L.N. 168 of 2024

ANIMAL WELFARE ACT
(CAP. 439)

Cat Feeders Regulations, 2024

IN EXERCISE of the powers conferred by article 8 of the Animal Welfare Act, the Minister responsible for veterinary services has made the following regulations:-

Citation.

1. The title of these regulations is the Cat Feeders Regulations, 2024.

Interpretation.

2. In these regulations unless the context otherwise requires:

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"Act" means the Animal Welfare Act;

"controller" means the official responsible designated in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation);

"Director" means the Director for Animal Welfare as defined in the Act;

"feeder" means any person registered with the Local Council who feeds and takes care of a colony of stray cats in conformity with the Act;

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"Local Council" means the respective Local Council as established by article 3 of Local Government Act of the area where the feeding takes place;

"Register" means a register of cat feeders kept by the Local Council containing details in accordance with regulation 5;

"stray cat" means any cat of the species *Felis catus* which does not have a home or that is not registered by means of a microchip on a specific owner or keeper or is outside the bounds of its owner's or keeper's household and that is not under the control or direct supervision of any owner or keeper:

Provided that any cats of the species *Felis catus* that

are microchipped under a Local Council are also considered stray cats.

Registration of feeders.

3. No person shall feed stray cats in a public area unless they are registered with the Local Council.

Designation of controllers.

4. For the purposes of these regulations there shall be designated two (2) controllers, one (1) designated by the Minister responsible for veterinary services and another designated by the Minister responsible for local government who shall act as controllers separately and independently from each other.

Register.

5. (1) The Local Council shall keep a register of all feeders in a secure manner, which contains their respective feeding areas, the number of colonies and the amount of cats in each respective colony for the purpose of keeping record of the stray cats in the area and the person taking care of the colony. A copy of the updated register shall be sent to the Director on a biannual basis, during the first (1) week and twenty-seventh (27) week of the calendar year.

(2) These regulations shall not prejudice the applicability of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) and the Data Protection Act, including the regulations made thereunder, and the fundamental rights and freedoms of the data subjects.

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(3) The controllers shall perform the relevant data processing operations which are limited to the extent necessary and proportionate to the objectives pursued by these regulations.

(4) The controller shall only process the personal data contained in the register for the purpose of inspection, education and enforcement of these regulations.

(5) For the purpose of sub-regulation (1), the processing of personal data shall fully comply with all the principles relating to the processing of personal data in accordance with Article 5 of Regulation (EU) 2016/679.

(6) The controller, whilst taking into account the nature, scope, context and purposes of processing as well as the risks of varying likelihood and severity of the rights and freedoms of the data subjects, shall implement appropriate technical and organisational measures in

an effective manner and integrate the necessary safeguards into the processing, in order to protect the rights of the data subjects and to ensure a level of security appropriate to the risk.

(7) For the purposes of ensuring and of being able to demonstrate compliance with all the principles relating to the processing of personal data, the controller shall implement the appropriate data protection policies, which policies shall be periodically reviewed and updated where necessary.

(8) The data protection officer designated by the controller in accordance with Article 37 of Regulation (EU) 2016/679 shall be involved and consulted in a timely manner on all issues in relation to the protection of personal data processed for the purposes of these regulations.

Location of feeding of colonies.

6. (1) Each feeder shall provide the Local Council with the location of feeding of each colony by means of GPS coordinates of each of their colonies, the number of cats in each colony, the number of neutered cats, and if available the relative microchip details.

(2) When personal data is processed for the purposes of these regulations, the Local Council shall collect data which is adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.

Guidelines and notices.

7. The Minister responsible for veterinary services, with the concurrence of the Minister responsible for local government, may issue guidelines or notices in the Gazette regarding the feeding of stray cats in public areas.

Health and welfare of colonies.

8. Feeders shall ensure that the cats in their colony are in good health and free from diseases and every effort should be made to ensure that cats in the colony are neutered. The feeders shall inform the Director immediately when there is a suspected sick cat and, or a suspected disease outbreak.

Breach and contestation.

9. Any person who breaches the provisions of these regulations shall be liable to the imposition of a penalty of fifty euro (€50) by the Director, which may be contested in accordance with the provisions of the Commissioners for Justice Act.

Cap. 291.

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