**No. 794**

**MINISTRY FOR AGRICULTURE, FISHERIES AND ANIMAL RIGHTS**

**Explanatory Notes**[1]

**1. Introduction**

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| **Title of the regulations** | Standards for Operating Pet Grooming Establishments Regulations, 2024, hereinafter referred to as the "regulations" |
| **Activity to be regulated** | To date, pet grooming establishments remain unregulated at law, and indeed, it is seen by many as being a hobbyist profession. This *lacuna* leaves pet owners at a loss as to whether the groomers they entrust with their pets have the required qualifications, skills, and knowledge to adequately groom their pets. Therefore, the purpose of the proposed regulations is to establish minimum standards for pet grooming establishments in Malta to ensure that animal welfare is safeguarded, by providing a set of minimum requirements and standards which need to be met in order for the said establishments to be registered. |
| **Responsible entity** | The Animal Health and Welfare Department |

**2. Summary and Background**

***2.1 Aims and Objectives of the legislation***

The aim of these regulations is to regulate the pet grooming industry to ensure that animal welfare is safeguarded by providing a set of requirements and standards that need to be adhered to by the person operating a pet grooming establishment, both in the setting up of a pet grooming establishment and also in giving out pet grooming services.

To date, pet grooming establishments are not yet regulated by law, and indeed, it is seen by many as being a hobbyist profession. This *lacuna* leaves pet owners at a loss as to whether the groomers they entrust with their pets have the required qualifications, skills, and knowledge to adequately give their service to their pets. Questions also arise with regard to the adequacy of the premises from which said establishments operate, and whether they are equipped with the correct tools to give this service to the pets and care for them should emergency situations arise. There is also little to no oversight over these establishments, given that to date there is no register listing them.

Pet grooming establishments need to be professional establishments run by skilled professionals who are equipped and prepared to adequately give this service and care for the pets entrusted to them.

The Department should also be better placed to oversee their operations, through registration and a register that shall be regularly updated, with the powers to inspect establishments, and revoke or suspend registrations, when necessary, as well as impose relative fines.

The purpose of these regulations is to establish standards for their operation in Malta to ensure that animal welfare is safeguarded, by providing a set of requirements and standards which need to be met in order for the said establishments to be registered.

[1]These Explanatory Notes are in accordance with and for the purpose of article 3(2)(c) of the Small Business Act (Chapter 512 of the Laws of Malta).

***2.2 Importance of regulations***

Since pet grooming is a growing industry in Malta, this sector needs to be regulated in order to make sure that when pet animals are being groomed and therefore so to speak the animals are being taken care of by the person operating a pet grooming establishment, these are handled in accordance with the law. Also, this legislation also forms part of electoral measure 367 (2022) whereby the need for a legislation to regulate the persons operating a pet grooming establishment was also one of the promises made.

***2.3 Public Consultation***

A Public consultation was done by publishing a Consultation Document on 9th October 2023 till 6th November 2023, through the government portal. In total, there were 137 comments received from across the sector.

Two consultation meetings with the public, one in Gozo on the 16th of November 2023 and one in Malta on the 17th of November 2023 were organised. These public consultation sessions were well attended by various stakeholders, NGO's and private individuals. Further consultations were also held with the Animal Welfare Council, The Commissioner for Animal Welfare and the Planning Authority CEO. The proposals were well received by all involved who on the whole welcomed the introduction of new legislation.

**3. Overview of the structure of the instrument**

The regulations consist of twelve (12) new regulations.

Regulation 1 contains the title, the scope and commencement of the regulations and also provides for a transitory period for the pet grooming establishments already operating.

Regulation 2 defines certain terms which are used in the regulations.

Regulation 3 lays down provisions with regard to the registration of the pet grooming establishment.

Regulation 4 provides for the licensing of personnel and the requirements which need to be satisfied by both the person operating a pet grooming establishment and the personnel.

Regulations 5 to 10 stipulate several obligations which the person operating a pet grooming establishment has to adhere to.

Regulations 11 and 12 provide for the offences, punishments and administrative penalties if any one of the regulations is breached.

**4. Commentary on parts and regulations**

| **Regulation No.** | **Meaning & obligations placed on user** |
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| **Regulation 2** | This regulation provides for a number of definitions such as the definition of a "person operating a pet grooming establishment" which means a person who, amongst other things, clips, trims, styles, bathes, or dries a pet animal for financial remuneration. "Pet grooming" is defined as clipping, trimming, styling, bathing, brushing or drying a pet. "Pet grooming establishment" is defined as a commercial establishment, static or mobile, where a pet animal is brought to the person operating a pet grooming establishment for pet grooming but does not include the place of residence of the pet owner. Therefore, through these definitions one can adequately understand to what type of services these regulations shall apply. |

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| **Regulation 3** | This Regulation provides for the requirement of a registration to operate a pet grooming establishment, both for new operators as well as for those already in the business and what the application needs to include for the granting of such a registration. This regulation is also important because it lays down the requirement of an appropriate animal health control programme to be designed by a professional registered with the Veterinary Surgeon's Council and the obligation to display the registration document acquired in a prominent position in the pet grooming establishment. |
| **Regulation 4** | This regulation stipulates that personnel employed by the person operating a pet grooming establishment need to have the relevant qualifications, a clean conduct with regard cruelty of animals and any other offences which fall both under the Animal Welfare Act (Chapter 439 of the Laws of Malta) and the regulations made thereunder and establishes that at least one (1) of the staff is certified in Animal First Aid when animals are present in the establishment. In the case of students and trainees, they shall be under constant supervision. |
| **Regulation 5** | This regulation lays down what details the person operating a pet grooming establishment is expected to record in the internal register. Whilst it is not an exhaustive list, the law provides that the information that shall be recorded shall include: the date and nature of service, the name of the pet and any identification system such as microchip number, if any, description, breed, age and gender of animal, the name, address, telephone number and identity card number of the owner or of the keeper of the pet; |
| **Regulation** 6 | This regulation provides for a number of obligations with regards the requirements which a person operating a grooming establishment has to follow in order to be able to operate. |
| **Regulation 7** | This regulation specifically focuses on the material and type of enclosures to be used by the person operating a pet grooming establishment. The persons operating a pet grooming establishment shall ensure that enclosures are designed so that animals cannot be harmed, injured or these shall be constructed of nonporous material or be appropriately treated. In particular, all exterior wood shall be smooth and treated against wood rot and only non-toxic products shall be used and all internal surfaces used in the construction of walls, floors, partitions, doors and doorframes shall be durable, smooth and impervious. There shall be no projections or rough edges which are likely to cause injury to the pet animal. Pet animals shall at all times be kept in an enclosure suitable to their species with respect to construction, size, temperature, lighting, ventilation and cleanliness except for when they are being groomed by the person operating a pet grooming establishment. |
| **Regulation 8** | This regulation provides for the director to issue a list with a detailed obligatory specification of animal equipment and any other specifications, in order for a person to operate a pet grooming establishment. |
| **Regulation 9** | This regulation obliges the person operating a pet grooming establishment to have in place suitable emergency precautions and written procedures, which shall be made known to all the staff, including arrangements for the evacuation of pets. Moreover, every pet grooming establishment shall keep pet restraining equipment which shall be adequate and safe if it is required. |
| **Regulation 10** | This regulation provides that persons operating a pet grooming establishment may only administer veterinary medication upon receiving the consent of the owner or that of his authorised representative and only if such consent is given in writing and the said administration is according to veterinary medicine laws as in force at the time. |

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| **Regulation 11** | This regulation provides that any person who contravenes or acts in violation of these regulations he shall, on conviction, be guilty of an offence shall be liable to the punishments established in the Animal Welfare Act (Chapter 439 of the Laws of Malta). Furthermore, there is also the possibility that the Director may impose an administrative penalty in accordance with article 47 of the Animal Welfare Act (Chapter 439 of the Laws of Malta) and the Administrative Penalties relating to Offences committed against the Animal Welfare Act Regulations (SL 439.23) if he deems that it would be more appropriate to impose an administrative penalty. |
| **Regulation 12** | This regulation amends SL439.23 Administrative Penalties relating to Offences committed against the Animal Welfare Act Regulations. |

**5. Conclusion**

The publication and coming into force of this regulations are required to further enhance the animals' health and welfare in the best possible way by regulating and maintaining adequate standards in the specific sector of pet grooming.

**N.B: These Explanatory Notes are not intended to be an exhaustive description of the legal instrument nor a substitute thereof or a legislative supplement to it. These Explanatory Notes do not purport to be an authoritative ruling on the interpretation of the legislation.**

28th June, 2024

**User Guidelines**

**1. Introduction**

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| **Title of the regulations** | Standards for Operating Pet Grooming Establishments Regulations, 2024, hereinafter referred to as the "regulations" |
| **Activity to be regulated** | To date, pet grooming establishments remain unregulated at law, and indeed, it is seen by many as being a hobbyist profession. This *lacuna* leaves pet owners at a loss as to whether the groomers they entrust with their pets have the required qualifications, skills, and knowledge to adequately groom their pets. Therefore, the purpose of the proposed regulations is to establish minimum standards for pet grooming establishments in Malta to ensure that animal welfare is safeguarded, by providing a set of minimum requirements and standards which need to be met in order for the said establishments to be registered. |
| **Responsible entity** | The Animal Health and Welfare Departmen |

**2. Summary and background**

***2.1 Aims and Objectives of the legislation***

The aim of these regulations is to regulate the pet grooming industry to ensure that animal welfare is safeguarded by providing a set of requirements and standards that need to be adhered to by the person operating a pet grooming establishment, both in the setting up of a pet grooming establishment and also in giving out pet grooming services.

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adequacy of the premises from which said establishments operate, and whether they are equipped with the correct tools to give this service to the pets and care for them should emergency situations arise. There is also little to no oversight over these establishments, given that to date there is no register listing them.

Pet grooming establishments need to be professional establishments run by skilled professionals who are equipped and prepared to adequately give this service and care for the pets entrusted to them.

The Department should also be better placed to oversee their operations, through registration and a register that shall be regularly updated, with the powers to inspect establishments, and revoke or suspend registrations, when necessary, as well as impose relative fines.

The purpose of these regulations is to establish standards for their operation in Malta to ensure that animal welfare is safeguarded, by providing a set of requirements and standards which need to be met in order for the said establishments to be registered.

***2.2 Importance of regulations***

Since pet grooming is a growing industry in Malta, this sector needs to be regulated in order to make sure that when pet animals are being groomed and therefore so to speak the animals are being taken care of by the person operating a pet grooming establishment, these are handled in accordance with the law. Also, this legislation also forms part of electoral measure 367 (2022) whereby the need for a legislation to regulate the persons operating a pet grooming establishment was also one of the promises made.

***2.3 Public Consultation***

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**3. Overview of the structure of the instrument**

The regulations consist of twelve (12) new regulations.

Regulation 1 contains the title, the scope and commencement of the regulations and also provides for a transitory period for the pet grooming establishments already operating.

Regulation 2 defines certain terms which are used in the regulations.

Regulation 3 lays down provisions with regard to the registration of the pet grooming establishment.

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Regulations 5 to 10 stipulate several obligations which the person operating a pet grooming establishment has to adhere to.

Regulations 11 and 12 provide for the offences, punishments and administrative penalties if any one of the regulations is breached.

**4. Commentary on parts and regulations**

| **Regulation No.** | **Meaning & obligations placed on user** |
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| **Regulation 2** | This regulation provides for a number of definitions such as the definition of a "person operating a pet grooming establishment" which means a person who, amongst other things, clips, trims, styles, bathes, or dries a pet animal for financial remuneration. "Pet grooming" is defined as clipping, trimming, styling, bathing, brushing or drying a pet. "Pet grooming establishment" is defined as a commercial establishment, static or mobile, where a pet animal is brought to the person operating a pet grooming establishment for pet grooming but does not include the place of residence of the pet owner. Therefore, through these definitions one can adequately understand to what type of services these regulations shall apply. |
| **Regulation 3** | This Regulation provides for the requirement of a registration to operate a pet grooming establishment, both for new operators as well as for those already in the business and what the application needs to include for the granting of such a registration. This regulation is also important because it lays down the requirement of an appropriate animal health control programme to be designed by a professional registered with the Veterinary Surgeon's Council and the obligation to display the registration document acquired in a prominent position in the pet grooming establishment. |
| **Regulation 4** | This regulation stipulates that personnel employed by the person operating a pet grooming establishment need to have the relevant qualifications, a clean conduct with regard cruelty of animals and any other offences which fall both under the Animal Welfare Act (Chapter 439 of the Laws of Malta) and the regulations made thereunder and establishes that at least one (1) of the staff is certified in Animal First Aid when animals are present in the establishment. In the case of students and trainees, they shall be under constant supervision. |
| **Regulation 5** | This regulation lays down what details the person operating a pet grooming establishment is expected to record in the internal register. Whilst it is not an exhaustive list, the law provides that the information that shall be recorded shall include: the date and nature of service, the name of the pet and any identification system such as microchip number, if any, description, breed, age and gender of animal, the name, address, telephone number and identity card number of the owner or of the keeper of the pet; |
| **Regulation** 6 | This regulation provides for a number of obligations with regards the requirements which a person operating a grooming establishment has to follow in order to be able to operate. |

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| **Regulation 7** | This regulation specifically focuses on the material and type of enclosures to be used by the person operating a pet grooming establishment. The persons operating a pet grooming establishment shall ensure that enclosures are designed so that animals cannot be harmed, injured or these shall be constructed of nonporous material or be appropriately treated. In particular, all exterior wood shall be smooth and treated against wood rot and only non-toxic products shall be used and all internal surfaces used in the construction of walls, floors, partitions, doors and doorframes shall be durable, smooth and impervious. There shall be no projections or rough edges which are likely to cause injury to the pet animal. Pet animals shall at all times be kept in an enclosure suitable to their species with respect to construction, size, temperature, lighting, ventilation and cleanliness except for when they are being groomed by the person operating a pet grooming establishment. |
| **Regulation 8** | This regulation provides for the director to issue a list with a detailed obligatory specification of animal equipment and any other specifications, in order for a person to operate a pet grooming establishment. |
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| **Regulation 10** | This regulation provides that persons operating a pet grooming establishment may only administer veterinary medication upon receiving the consent of the owner or that of his authorised representative and only if such consent is given in writing and the said administration is according to veterinary medicine laws as in force at the time. |
| **Regulation 11** | This regulation provides that any person who contravenes or acts in violation of these regulations he shall, on conviction, be guilty of an offence shall be liable to the punishments established in the Animal Welfare Act (Chapter 439 of the Laws of Malta). Furthermore, there is also the possibility that the Director may impose an administrative penalty in accordance with article 47 of the Animal Welfare Act (Chapter 439 of the Laws of Malta) and the Administrative Penalties relating to Offences committed against the Animal Welfare Act Regulations (SL 439.23) if he deems that it would be more appropriate to impose an administrative penalty. |
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**5. Conclusion**

The publication and coming into force of this regulations are required to further enhance the animals' health and welfare in the best possible way by regulating and maintaining adequate standards in the specific sector of pet grooming.

*Disclaimer: The information contained within this document is intended only as guidelines and is not intended, nor should be construed, as legislation. Please refer to the related legal notice for a more comprehensive understanding.*

*For any other information kindly contact the Technical Policy and Coordination Unit within the Animal Health and Welfare Department using the following contact details:*

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**No. 795**

**MINISTRY FOR AGRICULTURE, FISHERIES AND ANIMAL RIGHTS**

**Explanatory Notes**
**(for the purposes of article 3(2)(c) of Chapter 512 of the Laws of Malta)**

## 1. Introduction

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|---|---|
| **Title of the regulations** | Standards for Operating Pet Sitting Accommodations and Pet Boarding Accommodation Establishments for Cats and Dogs Regulations, 2024, hereinafter referred to as "regulations" |
| **Activity to be regulated** | Pet boarding and pet sitting accommodations. |
| **Responsible entity** | The Animal Health and Welfare Department |

## 2. Summary and Background

### *2.1 Aims and Objectives of the legislation*

The aim of these regulations is to introduce a new set of regulations to regulate pet boarding and pet sitting accommodations, while repealing the current regulations in place.

### *2.2 Importance of the regulations*

Since pet boarding and pet sitting is a growing industry in Malta, the accommodations need to be regulated in order to make sure that pets are being taken care of in accordance with the law.

## 3. Overview of the structure of the instrument

The regulations are made up of fifteen (15) regulations and consist of the following:

1. Citation, scope and commencement.
2. Interpretation.
3. Registering and licencing of accommodation.
4. Personnel
5. Animal records.
6. Accommodation conditions.
7. Accommodation and equipment.
8. Accommodation capacity.
9. Health.
10. Food and water.
11. Inspections.

12. Emergency precautions for accommodations.
13. Offences, punishments and administrative penalties.
14. Repeal and saving.
15. Consequential amendment

**4. Commentary**

| **Regulation No.** | **Meaning & obligations placed on user** |
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| **1** | Provides the citation, scope, commencement and transitional period of the regulations. |
| **2** | Provides definitions of terms used throughout the regulations. |
| **3(1)** | These regulations exclude any person from operating as pet sitter without a being registered with the Director. |
| **3(2)** | These regulations exclude any person from operating as a pet boarder without a licence |
| **3(3)** | Licence applications for pet boarding and pet sitting registration applications shall be submitted with the Director before the activity takes place and<br><br>The proviso to this sub-regulation provides that anyone already operating as a pet boarder or pet sitter shall apply with the Director within six (6) months from the date of publication of the regulations. |
| **3(4)** | An updated list of pet boarding and pet sitting accommodations may be updated regularly on the relevant portals. |
| **3(5)** | An application on the appropriate form shall be submitted to the Director which shall include the applicant's details, the accommodation's details, details of the veterinary surgeon and, or professional responsible for designing and implementing the animal health control programme of the accommodation, animals details, including the species, and the premises details including other relevant permits. However the Director may request at any time any other information which is deemed necessary. |
| **3(6)** | The accommodation shall be required to have an appropriate animal health control programme designed and implemented under the responsibility of a professional registered with the Veterinary Surgeons Council. |
| **3(7)** | An inspection by the Director is to be carried out before the issuing or renewal of a licence to determine whether the conditions in the regulations and the guidelines issued by the Director from time to time are being complied with. |
| **3(8)** | If these conditions are satisfied and the relevant fees are paid in accordance with the Fees (Pet Sitting Accommodations and Pet Boarding Accommodation Establishments for Cats and Dogs) Regulations, 2024, the Director shall accept or renew a registration or license for the activity. If not, the Director shall stipulate corrective measures as necessary and may suspend or prohibit the commencement or continuation of the use of the accommodation if the pet boarder or pet sitter is not in compliance. |
| **3(9)** | The registration or licence document shall be displayed in a prominent place in the accommodation. |
| **3(10)** | Any alterations to the layout of the accommodation shall be declared to the Director before they take place. |

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| **3(11)** | The licence or registration document shall specify the species of animals which are authorised to be kept in the accommodation. |
| **3(12)** | The licence or registration shall be suspended or revoked if a pet boarder or pet sitter does not comply with the conditions of the licence or registration applied for. |
| **4(1)** | The personnel taking care of the animals shall have relevant qualifications acceptable to the Director. |
| **4(2)** | The persons applying for a licence or registration and the personnel have direct access to the animals shall not have been convicted of animal cruelty under the Animal Welfare Act (Cap 439) or the regulations made thereunder. |
| **4(3)** | No person under the age of eighteen (18) years shall apply for a licence or registration. |
| **4(4)** | A documented internal procedure shall be available and communicated to ensure that all personnel working in the accommodation, even if only providing a temporary service, follow correct practice as to ensure the animals' health and welfare and that the pet boarder or pet sitter shall ensure that in the accommodation at least one (1) person from the personnel shall have a certificate in Animal First Aid when animals are present at the accommodation. |
| **4(5)** | Any staff, such as students or trainees shall be supervised at all times during their practice. |
| **5(1)** | Pet boarders and pet sitters shall keep an internal record of all the animals kept under temporary care and such information shall include: date of arrival, details of animal, description of animal, owner's or keeper's details, contact person, details of the veterinary surgeon, expected and actual date of departure, health, welfare and nutrition requirements, permissions for animals sharing enclosures, authorisation for veterinary treatment, details of vaccination and veterinary surgeon's endorsement. |
| **5(2)** | Records shall be kept for a minimum period of two (2) year and shall be made available to the Director upon request or during inspections. |
| **6(1)** | Pet boarders and pet sitters shall only keep animals, which have received the necessary vaccinations laid down in the regulations which shall also include animals owned by the pet boarder or pet sitter if these are in the same accommodation. |
| **6(2)** | Only those animals specified in the licence or registration shall be kept in the accommodation. |
| **6(3)** | No animals shall be kept in the accommodation unless authorised by it's owner and in the case of a dog, it has to be microchipped according to the relevant regulations. |
| **7(1)** | Animals shall be kept in an accommodation suitable to their species with respect to construction, size, temperature, lighting, ventilation and cleanliness. All of the accommodation must be in a good state of repair. |
| **7(2)** | Enclosures are to be in line with the current relevant regulations. |
| **7(3)** | The Minister with the concurrence of the Director may issue detailed obligatory specifications of animal enclosures for main and isolation accommodation through a Government notice. |
| **7(4)** | Enclosures in the accommodation shall be constructed in a way as to prevent the escape of animals. Suitable equipment for the capture of escaped animals shall be present in the accommodation. |
| **7(5)** | Pet sitters and pet boarders shall ensure that enclosures are designed in a way that animals cannot be harmed or injured. |
| **7(6)** | Pet boarders and pet sitters are to make sure that enclosures are constructed of nonporous material, in particular all exterior wood shall be smooth and treated against wood rot and only non-toxic products shall be used and that all internal surfaces used in the construction of walls, floors, partitions, doors and doorframes shall be durable, smooth and impervious. There shall be no protruding or rough edges, which are likely to cause injury to the animal. |

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| **7(7)** | Animal enclosures shall allow for easy inspection. In the case of cats in cages on top of each other, the top cages shall be placed in such manner that the floor of the top cage is easily visible. |
| **7(8)** | Enclosures shall open on to secure areas to prevent the escape of animals. Access to the secure areas has to be through a double door lock. |
| **7(9)** | Accessories which are placed inside the animal enclosure shall be suitable for the species. |
| **7(10)** | During daylight hours, light shall be provided to all exercise and sleeping areas so that all parts are clearly visible. |
| **7(11)** | Ventilation shall be provided to all interior areas without the formation of excessive, localised draughts in the sleeping area. |
| **7(12)** | Electrical circuits and electrical devices shall be kept in a manner to prevent animals from being harmed or injured. |
| **7(13)** | Facilities for isolating ill or injured animals shall be made available in the accomodation. |
| **7(14)** | A sink with a constant supply of hot water shall be provided in addition to any wash hand basin. |
| **7(15)** | The Director may request that the enclosures in the accommodations be monitored by closed circuit television systems (CCTV). |
| **8(1)** | The maximum number of animals to be boarded in any accomodation shall be determined by the accommodation available and in accordance with the standards which may be issued by the Director in the Government Gazette. |
| **8(2)** | Each animal shall be provided with a separate enclosure however, animals from the same household may share an enclosure which is of adequate size and not of detriment to the welfare of the animal, with the permission of the owner. Furthermore, separate beds shall be provided in case there are animals sharing the same enclosure. |
| **9(1)** | All reasonable precautions shall be taken to prevent the outbreak and spread of diseases and therefore, no animal suffering from any infectious or contagious disease or suspected of having come into contact with another infected animal or is infested with parasites shall be taken into the accommodation. |
| **9(2)** | Animals shall be vaccinated in accordance with the regulations at least ten (10) days before the first day in the accommodation but less than one (1) year from the date of departure. |
| **9(3)** | Dogs shall be vaccinated against canine distemper, infectious canine hepatitis, leptospirosis, canine parvovirus, *Bordetella bronchiseptica*, canine parainfluenza virus and other relevant diseases on the advice of a veterinary surgeon and cats shall be vaccinated against infectious feline enteritis, feline respiratory diseases, feline leukemia virus and other relevant diseases on the advice of a veterinary surgeon or as instructed in relation to dogs and cats, from time to time by the Director for Veterinary Services. |
| **9(4)** | The owner of the animal, the contact person and a veterinary surgeon shall be contacted immediately when an animal in the accommodation falls ill, is injured or dies. Furthermore, if the owner or contact person is not reachable, the pet boarder or pet sitter shall always act in the best interest of the animal under his care and on the advice of the veterinary surgeon. |
| **9(5)** | There shall always be an animal first aid kit at the accommodation. |
| **9(6)** | Equipment provided for human use shall be stored and cleaned separately from the animals' equipment. |
| **9(7)** | Food and water containers shall be provided and cleaned and disinfected after each meal. |
| **9(8)** | Excreta and soiled bedding shall be collected and stored in impervious containers with close-fitting lids away from direct sunlight unless another means of disposal is present. |
| **9(9)** | Excreta and soiled bedding shall be removed from the accommodation at least twice (2) a week. Such material shall be disposed of in a manner compliant with relevant laws. |

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| **9(10)** | Suitable bedding shall be provided which allows the animal to be comfortable and which is capable of being easily and adequately cleaned and disinfected. |
| **9(11)** | Records of the substances used for the prevention of pests including the dates of application shall be kept. |
| **10(1)** | Facilities for the preparation and storage of food are to be provided, in a separate place from the enclosures. Animal food is to be stored in labelled closed containers of impervious material. |
| **10(2)** | All animals shall receive adequate amounts of food appropriate to individual needs and clean water shall be available at all times and changed daily. |
| **10(3)** | Food shall not be kept for excessive periods in the enclosure in order to prevent odours, vermin and insects. |
| **11(1)** | Pet boarders and pet sitters shall inspect animals at regular intervals and at least once every four (4) hours. |
| **11(2)** | Competent personnel shall always be present to supervise the animals and deal with emergencies whenever animals are boarded at the accommodation. |
| **11(3)** | All the enclosures shall be marked and a system shall be in place in which the following information shall be included: name, breed, age, microchip number, owner's name and contact person, date of arrival and date of departure, dietary requirements, preferred veterinary surgeon, health condition and medication requirement, exercise and grooming requirements if relevant. |
| **12(1)** | Emergency precautions and written procedures shall be in place and shall be made known to all the staff including arrangements for the evacuation of animals. |
| **12(2)** | All entrances and exits shall be always left clear of obstructions. |
| **12(3)** | Suitable fire and safety equipment shall be made available. |
| **12(4)** | Emergency numbers of civil protection agencies and veterinary surgeon are to be displayed at the entrance to the accommodation and in the reception area. |
| **13(1)** | Any person who contravenes or acts in violation of these regulations shall, on conviction, be guilty of an offence and shall be liable to the punishments established in article 45 of the Animal Welfare Act (Cap. 439). |
| **13(2)** | There is also the possibility that the Director may impose an administrative penalty in accordance with article 47 of the Animal Welfare Act (Cap. 439) if he has reasonable cause to believe that an offence against these regulations has been committed. |
| **14** | Repeals the Minimum Standards for Operating a Boarding Establishment for Cats and Dogs Regulations (S.L. 439.15). |

**5. Conclusion**

The publication of these regulations is required to ensure that the welfare of animals is safeguarded in the best possible way whilst the animals in the temporary care by a pet boarder or a pet sitter.

These regulations shall come into force within two (2) months from their publication in the Gazette.

For further information please contact us on 23397042 / 23397054 or (infoahwd.mafa@gov.mt).

**N.B. These Explanatory Notes are not intended to be an exhaustive description of the instrument nor a substitute thereof or a legislative supplement to it. These Explanatory Notes do not purport to be an authoritative ruling on the interpretation of the legislation.**

28th June, 2024

**User Guidelines**

**1. Introduction**

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| **Title of the regulations** | Standards for Operating Pet Sitting Accommodations and Pet Boarding Accommodation Establishments for Cats and Dogs Regulations, 2024, hereinafter referred to as "the regulations". |
| **Activity to be regulated** | Pet boarding and pet sitting accommodations. |
| **Responsible entity** | The Animal Health and Welfare Departmen |

**2. Summary and background**

***2.1 Aims and Objectives of the legislation***

The aim of these regulations is to introduce a new set of regulations to regulate pet boarding and pet sitting accommodations, while repealing the current regulations in place.

***2.2 Importance of the regulations***

Since pet boarding and pet sitting is a growing industry in Malta, the accommodations need to be regulated in order to make sure that pets are being taken care of in accordance with the law.

**3. Overview of the structure of the instrument**

The regulations are made up of fifteen (15) regulations and consist of the following:

1. Citation, scope and commencement.
2. Interpretation.
3. Registering and licencing of accommodation.
4. Personnel
5. Animal records.
6. Accommodation conditions.
7. Accommodation and equipment.
8. Accommodation capacity.
9. Health.
10. Food and water.
11. Inspections.
12. Emergency precautions for accommodations.
13. Offences, punishments and administrative penalties.
14. Repeal and saving.
15. Consequential amendment

**4. Commentary**

| Regulation No. | Meaning & obligations placed on user |
|---|---|
| **1** | Provides the citation, scope, commencement and transitional period of the regulations. |
| **2** | Provides definitions of terms used throughout the regulations. |
| **3(1)** | These regulations exclude any person from operating as pet sitter without a being registered with the Director. |
| **3(2)** | These regulations exclude any person from operating as a pet boarder without a licence |
| **3(3)** | Licence applications for pet boarding and pet sitting registration applications shall be submitted with the Director before the activity takes place and<br><br>The proviso to this sub-regulation provides that anyone already operating as a pet boarder or pet sitter shall apply with the Director within six (6) months from the date of publication of the regulations. |
| **3(4)** | An updated list of pet boarding and pet sitting accommodations may be updated regularly on the relevant portals. |
| **3(5)** | An application on the appropriate form shall be submitted to the Director which shall include the applicant's details, the accommodation's details, details of the veterinary surgeon and, or professional responsible for designing and implementing the animal health control programme of the accommodation, animals details, including the species, and the premises details including other relevant permits. However the Director may request at any time any other information which is deemed necessary. |
| **3(6)** | The accommodation shall be required to have an appropriate animal health control programme designed and implemented under the responsibility of a professional registered with the Veterinary Surgeons Council. |
| **3(7)** | An inspection by the Director is to be carried out before the issuing or renewal of a licence to determine whether the conditions in the regulations and the guidelines issued by the Director from time to time are being complied with. |
| **3(8)** | If these conditions are satisfied and the relevant fees are paid in accordance with the Fees (Pet Sitting Accommodations and Pet Boarding Accommodation Establishments for Cats and Dogs) Regulations, 2024, the Director shall accept or renew a registration or license for the activity. If not, the Director shall stipulate corrective measures as necessary and may suspend or prohibit the commencement or continuation of the use of the accommodation if the pet boarder or pet sitter is not in compliance. |
| **3(9)** | The registration or licence document shall be displayed in a prominent place in the accommodation. |
| **3(10)** | Any alterations to the layout of the accommodation shall be declared to the Director before they take place. |
| **3(11)** | The licence or registration document shall specify the species of animals which are authorised to be kept in the accommodation. |
| **3(12)** | The licence or registration shall be suspended or revoked if a pet boarder or pet sitter does not comply with the conditions of the licence or registration applied for. |
| **4(1)** | The personnel taking care of the animals shall have relevant qualifications acceptable to the Director. |

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| **4(2)** | The persons applying for a licence or registration and the personnel have direct access to the animals shall not have been convicted of animal cruelty under the Animal Welfare Act (Cap 439) or the regulations made thereunder. |
| **4(3)** | No person under the age of eighteen (18) years shall apply for a licence or registration. |
| **4(4)** | A documented internal procedure shall be available and communicated to ensure that all personnel working in the accommodation, even if only providing a temporary service, follow correct practice as to ensure the animals' health and welfare and that the pet boarder or pet sitter shall ensure that in the accommodation at least one (1) person from the personnel shall have a certificate in Animal First Aid when animals are present at the accommodation. |
| **4(5)** | Any staff, such as students or trainees shall be supervised at all times during their practice. |
| **5(1)** | Pet boarders and pet sitters shall keep an internal record of all the animals kept under temporary care and such information shall include: date of arrival, details of animal, description of animal, owner's or keeper's details, contact person, details of the veterinary surgeon, expected and actual date of departure, health, welfare and nutrition requirements, permissions for animals sharing enclosures, authorisation for veterinary treatment, details of vaccination and veterinary surgeon's endorsement. |
| **5(2)** | Records shall be kept for a minimum period of two (2) year and shall be made available to the Director upon request or during inspections. |
| **6(1)** | Pet boarders and pet sitters shall only keep animals, which have received the necessary vaccinations laid down in the regulations which shall also include animals owned by the pet boarder or pet sitter if these are in the same accommodation. |
| **6(2)** | Only those animals specified in the licence or registration shall be kept in the accommodation. |
| **6(3)** | No animals shall be kept in the accommodation unless authorised by it's owner and in the case of a dog, it has to be microchipped according to the relevant regulations. |
| **7(1)** | Animals shall be kept in an accommodation suitable to their species with respect to construction, size, temperature, lighting, ventilation and cleanliness. All of the accommodation must be in a good state of repair. |
| **7(2)** | Enclosures are to be in line with the current relevant regulations. |
| **7(3)** | The Minister with the concurrence of the Director may issue detailed obligatory specifications of animal enclosures for main and isolation accommodation through a Government notice. |
| **7(4)** | Enclosures in the accommodation shall be constructed in a way as to prevent the escape of animals. Suitable equipment for the capture of escaped animals shall be present in the accommodation. |
| **7(5)** | Pet sitters and pet boarders shall ensure that enclosures are designed in a way that animals cannot be harmed or injured. |
| **7(6)** | Pet boarders and pet sitters are to make sure that enclosures are constructed of nonporous material, in particular all exterior wood shall be smooth and treated against wood rot and only non-toxic products shall be used and that all internal surfaces used in the construction of walls, floors, partitions, doors and doorframes shall be durable, smooth and impervious. There shall be no protruding or rough edges, which are likely to cause injury to the animal. |
| **7(7)** | Animal enclosures shall allow for easy inspection. In the case of cats in cages on top of each other, the top cages shall be placed in such manner that the floor of the top cage is easily visible. |
| **7(8)** | Enclosures shall open on to secure areas to prevent the escape of animals. Access to the secure areas has to be through a double door lock. |
| **7(9)** | Accessories which are placed inside the animal enclosure shall be suitable for the species. |
| **7(10)** | During daylight hours, light shall be provided to all exercise and sleeping areas so that all parts are clearly visible. |

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| **7(11)** | Ventilation shall be provided to all interior areas without the formation of excessive, localised draughts in the sleeping area. |
| **7(12)** | Electrical circuits and electrical devices shall be kept in a manner to prevent animals from being harmed or injured. |
| **7(13)** | Facilities for isolating ill or injured animals shall be made available in the accomodation. |
| **7(14)** | A sink with a constant supply of hot water shall be provided in addition to any wash hand basin. |
| **7(15)** | The Director may request that the enclosures in the accommodations be monitored by closed circuit television systems (CCTV). |
| **8(1)** | The maximum number of animals to be boarded in any accomodation shall be determined by the accommodation available and in accordance with the standards which may be issued by the Director in the Government Gazette. |
| **8(2)** | Each animal shall be provided with a separate enclosure however, animals from the same household may share an enclosure which is of adequate size and not of detriment to the welfare of the animal, with the permission of the owner. Furthermore, separate beds shall be provided in case there are animals sharing the same enclosure. |
| **9(1)** | All reasonable precautions shall be taken to prevent the outbreak and spread of diseases and therefore, no animal suffering from any infectious or contagious disease or suspected of having come into contact with another infected animal or is infested with parasites shall be taken into the accommodation. |
| **9(2)** | Animals shall be vaccinated in accordance with the regulations at least ten (10) days before the first day in the accommodation but less than one (1) year from the date of departure. |
| **9(3)** | Dogs shall be vaccinated against canine distemper, infectious canine hepatitis, leptospirosis, canine parvovirus, *Bordetella bronchiseptica*, canine parainfluenza virus and other relevant diseases on the advice of a veterinary surgeon and cats shall be vaccinated against infectious feline enteritis, feline respiratory diseases, feline leukemia virus and other relevant diseases on the advice of a veterinary surgeon or as instructed from time to time by the Director for Veterinary Services. |
| **9(4)** | The owner of the animal, the contact person and a veterinary surgeon shall be contacted immediately when an animal in the accommodation falls ill, is injured or dies. Furthermore, if the owner or contact person is not reachable, the pet boarder or pet sitter shall always act in the best interest of the animal under his care and on the advice of the veterinary surgeon. |
| **9(5)** | There shall always be an animal first aid kit at the accommodation. |
| **9(6)** | Equipment provided for human use shall be stored and cleaned separately from the animals' equipment. |
| **9(7)** | Food and water containers shall be provided and cleaned and disinfected after each meal. |
| **9(8)** | Excreta and soiled bedding shall be collected and stored in impervious containers with close-fitting lids away from direct sunlight unless another means of disposal is present. |
| **9(9)** | Excreta and soiled bedding shall be removed from the accommodation at least twice (2) a week. Such material shall be disposed of in a manner compliant with relevant laws. |
| **9(10)** | Suitable bedding shall be provided which allows the animal to be comfortable and which is capable of being easily and adequately cleaned and disinfected. |
| **9(11)** | Records of the substances used for the prevention of pests including the dates of application shall be kept. |
| **10(1)** | Facilities for the preparation and storage of food are to be provided, in a separate place from the enclosures. Animal food is to be stored in labelled closed containers of impervious material. |
| **10(2)** | All animals shall receive adequate amounts of food appropriate to individual needs and clean water shall be available at all times and changed daily. |

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| **10(3)** | Food shall not be kept for excessive periods in the enclosure in order to prevent odours, vermin and insects. |
| **11(1)** | Pet boarders and pet sitters shall inspect animals at regular intervals and at least once every four (4) hours. |
| **11(2)** | A competent person shall always be present to supervise the animals and deal with emergencies whenever animals are boarded at the accomodation. |
| **11(3)** | All the enclosures shall be marked and a system shall be in place in which the following information shall be included: name, breed, age, microchip number, owner's name and contact person, date of arrival and date of departure, dietary requirements, preferred veterinary surgeon, health condition and medication requirement, exercise and grooming requirements if relevant. |
| **12(1)** | Emergency precautions and written procedures shall be in place and shall be made known to all the staff including arrangements for the evacuation of animals. |
| **12(2)** | All entrances and exits shall be always left clear of obstructions. |
| **12(3)** | Suitable fire and safety equipment shall be made available. |
| **12(4)** | Emergency numbers of civil protection agencies and veterinary surgeon are to be displayed at the entrance to the accommodation and in the reception area. |
| **13(1)** | Any person who contravenes or acts in violation of these regulations shall, on conviction, be guilty of an offence and shall be liable to the punishments established in article 45 of the Animal Welfare Act (Cap. 439). |
| **13(2)** | There is also the possibility that the Director may impose an administrative penalty in accordance with article 47 of the Animal Welfare Act (Cap. 439) if he has reasonable cause to believe that an offence against these regulations has been committed. |
| **14** | Repeals the Minimum Standards for Operating a Boarding Establishment for Cats and Dogs Regulations (S.L. 439.15). |

**5. Conclusion**

The publication of these regulations is required to ensure that the welfare of animals is safeguarded in the best possible way whilst the animals in the temporary care by a pet boarder or a pet sitter.

These regulations shall come into force within two (2) months from their publication in the Gazette.

For further information please contact us on 23397042 / 23397054 or (infoahwd.mafa@gov.mt).

*Disclaimer: The information contained within this document is intended only as guidelines and is not intended, nor should be construed, as legislation. Please refer to the related legal notice for a more comprehensive understanding.*

*For any other information kindly contact the Technical Policy and Coordination Unit within the Animal Health and Welfare Department using the following contact details:*

Animal Health and Welfare Department
(Attn: Director General – Animal Health and Welfare Department)
Triq il-Biċċerija, Albertown, Marsa, MRS1123, Malta
Tel no: +(356) 22925100

Email: (infoahwd.mafa@gov.mt)

**No. 796**

**MINISTRY FOR AGRICULTURE, FISHERIES AND ANIMAL RIGHTS**

**Explanatory Notes**
**(for the purposes of article 3(2)(c) of Chapter 512 of the Laws of Malta)**

**1. Introduction**

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|---|---|
| **Title of the Legal Notice** | Fees (Pet Sitting Accommodations and Pet Boarding Accommodation Establishments for Cats and Dogs) Regulations, 2024 |
| **Activity to be regulated** | The licencing fees for pet boarding and registration fees for pet sitting accommodations. |
| **Responsible entity** | The Animal Health and Welfare Department |

**2. Summary and Background**

***2.1 Aims and Objectives of the legislation***

The proposed regulations are to implement the licencing fees for pet boarding accommodation establishments and registration fees for pet sitting accommodations.

***2.2 Public Consultation***

No public consultation was needed.

**3. Overview of the structure of the instrument**

The regulations are made up of two (2) regulations and a Schedule and consist of the following:

1. Citation and commencement.
2. Fees.
   Schedule.

**4. Commentary on the regulations**

Regulation 2: Provides that the fees listed in the Schedule shall be payable to the Director responsible for Animal Welfare.

Schedule: Provides the amounts to be paid for the registration and licensing of pet boarding and pet sitting accommodations respectively.

**5. Concluding Section**

The publication of these regulations is required to be able to introduce licensing and registration fees to the owners of pet boarding and pet sitting accommodations.

These regulations shall come into force within two (2) months from their publication in the Gazette.

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28th June, 2024

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