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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2016 No.**

**The Microchipping of Dogs (Scotland) Regulations 2016**

**Implanter requirements as regards implanting any microchip**

3.—(1) No individual other than an implanter may implant a microchip of any kind in a dog.

(2) An implanter must not hold out to the keeper of a dog that a microchip is a compliant microchip where the implanter knows, or could reasonably be expected to know, that the microchip is not a compliant microchip.

(3) Where it appears to the Scottish Ministers, on the basis of information provided to them, that an implanter mentioned in paragraph (5)(c) or (d) is not competent to implant microchips in dogs to a satisfactory standard, the Scottish Ministers may serve a notice on that individual prohibiting that individual from implanting microchips in dogs—

- (a) until the individual has received further training on a course approved by the Scottish Ministers; or
- (b) permanently.

(4) A notice served under paragraph (3) must set out the reasons why an individual is not considered to be competent to implant microchips in dogs.

(5) Subject to paragraph (6), “implanter” means any of the following individuals—

- (a) a veterinary surgeon, or a veterinary nurse acting under the direction of a veterinary surgeon;
- (b) a student of veterinary surgery or a student veterinary nurse and in either case acting under the direction of a veterinary surgeon;
- (c) an individual who has been assessed as meeting a satisfactory standard in the implantation of microchips in dogs on a training course for that purpose approved by the Scottish Ministers; or
- (d) an individual who, before the day on which these Regulations come into force, received training on implantation which included practical experience of implanting a microchip.

(6) An individual prohibited from implanting microchips in dogs by virtue of paragraph (3) is not an “implanter” for so long as the individual is so prohibited.