

SUBSIDIARY LEGISLATION 439.28

**PROHIBITION OF BREEDING AND KEEPING OF
NON-PEDIGREE BULLY TYPE DOG REGULATIONS**

6th December, 2024

LEGAL NOTICE 183 of 2024.

1. (1) The title of these regulations is the Prohibition of Breeding and Keeping of Non-Pedigree Bully Type Dog Regulations. Citation, scope and commencement.

(2) These regulations prohibit the advertisement, sale, breeding and keeping of non-pedigree bully type dogs.

(3) These regulations shall come into force within four (4) months from the date of their publication.

2. (1) For the purpose of these regulations: Interpretation.

"Act" means the Animal Welfare Act; Cap. 439.

"breeding" means the mating and production of offspring of dogs;

"bully breeds" means dogs which conform to the description in the First Schedule and which include the physical characteristics of the following breeds:

- (a) American Staffordshire Terrier;
- (b) Staffordshire bull Terrier;
- (c) Bullmastiff;
- (d) Dogo Argentino;
- (e) Bull Terrier;
- (f) American Bully;
- (g) American Pitbull Terrier;
- (h) Old English Bulldog;
- (i) American Bulldog;
- (j) English Bulldog;
- (k) French Bulldog;
- (l) Bull terrier;

- (m) Miniature Bull terrier;
- (n) Cane Corso;
- (o) Dogue De Bordeaux;
- (p) Presa Canario;
- (q) Neapolitan Mastiff;
- (r) Boston Terrier;
- (s) Tibetan Mastiff;
- (t) South African Boerboel;

and crossbreeds thereof;

"Director" means the Director responsible for the Animal Welfare and includes, to the extent of the authority given, any officer authorised by him in writing, to act in that behalf for any of the purposes of these regulations;

"dog" means an animal of the *Canis lupus familiaris* species or an animal resulting from the hybridisation between *Canis lupus familiaris* and another species;

"keeper" means any person having charge of, or who habitually feeds or looks after a dog, including the owners of dog sanctuaries and pet shops;

"kennel club" means a voluntary organisation registered in accordance with regulation 6 with advancing the interests of one (1) or more breeds of dogs by establishing standards, providing competitions, and recording pedigrees and which shall be recognised by an internationally recognised kennel club;

"non-pedigree" means a dog of no specific breed or no known breed and which is not registered with a recognised kennel club;

"non-pedigree bully type dog" means dogs that conform with the description stipulated in the First Schedule and which exhibit physical characteristics typical of bully breeds but which do not have a formal pedigree or registration with a recognised kennel club;

"owner" means the person or legal entity in whose name the dog is registered in accordance with the Electronic Identification of Dogs Regulations;

"pedigree" means the record of the descent of the dog proven to be pure bred and being in conformity to specific genetic characteristics as recognised for that particular breed;

"pedigree certificate" means a document, registered with a recognised kennel club documenting the ancestry of a dog often whose parents are specific breeds bred specifically to exhibit particular physical characteristics;

"pure-breed" means pedigree dogs bred from members of a recognised breed or kind without outbreeding over many generations which are registered with a recognised kennel club.

(2) Unless the context otherwise requires, the words and phrases used in these regulations which are not defined herein shall have the same meaning assigned to them in the Act.

3. No person shall breed non-pedigree bully type dogs.

Prohibition of breeding of non-pedigree bully type dogs.

4. (1) No person shall keep in his possession non-pedigree breed bully type dogs which are born after the entry into force of these regulations:

Prohibition of keeping, sale and advertisement of non-pedigree bully type dogs.

Provided that non-pedigree breed bully type dogs entering Malta from another Member State shall have been in the possession of their keeper for not less than six (6) months and shall be registered on their keeper in accordance with the Electronic Identification of Dogs Regulations by not later than thirty (30) days from their entry into Malta:

S.L. 437.101.

Provided further that this does not apply for non-pedigree bully type dogs which were assigned to the person by the Director.

(2) The advertisement of non-pedigree bully type dogs shall be prohibited.

(3) The sale of non-pedigree bully type dogs shall be prohibited.

5. (1) The details which shall be listed in the pedigree certificate of pure-breed dogs shall be those specified in the Second Schedule.

Details which shall be specified in the pedigree certificate of pure-breed dogs.

(2) The results of performance tests and the results with origin of the assessment of the genetic value, on the dog itself and its parents and grandparents, shall be clearly indicated and accompanied or be included in the pedigree certificate.

(3) If the Director has reasonable cause to believe that a dog

is not pure-bred, he may request that a DNA test is carried out and issued from an ISO 17025 accredited laboratory, at the expense of the keeper if the Director's suspicions are confirmed.

Recognition of
kennel clubs.

6. (1) An organisation registered as a voluntary organisation with the Commissioner for Voluntary Organisations may apply with the Director to be recognised and registered as a kennel club on the appropriate form as may be published by the Director at the time:

Provided that an organisation registered as a voluntary organisation with the Commissioner for Voluntary Organisations for the purpose of establishing standards, organising competitions, and registering pedigree certificates by the date of publication of these regulations shall be exempted from the requirement of being recognised by an internationally recognised kennel club.

(2) Registration applications for kennel clubs are to be submitted using the appropriate form which shall include:

- (a) the applicant's details;
- (b) the responsible person details;
- (c) the kennel club details including the address and any relevant contact information;
- (d) the details of any advertising platform used by the kennel club to sell or offer for adoption dogs or puppies;
- (e) the voluntary organisation number;
- (f) proof of affiliation with an internationally recognised kennel club;
- (g) proof of registration with the Commissioner of Voluntary Organisations and scope of establishment of the voluntary organisation in accordance with the Voluntary Organisations Act:

Cap. 492.

Provided that the Director may request at any time from the kennel club, any other relevant information or additional document which is deemed necessary.

(3) A kennel club registration shall be renewed every year.

The Kennel Club
Registry.

7. (1) There shall be a register kept by the Director which shall be called the "Kennel Club Registry" which shall include all the registered kennel clubs and their relevant information.

(2) The Director may publish an updated list of all the

registered kennel clubs on the respective Government portal.

8. (1) The Director, animal welfare officers and other officers delegated with such authority to monitor compliance to these regulations may seize, confiscate, impound, and examine any dog for the purpose of determining whether it complies or otherwise with the provisions of these regulations. Seizure.

(2) The Director may confiscate those non-pedigree bully type dogs that are not in conformity with these regulations or make any other arrangements as the Director may deem necessary.

9. (1) Any person who contravenes or acts in violation of these regulations shall on conviction, be guilty of an offence and shall be liable to the punishments established in article 45 of the Act. Offences, punishments and administrative penalties.

(2) Where the Director has reasonable cause to believe that an offence against these regulations has been committed and that it would be appropriate to impose an administrative penalty in accordance with article 47 of the Act, the Director shall proceed in accordance with the provisions of the said article.

FIRST SCHEDULE

Bully Breeds confirmation standards

(regulation 2)

General impression	Large dog with a muscular body and a blocky head, suggesting great strength and power for its size. Powerfully built. Overall the dog should have an athletic appearance.
Height	Adult dog from 12 inches (30 cm) at the withers. Adult bitch from 11 inches (28 cm) at the withers. Height to weight ratio should be in proportion.

Head	Heavy, large and broad. The length from the tip of the nose to a well-defined point (indentation between muzzle and the head) is equal to around one-third of the length from the tip of the nose to the back of the head. Muzzle blocky or slightly squared to droop below the eyes. The dog should have a good depth from the top of head to the bottom of the jaw and a straight box-like muzzle. Eyes should be small and deep-set, triangular when viewed from the side and elliptical from front. Topline of muzzle straight. Prominent cheek muscles with strong, well-defined jaws and lips semi-close. Often having prominent wrinkles on face. Nose is large with well opened nostrils. The distance from the back of the head to between the eyes should be about equal to the distance from between the eyes to the tip of its nose. Head should appear to be wedge shaped when viewed from the side and top but rounded when viewed from the front. The head should be around 2/3 width of shoulders and 1/4 wider at cheeks than at the base of the skull (this is due to the cheek muscles).
Teeth	Level or scissor bite
Neck	Heavy, muscular, slightly arched, tapering from the shoulders to the base of the skull. Medium in length.
Forequarters	Shoulder blades are long, well-muscled and well-laid back. Upper arm length is about equal to the length of the shoulder blades and joined at a 35 to 45 angle to the ground. Front legs straight, strong and very muscular with dog standing high on the pasterns (area between feet and ankles). Elbows set close to the body. Distance from the withers to elbows about the same as the distance from the elbow to the bottom of the feet. Shoulders should be wider than the rib cage at the eighth rib. Its elbows should be flat with its front legs running parallel to the spine.

Body	Height to the top of its shoulders are the same distance as from the front of its shoulder to the rear point of its hip. Heavily-muscled. Large, blocky body giving impression of great power for size. Broad, deep chest with well sprung ribs. Chest may be wider than deep. Topline level and straight. Loin short and firm. Generally appears square shaped from point of the shoulder to the point of the buttocks compared with the withers (tallest point on the dog's body excluding head and shoulders) to the ground. Forelegs should be heavy and solid and nearly twice the thickness of the hind legs just below the hock. Rib cage should be deep and spring straight out from the spine, it should be elliptical in cross section tapering at the bottom and not "barrel" chested. Broad hip that allows good attachment of muscles in the hindquarters and hind legs. Knee joint should be in the upper third of the dog's rear leg, and the bones below that should appear light, fine and springy.
Hindquarters	Strong, muscular and broad. Thighs well developed with thick musculature. From behind, both pasterns are typically straight and parallel to each other. Muscular development, angulation and width in balance with forequarters.
Feet	Rounded, medium in size and in proportion to body. Compact and well arched.
Tail	Medium length and low set. Tapers to a point to end at about the level of the hocks. Generally assumes a straight or pump handle shape when dog relaxed.
Coat	Coat should be short, bristled, glossy, smooth, close and single.

Glossary

Bite:	the relative position of the upper and lower teeth when the mouth is closed.
Coat:	the hairy outer covering of the skin.
Croup:	part of the back from the front of the pelvis to root of the tail.
Forequarters:	the front part of dog excluding head and neck.
Hindquarters:	the rear part of dog from behind the loin.
Loin:	the region between the last rib and the beginning of the pelvis.
Musculature:	the muscles on an animal's body.
Muzzle:	the length from the tip of the nose to the stop.

Pasterns:	the pastern is the lower part of the foreleg, just above the foot and below the wrist. Similarly, in the hind leg, the pastern is the portion located above the foot and below the heel (also known as the hock). Every canine possesses a pair of front and rear pasterns.
Scissor bite:	the upper front teeth closely overlapping the lower teeth and set square to the jaws.
Spring of rib:	degree of curvature of rib cage.
Tail set:	the position of the tail on the croup.
Tapering:	becomes progressively smaller towards one end.
Topline:	an outline behind the withers to the tail set. Viewed from the side of the dog or from above.
Withers:	the highest point of body immediately behind the neck where height is measured

SECOND SCHEDULE

(regulation 5)

The details which shall be listed in the pedigree certificate shall be the following:

- (a) the name of the issuing kennel club;
- (b) entry number issued by the kennel club;
- (c) date of issue;
- (d) identification;
- (e) date of birth;
- (f) breed;
- (g) colour of coat;
- (h) sex;
- (i) name and address of breeder;
- (j) name and address of owner; and

Father _____	Grandfather _____	Grandmother _____
Pedigree No. _____	Pedigree No. _____	Pedigree No. _____
Mother _____	Grandfather _____	Grandmother _____
Pedigree No. _____	Pedigree No. _____	Pedigree No. _____
