



Briefing for the Public Petitions Committee

Petition Number: [PE01582](#)

Main Petitioner: Karen Harvey

Subject: Compulsory Pet Insurance

Calls on the Parliament to urge the Scottish Government to make pet insurance compulsory by law.

Background

The petitioner is asking for legislation to make pet insurance compulsory by law.

The Scottish Ministers have the responsibility for, and the powers to deal with, animal welfare in Scotland. The [Animal Health and Welfare \(Scotland\) Act 2006](#) (part 2) provides that a person who is responsible for an animal commits an offence if:

- They cause the animal unnecessary suffering by an act or omission, and
- They knew, or ought reasonably to have known, that the act or omission would have caused the suffering or be likely to do so.

In order to determine whether suffering is deemed to have been unnecessary, considerations include for example whether the suffering could reasonably have been avoided or reduced.

In addition, the Act states that a person commits an offence if they do not take such steps as are reasonable in the circumstances to ensure that the needs of an animal for which they are responsible are met to the extent required by good practice. An animal's needs include:

- Need for a suitable environment,
- Need for a suitable diet,
- Need to be able to exhibit normal behaviour patterns,
- Any need the animal has to be housed with, or apart from, other animals,
- Need to be protected from suffering, injury and disease.

The Act also specifies that the Scottish Ministers may by regulations make provision for the purposes of, and in connection with, securing the welfare of

animals for which a person is responsible and the progeny of such animals. These regulations may include:

- Provision prescribing general or specific requirements or prohibitions,
- Provision for enforcement, other than by way of proceedings for an offence, of provisions of the regulations,
- Provision:
 - That breach of a provision of the regulations is an offence,
 - For penalties as respects the offence,
- Provision conferring on persons of a specified description powers of entry, search, inspection and seizure in connection with breaches (and suspected breaches) of provisions of the regulations

These requirements and prohibitions may relate for example to the prevention of suffering.

Pet insurance is not compulsory by law in any part of the UK. In 2010, the UK Government ruled out a plan to make it compulsory for all dog owners to insure against their pets attacking people (Guardian [2010](#)). This plan would not have applied in Scotland.

Scottish Government Action

The Scottish Government is currently carrying out a review of pet animal welfare. Pet insurance is not something that has been considered as an issue.

Relevant acts include the [Animal Health and Welfare \(Scotland\) Act 2006](#) and the [Protection of Animals \(Scotland\) Act 1993](#).

Scottish Parliament Action

There have been no recent parliamentary questions or debates on this specific issue. There have been no parliamentary questions on this specific matter.

In October 2015 Christine Grahame asked which sections of the Animal Health and Welfare (Scotland) Act 2006 have yet to come into force and when they would come into force ([S4W-27807](#)). The Scottish Government responded that those sections that had not come into force relate to powers provided to the Scottish Ministers for the revocation of existing legislation on the welfare of animals.

Anouk Berthier
Senior Research Specialist
10 November 2015

SPICe research specialists are not able to discuss the content of petition briefings with petitioners or other members of the public. However if you have any comments
--

on any petition briefing you can email us at spice@scottish.parliament.uk

Every effort is made to ensure that the information contained in petition briefings is correct at the time of publication. Readers should be aware however that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

Published by the Scottish Parliament Information Centre (SPICe), The Scottish Parliament,
Edinburgh, EH99 1SP www.scottish.parliament.uk