



Image: Richard Atkins

# Dog collars and microchipping

**Richard Atkins** of Knights Solicitors sets out the law on correct identification of your canines.

Does your dog have a dog collar or microchip and does it need to have one or both of them? Originally the purpose of a dog collar was simply the main method to identify a dog, which in part has been superseded by the requirement of microchipping. However, the collar is still for most people the primary means

of identifying the ownership of a dog and the means of returning it if the dog is lost or separated from its owner or keeper.

The legal requirement for collars is the Control of Dogs Order 1992 ("the Order") which requires all dogs (except those exempted – see below) throughout the UK to have a collar with identification marks

when the dog is out in public. Strictly, the Order requires the name and full address of the dog's owner and this should be clearly visible on the collar somewhere, and in practical terms this is usually an inscription on an attached plate.

Most people include a telephone number or two, which is not required by law but is recommended as it gives the person finding or now controlling the dog (very often the police or a dog warden) the opportunity of making speedy contact with the owner.

The requirement for wearing of a collar with this information only arises where the dog is out in public and this includes the highway or any other public place such as a footpath or bridleway, or any public open space. To be clear, this requirement applies even if you or your employer owns the land.

The penalty for failing to identify your dog if it is found in public without a compliant collar is substantial (for example, in England it is £5,000). Leaving aside issues of the responsible dog owner, it may also be a matter for animal welfare if the dog's needs are not being attended to or if suffering, for example if it is injured.

## Exemptions to wearing a collar

There are exemptions in the Order which apply, namely when a dog "which is being used...":

- "...as part of a "pack of hounds";
- "...for sporting purposes";
- "...for the capture or destruction of vermin";
- "...for the driving or tending of cattle or sheep"; and
- "... in emergency rescue work".

Dogs that are being used on official duties by a member of HM Armed Forces, by HMRC, by the Border Agency or by any police force in any area are exempt when "serving" these organisations. Likewise, there is an exception for any dog registered with the Guide Dogs for the Blind Association.

However, it must be noted that where the exemptions apply, this only applies to the situations when the dog is actively being used for the purposes mentioned above. This does not strictly speaking include transportation, which is one area of the Order which is rarely, if ever, enforced.

In England, dog owners must also ensure that the dog is wearing a collar and on a lead when it is present in an area covered by a 'Public Spaces Protection Order' (formally known as 'Dog Control Orders')



under the provisions of the Anti-Social Behaviour, Crime and Policing Act 2014. The requirements that can be imposed by Local Authorities appear to override the exceptions found under the Dogs Order.

#### And finally microchipping

As all dog owners should know, it has been a requirement since 6 April 2016 that all dogs more than eight weeks old must be microchipped under the Microchipping of Dogs (England) Regulations 2015. (There are equivalent devolved Regulations for Scotland, Wales and Northern Ireland.) The only exemption is where a vet certifies that a microchip cannot be inserted for health reasons and any certificate must state the period of exemption unless it is inherent for that dog.

If your dog is not microchipped and registered on an approved database, then you could be served with a Notice ordering you to microchip your dog. You will have 21 days to do so or you may be liable to pay a fine of £500. Similar fines exist in Scotland and Wales. Likewise, should your contact details change and your details are not updated on the database,



you could also receive a Notice and may be liable to pay a fine (again of £500).

Responsible dog owners will always want to comply with these provisions for the sake of their animals, but sadly many of the dogs that are

found in situations where no attempt has been made to comply with the legal requirements are being kept or used for illegal purposes. Failure to comply with the provisions is often symptomatic of animal welfare concerns. ●

## KNIGHTS SOLICITORS

Richard Atkins is a Solicitor and Higher Court Advocate (Crime) and an Associate of Knights Solicitors. Knights Solicitors is a specialist litigation practice well-known for representing clients with animal and countryside interests on a national level. Knights Solicitors provides the NGO with a legal helpline service (see below). Tel: 01892 537311, [www.knights-solicitors.co.uk](http://www.knights-solicitors.co.uk). Ask for Matthew Knight, Richard Atkins or Jonathan Manser.

#### NGO free legal Helpline

NGO members in need of emergency legal advice relating to gamekeeping and fieldsports can call the helplines below. Up to 30 minutes telephone advice is available free of charge as a benefit of your NGO membership.

For those in the South: Matthew Knight, Richard Atkins and Jonathan Manser, Knights Solicitors (Tunbridge Wells), 01892 537311 (24hr line).

For those in the North, Scotland and Wales:

Michael Kenyon, Solicitor (Macclesfield), 01625 422275 or 07798 636460.

**GEARMATE**  
LOADED FOR LIFE

75% extension,  
200 Kg load capacity

Double drawer offering  
up to 150 Kg capacity

Keep your truck **organised**,  
with a **divided space** to carry  
pets and goods securely

Lockable  
extra storage

Exclusive discounts for BASC & NFU members

**Storage solutions compatible with all Pick Up Trucks and a variety of SUV's**

**MADE IN BRITAIN**

01789595200 | [gearmate.co.uk](http://gearmate.co.uk) | [info@gearmate.co.uk](mailto:info@gearmate.co.uk)