

**ANIMAL WELFARE LAW**

**I GENERAL PROVISION**

**Subject Matter of the Law**

**Article 1**

This Law regulates the rights, obligations and responsibilities of legal entities and natural persons to safeguard the welfare of animals reared or kept for the production of unnecessary pain, suffering or injury, mercy killing, slaughtering and transporting, while performing surgery on animals and experiments, as other issues of importance for animal welfare.

**Application of the Law**

**Article 2**

This Law shall refer to all animals, and particularly to:

- 1) animals that are reared and reproduced for production of food, wool, skin, fur and other commercial purposes (hereinafter referred to as animals for production);
- 2) pets;
- 3) stray, lost and dangerous animals;
- 4) animals in zoos, shelters and animal training centers;
- 5) animals in circus and other spectacles;
- 6) laboratory animals used for experiments;

This Law shall not be applicable to the embryonic or fetal evolution forms of animals.

This Law shall not be applicable to any hunting ground holding, except to raising and breeding animals to assist in hunting.

This law does not apply to fishing.

**Meaning of terms**

**Article 3**

Certain terms used herein shall have the following meanings:

- 1) *animal* shall refer to vertebrae animals, except for the human, being capable of feeling pain, distress, fear and stress;
- 2) *animals for producing* means each animal (including fish, reptiles or amphibians) that is grown or held for the production of food, wool, skin or fur or for other productive purposes;
- 3) *animals the survival of which depends directly on the human* are the animals for production, laboratory animals, pets, and animals that are raised in circuses, zoos, shelters and animal training centers;
- 4) *lost animal* shall mean an animal that was lost by its keeper, without any willing act of the holder;
- 5) *stray animal* shall mean a homeless animal or animal out of its home, deprived of care of and willingly abandoned by its keeper;
- 6) *pet* shall be an animal that is bred or trained for recreation, protection or assistance for the human (dogs, domestic cats, exotic birds, small rodents, terrarium and aquarium animals, other animals);

- 7) *pet shops* shall be any establishment where the sale of pets, pet food and equipment are sold;
- 8) *animal hygiene and beauty parlors* shall be any establishment intended for animal hygiene and their skin, fur and claws cosmetic;
- 9) *dangerous animals* shall be the animals that are capable of endangering the environment and/or the human due to their temper or aggressiveness;
- 10) *pet breeding center* is an establishment in which pets are raised and reproduced for commercial purposes;
- 11) *stray animal (pets) shelter* shall be any space with facilities which pound, temporarily or permanently, the found (stray and lost) animals for further care and possible adoption;
- 12) *pets day-care shelter* shall be any place with facilities where the keeper, upon a money compensation, pound pets on temporary basis;
- 13) *working animals* shall be the animals that are raised by humans and trained to perform tasks (guard dogs that guard persons or property, assistance dogs, for disabled persons, hunting dogs, horses, and other animals that serve humans);
- 14) *service animals* shall be the animals trained and used for the purposes of certain public authorities (service horses and dogs);
- 15) *alien (allochthonous) animals* shall be all the animal species that live in a given ecosystem but that originated in another system;
- 16) *laboratory animal* shall be any live vertebrae being, except for the human, as well as invertebrates and their evolution forms that are intended for experiments;
- 17) *experiment* shall mean any intervention or procedure carried out on animals for scientific or research or educational purposes, which is capable of causing pain, distress, permanent injuries or death to the animal;
- 18) *zoo* shall be any space with facilities where domestic or wild animals are raised and/or reproduced for the purpose of preserving endangered species or their exhibition to the public over 7-day period per year for the purposes of advancing the education of humans in biology;
- 19) *circus* shall be a public entertainment consisting typically of a variety of performances by trained animals, that is arranged by legal or natural persons;
- 20) *owner or keeper of animals* is a natural or legal person or a person responsible for or in charge for the animals, permanently or temporarily;
- 21) *transporter* is any natural or legal person performing transport of animals for their own account or for the account of another person;
- 22) *transport* is the movement of animals one or more means of transport including loading, unloading, reloading and vacation animals until unloading the animals at the place of destination is finished;
- 23) *transportation* shall mean all road and railroad vehicles, vessels and airplanes (aircrafts) that can be used for animal transporting;
- 24) *attendant* is the person accompanying the animal during transport and which is directly responsible for the welfare of animals that accompanies;
- 25) *due diligence* shall be the provision of life conditions that satisfy animal life needs (sufficient quantities of feed and water, sufficient space for moving, rest and shelter, adequate micro-climate and hygiene related life conditions, maintenance of the physical, mental and genetic integrity, undertaking and carrying out preventive, diagnostic, hygiene, therapeutic and other measures for keeping animal healthy, preventing injuries, diseases of various causes, pain, distress, fear and death);
- 26) *good veterinary practice* (hereinafter referred to as GVP) shall be the standards of ethical and professional behavior of veterinarians;

- 27) *intervention* shall be any intervention carried out on animals by which diseases or injuries are prevented or treated, i.e. by which physical, mental or genetic integrity is changed;
- 28) *analgesic treatment* shall be the procedure for reducing or eliminating the effect of pain, that is performed by using analgesics, while without losing consciousness;
- 29) *anesthesia* is the procedure for eliminating the effects of pain in animals, which is performed by using local or general anesthetics;
- 30) *stun* any intentional act that results in loss of consciousness and pain sensitivity, including a procedure which causes current to death;
- 30a) *animal torture* is every action or no action, intentional or non intentional that as a result has pain, distress, fear, genetic integrity and death, like:
- physical torture that as a result has damaging of the tissues and organs (beating, kicking, fastening crackers, sexual violence, forced work or labor that is unbearable or exceeds the animal stamina, non adequate restrain of the animal, carrying out interventions or experiments in contravention of the provisions, consciously reproducing animals that are affected by hereditary diseases in case that this action is not done for experimental purposes in accordance with the Law.
  - *physical maltreating or torture* of animals that impairs mental integrity of the animal, which can cause behavioral disorder like: by restricting them to satisfy their fundamental needs in behavior or to express their basic behavioral needs, or to use the space for rest and shelter, by enraging them via physical force or other animals or irritations that are unusual to them, by threatening them or holding terror or causing the sense of uncertainty for them, as well as preventing them to be in contact with the animals of their kind.
- 31) *killing* any intention procedure leading to the death of the animal;
- 32) *slaughtering* is the killing of animals intended for human consumption;
- 33) *religious rite* is a series of procedures relating to the slaughter of animals, in accordance with the rules of religion;
- 34) *journey* the entire transport animals from origin to final destination, including unloading, accommodation and loading that is performed at places along the way during the trip.

## **II ANIMAL WELFARE PROTECTION**

### **Animal Care**

#### **Article 4**

The right to breed an animal shall belong to any person that meets requirements for the protection of life and welfare of animals, in harmony herewith.

Any person shall be under obligation to take care of animals, and particularly of animals the survival of which depends directly on him/her.

Any animal holder shall be under obligation to treat the animal with due diligence and to provide it with life conditions appropriate to its variety, breed, gender, age, as well as to its physical, biological and production specificities, behavioral features and/or health status.

Any animal holder shall be responsible for the animal life and welfare, as well as for any damage it is capable of causing to other persons or animals.

Any animal holder shall be under obligation to prevent the animal to endanger the life, safety or property of any other person and/or the life or safety of any other animal.

### **Obligation to deliver help**

#### **Article 5**

Any person that injures animal must provide it with an adequate help. If such person is not in a situation to do so, such person shall be under obligation to provide it with the help from somebody else.

Any animal holder shall be under obligation to provide the animal veterinary medicine treatment in case of an injury or disease or an aggravated delivery of such animal.

#### **Article 6**

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#### **Article 7**

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### **Measures forbidden, in order to protect animals**

#### **Article 8**

It shall be forbidden to:

- 1) abandon domestic animal, pet or bred or raised wild animal or other animals held under human supervision;
- 1a) torturing animals
- 2) killing animals, except for cases and in the manner as prescribed hereunder;
- 3) breed animals in the manner that inflicts pain, distress and fear and to hurt them intentionally;
- 4) excite the aggressiveness of animals by selection and by other methods;
- 5) excite the animal on another animal or on the human, or train them to be aggressive, except during the training of service dogs conducted the skillful person;
- 6) train animals in animal fights, arrange animal fights against other animals or fights against the human, as well as to participate therein or go to see or announce them or arrange betting or participate in such betting;
- 7) give live animals as rewards in lotteries;
- 8) use somebody else's devices, accessories and gadgets which are capable of causing changes in animal behavior, such as prong animal collars or training tools or electricity or chemicals, except during the training of service and hunting dogs in harmony with the law;
- 9) arrange dog races on the hard grounds;
- 10) give stimulating or other forbidden substances to animals in order to improve their performance in sporting or other events;
- 11) use forbidden stimulating and other stuffs for the purpose of faster growth and weight gain of animals;
- 12) use animals for circus and other animal spectacles, film and TV shooting, commercials or announcements, exhibitions or competitions, forcing them thereby to behave unnaturally or causing animals to suffer from pain, distress, injury or fear;

- 13) force animals to behave in such manner that causes them to suffer from pain, distress, injury or fear, and/or make animals to be used to unnatural behavioral patterns;
- 14) expose animals to extreme temperatures or weather conditions, in contravention of the zoohygiene standards set for a specific breed, or to the shortage of oxygen;
- 15) give animals feed or other foodstuffs causing pain, distress, injury or fear or death;
- 16) force animals to take certain substances or food, unless they have been prescribed by a veterinarian for veterinary and health purposes or unless it is justified on the scientific grounds;
- 17) neglect animal health, housing, nutrition and care;
- 18) amputate delicate parts of the live animal bodies, unless for the purpose of protecting animal health or for zootechnical or scientific purposes;
- 19) use forbidden traps to catch animals;
- 20) feed animals by other live animals, unless it is unavoidable or it is the only way to feed the animals;
- 21) use live animals as lures in hunting or training of other animals;
- 22) restrict movement of animals in the manner causing them to suffer from pain, distress, injury or fear;
- 23) tranquilize, slaughter or kill animals for ritual purposes;
- 24) release a reproduced or tame wild animal into the wilderness if it has not been prepared for survival in such an environment in line with the law;
- 25) reproduce animals with inherited disorders that endanger their welfare or the welfare of their descendants, except in cases of induced mutations, in harmony herewith, as well as to reproduce animals that have not reached their maturity;
- 26) subject, enable or permit subjecting of animals to interventions that are carried out without expert care and humaneness and in contravention of the good veterinary practice.

The requirements for and the methods of training service dogs and horses shall be prescribed by the competent ministry responsible for internal affairs, in cooperation with the competent ministry responsible for defense and the ministry responsible for the veterinary duties (hereinafter referred to as the Ministry).

### **III. ANIMAL PROTECTION DURING HEALTH CARE PROVISION AND ZOOTECHNICAL INTERVENTIONS**

#### **Article 9**

Any intervention that is carried out on an animal, by which the animal's physical, mental or genetic integrity is diminished, may be carried out only by a veterinarian, whereas for scientific and research purposes it may be carried out also by a scientist authorized to do so, in harmony herewith.

Any surgical or zootechnical intervention to be carried out on animals, except those indicated under paragraph 3 above, shall be performed with the use of anaesthesia, whereas analgesics shall be used in post-surgical stage, and shall be performed in accordance with the provisions set forth under the good veterinary practice.

Interventions without anesthesia may be carried out in the following cases:

- 1) if anesthesia is capable of causing the death of animal;
- 2) in animal branding;

- 3) in certain diagnostic procedures, i.e. testing, in harmony with the rules of the profession;
- 4) in the case that the anaesthesia would cause more pain to the animal than the pain caused by the operation itself;
- 5) if it is counter induced by an experiment results that are desired to be obtained therefrom.

An intervention and procedures relating to an intervention that is carried out by a veterinarian on an animal must be in harmony with the good veterinary practice (GVP).

### **Ban on interventions carrying out on animals**

#### **Article 10**

It shall be forbidden to carry out any intervention on animals for the purpose of changing their appearance or identity or concealing their physical defects and age, and/or to carry out partial or complete amputation of particular parts of their bodies, and particularly:

- 1) to amputate and shorten tails of all animals, except for pigs younger than eight days;
- 2) to amputate ear lobes;
- 3) to remove vocal cords (devocalization);
- 4) to cut claws and the phalanges and to remove of poisonous tooth;
- 5) painful shoeing of hoofed animals;
- 6) shortening beaks of poultry, unless it is about preventing bigger losses or diseases during their breeding or reproduction;
- 7) to castrate rams by elastic ring;
- 8) to undertake a surgery on male animals' genitals, except for castration;
- 9) to brand sheep and cattle;
- 10) to amputate calves' tongues;
- 11) to dehorn calves and young goats;
- 12) to disable roosters (cocks) to crow;
- 13) to undertake interventions disabling poultry to use their wings, except shortening the wing feathers;
- 14) to undertake interventions causing weakening of poultry's eyesight.

Except for paragraph 1 above, intervention may be carried out on animals in the following cases:

- 1) for protecting animal health and/or preventing animal life and welfare to be endangered;
- 2) for scientific and research and biological and medical purposes, in harmony with the law;
- 3) for the purpose of animal number control (sterilization);
- 4) for branding stray animals, by incising their earlobes;
- 5) for zootechnical purposes if an animal pain, distress, and self-injuring or injuring other animals is prevented thereby, as well as for safety purposes.

### **IV PROTECTION OF ANIMALS FOR PRODUCTION, DURING RAISING AND BREEDING**

#### **Obligations of the animal holder**

##### **Article 11**

An animal holder shall be under obligation to provide the animal with:

- feed and water as per their physiological functions;

- care and health protection;
- housing in facilities with sufficient light, heat and space;
- space hygiene;
- protection against climatic conditions and natural enemies;

Animals that are housed neither permanently nor temporarily in the facilities must be protected against unfavorable weather conditions and against other dangers to their health and life.

An animal holder may not be a person younger than 16 and no animal may be sold or bestowed to such person.

If a person younger than 16 is in the possession of an animal, a parent or a tutor of such person shall be considered as the animal holder.

If an animal is held in the enclosed space, its holder shall be under obligation to make round of it once a day at minimum.

### **Construction and equipping of faculties**

#### **Article 12**

The building material that is used for construction of facilities and manufacturing equipment for the facilities with which animals are in contact must neither be dangerous for the animals nor affect the health of such animals, and they must be constructed / manufactured so as to enable smooth cleaning, washing, as well as disinfection if necessary.

Facilities and spaces for animal housing and the equipment must be designed without sharp angles, edges or bulges that could injure animals.

Automated and mechanical equipment that is used for raising animals must be regularly inspected - once a day at minimum.

More detailed requirements that faculties shall comply with and equipment necessary for raising and breeding the animals for production, as well as the method of their maintenance shall be prescribed by the Ministry.

### **Movement of animals**

#### **Article 13**

Animals that have been deprived of liberty of movement shall be provided with the space adequate for their physiological and ethological functions.

Animals that have been deprived of their liberty to move must be provided with sufficient space in which they can lie down and stand up, stretch the forelegs and rear legs without difficulties, i.e. stretch themselves freely out, as well as which enables the animals to use the same area and the same space to turn around their longitudinal center lines when standing and lying, without bending their bodies and heads.

### **Feeding and watering**

#### **Article 14**

Animals must be provided with the access to sufficient water of appropriate quality, in harmony with their needs.

Facilities in which animals are raised must be equipped in such manner so as to enable animals to take feed and water in the manner that is characteristic of their sort.

The space in such facilities and the equipment for feeding and watering must be regularly maintained, i.e. cleaned.

### **Care in case of a disease or an injury**

#### **Article 15**

An animal holder shall be in obligation to accommodate an ill or injured animal in harmony with its needs, whereas also in separate space or facility if necessary and such holder shall provide the animal with veterinary and health protection.

Sufficient number of qualified persons or persons of equivalent experience must take care of such an animal.

### **Application**

#### **Article 15a**

The provisions of Articles 11 to 15 of this Law shall not apply to:

- 1) animals living in the wilderness;
- 2) animals intended for use in competitions, exhibitions, cultural or sporting events or activities;
- 3) animals for experiments or laboratories;
- 4) invertebrates.

## **V ANIMAL PROTECTION IN CASE OF MERCY KILLING AND SLAUGHTERING**

### **Animal protection in case of mercy killing**

#### **Article 16**

An animal may be subjected to mercy killing only due to justifiable and under certain conditions.

Animal mercy killing may be performed when:

- 1) the veterinary treatment of an animal would be long-lasting, and the results of the treatment being uncertain;
- 2) the animal basic vital functions are collapsing due to its very advanced age;
- 3) the animal suffers from an incurable disease or injury or physical deformation or it is pathologically incapacitated so its health recovery is not possible and its further living is the source of permanent pain, distress, fear and stress;
- 4) spreading of an infectious disease is prevented, as well as combating and eliminating thereof, in harmony with the law;
- 5) the animal is dangerous to society, and/or when it is not capable of adjusting to the captivity conditions and its release would present danger to human beings, other animals and environment;



- 6) it is performed for eradication of vermin's, and it cannot be performed in any other manner;
- 7) it is necessary for preserving the natural equilibrium within the hunting ground, in harmony with the law;
- 8) it is necessary to provide animal products for the human consumption and for other economic purposes;
- 9) it is used for scientific and research and biological and medical purposes, in harmony with the present Law.

It shall be forbidden to subject an animal to mercy killing by:

- 1) force, i.e. by choking, drowning or beating and alike;
- 2) using poisonous substances or medicines that are not intended for the purposes as per the instruction for use issued by the manufacturer;
- 3) using electricity in the manner that does not lead to the immediate loss of consciousness;
- 4) motor vehicle;
- 5) weapons, unless in cases as provided for under the law;
- 6) using other similar methods;
- 7) reasons of ritual purposes.

An animal must not be subjected to mercy killing in public places, except for hunting grounds as prescribed under the law, as well as when it is necessary to release such animal from unnecessary pain and distress in case its recovery is not possible due to injuries or bad health status, or for the purposes of preventing spreading of and combating and eradicating infectious diseases.

An animal may be subjected to mercy killing only by a veterinarian or veterinary technician under the supervision of a veterinarian, unless in cases of:

- mercy killing – slaughtering of animals that are bred and held for food production;
- mercy killing of animals for educational and experimental purposes;
- vermin eradication;
- mercy killing of animals suffering from incurable pain;

Mercy killing shall be performed in such manner so as to ensure the complete loss of consciousness or the immediate death.

Mercy killing shall be performed upon previous tranquilization, after which the procedure causing immediate death without any possibility for the animal to recover shall follow.

Mercy killing in contravention of this article shall be considered as animal torture.

Mercy killing shall be performed by the special purpose means.

### **Treatment of animals suffering from incurable pain**

#### **Article 17**

An animal holder must subject the animal suffering from an intensive and incurable pain caused by *force majeure* to mercy killing.

### **Protection of animals for production in case of mercy killing or slaughtering**

### **Article 18**

In case of slaughtering, animals shall be tranquillized prior to bleeding to death, thereby ensuring the immediate loss of consciousness.

Except for paragraph 1 of this article, animals may be slaughtered without tranquillizing in the following cases:

- 1) slaughtering poultry and rabbits on farm holdings for the own consumption, in the manner and by means that cause the immediate death;
- 2) forced slaughtering for the termination of a pathological status of animal, which is capable of leading to perishing due to very serious injuries as a result of an accident or due to other health reasons, if tranquillization is impossible;
- 3) ritual slaughtering;

More detailed requirements for the protection of animals in case of slaughtering, the method of and the means for tranquillization and mercy killing of animals, as well as the method of qualifying the person referred to under Article 20, paragraph 6, hereof shall be prescribed by the Ministry.

### **Tranquillization of animals**

#### **Article 19**

Animals must be made unconscious by tranquillization and slaughtered during that state.

No tranquillization must be performed if it is not possible to slaughter and/or bleed animal to death immediately upon tranquillization.

Animals for production of fur shall be subjected to mercy killing upon tranquillization, without slaughtering.

It shall be forbidden to use the means (i.e. a dagger, hammer, ax and alike) and the tranquillization methods causing unnecessary pain, distress, injury or fear to animals.

### **Procedure with animals in slaughterhouses**

#### **Article 20**

Unloading and movement of the animals within the slaughterhouse shall be performed with care and without causing perturbations, fears, distress and pains, by using the adequate guiding equipment.

Upon unloading, animals must be housed in an appropriate space or spaces for animal housing so as to be protected against unfavorable climatic conditions, and they shall be provided with sufficient drinking water.

Animals that have not been slaughtered within 12 hours as of their arrival to a slaughterhouse shall be fed by a moderate quantities of feed and in appropriate intervals.

Animals must be tranquillized immediately prior to their slaughtering.

When animals are shackled, no means causing pain and distress shall be used, i.e. their rear legs must not be tied; animals must not be hanged prior to their tranquillization, i.e. prior to bleeding to death in case of ritual slaughtering and alike, except for poultry and rabbits that can be hanged for slaughtering under the conditions they shall be tranquillized immediately upon their hanging.

Displacing, housing and care of animals in slaughterhouses, their shackling, tranquillization and slaughtering may be performed only by the persons qualified therefore.

Automated and mechanical equipment i.e. means for unloading, shackling, tranquillization, mercy killing, and/or slaughtering of animals must be regularly maintained and checked.

#### **Article 21**

It shall be forbidden to:

1. slaughter animals if no veterinary check has been performed prior to the slaughtering;
2. slaughter an animal if the animal has not been tranquillized in the prescribed and professional manner, except for ritual slaughtering or animal suffering from distress;
3. process the slaughtered animals if the bleeding to death has not been completed;

### **VI PETS PROTECTION**

#### **Article 22**

A pet holder shall be under obligation to provide the pet comfortable housing and care in harmony with its breed, line, gender, age, physical and biological specificities and behavioral needs and health status.

A pet holder shall be under obligation to ensure the reproduction control and to take care of baby pets, whereas, in case of an uncontrolled reproduction and when such holder does not want and is not in situation to take care of baby pets, such holder shall be under obligation to cover expenses for taking care of them.

A pet holder shall be under obligation to eliminate any pet excrement from the public spaces.

#### **Article 23**

Holding pets for reproduction for commercial purposes, where three or more breeding female pets are, may be practiced in breeding centers that comply with the requirements as regards facilities, equipment and conditions necessary for animal welfare protection.

Training of dogs may be performed in the facilities that comply with the requirements prescribed therefore.

The fulfillment of the requirements referred to under paragraphs 1 and 2 of this article shall be defined by the competent authority responsible for the veterinary activities (hereinafter referred to as the Administration Authority)

Such Administration Authority shall keep the register of breeding centers and facilities for dog training referred to under paragraphs 1 and 2 of this article.

More detailed requirements as referred to under paragraphs 1 and 2 and the method of keeping the register referred to under paragraph 4 of this article shall be prescribed by the Ministry.

### **Protection of pets in pet shops and animal hygiene and beauty parlors**

#### **Article 24**

Selling and exterior cosmetics of pets may be performed in those facilities that comply with the veterinary and sanitary requirements and with the requirements prescribed for animal welfare protection.

The Administration Authority shall keep the register of pet shops and animal beauty parlors and it shall establish the fulfillment of the requirements referred to under paragraph 1 of this article.

Persons qualified for taking care of animals shall be the employees in pet shops and animal beauty parlors.

An employee in a pet shop or animal beauty parlor shall be under obligation to issue written instructions on how to raise and breed the pets that are sold, as well as to keep records of persons to whom pets have been sold.

It shall be forbidden to sell pets to the person younger than 16 without a consent thereto by their parents or tutors.

Pets for sale must originate from the registered facilities or from registered holders.

More detailed requirements referred to under paragraph 1 of this article, keeping of the register referred to under paragraphs 1 and 2 of this article and the method of qualifying the persons referred to under paragraph 3 of this article shall be prescribed by the Ministry.

### **Protection of stray and lost animals (pets)**

#### **Article 25**

A pet holder shall be under obligation to report to a stray animal shelter of the disappearance of his/her pet.

A person that has found a stray or lost animal (i.e. a pet) shall be under obligation to inform a stray animal shelter thereof.

The expenses incurred by the pouncing in such animal shelter shall be covered by the pet holder, when such holder has been identified or found later on.

A found wild animal may be taken to the closest hunting society to be released back to its natural environment, or to a closest zoo that has been properly equipped for housing such animal. If such zoo is not in situation to house such animal, such animal may be subjected to mercy killing.

If a protected wild animal species has been found, the competent authority responsible for the protection of nature shall be informed thereof.

## **Temporary housing for pets**

### **Article 26**

Temporary housing for pets shall be pet day-care shelters and stray animal (stray pet) shelters.

Pet day-care shelters may be established by a business company or an entrepreneur and/or by other legal persons, in the locations where animal sheltering does not disturb the public order and peace.

Facilities for temporary housing of pets as referred to under paragraph 1 of this article must comply with the veterinary and sanitary requirements.

Persons qualified for taking care of animals shall be employees in the facilities referred to under paragraph 1 of this article.

Health protection of animals must be provided in the facilities for temporary sheltering of animals.

A contract in writing shall be entered into by a provider of day-care shelter services and a pet holder.

A pet holder being a user of pet day-care shelter services shall be under obligation to provide the day-care shelter, prior to the commencement of such services, with medical certificate of health status and immunization of his / her pet.

The competent authority shall keep the register of facilities for temporary sheltering and it shall establish the fulfillment of the requirements referred to under paragraph 3 of this article.

More detailed requirements that must be complied with by day-care shelters and shelters referred to under paragraph 3 of this article, as well as the method of qualifying the persons referred to under paragraph 4 of this article and the manner in which the register is to be kept shall be prescribed by the Ministry.

## **Establishing stray animal (i.e. pet) shelter**

### **Article 27**

A stray animal (i.e. pet) shelter shall be under obligation to:

1. receive reports on stray and lost animals;
2. arrange, independently or in cooperation with local self-government units, bringing and transporting of lost and stray animals to an animal shelter;
3. take over the stray and lost animals and to provide them with shelter;
4. provide veterinary and animal health protection;
5. to find a stray or lost animal holder or to put them up for adoption;
6. keep records of the found animals and of care of them or of their mercy killing;

If a pet holder does not apply for his / her pet to be returned within 15-day period as of the pet's arrival to shelter, such pet may be put up for adoption.

A person that adopts a stray animal shall be under obligation to sign the statement of such adoption.

If a pet has not been adopted within 30-day period as of its sheltering or no care has been taken thereof in another manner, such pet may be subjected to mercy killing.

The method of keeping the records referred to under item 6 in paragraph 1 of this article shall be prescribed by the Ministry.

The data entered into the records shall be public.

The requirements for and the manner in which pets are bred, as well as the treatment with stray and lost animals (i.e. pets) and the method of their sheltering and of control of their reproduction shall be prescribed by the competent local self-government authority.

#### **Article 28**

If no shelter for stray animals (i.e. pets) has been established in line with paragraph 2 under article 26 hereof, its establishment and functions shall be funded by one or several local self-government units in proportion to their needs.

Bringing stray or lost animals shall be arranged and funded by local self-government units.

### **Dangerous animals**

#### **Article 29**

Dangerous animals may be raised only if they do not endanger the human or animal life and their physical integrity.

The facilities and/or places where dangerous animals are raised must be marked with visible warning thereof and/or visible warning of danger.

It shall be forbidden to reproduce dangerous animals.

Dangerous dogs may be taken out in public places only if they are on the lead and under immediate and permanent supervision of their holders.

It shall be forbidden to allow persons younger than 16 to take out dangerous dogs in the public places.

The requirements for and the method of breeding dangerous dogs and other dangerous animals shall be prescribed by the Ministry.

## **VII ANIMAL PROTECTION DURING TRANSPORTING**

#### **Article 30**

Loading, reloading, unloading and transporting of animals must be performed in the manner that will not cause any pain, injury, unnecessary distress or death of animals.

During loading, reloading, unloading and transporting, animals must not be deprived of their fundamental physiological functions.

It shall be forbidden to transport animals:

- 1) that are incapable of standing transporting, i.e. in-calf cows that are in the last 10% period of the total pregnancy, female animals the delivery of which was seven days prior to such transporting, except they are in need of urgent veterinary help, newly born animals with umbilical cords not completely healed, ill or injured animals, except they need transporting for the veterinary treatment or mandatory killing or mercy killing;
- 2) in uncovered transportation, boxes, containers or other vehicles in which animal are not protected against weather conditions or climatic condition fluctuations;
- 3) in closed transportation, boxes, containers or other vehicles during hot months and if, during transporting, no adequate ventilation is provided;
- 4) that are susceptible to air temperature fluctuations, and no constant air temperature is provided during transporting;
- 5) if a transportation does not comply with the requirements prescribed for the purpose;
- 6) if neither minimum floor space nor minimum space height is provided as prescribed and as adequate to the age of animal and the duration of transporting;
- 7) if animal stay in transportation is such that injuries or falling off the transportation are likely to occur;
- 8) if either drinking water or feed and either first aid or veterinary care of ill and injured animals are unlikely;
- 9) that fall into the group of aquatic animals and insufficient water quantities of adequate temperature, oxygen concentration and food have not been provided;
- 10) bee hive, when no adequate ventilation has been provided;
- 11) if substances capable of affecting animal health are being transported together with animals;
- 12) in transportation that has not been issued any veterinary inspector and/or any authorized veterinary inspector's permit for the purpose;
- 13) in containers that are not marked and that do not show visible signs that animals are being transported thereby.

Transporting of animals in contravention of paragraph 1 of this article shall be considered as animal torture.

### **Transporting conditions**

#### **Article 31**

Transportation must be driven in the manner to avoid injuries and stress of animals and to protect their safety.

Tools and equipment for loading and unloading of animals must be maintained and used in such manner to avoid causing any pain, distress of injury of animals and to protect their safety.

Animals must be check regularly during any transporting.

Containers used for transporting of animals shall be marked if their purpose is not obvious when seen from outside.

Any carrier shall be under obligation to develop transporting route plan, which shall be in the driver's cabin during the entire transporting.

### **Carrier's obligations**

#### **Article 32**

Animal transporting may be carried out only by those business companies or entrepreneurs that have already been registered for the purpose (hereinafter referred to as carriers).

Animal transporting may be carried out only by transportation that complies with the veterinary and sanitary requirements prescribed for the purpose.

The Administration Authority shall keep the register of carriers and it shall establish the fulfillment of the requirements referred to under paragraph 2 of this article.

A carrier shall be under obligation to:

- 1) undertake all necessary measures during transporting so as to shorten it as much as possible;
- 2) engage a qualified person (hereinafter referred to as the companion) who shall take care of the safety of the animals being transported;

Except for paragraphs 1 and 2 of this article, a transporting of animals for the own purposes may be carried out by farm producers by their own transportation in the following cases:

- any seasonal removal of animals to another climatic region, and
- to a destination that is 50 km away from their farm holding.

Paragraphs 1, 2, 3 and 4 of this article and paragraph 5 under Article 31 hereof shall not be applicable to transporting of pets by the own transportation or to transporting of animals due to their being in need of veterinary and health protection services or to transporting of animals that are not intended for commercial purposes.

The provisions under paragraphs 1 and 4, item 2, of this article and paragraph 5 under Article 31 hereof shall not be applicable to the persons that are transporting animals to the destinations of up to 65 km away from the place of departure, counting them from to such destinations.

More detailed requirements for animal transporting, which shall be complied with by a carrier and a transportation, as well as the contents of the transporting route plan referred to under Article 31 hereof, as well as the method of qualifying animal companion, shall be prescribed by the Ministry.

### **VIII REQUIREMENTS FOR RAISING ANIMALS IN ZOOS, SHELTERS AND ANIMAL TRAINING CENTERS**

#### **Article 33**

Wild animal zoos, shelters or training centers may be established by entrepreneurs and other legal entities if they are in the possession of:

- facilities, spaces, equipment and sufficient number of staff for raising and/or reproduction of such animals;



- plan of maintaining a zoo, accompanied by the list of animal species, needs for funds and plans of taking care of possible descendants of such animals, and
- plan of taking care of such animals in case of a dissolution of such zoo or in events of *force majeure*.

Wild animals in zoos may be bred only in the facilities that comply with the veterinary and sanitary requirements.

The fulfillment of the requirements referred to under paragraphs 1 and 2 of this article shall be established by a decision taken by the administration authority.

Along with an application for establishing the fulfillment of the requirements referred to under paragraph 1 and 2 of this article, a consent given by the competent Administration Authority responsible for the protection of nature shall be presented as well.

Any zoo that complies with the requirements as referred to under paragraphs 1 and 2 of this article shall be recorded in the register that is kept by the administration authority.

More detailed requirements as under paragraphs 1 and 2 of this article and the method of keeping the register as referred to under paragraph 5 of this article shall be prescribed by the Ministry.

### **Requirements for animal protection in zoos, shelters and animal training center**

#### **Article 34**

A zoo must provide the following:

- housing space and the equipment for raising and/or reproduction of wild animals, which comply with the basic needs of each animal species;
- adequate water and feed supply as per their physiological needs;
- veterinary and health protection;
- human dealing with animals by the employed persons;
- animal protection against visitors and/or visitors protection against animals.

In case a zoo dissolves, such zoo shall be under obligation to transfer animals to another zoo that complies with the requirements for raising animals as regards the protection prescribed under the present Law.

If no possibility exists to take care of animals in harmony with paragraph 2 of this article or in another manner, animals may be subjected to mercy killing.

The animals raised in a zoo may be exchanged among zoos, upon a consent given by the administration authority.

Zoos shall be under obligation to keep records of the sheltered, sold, exchanged and bestowed animals.

Expenses incurred by sheltering the animals referred to under paragraph 3 of this article shall be covered by a zoo, shelter and/or training center concerned.

The method of keeping the records referred to under paragraph 5 of this article shall be prescribed by the Ministry.

## **Protection of animals in circuses and other animal spectacles**

### **Article 35**

Exhibitions, competitions, circuses and other traveling animal spectacles may be arranged upon a consent given by competent local self-government authority, only if they do not endanger the life and welfare of animals or if they do not force animals to behave in an unnatural manner and/or if they are ethically acceptable and reasonable or do not subject physical or mental capacities of animals to ridicule.

It shall be forbidden to make any animal, which was subjected to any intervention referred to under Article 10, paragraph 1, hereof upon entering into force of the present Law, to participate in an exhibition or competition.

It shall be forbidden to raise and/or reproduce and use wild animals for exhibitions and competitions.

The competent local self-government authority shall, upon a request, issue a permit to arrange exhibitions, competitions, circuses and other traveling animal spectacles, upon a consent given by the administration authority.

Along with the request referred to under paragraph 3 of this article, the evidence of location, data on animal species and the number thereof and data on the time schedule of exhibitions, competitions, circuses and other traveling animal spectacles shall be presented as well.

## **PROTECTION OF ANIMALS DURING FILM AND TV SHOOTING**

### **Article 36**

Animals may be used in film and TV shooting upon a consent given by the Administration Authority.

The consent referred to under paragraph 1 of this article shall be issued based on a request presented within 7 days at minimum prior to a commencement of such shooting.

Along with the request referred to, the list of all animals to be used (and of species and number thereof), the data on their raising and using until such time, purposes for which such animals were used and addresses where shootings happened shall be presented as well.

## **IX PROTECTION OF LABORATORY ANIMALS**

### **Article 37**

Experiments on animals may only be conducted by high education and scientific and research institutions that have already been registered for experimental activities on laboratory animals.

### **Article 38**

Experiments on animals may be conducted for the purposes of:

1. research of diseases and physical disturbances or identification of the influence of physiological and pathological conditions on human beings or animals;

2. research and development of medicines and medicine preparations intended to the protection of human and animal health;
3. testing of the quality, effectiveness and safety of medicines, substances and products;
4. testing of production and other characteristics of animals and of the modalities to improve them for all the forms of animal breeding;
5. identification of the causes and consequences of threats to the environment;
6. testing the harmlessness of materials or products to human or animal health;
7. scientific researches;
8. education.

The experiments on animals may be allowed only if the purpose of research may not be served by other scientific methods and if the assumed pain, distress or injury of animals may be ethically justified by the expected results that are of importance for the human or the animal and/or the science.

The method of raising laboratory animals shall be prescribed by the Ministry.

### **Branding**

#### **Article 39**

Laboratory animals may be branded in harmony with the regulations prescribed by the Ministry.

### **Permission to experiment with animals**

#### **Article 40**

Experiments on animals may be allowed based on a permission to be issued by the Administration Authority upon a request.

Along with the request referred to under paragraph 1 of this article, also expert opinion by the Council on Animal Protection (hereinafter referred to as the Council) as regards the ethical and scientific justifiability of experiments shall be presented.

The permit referred to under paragraph 1 of this article shall be issued based on the expert opinion by the Council.

### **Educational experiments**

#### **Article 41**

Educational experiments may not be allowed if they cause pain, distress, fear, stress, injury or death of animal.

Elementary and secondary schools shall be allowed to undertake experiments on live animals if such experiments are of observation character only and if they emphasize the importance and diversity of live animal forms and specificities, their versatility and beauty of their physiognomy and anatomy, biological features, specificities and characteristics of their habitats, nutrition, reproduction, behavior, and their influence on the environment.

#### **Article 42**

High educational institutions may experiment with live animals for the purpose of training their students pursuant to the valid curricula if animal life and welfare and/or their physical and mental integrity are not disordered.

Other interventions to be carried out on animals for the purpose of students' training shall be allowed only on animal carcasses.

The curricula referred to under paragraph 1 of this article must define the method of carrying out the experiments on live animals.

#### **Article 43**

High educational and scientific and research institutions shall keep records of the completed experiments with animals and the procedures conducted during producing biological preparations, as well as of the number of the used animals.

The method of keeping the referred records shall be prescribed by the Ministry.

#### **Article 44**

A report on the results reached in an experiment shall be tabled by the scientific and research institutions to the Ministry, the Administration Authority and the Council within 30 days as of the completion of such experiment.

An annual report on the experiments carried out on animals in the previous year shall be tabled by the high educational institution to the Ministry, the Administration Authority and the Council by March 31 of a current year.

### **Ban on the use of animals for experiments**

#### **Article 45**

It shall be forbidden to use animals for experiments in the following cases:

1. testing of weapons, ammunition or accompanying accessories, or war equipment or radiation effects;
2. research or development of tobacco products and chemical substances for cleaning and disinfection of consumer goods;
3. research and development of ingredients, combination of ingredients and finished cosmetic products, except in cases when no other scientific methods that replace the use of animals exist;
4. testing of effects of alcohol and drugs, except in cases when no other scientific methods that replace the use of animals exist;

## **XI THE COUNCIL**

### **Composition and the method of work of the Council**

#### **Article 46**

The Council shall be established by the Government.

The Council shall appoint the chairperson and six members.

The Council shall be appointed by the Government, and six members shall be nominated by the Government and one by the NGO dealing with the animal protection.

The Council members shall be appointed to the five-year term of office.

The Council members shall be nominated out of the rank of public, scientific and professional persons involved in veterinary, medicine, biology, pharmacy and biochemistry and agriculture related professions.

The Council work shall be public.

The organizational structure of the Council shall be governed by the rules of procedure in more details.

Professional and administrative and technical duties for the purposes of the Council shall be performed by the Ministry.

### **Jurisdiction Article 47**

The Council shall:

- 1) monitor the work of scientific and professional cognition within the area of animal protection and shall propose the methods of improving animal protection in Montenegro;
- 2) give expert opinions on the matters of ethics and animal protection pursued during the procedures involving experiments on animals;
- 3) deliver expert and scientific support to the advancement of animal welfare protection;
- 4) initiate approval and/or amendments and supplements to the regulations governing animal welfare protection;
- 5) table, to the Government of Montenegro (hereinafter referred to as the Government), reports on the status of animal protection during experiments and the reports on its work once a year at minimum;
- 6) establish cooperation with competent state authorities, public administration authorities and international institutions in the area of the exchange of scientific and expert information;
- 7) approve the rules of procedure for its work;
- 8) perform also other duties as prescribed under the law and its rules of procedure.

### **XII INSPECTION CONTROL Competent authorities**

#### **Article 48**

Tasks of inspection supervision are conducted by veterinary inspectors in accordance with the law.

Inspection of the enforcement of this law can be performed simultaneously with the supervision performed in accordance with the law regulating the veterinary, food safety and identification and registration of animals.

#### **Authorities conferred on inspectors**

#### **Article 49**

In addition to the authorities conferred on inspectors pursuant to the law governing inspection control, the veterinary inspectors shall be conferred also the following authorities to perform:

- inspection and control of establishments and spaces in which animals are raised and/or reproduced;
- controls of marketing, transporting, subjecting to mercy killing and slaughtering of animals, as well as of experiments, arrangement of exhibitions, circuses and other animal spectacles;
- control of the safety of animal raising and breeding related conditions;
- control of the fulfillment of the requirements prescribed to be observed by pet day-care shelters and shelters; and
- control of the fulfillment of other requirements prescribed to be control in the inspection control.

### **Administrative measures and actions**

#### **Article 50**

Besides the administrative measures and actions prescribed under the Law on the Inspection Control, the veterinary inspectors shall be authorized and be under obligation to:

- impose measures for remedying the observed irregularities within the prescribed deadline;
- impose bans on the animal fights against other animals and the humans;
- impose bans on interventions, which are not undertaken by a veterinarian, to be carried out on animals;
- impose bans on subjecting animals to mercy killing by an unqualified person;
- impose bans on loading, reloading, unloading and transporting of animals if the requirements for animal protection have not been met;
- impose temporary bans on the slaughtering that are carried out without a tranquillization as prescribed under the present Law;
- impose measures for remedying the irregularities observed in the work of day-care shelters and shelters within the prescribed period;
- seize temporarily the document and things that may serve as evidence in a contravention procedure;
- put under temporary supervision, until the irregularities are eliminated, the animals that show indications of suffering from pain or distress or huge fear or from injury, or that their life would be that of huge suffering from pain if they continue to live under such conditions;
- impose the termination of an experiment or impose a ban on experimenting with animals due to their carrying out in contravention of the provisions under the present Law or if the irregularities as regards their carrying out have not been eliminated in due time;
- impose remedying the irregularities in the work of zoos to be completed within the prescribed deadline, and
- impose also undertaking other measure for ensuring the elimination of the observed irregularities.

If the irregularities referred to under paragraph 1, indent 9, of this article are not remedied in the prescribed time, such animals may be subjected to mercy killing at the expense of their owners; however, if it is about a pet - such animal may be bestowed to a stray animal shelter.

### **Data collection during supervision Article 50a**

Inspection supervision of the animals for the production is carried out at the production site or at the point of keeping or breeding these animals during this inspection.

About performed inspection supervision the record shall be made in written or electronic form which contains particular data on:

- 1) the date and the identification of the production site;
- 2) the manner of keeping and breeding of animals and verify compliance with the requirements established by this Law and sub-legal acts issued under this Law;
- 3) description of the type identified irregularities during an inspection;
- 4) the measures taken in order to eliminate the identified irregularities (administrative and penal measures).

Method of making a record and detailed contents of the data referred to in paragraph 2 of this Article shall be performed by the Ministry.

### **Reporting Article 50b**

A report on the performed inspection supervision of referred in Article 50a of the Law Ministry submitted the latest by 30 July of the current for the previous year, by electronic means to the European Commission.

The report from paragraph 1 of this Article shall contain the information referred to in Article 50a paragraphs 2 and 3 of this law with an analysis of its state and display irregularities with measures and plans for preventing or reducing the re- appearances of irregularities in the future.

## **XII PENAL PROVISIONS**

### Article 51

A fine ranging from 800€ to 25.000€ shall be imposed to any legal person for a contravention if they:

- 1) do not deal with animals with due diligence and does not provide it with life conditions appropriate to its variety, breed, gender, age, as well as to its physical, biological and production specificities, behavioral features and/or health status (Article 4, paragraph 3);
- 2) do not prevent an animal to endanger the life, safety or property of any other person and/or the life and safety of other animals (Article 4, paragraph 5);
- 3) do not deliver help to an animal that he/she injured (Article 5 paragraph 1);
- 4) do not deliver help and do not provide veterinary help in case of an injury, disease and hard delivery (Article 5 paragraph 2);
- 5) abandon animal, pet or bred or raised wild animal or other animals held under human supervision (Article 8, item 1 under paragraph 1);
- 6) excite the aggressiveness of animals by selection and by other methods (Article 8, item 4 under paragraph 1);
- 7) excite the animal on another animal or on the human, or train them to be aggressive (Article 8, item 5 under paragraph 1);
- 8) train animals in animal fights, arrange animal fights against other animals or fights against the human, as well as to participate therein or go to see or announce them or arrange betting or participate in such betting (Article 8, item 6 under paragraph 1);
- 9) give live animals as rewards in lotteries (Article 8, item 7 under paragraph 1);
- 10) arrange dog races on the hard grounds (Article 8, item 9 under paragraph 1);

- 11) give stimulating or other forbidden substances to animals in order to improve their performance in sporting or other events (Article 8, item 10 under paragraph 1);
- 12) use forbidden stimulating and other stuffs for the purpose of faster growth and weight gain of animals (Article 8, item 11 under paragraph 1);
- 13) neglect animal health, housing, nutrition and care (Article 8, item 17 under paragraph 1);
- 14) use forbidden traps to catch animals (Article 8, item 19 under paragraph 1);
- 15) release a reproduced or tame wild animal into the wilderness if it has not been prepared for survival in such an environment in line with the law (Article 8, item 24 under paragraph 1);
- 16) reproduce animals with inherited disorders that endanger their welfare or the welfare of their descendants, except in cases of induced mutations, in harmony herewith, as well as to reproduce animals that have not reached their maturity (Article 8, item 25 under paragraph 1);
- 17) subject, enable or permit subjecting of animals to interventions that are carried out without expert care and humaneness and in contravention of the good veterinary practice (Article 8, item 26 under paragraph 1);
- 18) carry out any intervention that is carried out on an animal, by which the animal's physical, mental or genetic integrity is diminished, may be carried out only by a veterinarian, whereas for scientific and research purposes it may be carried out also by a scientist authorized to do so (Articles 9 paragraph 1);
- 19) carry out any surgical or zootechnical intervention without anesthesia (Article 9 paragraph 1);
- 20) carry out any intervention on animals for the purpose of changing their appearance to amputate and shorten tails of all animals, except for pigs younger than eight days, to amputate ear lobes, to remove vocal cords (devocalization), to cut claws and the phalanxes and to remove of poisonous tooth, painful shoeing of hoofed animals, shortening beaks of poultry, unless it is about preventing bigger losses or diseases during their breeding or reproduction, to castrate rams by elastic ring, to undertake a surgery on male animals' genitals, except for castration, to brand sheep and cattle, to amputate calves' tongues, to dehorn calves and young goats, to disable roosters (cocks) to crow, to undertake interventions disabling poultry to use their wings, except shortening the wing feathers (article 10 paragraph 1 item 1 throe 14);
- 21) An animal holder does not provide the animal with: feed and water as per their physiological functions, care and health protection, housing in facilities with sufficient light, heat and space, space hygiene, protection against climatic conditions and natural enemies (Article 11 paragraph 1 item 1 throe 5)
- 22) sell an animal to a person younger than 16 (Article 11, paragraph 3);
- 23) Facilities and spaces for animal housing and the equipment have sharp angles, edges or bulges that could injure animals (Article 12 paragraph 2);
- 24) an animal does not have sufficient space in which they can lie down and stand up, stretch the forelegs and rear legs without difficulties, i.e. stretch themselves freely out, as well as which enables the animals to use the same area and the same space to turn around their longitudinal center lines when standing and lying, without bending their bodies and heads (Article 13 paragraph 2);
- 25) do not shelter an ill or injured animal and doesn't provide the animal with veterinary and health protection (Article 15, paragraph 1);
- 26) subject an animal to mercy killing without prior tranquillizing it (Article 16, paragraph 7);



- 27) performs tranquillization when immediate slaughter and/or bleed of animal is not possible (Article 19 paragraph 2);
- 28) Unloading and movement of the animals within the slaughterhouse is performed without care and with causing perturbations, fears, distress and pains, by using the adequate guiding equipment (Article 20 paragraph 1);
- 29) Upon unloading, animals are not housed in an appropriate space or spaces for animal housing and are not protected against unfavorable climatic conditions, and are not provided with sufficient drinking water (Article 20 paragraph 2);
- 30) slaughter an animal without a prior veterinary examination, and without either appropriate tranquillization as prescribed or in absence of a professional method, and undertake to process the slaughtered animal without its bleeding to death (Article 21 paragraph 1 and 3 item 1);
- 31) A pet holder does not ensure the reproduction control and to take care of baby pets, whereas, in case of an uncontrolled reproduction and when such holder does not want and is not in situation to take care of baby pets, such holder does not cover expenses for taking care of them (Article 22 paragraph 2);
- 32) A pet holder does not eliminate any pet excrement from the public spaces (Article 22 paragraph 3);
- 33) do not report on the disappearance of an animal to a shelter and do not take a found animal as prescribed under (Article 25 paragraph 1);
- 34) does not inform a stray animal shelter after founding a stray or lost animal (Article 25 paragraph 2);
- 35) facilities for temporary housing of pets does not comply with the veterinary and sanitary requirements, doesn't have a qualified persons for taking care of animals, and doesn't provide health protection of animals (Article 26 paragraph 3,4 and 5);
- 36) does not receive reports on stray and lost animals (Article 27 item 1 paragraph 1);
- 37) does not arrange, independently or in cooperation with local self-government units, bringing and transporting of lost and stray animals to an animal shelter (Article 27 item 2 paragraph 1);
- 38) does not provide health protection of animals (Article 27 item 1 paragraph 4);
- 39) does not keep records of the found animals and of care of them or of their mercy killing (Article 27 item 6 paragraph 4);
- 40) reproduce and raise a dangerous animal which endanger the human or animal life and their physical integrity (Article 29 paragraph 1);
- 41) The facilities and/or places where dangerous animals are raised are not marked with visible warning thereof and/or visible warning of danger (Article 29 paragraph 2);
- 42) reproduce dangerous animals (Article 29 paragraph 3);
- 43) a younger person than 16 take out dangerous dogs in the public places (Article 29 paragraph 5);
- 44) during loading, reloading, unloading and transporting, animals are deprived of their fundamental physiological functions (Article 30 paragraph 2);
- 45) if it is transporting, i.e. in-calf cows that are in the last 10% period of the total pregnancy, female animals the delivery of which was seven days prior to such transporting, except they are in need of urgent veterinary help, newly born animals with umbilical cords not completely healed, ill or injured animals, except they need transporting for the veterinary treatment or mandatory killing or mercy killing (Article 30 paragraph 3 item 1);

- 46) transports animals in uncovered transportation, boxes, containers or other vehicles in which animal are not protected against weather conditions or climatic condition fluctuations (Article 30 paragraph 3 item 2);
- 47) transports animals in closed transportation, boxes, containers or other vehicles during hot months and if, during transporting, no adequate ventilation is provided (Article 30 paragraph 3 item 3);
- 48) if animal stay in transportation is such that injuries or falling off the transportation are likely to occur (Article 30 paragraph 3 item 7);
- 49) if substances capable of affecting animal health are being transported together with animals (Article 30 paragraph 3 item 11);
- 50) is transporting animals for whom has not been issued a transport permit (Article 30 paragraph 3 item 12);
- 51) does not develop transporting route plan before the start of the transport, which is not in driver's cabin during the entire transporting (Article 31 paragraph 5);
- 52) has not been registered for animal transporting (Article 32 paragraph 1);
- 53) In case a zoo dissolves, such zoo has not transferred animals to another zoo that complies with the requirements for raising animals as regards the protection prescribed under the present Law (Article 34 paragraph 2);
- 54) does not keep records of the sheltered, sold, exchanged and bestowed animals (Article 34 paragraph 5);
- 55) arrange, but do not possess a permit to arrange exhibitions, competitions, circuses and other animal spectacles (Article 35, paragraph 1);
- 56) make the animals who underwent any of the interventions referred to under Article 10, paragraph 1, to participate in exhibitions or competitions (Article 35, paragraph 2);
- 57) raise and/or reproduce and use wild animals for exhibitions and competitions (Article 35, paragraph 3);
- 58) uses animals in film and TV shooting upon a without the consent given by the Administration Authority (Article 36 paragraph 1);
- 59) experiment with animals without a the consent given by the Administration Authority (Article 40 paragraph 1);
- 60) high educational and scientific and research institutions do not keep records (Article 43 paragraph 1);
- 61) high educational and scientific and research institutions do not table the reports on results from experiments to the Ministry, the Administration Authority and the Council within 30 days as of the completion of such experiment (Article 44 paragraph 1);
- 62) high educational and scientific and research institutions do not table an annual report on the experiments carried out on animals in the previous year to the Ministry, the Administration Authority and the Council by March 31 of a current year (Article 44 paragraph 2);

A responsible person in the legal entity and natural person shall be fined by the amount ranging from 60€ to 3000€ for the contraventions referred to under paragraph 1 of this article.

A entrepreneur shall be fined by the amount ranging from 300€ to 8.000€ for the contraventions referred to under paragraph 1 of this article.

## **Article 52**

In case of repeated contraventions referred to under Article 51 paragraph 1 items 16,28,29,30,35,40,42,44,52,53 and 57 of this law, a legal person, an entrepreneur or natural person may be imposed also a relief measures of ban on the performance of the activity to be in force from one to six months.

### **XIII TRANSITIONAL AND FINAL PROVISIONS**

#### **Article 53**

Secondary legislation for enforcing this Law shall be developed within one year as of the day of its entering into force.

#### **Article 54**

The Council referred to under Article 46 hereof shall be established within one year as of the day of entering into force of this Law.

#### **Article 55**

Business companies, entrepreneurs, other legal and natural persons that deal with raising and/or reproducing, marketing, transporting of and experimenting with and slaughtering of animals shall be under obligation to comply with the provisions of this Law within two years as of the day of its entering into force at latest.

Local self-government units shall provide shelters for animals within two years as of entering into force of this Law.

#### **The obligations of the Ministry**

##### **Article 55a**

The Ministry shall from the date of entry into force of this law to the European Commission:

- submit all regulations adopted under this Law;
- enable the supervision of on-site and provide assistance with aim to verify the implementation of this law.

#### **Submission of reports**

##### **Article 55b**

The report referred to in Article 50b of this Law shall be submitted to the European Commission by the date of accession to the European Union.

#### **Repeal**

##### **Article 56**

On the day of entering into force of this Law, Article 54 under the Veterinary law (Official Gazette of RM", No. 11/04 and 27/07) shall be null and void.

On the effective date of this Law, the Article 83 of the Law on Amendments to the laws which prescribe fines for violations ("Official Gazette", No. 40/11) shall be repealed.

#### **Article 57**

This law shall enter into force on the eighth day as of its publishing in the Official Gazette of RM.