



Commercially Sensitive

Primary Authority Advice to Local Authorities

			
Reference:	OATA 001/2022		
Issue date:	10 th June 2022		
Review date:	<p>This advice will be reviewed at each annual PAP meeting between Monmouthshire County Council and OATA</p> <p>The advice will be reviewed if any further changes relevant to this advice, are made to the Regulation or Guidance</p>		
Coordinator:	OATA (Ornamental Aquatic Trade Association Ltd)		
Primary authority:	Monmouthshire County Council		
Supporting Regulator:	Welsh Government		
For publication on Primary Authority Register	Yes		
PRIMARY AUTHORITY ADVICE			
Relevant Legislation:	The Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulation 2021, (LAIA) and it's accompanying Guidance documents		
Geographic Applicability:	This advice applies only to Wales		
Scope	<p>OATA is a trade association which has amongst its members various importers, breeders, wholesalers and retailers of aquatic livestock including aquarium and pond fish and plants. Manufacturers and distributors of dry goods are also among the membership. This advice is provided for member businesses of OATA, licensed to sell pets under the above regulation.</p>		
Details of request:	Advice on the statutory Guidance Note for conditions for Selling Animals as Pets. Specifically, on how the 'higher' standards should be implemented.		

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Advice provided:	<p>1. In the procedural guidance notes for Local Authorities notes for local authorities, Section 66 states that for each activity, a number of higher standards have been agreed.</p> <p>2. Meeting the higher standards is optional, but is the only way to gain a higher star rating.</p> <p>3. The higher standards are classified in two types: required and optional and are outlined in the relevant guidance documents for the activity in question, in this case 'selling animals as pets'.</p> <p>4. To qualify as meeting the higher standards, a business selling animals needs to achieve all of the required higher standards as well as a minimum of 50% of the optional higher standards by combining the higher standards within the General Conditions in Part A with each of the relevant Specific Conditions in Parts B to L, according to the species sold commercially.</p> <p>5. Therefore, for a premises just selling fish the standards from the General Conditions in part A and part L, 'Fish' from the Specific Conditions are used in the assessment. They have been reproduced here:</p>
	<u>Higher standards (Required)</u>
	Businesses selling animals exclusively to other businesses must meet the cage sizes and stocking densities as stipulated in the species-specific minimum standards.
	A documented health checklist should be completed daily and must cover physical, psychological and behavioural issues and any abnormality recorded.
	Water quality must be assessed 3 times weekly and documented.
	There must be evidence that UV systems are maintained regularly.
	The business must have in place reasonable measures to prevent the import, outbreak and spread of disease. This must be demonstrated by implementation of a biosecurity plan.
	<u>Higher Standards (Optional)</u> 50% required
	There must be a member of permanent, full-time staff with an OFQUAL regulated Level 3 qualification that is appropriate to the species kept.

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	<p>A suitable temperature range for the fish must be displayed on each standalone system and on each centralised system.</p>
	<p>For premises with no natural light, there must be automated systems or procedures (or both) to ensure gradual change in light levels.</p>
	<ol style="list-style-type: none">1. Thus, for businesses selling fish, all the required higher standards plus 2 of the 3 optional higher standards must be met in order to achieve a higher star rating.2. However, meeting the higher standards is not a pre-requisite for a licence to be issued, A licence may still be issued if only the minimum conditions are met but a higher rating will not be awarded.
Document references:	<p>Guidance notes for conditions for selling animals as pets (gov.wales)</p>
Issued by:	<p>Zoe Phillips</p> 