seeking out contact, both with people and other pets;
  - hiding or cowering;
  - flattening the ears and lowering the tail;
  - yawning, unless tired.
- 3.20. Some of the above may also be signs of illness; however, if you are concerned, you should contact your vet who will be able to advise you on the best course of action. This may include referring you to a clinical animal behaviourist.

## Toilet training

- 3.21. Toilet training is an essential part of early learning. If your dog is introduced to a suitable outdoor location early on, and is rewarded for using this as a toilet area, it will use it as a matter of routine. Do not punish your dog when it makes a mistake as this can make it fearful and lead to problems later on in its life. There are many available sources of useful information about toilet training your puppy (see Appendix 2 – Sources of Information).
- 3.22. A dog owner, or the person responsible or in charge of the dog, has a legal obligation (the Dog Fouling (Scotland) Act 2003) to clean up after their dog (use either a 'pooper scooper' or a plastic bag) when in a public place and dispose of dog faeces in bins where provided. If no bins are provided then take the dog dirt home for disposal.

## SECTION 4: ANY NEED TO BE HOUSED WITH, OR APART FROM, OTHER ANIMALS

4.1. This section offers guidance on providing your dog with suitable company.

### Relations with other dogs

**Your dog should be able to interact safely with dogs and other pets**

4.2. Dogs learn 'good manners' by interacting with other dogs. All dogs learn social skills from other dogs which is why it is important for your puppy to socialise with good-tempered adult dogs, within a secure and safe environment.



### Relations with other animals and people

**Be aware of how your dog reacts to people and other animals**

4.3. Children, and adults who are not familiar with dogs, need to be aware that a dog should not be disturbed when resting, sleeping or eating, nor should it be forced to play or be carried around. Such interaction can encourage aggressive behaviour. There are various programmes available to teach children how to interact and play correctly with dogs (See Appendix 2).

4.4. You should also be aware of how your dog responds to unfamiliar dogs, cats and other animals and keep it under suitable control if it does not mix well with other pets. Owners can be held legally responsible for any damage caused by their dog.

## When you are away from home

**You must arrange for your dog to be cared for if you are away from home**

- 4.5. You have a responsibility to make sure that your dog is cared for properly if you are unable to take it with you. This may be done by a dog sitter who lives in your home while you are away, somebody licensed to board dogs or by taking your dog to stay with a friend or relative who knows how to look after it.
- 4.6. When someone else is looking after your dog they are responsible for its welfare and you should ensure that they understand its needs and any special requirements that it may have.
- 4.7. A dog should not be routinely left on its own for more than a few hours during the day as they are likely to become bored, leading to barking or destructive behaviour. Many animal welfare organisations recommend a maximum of four hours. A possible solution if you are regularly away from home is to employ a responsible dog walker and you should remember that it is an offence to allow your dog to roam. However, the length of time which dogs can be left will depend on the individual dog. Therefore, it is important for you to get to know your dog and when it shows signs of stress.

## Number of animals

- 4.8. Owners should think carefully about the size of their property and the financial and time implications of having more than one dog. It is also important to take into account your dog's likely acceptance of other dogs within its home territory. Your vet or pet care specialist will be able to offer further advice on this. Keeping another dog is not an alternative to providing regular exercise outside the living area. All dogs should be exercised regularly.

## SECTION 5: THE NEED TO BE PROTECTED FROM SUFFERING, INJURY AND DISEASE

**Make sure you receive regular health care advice about your dog**

5.1. This section offers guidance on the health and welfare of your dog.

### Health care

5.2. Good health is an essential part of good dog welfare. Your vet is the best person to advise you about routine health care, such as neutering, vaccination and internal and external parasite control, as well as any health problems it may have.

5.3. As the person responsible for your pet's welfare you need to consider:

- prevention of disease. There are various vaccinations that are designed to protect your dog from certain diseases;
- prevention of parasite problems. Many worming and flea preparations are available and your vet or pet care specialist will be able to advise you on which are most suitable;
- provision of a healthy, balanced diet (see section 2);
- provision of the right environment that minimises the risk of injury and disease (see section 1);
- prompt action if your dog becomes ill or begins to behave in an unusual way;
- good dental hygiene.





## Illness

**Be aware of the signs of illness and if you notice any contact your vet**

5.4. It is important that you are aware of the signs of illness and that you consult a vet if your dog shows any or there is a change in its behaviour.

### **A healthy dog or puppy will:**

- be alert, active and bright eyed, responsive to sounds and the world around it;
- have no signs of discharge around its eyes, mouth and nostrils;
- have clean ears with no strong odour;
- be breathing quietly and regularly with no coughing;
- have a clean skin, with no lumps, bumps or sores;
- have a coat that is clean, glossy and free from parasites, loose hairs and dirt;
- have no signs of diarrhoea around its tail;
- show no signs of limping;
- have healthy gums and clean teeth, free from tartar;
- have nails that are not too long, deformed or growing back into the skin or pads.

### **Indications of illness include:**

- sickness and diarrhoea;
- lack of appetite;
- a change of weight in either direction;
- drinking much more or less than normal;
- lack of energy;
- unusual swellings;
- skin conditions and excessive scratching;
- limping;
- coughing;
- unusual bleeding;
- signs of pain, such as sensitivity to touch.

5.5. This list is not exhaustive and any change in your dog's behaviour should alert you to the possibility that it may be ill. If you think that there is anything wrong with your dog, call your veterinary practice for advice.

## Obtaining a dog

### Always obtain your dog from a reputable source

- 5.6. The future health and welfare of your dog may be affected by the circumstances under which it was bred. Not all dogs are bred with appropriate care for their physical and behavioural well-being and health. It is best to take advice from your vet or other relevant organisations (see Appendix 2) about where to obtain your dog. This will help to ensure that it is fit, healthy and of good quality.
- 5.7. You should check as far as is possible with the breeder, pet shop, rescue centre or sanctuary:
- that the dog's parents have been appropriately screened for inherited defects commonly found in the breed (for example, hip scores for hip dysplasia or eye screening for inherited eye conditions); and
  - where available, the dog's medical history and background.
- This will give you information to help you be sure that you are able to meet its needs. Some rescue dogs for example require special care. However, this information is less likely to be available for dogs from sanctuaries and rescue shelters.
- 5.8. Take your new dog or puppy to a veterinary surgeon for general health care advice within a couple of days of welcoming it into your home. Follow your vet's advice about continuing healthcare throughout its life.

### You should ensure your dog's coat and teeth are properly maintained

## Grooming

- 5.9. A long-haired dog will need more coat attention than a short-haired one, and will need grooming daily to keep its coat free from matts and tangles. However, all dogs may need grooming or bathing if necessary to keep their skin and coat in good condition. You will need a brush and comb suited to your dog's type of coat. A pet care specialist will be able to advise you about coat care.

## Dental care

- 5.10. Care of your dog's teeth should be part of its routine grooming schedule. Special canine toothpaste and brushes are recommended for daily use and are now widely available from vets and pet shops. There are also special dental chews and toys that can also help keep your dog's teeth and gums healthy.

## Identification, Collars and Leads

**Your dog must wear a collar and identity tag when in a public place**

- 5.11. There are many different collars and leads available and it is important you choose a collar that fits your pet correctly. Your dog must wear a collar and the collar must carry a tag with your name and address and, if possible, a contact telephone number on it (Control of Dogs Order 1992). The following categories of dogs are exempt from the order;
- any pack of hounds;
  - any dog while being used for sporting purposes;
  - any dog while being used for the capture or destruction of vermin;
  - any dog while being used for the driving or tending of cattle or sheep;
  - any dog while being used on official duties by a member of the Armed Forces, HM Revenue and Customs or the police force;
  - any dog while being used in emergency rescue work;
  - any dog registered with the Guide Dogs for the Blind Association.
- 5.12. It is also recommended that you have your dog microchipped by a suitably qualified person. A microchip is a tiny computer chip, about the size of a grain of rice, that contains a unique indelible identification number. It is injected under the skin of an animal by a vet or a trained pet care specialist and the owner's details are kept on a database. If your dog is lost or stolen, when it is found the 'chip' can be scanned by a vet, dog warden or rescue centre and this will help you to be re-united with your pet. Owners should remember to update database details as necessary, for example, a change of address. However, even if microchipped, your dog will still have to wear a collar and tag.



## What to do if your dog is missing

- 5.13. You should contact the police and local authority dog wardens who are responsible for dealing with stray dogs. As dogs can travel for some distance vets and animal rescue centres in a wide area should be contacted. It may also be worthwhile putting up notices in the area. Once your dog has been found any notices that you have put up should be removed.

## Reproductive Behaviour

**You should give careful consideration to the pros and cons of neutering your dog**

- 5.14. Reproduction is one aspect of a dog's natural behaviour. You should, however, consider whether or not to have your dog neutered; if you decide not to neuter your pet you will need to consider how to avoid unwanted pregnancies. Your vet will be able to discuss the best course of action with you, including alternatives to neutering, taking into account all of the different factors associated with your dog's care.

## Neutering

- 5.15. The pros and cons of whether to neuter your dog should be discussed with your vet. One particularly important consideration is preventing the birth of unwanted puppies. You should, therefore, consider having your dog neutered. Your vet will be able to advise you about the best age to have this done. Although there is much debate as to whether it is appropriate to neuter a dog, there is evidence that neutering has some positive health benefits:
- neutered bitches will not develop a life threatening womb infection called pyometra;
  - neutered bitches are thought to be less prone to mammary tumours;
  - neutering male dogs prevents testicular cancer;
  - neutering male dogs may help prevent some unwanted behaviours such as inappropriate mounting, aggression and straying;
  - un-neutered animals which are prevented from breeding may suffer frustration leading to behavioural problems.
- 5.16. If you decide not to have your dog neutered and wish to breed from it, there are a number of considerations to be taken into account which include:
- finding suitable homes for the puppies;
  - health screening to ensure that the parents do not carry any inherited defects which may be passed on to their offspring.

You will also need to consider the potential problem of unplanned matings.

Help is often available from various animal welfare organisations who offer neutering at a discounted rate for those on benefits or low incomes.

## Euthanasia

- 5.17. It may be necessary, in the event of incurable illness, old age related problems or, more suddenly, in the event of an accident, to arrange the euthanasia of your dog. The dog's welfare must always come first. Therefore, in the best interests of your dog, you must give the issue your full consideration well before the time comes to make a decision to prevent your dog suffering unnecessary pain and distress. Where, in the opinion of a veterinary surgeon, your dog will not respond to treatment for any serious injury or condition involving significant pain, or is in such a condition that it would be cruel to keep it alive, the animal should be humanely destroyed by a vet or other qualified person without delay.
- 5.18. In a non-emergency situation, where your dog is permanently unsound or has a recurring or permanent and steadily worsening condition, a rational and humane decision should be made with due regard for the animal's future and welfare. In some cases it may be kinder to have your dog painlessly destroyed by a vet.



A member of the Scottish Executive

St Andrew's House  
Edinburgh  
17 December 2009

## Appendix 1: The Law

The law, as quoted, is that in force on the date of publication or reprinting of the Code and, as amendments have been made to the law since then, the current legislation should be referred to and reviewed.

### The Animal Health and Welfare (Scotland) Act 2006

**The following sections of the Act are referred to in the Code and are set out here for ease of reference:**

Unshaded boxes contain quotes from the legislation.

The box shaded in green summarises the relevant offences and penalties of the Act.

Section 18 of the Animal Health and Welfare (Scotland) Act 2006 provides:

#### **Responsibility for animals**

- (1) In this Part [the welfare part of the Act], references to being responsible for an animal mean being responsible for it on a permanent or temporary basis.
- (2) In this Part, references to being responsible for an animal include being in charge of it.
- (3) For the purposes of this Part, a person who owns an animal is always to be regarded as being a person who is responsible for it.
- (4) For the purposes of this Part, a person ("person A") is to be regarded as responsible for any animal for which a person who is under 16 years of age, of whom person A has actual care and control, is responsible.
- (5) For the purposes of this Part, a person does not relinquish responsibility for an animal by reason only of abandoning it.

Section 19 of the Animal Health and Welfare (Scotland) Act 2006 provides:

**Unnecessary suffering**

- (1) A person commits an offence if–
  - (a) the person causes a protected animal<sup>1</sup> unnecessary suffering by an act, and
  - (b) the person knew, or ought reasonably to have known, that the act would have caused the suffering or be likely to do so.
- (2) A person who is responsible for an animal commits an offence if–
  - (a) the person causes the animal unnecessary suffering by an act or omission, and
  - (b) the person knew, or ought reasonably to have known, that the act or omission would have caused the suffering or be likely to do so.
- (3) A person (“person A”) who is responsible for an animal commits an offence if–
  - (a) another person causes the animal unnecessary suffering by an act or omission, and
  - (b) person A–
    - (i) permits that to happen, or
    - (ii) fails to take such steps (whether by way of supervising the other person or otherwise) as are reasonable in the circumstances to prevent that happening.
- (4) The considerations to which regard is to be had in determining, for the purposes of subsections (1) to (3), whether suffering is unnecessary include–
  - (a) whether the suffering could reasonably have been avoided or reduced,
  - (b) whether the conduct concerned was in compliance with any relevant enactment or any relevant provisions of a licence or code of practice issued under an enactment,
  - (c) whether the conduct concerned was for a legitimate purpose, for example–
    - (i) the purpose of benefiting the animal, or
    - (ii) the purpose of protecting a person, property or another animal,
  - (d) whether the suffering was proportionate to the purpose of the conduct concerned,
  - (e) whether the conduct concerned was in the circumstances that of a reasonably competent and humane person.
- (5) This section does not apply to the destruction of an animal in an appropriate and humane manner.

<sup>1</sup> A “protected animal” is: (a) of a kind which is commonly domesticated in the British Islands, (b) under the control of man on a permanent or temporary basis, or (c) not living in a wild state.

Section 24 of the Animal Health and Welfare (Scotland) Act 2006 provides:

### **Ensuring welfare of animals**

- (1) A person commits an offence if the person does not take such steps as are reasonable in the circumstances to ensure that the needs of an animal for which the person is responsible are met to the extent required by good practice.
- (2) The circumstances to which, for the purposes of subsection (1), regard is to be had include—
  - (a) any lawful purpose for which the animal is kept,
  - (b) any lawful activity undertaken in relation to the animal.
- (3) For the purposes of subsection (1), an animal's needs include—
  - (a) its need for a suitable environment,
  - (b) its need for a suitable diet,
  - (c) its need to be able to exhibit normal behaviour patterns,
  - (d) any need it has to be housed with, or apart from, other animals,
  - (e) its need to be protected from suffering, injury and disease.
- (4) This section does not apply to the destruction of an animal in an appropriate and humane manner.

Section 29 of the Animal Health and Welfare (Scotland) Act 2006 provides:

### **Abandonment**

- (1) A person commits an offence if, without reasonable excuse, the person—
  - (a) abandons an animal for which the person is responsible, and
  - (b) does so in circumstances likely to cause it unnecessary suffering.
- (2) A person commits an offence if, without reasonable excuse, the person—
  - (a) leaves unattended an animal for which the person is responsible, and
  - (b) fails to make adequate provision for its welfare.
- (3) The considerations to which regard is to be had in determining, for the purposes of subsection (2), whether such provision has been made include—
  - (a) the kind of animal concerned and its age and state of health,
  - (b) the length of time for which it is, or has been, left,
  - (c) what it reasonably requires by way of—
    - (i) food and water,
    - (ii) shelter and warmth.



Section 37 of the Animal Health and Welfare (Scotland) Act 2006 provides:

#### **Animal welfare codes**

- (8) A person's failure to comply with a provision of an animal welfare code does not of itself render the person liable to proceedings of any sort.
- (9) In any proceedings for an offence under this Part, or under regulations made under section 26 or 27–
  - (a) failure to comply with a relevant provision of an animal welfare code may be relied upon as tending to establish liability,
  - (b) compliance with a relevant provision of an animal welfare code may be relied upon as tending to negative liability.

#### **Offences and Penalties**

**A person who is convicted of an offence under section 19 (Unnecessary suffering) of the Act may be imprisoned for a maximum period of 12 months and/or fined up to £20,000. If they are convicted of an offence under section 24 (Ensuring welfare of animals) or section 29 (Abandonment) they can be imprisoned for a maximum period of 6 months and fined up to level 5 on the standard scale – the maximum is currently £5,000.**

### **Other legislation affecting dogs**

As well as the Animal Health and Welfare (Scotland) Act 2006 there are a number of other laws that affect the way you keep your dog. The ones most likely to affect the owner or keeper of a pet dog are summarised below.

#### **Breeding and Purchase**

The **Breeding of Dogs Act 1973** and the **Breeding and Sale of Dogs (Welfare) Act 1999** provide that anyone who is in the business of breeding and selling dogs needs to be licensed. The aim of the Acts is to control 'puppy farming' where dogs are bred in poor conditions. If you think the person from whom you are buying a puppy may be breeding dogs on a large scale and not just as a hobby you should ask to see their licence or ask the local Council if they have one. If dogs are being sold commercially, such as in a pet shop, the seller also has to have a licence under the **Pet Animals Act 1951**.

## Controlling your dog

Although the dog licence was abolished in 1987, it is still a legal requirement under the **Control of Dogs Order 1992** for a dog to wear a collar with the owner's name and address on it. Two other pieces of legislation, the **Dogs Act 1871** and the **Dangerous Dogs Act 1991**, require you to have proper control of your dog. The penalties if you do not have proper control of your dog include a fine, imprisonment and the possible compulsory destruction of the dog. The Dangerous Dogs Act also makes it illegal to own or keep (unless specifically exempted), sell or give away a dog of four types that have been traditionally bred for fighting: Pit Bull Terrier, Japanese Tosa, Dogo Argentino and Fila Brasileiro.

The **Dog Fouling (Scotland) Act 2003** makes it an offence for the person in charge of a dog to fail to pick up and dispose of any faeces.

The **Environmental Protection Act 1990** states that a stray dog handed to the local authority that is not identified and re-claimed within seven days may be sent to a re-homing agency or destroyed.

The **Civic Government (Scotland) Act 1982 [Section 49]** makes it an offence for any person who suffers or permits any creature in their charge to cause danger or injury to any other person who is in a public place or to give such person reasonable cause for alarm or annoyance.

Under the **Dogs (Protection of Livestock) Act 1953** a dog owner commits an offence if their dog worries (attacks or chases) livestock on agricultural land. In the case of a field or enclosure where there are sheep, dogs must be on a lead, or otherwise under close control.

The **Animals Act 1971** creates liability (subject to certain defences) for damage done by dogs to livestock or other forms of damage done by an unrestrained dog under certain circumstances.

The **Guard Dogs Act 1975** imposes certain requirements on those responsible for guard dogs including the need to keep them under control or secured at all times and for a warning notice to be displayed at all entrances to the guarded premises.

## Your dog during holidays

If you are away from home and need to put your dog in kennels, you should check that the kennel has been licensed by the local authority under the **Animal Boarding Establishments Act 1963**. The Act can also apply to people taking dogs into their homes if they do so for reward (usually referred to as 'home boarding').

If you wish to take your dog with you on a holiday abroad, other than to the Republic of Ireland, there are very strict rules about what treatment your dog will need before it can return to the UK. It takes a minimum of 7 months to comply with the rules so you need to plan well ahead. You should ask your vet about the details of what you have to do or look at the Scottish Government website on the Pet Travel Scheme (PETS) page (see Appendix 2).

## Appendix 2: Sources of Information

- Your vet.
- The Royal College of Veterinary Surgeons, Belgravia House, 62-64 Horseferry Road, London SW1P 2AF: [www.rcvs.org.uk](http://www.rcvs.org.uk). The website has a 'find a vet' facility.
- The Scottish Kennel Club, Eskmills Park, Station Road, Musselburgh, EH21 7PQ. [www.scottishkennelclub.org](http://www.scottishkennelclub.org)
- The Kennel Club, 1-5 Clarges Street, Piccadilly, London W1J 8AB [www.thekennelclub.org.uk](http://www.thekennelclub.org.uk) where you can access information on their Accredited Breeders Scheme; or [www.safeandsoundwithdogs.org.uk](http://www.safeandsoundwithdogs.org.uk) which teaches children how to be safe around dogs.
- Specific Breed Clubs
- Local libraries for books on dog care and computer access to the web.
- Websites such as:
  - Association of Pet Behaviour Counsellors: [www.apbc.org.uk](http://www.apbc.org.uk)
  - Association of Pet Dog Trainers [www.apdt.co.uk](http://www.apdt.co.uk)
  - Blue Cross: [www.thebluecross.org.uk](http://www.thebluecross.org.uk)
  - The Blue Dog: [www.thebluedog.org](http://www.thebluedog.org)
  - Canine Concern Scotland Trust: [www.canineconcernscotland.org.uk](http://www.canineconcernscotland.org.uk)
  - Dogs Trust: [www.dogstrust.org.uk](http://www.dogstrust.org.uk)
  - Peoples Dispensary for Sick Animals: [www.pdsa.org.uk](http://www.pdsa.org.uk)
  - Pet Care Trust: [www.petcare.org.uk](http://www.petcare.org.uk)
  - Pet Health Council: [www.pethealthcouncil.co.uk](http://www.pethealthcouncil.co.uk)
  - Pet Food Manufacturers Association: [www.pfma.com](http://www.pfma.com)
  - Scottish Society for the Prevention of Cruelty to Animals (Scottish SPCA): [www.scottishspca.org](http://www.scottishspca.org)
  - The Scottish Government – Animal Health and Welfare Division for advice about the Animal Health and Welfare (Scotland) Act 2006 Act: [www.scotland.gov.uk](http://www.scotland.gov.uk)
  - The Scottish Outdoor Access Code: [www.outdooraccess-scotland.com](http://www.outdooraccess-scotland.com)

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