No. 1520

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

Title of the Legal Notice	Protection of Animals Offered in Pet Shops (Minimum Standards) (Amendment) Regulations, 2025 hereinafter referred to as "the regulations"
Activity to be regulated	Animals being kept and sold by Pet Shops
Responsible entity	Animal Welfare Directorate

2. Summary and background

2.1 Aims & Objectives of the legislation

The objective of these regulations to lay down the minimum standards for the protection of animals offered in pet shops in Malta.

The aim of these amendments is to amend regulation 3 of the principal regulations, delete Schedule A to the principal regulations and to introduce an appropriate form which shall be accessible from the Ministry's website or from the Animal Welfare Directorate so that when there is the need to change the content in the application form, the regulations concerned shall remain the same. Also, due to the introduction of the Food Safety and Security Authority, these regulations also change the remit from the Veterinary Regulation Directorate to the Director for Animal Welfare.

Furthermore, since to date this legislation does not make reference to any penalties when a person is found in breach of these regulations, a new regulation is to be introduced to regularise same.

Other amendments to the principal regulations include an amendment that allows certain birds to be sold in open markets as long as the ambient temperature does not exceed thirty degrees Celsius (30°C) and a new provision which provides that certain decisions taken by the Director may be appealed before the Administrative Review Tribunal.

2.2 Public Consultation

No public consultation was needed.

3. Overview of the structure of the instrument

The regulations are made up of twelve (12) regulations and consist of the following:

1. Citation.
2. Amends regulation 1 of the principal regulations.
3. Amends regulation 2 of the principal regulations.
4. Amends regulation 3 of the principal regulations.

5. Amends regulation 4 of the principal regulations.
6. Adds a new regulation to the principal regulations.
7. Amends regulation 6 of the principal regulations.
8. Adds new regulations to the principal regulations.
9. Deletes Schedule A to the principal regulations.
10. Substitutes Schedule E to the principal regulations.
11. Deletes Schedule F to the principal regulations.
12. Consequential amendment.

4. Commentary

Regulation 4: Amends regulation 3 of the principal regulations to provide the new licencing procedures. This regulation also provides for the revocation of the licence of pet shop in cases where the licence holder does not comply with the conditions of the licence as applied for.

Regulation 5: Deletes the proviso to regulation 4 and also provides for the Director to suspend, prohibit the commencement or continuation of the use of the pet shop and thereby revoke the licence, refuse to renew or grant a new licence at his discretion.

Regulation 6: Adds new regulation 5A which empowers the director to issue guidelines on the details required to be listed when advertising the sale of animals

Regulation 7: Amends regulation 6 of the principal regulations to regularise the way birds are to be kept by the seller.

Regulation 7: Amends regulation 6 of the principal regulations to regularise the way some birds are sold in an open market.

Regulation 8: Adds new regulations 16 and 17 to the principal regulations to provide for the offences, punishments and administrative penalties which are to be applied in case there is a breach of the principal regulations and the right of appeal.

Regulation 9: Deletes Schedule A to the principal regulations.

Regulation 10: Substitutes Schedule E to the principal regulations to regularise the way dogs are kept in pet shops.

Regulation 11. Deletes Schedule F to the principal regulations.

Regulation 12. Adds a consequential amendment to Administrative Justice Act.

5. Concluding Sections

The publication of these regulations is required to further improve the way animals kept in pet shops and to give enforcement powers to the Director to take action against anyone who contravenes any of the regulations.

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.

26th September, 2025

User Guidelines

1. Introduction

Title of the Legal Notice	Protection of Animals Offered in Pet Shops (Minimum Standards) (Amendment) Regulations, 2025 hereinafter referred to as "the regulations"
Activity to be regulated	Animals being kept and sold by Pet Shops
Responsible entity	Animal Welfare Directorate

2. Summary and background

2.1 Aims & Objectives of the legislation

The objective of these regulations to lay down the minimum standards for the protection of animals offered in pet shops in Malta.

The aim of these amendments is to amend regulation 3 of the principal regulations , delete Schedule A to the principal regulations and to introduce an appropriate form which shall be accessible from the Ministry's website or from the Animal Welfare Directorate so that when there is the need to change the content in the application form, the regulations concerned shall remain the same. Also, due to the introduction of the Food Safety and Security Authority, these regulations also change the remit from the Veterinary Regulation Directorate to the Director for Animal Welfare.

Furthermore, since to date this legislation does not make reference to any penalties when a person is found in breach of these regulations, a new regulation is to be introduced to regularise same.

Other amendments to the principal regulations include an amendment that allows certain birds to be sold in open markets as long as the ambient temperature does not exceed thirty degrees Celsius (30°C) and a new provision which provides that certain decisions taken by the Director may be appealed before the Administrative Review Tribunal.

2.2 Public Consultation

No public consultation was needed.

3. Overview of the structure of the instrument

The regulations are made up of twelve (12) regulations and consist of the following:

1. Citation.
2. Amends regulation 1 of the principal regulations.
3. Amends regulation 2 of the principal regulations.
4. Amends regulation 3 of the principal regulations.
5. Amends regulation 4 of the principal regulations.
6. Adds a new regulation to the principal regulations.
7. Amends regulation 6 of the principal regulations.
8. Adds new regulations to the principal regulations.

9. Deletes Schedule A to the principal regulations.

10. Substitutes Schedule E to the principal regulations.

11. Deletes Schedule F to the principal regulations.

12. Consequential amendment.

4. Commentary on the regulations

Regulation 4: Amends regulation 3 of the principal regulations to provide the new licencing procedures. This regulation also provides for the revocation of the licence of pet shop in cases where the licence holder does not comply with the conditions of the licence as applied for.

Regulation 5: Deletes the proviso to regulation 4 and also provides for the Director to suspend, prohibit the commencement or continuation of the use of the pet shop and thereby revoke the licence, refuse to renew or grant a new licence at his discretion.

Regulation 6: Adds new regulation 5A which empowers the director to issue guidelines on the details required to be listed when advertising the sale of animals

Regulation 7: Amends regulation 6 of the principal regulations to regularise the way birds are to be kept by the seller.

Regulation 7: Amends regulation 6 of the principal regulations to regularise the way some birds are sold in an open market.

Regulation 8: Adds new regulations 16 and 17 to the principal regulations to provide for the offences, punishments and administrative penalties which are to be applied in case there is a breach of the principal regulations and the right of appeal.

Regulation 9: Deletes Schedule A to the principal regulations.

Regulation 10: Substitutes Schedule E to the principal regulations to regularise the way dogs are kept in pet shops.

Regulation 11. Deletes Schedule F to the principal regulations.

Regulation 12. Adds a consequential amendment to Administrative Justice Act.

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.

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