

Care Homes and Sheltered Accommodation (Domestic Pets) Bill

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TO

Make provision for residents of care homes and sheltered accommodation to keep domestic pets in certain circumstances; and for connected purposes.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Keeping of domestic pets in care homes and sheltered accommodation

- (1) Operators of care homes and sheltered accommodation must grant permission to a resident to keep an authorised domestic pet within their accommodation, subject to subsections (2) and (3) below.
- (2) An operator of a care home or sheltered accommodation may refuse permission to a resident to keep a domestic pet only if—
 - (a) the pet is of a species not authorised by the Secretary of State under subsection (4);
 - (b) the operator has reasonable cause to believe that such a refusal is necessary for the safety of other residents of the care home or sheltered accommodation; or
 - (c) the operator has reasonable cause to believe that the welfare needs of the animal, as defined by section 9(2) of the Animal Welfare Act 2006, cannot be met.
- (3) An operator of a care home or sheltered accommodation may charge a resident who keeps an authorised domestic pet a fee, which shall not be more than the reasonable additional cost incurred by the operator by the presence of the pet.
- (4) The Secretary of State may by order made by statutory instrument designate those species of domestic pets which are to be authorised for the purposes of subsection (1).
- (5) The Secretary of State shall consult interested parties before making any order under subsection (4).

2 Appeals

- (1) A resident may appeal to the Care Quality Commission (“the Commission”) against any refusal of permission under subsection 1(2).
- (2) The Commission must decide on any such appeal within 28 days of its receipt.
- (3) The operator of a care home or sheltered accommodation must make reasonable provision for the accommodation and welfare of the animal concerned during the period of any appeal under subsection (1), for which the operator must pay. 5
- (4) Operators of care homes or sheltered accommodation must comply with any decision of the Care Quality Commission under subsections (1) and (2). 10

3 Interpretation

In this Act—

“Care home” has the meaning it has for the purposes of the Care Standards Act 2000 by virtue of section 3 of that Act;

“Domestic pet” means an animal of a kind which is commonly domesticated as a companion within the United Kingdom, and for which a particular person is responsible. 15

4 Financial provisions

There is to be paid out of money provided by Parliament any increase attributable to this Act in the sums payable under any other Act out of money so provided. 20

5 Short title, commencement and extent

- (1) This Act may be cited as the Care Homes and Sheltered Accommodation (Domestic Pets) Act 2010.
- (2) Subsection 1(5) comes into force on the day after the Act receives Royal Assent.
- (3) The rest of the Act comes into force at the end of the period of 6 months beginning with the day on which it is passed. 25
- (4) This Act extends to England and Wales.

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*Presented by Mr Nigel Waterson,
supported by
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*Ordered, by The House of Commons,
to be Printed, 16 December 2009.*

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LONDON – THE STATIONERY OFFICE LIMITED
Printed in the United Kingdom by
The Stationery Office Limited
£x.xx