

# P-05-933: Ban Goldfish from being given away at funfairs. #OperationGoldfish

Y Pwyllgor Deisebau | 04 Chwefror 2019  
Petitions Committee | 04 February 2019

Reference: RS19/11218-1

Petition Number: [P-05-933](#)

Petition title: Ban Goldfish from being given away at funfairs. #OperationGoldfish

**Text of petition:** We call on the National Assembly for Wales to urge the Welsh Government to ban goldfish from being given away at funfairs.

Goldfish are still being given away as prizes at funfairs all over the country, they are complex creatures that can live up to 25+ years and grow between 25-45cm. They are kept in poor conditions and given away to someone who won on an impulse and due to this they usually only last a couple of months. This is an archaic tradition that through recent education we've realised is unethical.

## 1. Background

Between 2014 and 2018, there were 24 cases [reported to the RSPCA](#) of live animals being given as prizes in Wales. Of these, 60% were goldfish being given at fairs.

[Calls to ban giving goldfish as prizes at fairs](#) on animal welfare grounds have recently gained momentum. However, [advocates for giving goldfish as prizes at](#)



fairs say it is a traditional fairground activity and that rules are provided to ensure the fish are cared for.

The *Animal Welfare Act 2006* ('the 2006 Act') includes a general requirement for owners / keepers of animals to meet the animals' needs. This includes those giving or receiving pets as prizes. Under Section 11 of the 2006 Act it is an offence to give an animal as a prize to anyone under the age of 16, unless they are accompanied by someone over the age of 16, or it is within a family context.

Some Local Authorities in Wales (Newport, Caerphilly and Wrexham) have introduced bans on giving out pets as prizes on Local Authority-owned land.

In Scotland it is an offence to give a person an animal as a prize, regardless of their age, under Section 31 of the *Animal Health and Welfare (Scotland) Act 2006* (except where it is offered in a family context).

## 2. Welsh Government action

The Minister for Environment, Food and Rural Affairs ('the Minister') highlighted the action she has taken on the issue in a letter to the Petitions Committee (December 2019). She stated that she wrote to the Showmen's Guild, an umbrella body whose members include fairs, 'to find out more about their efforts to self-regulate and the prevalence of this activity'. The Minister said she was awaiting a response before offering advice on any safeguarding system.

On 29 August 2019 the Welsh Government published a consultation on draft Regulations which would introduce a licensing scheme for Animal Exhibits; *The Animal Welfare (Licensing of Animal Exhibits) (Wales) Regulations 2020*. The accompanying written statement says the licensing scheme will allow 'checks to be made to ensure good welfare standards are met at their home base, in transport and during exhibition'. The Minister's letter to the Petitions Committee states that:

If the licensing scheme is introduced, Local Authorities will be encouraged to take a pragmatic approach to ascertain whether an activity is licensable. Dependent on the final licensing criteria and individual circumstances, this may include the exhibiting of goldfish for the purpose of prize giving.

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During the Climate Change, Environment and Rural Affairs (CCERA) Committee's consideration of the Wild Animals and Circuses Bill in October 2019, the Minister said [emphasis added]:

[...] I did wonder if it [pets as prizes] could fit under the animal exhibits regulations that we're going to, hopefully, bring forward next year, and it doesn't. So, **it will be a separate piece of work.**

The Welsh Government published a summary of responses to the Animal Exhibit licensing consultation on 20 December 2019. Some respondents identified 'pets as prizes' as a type of activity to be licensed under the scheme. The Welsh Government responded:

We will consider the suggestions made by respondents to the consultation in line with the policy intent to determine whether any changes are required, or where concerns are raised, whether it would be more appropriate to consider them under different policy areas.

### 3. National Assembly for Wales action

During the CCERA Committee's work on the Wild Animals and Circuses Bill in October 2019, Neil Hamilton AM and Joyce Watson AM both raised the issue of goldfish as prizes. Neil Hamilton said:

I think there are actually significant animal welfare considerations in relation to the sale of goldfish in fairs and so on, fundamentally because the people who buy them have no idea how to look after them, and 90 per cent of them or more probably die within a very short time. So, shouldn't we really be considering issues where there are real animal welfare considerations, rather than a Bill that is obviously so narrowly drawn as this one, affecting so few animals and based upon subjective criteria?

The Minister said:

...I've asked officials to have a look at it [goldfish as prizes], but I have had somebody ask a specific question of me as to whether I could do that within this Bill; obviously, I can't. [...] I do agree with you that we need to look at the giving of goldfish, because, certainly, if you think about the longevity, [...] things have changed, and public opinion's changed about this.

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