



## Briefing for the Public Petitions Committee

**Petition Number:** [PE1588](#)

**Main Petitioner:** Daisy Harris

**Subject:** Scan All Pets Found On Scottish Roads

Calls on the Parliament to urge the Scottish Government to make microchip scanning of all domestic animals found dead or alive on all Scottish roads compulsory.

### Background

The Petitioner argues that hundreds of pets are killed every year on Scottish roads, and that many of these incidents are not logged. Therefore, owners may never find out what happened to their pet. The Petitioner states that this is because there is no law in place that says that domestic animals must be scanned for a microchip when found, dead or alive.

The Petitioner would like the microchip scanning of all domestic animals found dead or alive on all Scottish roads to be made compulsory.

### Current Situation in Scotland

There are current policies relating to scanning of dead domestic animals on trunk roads. Transport Scotland is the agency of the Scottish Government that manages and maintains the trunk road network in Scotland. The agency employs Operating Companies to undertake relevant works. The contract with these companies includes a requirement that if a domestic pet is found dead, they must remove any identification tags and give them to the police, together with a brief description of the animal.

In the [contract for management and maintenance of the Scottish trunk road network](#), there is a section on "Dead Animals, Objects and Cleaning". It sets out the process for dealing with dead animals –

"4.35.1 All dead animals shall be removed from the Trunk Road network within the Unit. Dead animals which constitute a hazard or environmental risk will be removed immediately. All other dead animals will be removed within 24 hours of notification or discovery.

4.35.2 All domestic animals shall be examined for any identifying features including scanning for microchips. The Police shall be notified of any identifying features including tags, tattoos and or microchip data found together with a brief description of the animal. The Operating Company shall attempt to contact the owner of the dead animal and shall keep the carcass of any domestic animal for a period of two weeks in conditions to prevent further deterioration in case the owner wishes to claim back the carcass. After this period, the Operating Company shall dispose of the carcass in accordance with the requirements of the local authority.”

There appears to be no standard policy on scanning of pets found on smaller roads managed by local authorities. Council Cleansing Departments are most likely to deal with these. Councils are not subject to any requirement to scan such animals for microchips, although scanning may be carried out as best practice.

The Scottish Government have told SPICe that,

“A requirement to scan dead animals could not be made in any legislation made under the Animal Health and Welfare (Scotland) Act 2006, as it would not act to secure the welfare of that animal, a requirement under Section 26(1).”

And that,

“...the Scottish Government considers that enforcing scanning of animals found on Scottish roads would require offences and penalties for non-scanning, which would potentially criminalise veterinarians, dog wardens and charity workers, all of whom are already undertaking a crucial role in reuniting pets with owners as quickly as possible.”

### **Compulsory microchipping of dogs**

The Scottish Government has published a Code of Practice for the Welfare of Dogs (2010). It states that it is “recommended that you have your dog microchipped by a suitably qualified person.”

In December 2013, the Scottish Government consulted on “[Promoting responsible dog ownership in Scotland: microchipping and other measures](#)”. An [analysis of consultation responses](#) was carried out. More than 83 per cent of people who responded to the Scottish Government’s consultation on responsible dog ownership strongly supported compulsory microchipping. The Scottish Government [announced](#) the intention to make microchipping of dogs compulsory in March 2015.

The Scottish Government is planning to bring forward the Microchipping of Dogs (Scotland) Regulations 2016. These are likely to be considered by the Rural Affairs Climate Change and Environment Committee in January 2016.

There appears to be no Scottish Government action specifically on making microchip scanning of all domestic animals found dead or alive on all Scottish roads compulsory.

### **Scottish Parliament Action**

**Question S4W-27808: Christine Grahame, Midlothian South, Tweeddale and Lauderdale, Scottish National Party, Date Lodged: 01/10/2015**

To ask the Scottish Government what its position is on microchipping cats.

**Answered by Richard Lochhead (20/10/2015):**

The Scottish Government encourages all owners to microchip their pets as the best way of being reunited with them should they be separated. This recommendation is included in the Scottish Government Code of Practice for the Welfare of Cats approved by the Scottish Parliament on 27 January 2010.

The Scottish Government does not consider compulsory microchipping to be required for cats.

Current Status: Answered by Richard Lochhead on 20/10/2015

**Question S4W-27216: Sarah Boyack, Lothian, Scottish Labour, Date Lodged: 26/08/2015**

To ask the Scottish Government what secondary legislation under the Animal Health and Welfare (Scotland) Act 2006 it plans to introduce before March 2016.

**Answered by Richard Lochhead (28/09/2015):**

As noted in answer to question S4W-25563 on 2 June 2015, it is planned to bring the Microchipping of Dogs (Scotland) Regulations 2016 into force in January 2016, with the requirement for mandatory microchipping of all dogs coming into effect in April 2016.

Current Status: Answered by Richard Lochhead on 28/09/2015

There appears to be no parliamentary questions or debates specifically on making microchip scanning of all domestic animals found dead or alive on all Scottish roads compulsory.

**Wendy Kenyon  
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3 December 2015**

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