



# RECOMMENDATIONS SET 1 (2022)

3 (OF 18) RECOMMENDATIONS  
PRESENTED TO HON ALICIA BUGEJA SAID  
AND HON ANTON REFALO.

(MINISTRY FOR AGRICULTURE, FISHERIES, FOOD  
SAFETY AND ANIMAL RIGHTS)

BY

THE COMMISSIONER FOR ANIMAL  
WELFARE ALISON BEZZINA

This is the fourth set of recommendations being presented by Commissioner Alison Bezzina, following another 3 sets (15 recommendations) that were presented in 2021.

# COMMISSIONER'S NOTE



My second year as Commissioner for Animal Welfare kicked off with the same ongoing struggles that the animal welfare sector in Malta has been facing for years.

The main concerns remain the same two:

- **The overpopulation of cats and dogs causing shelters and sanctuaries to operate constantly at overcapacity.** Unless this issue is dealt with from source (overbreeding and enforcement of microchipping), the problem will continue to escalate.
- The lack of resources (mostly human resources) required by both AWD and VRD to enforce the existing law and provide adequate shelter for animals in their care.

Until these two main issues are adequately addressed, any other changes and improvements to the Animal Welfare Sector in Malta will be superfluous.

Nevertheless, in fulfilment of The Animal Welfare Act CAP 439 Art 44A(2e) I've so far submitted fifteen recommendations to the Minister for Agriculture, Fisheries, Food and Animal Rights, Hon. Anton Refalo. Most have been accepted and included in the PL Electoral Manifest 2022.

I am hereby submitting **another three recommendations** in this report, to make it a total of 18 recommendations since the commencement of my term.

In addition to the above mentioned 18 recommendations, another 10 recommendations were made to improve the operations of the Animal Welfare Directorate. These were recommended following an investigation carried out in 2021.

And, following an investigation of the Small Animals Quarantine in March 2022, a number of recommendations were made and improvements have also been implemented there.

All recommendations made in 2021 can be found [here](#).

Alison Bezzina (M.A Lond)  
Commissioner for Animal Welfare



## RECOMMENDATION 16

More dog friendly run free spaces

## RECOMMENDATION 17

National Census of Captive Animals in Malta and Gozo

## RECOMMENDATION 18

Improving the electronic microchipping system and its enforcement, including the possibility of shared ownership and the automatic flagging of people banned by the courts from owning dogs or other animals.



# RECOMMENDATION 16

## More dog friendly run free spaces

### Current Situation:

Except for very few inadequate options, there are almost no dog-friendly areas where it is legal and safe to let a dog roam freely without a leash. In fact regulations 5(1) of SL439.21 and LS 312.01, both categorically prohibit this in every public place.

### The Problem:

- There are very few adequate dog parks in which dogs are allowed to roam off-leash, which means that if the law had to be properly adhered to, dogs would never be allowed to express their natural behaviour of running, playing and socialising with other dogs. This in itself goes against one of the five freedoms of animals.
- Left with no legal and safe options to let their dogs run free, often leads dog owners to act irresponsibly by allowing their dogs to roam off-leash in public spaces where it is not safe to do so.
- Without the availability of such spaces, it is practically impossible to adequately train a dog basic obedience commands like, 'stay and wait' or the very important 'recall' command.
- It should be noted that on the first conviction, a breach of CAP439 carries a fine (multa) of not less than €2,000 but not exceeding €65,000.

### Commissioner's Recommendation:

More dog-friendly run-free spaces (including dog-friendly beaches) need to be created in order to give dogs the freedom to be dogs, socialise safely, and the chance to express their natural behaviour.

These spaces need to be easily accessible in urban areas and with **small and big dogs** in mind to provide quick remedies should a fight break out. Spaces should not be so large that owners can lose sight of their dogs (as is the case of Ta' Qali). They need to be bordered off into smaller areas for fewer dogs in each and where an owner can remain close enough (100 to 200 sqm).

Rules such as the number of dogs allowed in the area at any one time should be clearly displayed, and CCTV cameras should be set up to avoid fouling and other indiscretions.

If we truly want to pass on the message that dogs are to be treated as part of the family, it should not be made so difficult to enjoy free time with our dogs. With €700 million being invested in green and open spaces (PL electoral manifest 2022), dogs and their needs should be kept in mind, so that they can truly be treated as a family member.



# RECOMMENDATION 17

## National Census of Captive Animals in Malta and Gozo

### Current Situation:

In Malta, a population census is carried out every 10 years, and every year since its conception, it has omitted a very important piece of information – the number of animals living in captivity under the care of humans. This means that we have no idea how many domestic and exotic animals are on the island and the different species that have been imported and bred locally over the years.

### The Problem:

- Censuses are a very valuable and useful data source for policymakers. Having no information about the animals that form part of our society and communities, means that animals are either ignored completely in policy-making or that policymakers design policies on a best-guess basis. Both scenarios are unacceptable.
- In addition: SL 439.19 (4) requires that a dangerous animal shall not be brought into a site before the required written approval is given by the Director of Veterinary Regulations. SL 439.19 (13) also requires that the offspring have to be registered within four weeks from birth. AND SL437.01 (5) requires that no person shall keep a dog of the age of four months or over without a license. Whilst this is all good on paper, because of lack of enforcement even animals that require registration and licensing have increased and multiplied illegally over the years.

### Commissioner's Recommendation:

It is being recommended that with immediate effect a short-term amnesty is provided for the registration of exotic, dangerous, and wild animals currently under the radar.

With immediate effect - provide a positive incentive (eg. a limited time free microchipping service) for people to register and microchip their dogs.

Since it has been promised (PL electoral manifest 2022) to introduce the obligatory microchipping of pet cats in the near future, the same incentive should apply for the microchipping of pet cats.

Following the end of the incentive period, SL437.01 should be actively and strongly enforced.

In 2023 introduce a separate and obligatory nationwide animal census and in 2031 include animals in the existing 10-year national census.



# RECOMMENDATION 18

**Improving the electronic microchipping system and its enforcement, including the possibility of shared ownership and the automatic flagging of people banned by the courts from owning dogs or other animals.**

## **Current Situation:**

Currently, SL.437.101 requires that any person in possession of a dog has to electronically identify (microchip) the dog by the time it reaches 4 months of age. In addition, any person convicted of cruelty to animals shall be forbidden from owning a dog or applying for a further dog license for such period as may be decided by the court. At the moment it is not obligatory to microchip pet cats but some owners still choose to. In PL's electoral manifest 2022, it has been promised to introduce the obligatory microchipping of pet cats shortly.

## **The Problem:**

- Only one person can be registered to every electronic microchip. Even in the case of married couples who buy or adopt a dog together, legally it is only one person that is recognised as the rightful owner of the dog.
- When a dog's microchip is transferred from one owner to another, the original owner is not officially advised that the transfer has been affected. This sometimes results in the transfer not going through, and the original owner not being aware.
- When responsible owners microchip their cats, they are not officially informed that the registration was affected, and do not receive an official license. In some cases, unbeknown to them, it would not have been processed at all.
- There is currently no automatic trigger that flags a name in order to forbid a person convicted of cruelty to animals who has been forbidden from owning a dog or applying for further dog licenses from doing so anyway.

## **Commissioner's Recommendation:**

Enforcement of SL. 437.101 through administrative fines should be strengthened and enforcement efforts advertised. This will act as a deterrent and an educational exercise for all dog owners.

Those who voluntarily choose to microchip their pet cats should be notified officially and receive an official certificate.

When a dog's or cat's microchip is transferred from one owner to the other, both the original and the new owner should be notified when the transfer goes through.

'Black listed' individuals who have been forbidden by the courts from owning a dog or other animals, should be included in a database that is digitally synced to the microchipping database and programmed to automatically trigger an alert when someone on the blacklist attempts to microchip an animal in their name.





# FINAL NOTE

This set of recommendations was slightly delayed because of the general election and an eventual change of leadership within The Ministry for Agriculture.

However, following last year's experience, where many recommendations (15) were proposed, and with the majority of them still in the pipeline and now forming part of the PL's electoral manifest, The Office of The Commissioner for Animal Welfare has taken the conscious decision to reduce the number, and the frequency, of recommendations, put forward throughout 2022.

This decision was taken to give time to the new administration to find its feet, focus and work on the first 15 recommendations that were made in 2021.

The decision to reduce the number of recommendations was also based on the strong conviction that if the main issues are not addressed at their source by **curbing the overpopulation of dogs and cats and providing adequate resources to enforce the current laws** - any other changes and improvements would be pointless.

We look forward to discussing, prioritising and collaborating with the new Parliamentary Secretary for Animal Welfare Hon. Alicia Bugeja Said, to bring about much-needed improvements and changes in a more timely manner.



Alison Bezzina  
Commissioner for Animal Welfare

