Issuer:	Riigikogu
Type:	Act
In force from:	01.09.2025
In force until:	30.06.2026
Translation published:	12.09.2025

Animal Protection Act[1]

Passed 13.12.2000
RT I 2001, 3, 4
Entered into force in accordance with § 82 of the Act.

Amended by the following acts

Passed	Published	Entry into force
14.11.2001	RT I 2001, 93, 566	01.01.2002
Consolidated text in paper version of Riigi Teataja	RT I 2002, 13, 78	
19.06.2002	RT I 2002, 61, 375	01.08.2002
19.06.2002	RT I 2002, 63, 387	01.09.2002
06.11.2002	RT I 2002, 96, 566	01.01.2003, in part 01.05.2004
21.04.2004	RT I 2004, 38, 257	01.05.2004
21.04.2004	RT I 2004, 38, 258	10.05.2004
26.10.2005	RT I 2005, 61, 477	01.12.2005
20.04.2006	RT I 2006, 21, 162	01.06.2006
15.02.2007	RT I 2007, 23, 119	01.04.2007
15.02.2007	RT I 2007, 23, 119	01.09.2007
15.02.2007	RT I 2007, 23, 119	02.01.2008
20.11.2008	RT I 2008, 51, 284	01.01.2009
18.12.2008	RT I 2009, 3, 15	01.02.2009
14.05.2009	RT I 2009, 29, 174	19.06.2009
26.11.2009	RT I 2009, 62, 405	01.01.2010
22.04.2010	RT I 2010, 22, 108	01.01.2011 will enter into force on the date specified in the decision of the Council of the European Union concerning abrogation of the derogation established with regard to the Republic of Estonia on the basis of Article 140 (2) of the Treaty on the Functioning of the European Union, Decision No 2010/146/EU of the Council of the European Union of 13 July 2010 (OJ L 196, 28.07.2010, pp 24-26).
20.05.2010	RT I 2010, 29, 151	20.06.2010
03.06.2010	RT I 2010, 34, 183	23.06.2010
23.02.2011	RT I, 25.03.2011, 1	01.01.2014; date of entry into force amended 01.07.2014 [RT I, 22.12.2013, 1]
08.12.2011	RT I, 29.12.2011, 1	01.01.2012, in part 01.01.2014 and 01.11.2014; date of entry into force amended 01.07.2014 [RT I, 22.12.2013, 1]
05.12.2012	RT I, 18.12.2012, 2	01.01.2013
05.12.2013	RT I, 22.12.2013, 1	01.01.2014
19.02.2014	RT I, 13.03.2014, 2	23.03.2014, in part 01.01.2015, 01.01.2017 and 01.01.2019

19.02.2014	RT I, 13.03.2014, 4	01.07.2014, in part 23.03.2014; the words ‘supervisory official’ and ‘supervisory authority’ have been replaced with ‘law enforcement authority’ throughout the text
21.05.2014	RT I, 06.06.2014, 1	01.07.2014
05.06.2014	RT I, 29.06.2014, 1	01.07.2014
19.06.2014	RT I, 12.07.2014, 1	01.01.2015
19.06.2014	RT I, 29.06.2014, 109	01.07.2014, the ministers’ official titles have been replaced on the basis of subsection 4 of § 107³ of the Government of the Republic Act.
18.02.2015	RT I, 23.03.2015, 5	01.07.2015
11.06.2015	RT I, 30.06.2015, 4	01.09.2015, the words ‘Ministry of Agriculture’ have been replaced with the words ‘Ministry of Rural Affairs’ on the basis of subsection 2 of § 107⁴ of the Government of the Republic Act.
08.06.2016	RT I, 16.06.2016, 3	26.06.2016, in part 01.09.2016
26.09.2017	RT I, 11.10.2017, 1	01.06.2018
06.12.2017	RT I, 28.12.2017, 2	01.02.2018
19.12.2018	RT I, 04.01.2019, 13	15.01.2019
20.02.2019	RT I, 13.03.2019, 2	15.03.2019
10.06.2020	RT I, 01.07.2020, 1	01.01.2021
17.06.2020	RT I, 10.07.2020, 2	01.01.2021
15.12.2020	RT I, 30.12.2020, 3	10.01.2021
02.06.2021	RT I, 16.06.2021, 1	01.07.2021
27.10.2021	RT I, 17.11.2021, 1	01.12.2021
23.11.2022	RT I, 16.12.2022, 2	01.01.2023
20.06.2023	RT I, 30.06.2023, 1	01.07.2023; words "Ministry of Rural Affairs" replaced with words "Ministry of Regional Affairs and Agriculture" thoughout the Act on the basis of subsection 7 of § 105.19 of the Government of the Republic Act.
11.12.2024	RT I, 02.01.2025, 3	01.09.2025

Chapter 1
GENERAL PROVISIONS

§ 1. Scope of application of Act

(1) This Act regulates the protection of animals from human acts or omissions that endanger or may endanger the health or welfare of animals.

(2) In addition to this Act, the protection of animals living freely in the wild is regulated by the Nature Conservation Act.

(3) The protection of animals from disease and infectious animal disease is regulated by the Veterinary Act.
[RT I, 17.11.2021, 1 – entry into force 01.12.2021]

(4) The provisions of the Administrative Procedure Act apply to the administrative proceedings laid down in this Act, taking account of the specifications of Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) (OJ L 95, 07.04.2017, pp 1–142), other legislation of the European Union and this Act.
[RT I, 17.11.2021, 1 – entry into force 01.12.2021]

(5) Where a decision made on the basis of this Act is delivered by post, it may be delivered by unregistered post, registered post or registered post with advice of delivery.
[RT I, 28.12.2017, 2 – entry into force 01.02.2018]

§ 2. Animal

(1) For the purposes of this Act, 'animal' means a mammal, bird, reptile, amphibian, fish or invertebrate.

(2) For the purposes of this Act, 'farm animal' means an animal kept or bred with the objective of producing animal products. For the purposes of this Act, *Equidae*are also deemed to be farm animals.
[RT I 2008, 51, 284 – entry into force 01.01.2009]

(3) For the purposes of this Act, 'pet animal' means an animal kept or intended for keeping with the aim of providing personal entertainment or company for humans. Provisions concerning pet animals also apply to animals that are trained to perform special functions and are used, for example by the blind, the police or the Rescue Board.
[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(4) For the purposes of this Act, 'experimental animal' means a vertebrate animal, an independently feeding larval form, the foetal form of a mammal as from the last third of its normal development or a live cephalopod used in a procedure or bred for animal experimentation or for the purpose of use of tissue and organs for scientific or educational purposes. 'Experimental animal' also means a larval form at an earlier stage of development and the foetal form of a mammal where it is to be allowed to live beyond that stage of development and, as a result of the procedures performed, is likely to experience pain, suffering, distress or lasting harm after it has reached that stage of development.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

Chapter 2
REQUIREMENTS FOR KEEPING ANIMALS

§ 3. Keeping animals

(1) For the purposes of this Act, 'animal keeper' means a person who owns an animal (animal owner) or who, on the basis of a commercial lease or another such relationship with the animal owner, is engaged in keeping the animal.

(2) An animal keeper must ensure that an animal, according to its species and age, be provided with:
1) appropriate quantities of feed and drinking water;
2) adequate care;
3) adequate microclimate, and space or construction works that satisfies the need for movement characteristic of the given species;
4) other factors necessary for the health and welfare of an animal.

(3) The use of devices or equipment that may cause injury to animals is prohibited in the keeping of animals.

(3^1) The health and welfare of farm animals must be examined as frequently as necessary in order to prevent avoidable suffering.
[RT I 2008, 51, 284 – entry into force 01.01.2009]

(3^2) The health and welfare of farm animals in respect of which intensive farming is applied must be examined at least once a day. For the purposes of this Act, 'intensive farming' means keeping of animals in such numbers or density or in such conditions or at such production levels that their health and welfare depend upon frequent human care.
[RT I 2008, 51, 284 – entry into force 01.01.2009]

(3^3) Technical equipment used in intensive farming must be inspected at least once a day, and any defect discovered must be remedied with the least possible delay. When a defect cannot be remedied forthwith, temporary measures necessary to safeguard the health and welfare of the animals must be taken immediately.
[RT I 2008, 51, 284 – entry into force 01.01.2009]

(3^4) In intensive farming, the number of animals kept in a room or construction works for certain animal keeping purposes or for keeping animals of a certain species or belonging to a certain group must not exceed the maximum stocking density. The maximum stocking density may be exceeded only to the permitted extent where the room or construction works used for keeping animals complies with additional requirements regulating animal welfare and health or where, according to the results of state supervision, the animal keeper's level of

compliance with animal keeping requirements has been high or where the animal keeper takes measures to ensure animal welfare and health. The Agriculture and Food Board must be informed of the exceeding of the maximum stocking density in advance. The animal keeper must keep record of its activities.
[RT I 2010, 34, 183 – entry into force 23.06.2010]

(4) The Government of the Republic or a minister authorised by the Government of the Republic must establish:
1) requirements for keeping farm animals and rooms or construction works for such purposes;
2) [Repealed – RT I 2005, 61, 477 – entry into force 01.12.2005]
3) [Repealed – RT I 2007, 23, 119 – entry into force 01.04.2007]

(4^1) The requirements specified in clause 1 of subsection 1 of this section may also set out the maximum stocking density, the permitted extent of exceeding it and requirements applicable to rooms and construction works used for keeping animals and to animal keepers in the event of exceeding the maximum stocking density and to accounting the activities of animal keepers.
[RT I 2010, 34, 183 – entry into force 23.06.2010]

(5) The Government of the Republic or a minister authorised by the Government of the Republic may establish requirements for keeping animals on the basis of the purpose of keeping animals or the characteristics of particular species or groups of animals, which particularise the requirements provided for in subsections 2 and 3 of this section, including requirements provided for rooms or construction works for keeping animals.
[RT I 2007, 23, 119 – entry into force 01.04.2007]

§ 3^1. Animal keeping competence

(1) For the purpose of ensuring the health and welfare of an animal, the animal keeper must have the required knowledge of the anatomy and physiology of the animal, the behaviour characteristic of the animal species and the animal protection requirements.

(2) Based on the purpose of animal keeping or the animal belonging to a species or group, the person directly attending to keeping the animal must have undergone training in the proper keeping of the animal, provided that the obligation to undergo training has been established under this Act.

(3) The person must hold a certificate regarding the completion of the training specified in subsection 2 of this Act, which certifies that the person may directly engage in keeping animals kept for the purpose specified therein or in keeping animals of the specifies or group specified therein.

(4) The requirements for the purpose of animal keeping, the animal species or groups whereby the person directly engaged in keeping animals must have completed the training specified in subsection 2 of this section and the requirements for the training, that arise from the purpose of animal keeping or from the animal belonging to a certain species or group, may be established by the minister in charge of the policy sector.
[RT I 2010, 34, 183 – entry into force 23.06.2010]

§ 4. Prohibited act with respect to animal

(1) A prohibited act with respect to an animal is an act causing the death or injury of an animal, or an act causing pain or avoidable physical or mental suffering to an animal, such as forcing an animal to undertake efforts beyond its capabilities, organising animal fights, abandoning or leaving an animal in a helpless state, breeding activities that cause suffering to an animal, and other acts with similar consequences that are not caused by the medical treatment of an animal, another veterinary procedure or an emergency, except the events specified in subsection 1 of § 10 of this Act and procedures in compliance with the requirements established by this Act.

(2) For the purposes of this Act, ‘animal fight’ means a fight between two animals or an animal and a human, which is organised for commercial, entertainment or other purposes, and as a result of which an animal may be killed, injured or may suffer.

(3) Forced feeding of animals is prohibited, except in the event of medical indications.
[RT I 2008, 51, 284 – entry into force 01.01.2009]

§ 4^1. Keeping animals for the purpose of production of fur

It is prohibited to keep, breed and propagate animals solely or mainly for the purpose of production of fur.
[RT I, 16.06.2021, 1 – entry into force 01.07.2021; the ban introduced in this section applies to animal keepers starting from 1 January 2026]

§ 5. Stray animals

(1) Animals without an owner and loose (hereinafter stray) domestic animals within the meaning of subsections 2 and 4 of § 37 of the Veterinary Act must be captured and returned to the owner or a new owner must be found for such animals.

[RT I, 17.11.2021, 1 – entry into force 01.12.2021]

(2) Where the owner of a stray animal cannot be identified and a new owner cannot be found for the animal, animal euthanasia must be performed in accordance with the procedure provided for in § 18 of this Act. A period of at least two weeks must be left between the beginning of the procedure of identifying the owner of an animal and the euthanasia of the animal, during which the keeping of the animal in compliance with the requirements and, where necessary, the medical treatment of the animal must be ensured.

(3) Local authorities organise the capture, keeping and killing of stray animals and the destruction of bodies of deceased animals within their territories.

(4) The Government of the Republic establishes the procedure for the capture and keeping of stray animals, for the identification of their owners, and for the killing of stray animals.
[RT I 2005, 61, 477 – entry into force 01.12.2005]

Chapter 2[1]
PROTECTION OF PET ANIMALS

[RT I 2007, 23, 119 - entry into force 01.09.2007]

§ 5[1]. Health and welfare of pet animals

(1) The health and welfare of a pet animal must be examined regularly. Greater attention must be paid to the health and welfare of an animal during the period when the animal is giving birth, is reproducing or ill and where significant changes occur in the environment where the pet animal is kept. Where, upon examination of the health and welfare of a pet animal, a deviation from usual behaviour is found, the reasons for such deviation must be immediately identified and measures for improvement of the health and welfare of the pet animal must be taken. A pet animal who has fallen ill or is injured must receive proper treatment.

(2) Indoors, a pet animal may be kept tied only for a short period of time and on the grounds of ensuring the welfare of the animal.
[RT I 2007, 23, 119 – entry into force 01.09.2007]

§ 5[2]. Rooms or constructions works and devices and equipment for keeping pet animals

(1) Rooms or constructions works for keeping pet animals must allow the animal, in accordance with the behavioural habits of the species, to see and hear what is going on in the room or construction works or in the surroundings thereof and allow the animal to communicate.

(2) Rooms or construction works for keeping a pet animal and devices and equipment used for keeping of the animal must be safe for the animal and easy to clean.

(3) The devices and equipment used for feeding and watering pet animals must be placed in the rooms or construction works so as to minimise any risk of contamination of the feed and water.

(4) Rooms and construction works for keeping pet animals must be equipped suitably for the animal species. Where the behavioural habits of the species, such as scratching, digging, chewing, hiding, bathing, diving and nest building, cannot be practised by a pet animal outside of the room or construction works, the room or construction works must be equipped with suitable material for the specified activities.
[RT I 2007, 23, 119 – entry into force 01.09.2007]

Chapter 3
PROTECTION OF ANIMALS LIVING FREELY IN WILD

§ 6. Protection of animals living freely in wild

(1) In addition to this Act, the protection and use of animals living freely in the wild is regulated by the Nature Conservation Act, Hunting Act and Fishing Act.
[RT I 2004, 38, 258 – entry into force 10.05.2004]

(2) The capture of an animal living freely in the wild that is to be used in a procedure may be carried out only by a competent person using methods that do not cause the animals avoidable pain, suffering, distress or lasting harm. The described capturing is not subject to the Hunting Act.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

(3) An injured animal or an animal in poor health captured in the wild for the purpose of animal experimentation must be examined by a veterinarian or another competent person and the veterinarian or another competent person takes measures to minimise the suffering of the animal, where necessary, unless according to scientific knowledge such measures are not suitable for the purpose of the animal experimentation.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

(4) An animal used in experimentation procedure, which has been captured in the wild and does not belong to an introduced specifies may, on the conditions specified in subsection 7 of § 43 of this Act and taking into account the opinion of the Environmental Board given in accordance with subsection 6 of § 47, be returned to a suitable living environment in a location specified in the project authorisation. The described returning of the animal to its natural habitat is not governed by the Nature Conservation Act.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

§ 7. Protection of animals upon performance of work

(1) In order to prevent the death of animals living freely in the wild, the law enforcement authority has the right to:
1) demand that technological measures and equipment that ensure that animals living freely in the wild are kept off be taken and used in field work;
2) demand that corresponding amendments be made to the technological schemes for the performance of work, informing the person who granted the permit to perform the work thereof;
3) suspend excavation and forestry work for the reproduction period of animals living freely in the wild.

(2) A precept for the suspension of the activities specified in subsection 1 of this section or for the application of protective measures enters into force as of the time of its delivery or communication. The costs of compliance with the precept must be borne by the person who commissioned the work.

(3) Access by animals living freely in the wild to hazardous substances and to places for treatment of hazardous raw materials and waste that pose a threat to the health of the animals must be precluded.

Chapter 4
MEDICAL TREATMENT OF ANIMALS AND VETERINARY PROCEDURES

§ 8. Medical treatment of animals

Upon medical treatment of animals, the animals must be protected from avoidable suffering and from contraction of diseases.

§ 9. Veterinary procedures

(1) Surgeries and other veterinary procedures that alter the appearance of an animal and that are not performed for the purpose of medical treatment are prohibited. The ear cropping and tail docking of dogs and cats is allowed only in the event of medical indications.

(2) Veterinary procedures such as the castration, sterilisation, clipping of hooves of animals, tattooing of animals and implantation of animals with a micro-chip identification system, docking of tails of bird dogs and badger dogs used in hunting, clipping the teeth of piglets, fitting bulls with nose-rings, trimming the beaks of chicks and fitting of boars kept in outdoor pens with nose rings are permitted. The tails of piglets may be cut only in the event where this is essential for the safeguarding of their health and welfare in accordance with the decision of a veterinarian. Castration of animals in a manner that causes long-lasting pain and tissue necrosis is prohibited.
[RT I 2005, 61, 477 – entry into force 01.12.2005]

(3) Surgeries and other veterinary procedures, including the tattooing of dogs and cats and the implantation of animals with a micro-chip identification system must be performed by a veterinarian. Surgeries and other veterinary procedures may also be performed by a student of the veterinary medicine curriculum under the direct supervision and liability of a veterinarian. The actions of the student are deemed to be those of the veterinarian under whose supervision the student is acting. Permitted procedures that take little time and cause only insignificant pain may also be performed by a person with appropriate training.
[RT I, 06.06.2014, 1 – entry into force 01.07.2014]

(4) The Government of the Republic or a minister authorised by the Government of the Republic establishes a list of permitted veterinary procedures, and of persons authorised to perform the procedures, and requirements for the performance of the procedures and the training of the persons performing such procedures.

Chapter 5

PROTECTION OF ANIMALS UPON SLAUGHTER AND KILLING

[RT I 2005, 61, 477 - entry into force 01.12.2005]

§ 10. Permitted killing of animals

(1) Permitted killing of an animal means the following:
1) slaughter or killing of a farm animal;
2) killing of day-old chicks and embryos in hatchery waste;
3) emergency slaughter of a farm animal;
4) killing of an animal in a helpless state;
5) slaughter of an animal for religious purposes;
6) animal euthanasia;
7) killing of caught fish;
8) hunting of game;
9) extermination of invertebrates, moles and rodents for the purpose of protection of property or health;
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]
10) diagnostic slaughter of animals and killing animals in order to control the spreading of an infectious animal disease as prescribed by the Veterinary Act;
[RT I, 17.11.2021, 1 – entry into force 01.12.2021]
11) killing of an animal for self-protection;
12) killing of an experimental animal.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

(2) In the event of permitted slaughter and killing of an animal, a method for slaughter and killing that causes the animal the least possible amount of physical and mental suffering must be chosen.

(3) An animal may be killed in self-defence where an attack by the animal endangers human life or health and the attack cannot be prevented or repelled in any other manner.

(4) The killing of a protected animal is regulated by the Nature Conservation Act.
[RT I 2005, 61, 477 – entry into force 01.12.2005]

§ 11. Conditions of slaughter of farm animals

[Repealed – RT I, 18.12.2012, 2 – entry into force 01.01.2013]

§ 12. Keeping of animals in slaughterhouses prior to slaughter

[Repealed – RT I, 18.12.2012, 2 – entry into force 01.01.2013]

§ 13. Slaughtering and killing farm animals

(1) Poultry, rabbits and hares kept as farm animals and slaughtered outside a slaughterhouse for private domestic consumption must be stunned and, where necessary, restrained before slaughter.

(2) For the purposes of this Act, ‘stunning’ means a process that, when applied to an animal, causes immediate loss of consciousness and lasts until the death of the animal and is carried out in a manner that causes as little suffering and pain as possible.

(3) The animals specified in subsection 1 of this section must be stunned and slaughtered by a person having relevant knowledge and practical skills.

(4) Before the further handling of the animals specified in subsection 1 of this section, one must verify that the animal is dead.

(5) The requirements provided for in Council Regulation (EC) No 1099/2009 on the protection of animals at the time of killing (OJ L 303, 18.11.2009, pp 1–30) must be followed upon slaughtering farm animals, except animals specified in subsection 1 of this section.

(6) The Agriculture and Food Board is the competent authority for the purposes of Article 2(q) of Council Regulation (EC) No 1099/2009.

(7) The Agriculture and Food Board publishes on its website the guides to good practice of slaughter and killing drafted in accordance with Article 13 of Council Regulation (EC) No 1099/2009 and approved by the Agriculture and Food Board, and submits them to the European Commission.

(8) For the purposes of implementation of Article 14(3) of Council Regulation (EC) No 1099/2009, the minister in charge of the policy sector may, based on animal species, establish requirements for mobile slaughterhouses and equipment used therein for stunning and slaughtering farm animals.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

§ 13[1]. Training and examination in slaughtering farm animals

(1) The Agriculture and Food Board or a further training establishment (hereinafter *training establishment*) provides training and holds examinations in slaughtering animals and related operations (hereinafter *training in slaughtering animals*) in accordance with the requirements provides for in the Adult Education Act, Vocational Educational Institutions Act, this Act and Council Regulation (EC) No 1099/2009.
[RT I, 23.03.2015, 5 – entry into force 01.07.2015]

(2) A training establishment specified in subsection 1 of this section may provide training in slaughtering animals where the Agriculture and Food Board has approved the training establishment's programme of training in slaughtering animals. The Agriculture and Food Board decides to approve the programme of training in slaughtering animals or refuse to approve it within 20 working days after the receipt of the programme. The Agriculture and Food Board does not approve a programme of training in slaughtering animals where it does not comply with the requirements established for the programme.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

(3) A training establishment specified in subsection 1 of this section may provide training in slaughtering animals where the Agriculture and Food Board has approved the examination structure and procedure prepared by the training establishment. The Agriculture and Food Board decides to approve the structure and procedure for examination in slaughtering animals or refuse to approve it within 20 working days after the receipt thereof.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

(4) The training establishment must inform the Agriculture and Food Board in writing of a change in the details specified in subsections 2 and 3 of this section and in the staff organising training and examinations within seven working days after the change.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

(5) The training establishment submits to the Agriculture and Food Board the full name and personal identification code or, upon absence thereof, the date of birth of the person who passed the examination within three working days after the examination.
[RT I, 13.03.2019, 2 – entry into force 15.03.2019]

§ 13[2]. Certificate of competence for slaughtering farm animals

Regarding the passing of the examination specified in subsection 3 of § 13[1] of this Act, the Agriculture and Food Board, in accordance with Council Regulation (EC) No 1099/2009, issues a certificate to a person who has passed the examination.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

§ 14. Killing day-old chicks and embryos in hatchery waste

[Repealed – RT I, 18.12.2012, 2 – entry into force 01.01.2013]

§ 15. Emergency slaughter of farm animals

(1) [Repealed – RT I, 18.12.2012, 2 – entry into force 01.01.2013]

(2) Emergency slaughter must be carried out with least physical and mental suffering possible to the farm animal being slaughtered and to other farm animals present at the place of slaughter.
[RT I 2008, 51, 284 – entry into force 01.01.2009]

(3) The emergency slaughter of sick, weak or injured farm animals must be carried out immediately. Farm animals that are unable to walk must be slaughtered on site or must be transported to the place of slaughter where it does not cause any suffering to the animals.

§ 16. Killing of animals in helpless state

An animal that is in a helpless state as a result of an accident or emergency may be killed where survival would cause long-time suffering to the animal or where the animal cannot be granted species-specific life or where the re-introduction of the animal to its natural habitat proves to be impossible.
[RT I 2005, 61, 477 – entry into force 01.12.2005]

§ 17. Slaughter of animals for religious purposes

(1) A religious association registered in Estonia may, for a religious purpose, slaughter a farm animal using a special method in accordance with the requirements set out in Council Regulation (EC) No 1099/2009 and this

section, provided that the animal is slaughtered in a slaughterhouse and it is necessary for the members of the religious association and the law enforcement authority attends the slaughter.

(2) A farm animal that has been electrically stunned or a farm animal that has not been stunned may be slaughtered for a religious purpose, taking into account the religious tradition of the religious association.

(3) Where a farm animal is slaughtered without prior stunning, the animal must be stunned immediately after cutting both jugular veins and carotid arteries, taking into account the tradition of the religious association.

(4) To slaughter a farm animal for a religious purpose, a religious association must have a permit to slaughter farm animals for a religious purpose.

(5) In order to obtain a permit to slaughter farm animals for a religious purpose, a religious association submits to the Agriculture and Food Board a written application containing the following information:
1) the species and number of the farm animals to be slaughtered and the reasons for the choice of the animal species and the number animals;
2) the time and place of slaughtering the farm animals and a document issued by the slaughterhouse, which certifies the possibility of such slaughter in the slaughterhouse;
3) a description of the special method of slaughtering the farm animals and the reasons of the use of the method, including evidence of the association of the special method of slaughter with the religious tradition;
4) a description of the manner of use of the meat for the members of the religious association.

(6) The Agriculture and Food Board decides to grant or refuse to grant a permit for slaughter of farm animals for a religious purpose within 20 working days after the receipt of an application specified in subsection 5 of this section.

(7) The Agriculture and Food Board may refuse to grant a permit for slaughter of farm animals for a religious purpose where:
1) the applicant is not in compliance with the requirements provided for in this Act;
2) the circumstances described in the application do not correspond to the relevant requirements established in this section or on the basis thereof or in Council Regulation (EC) No 1099/2009;
3) the slaughter of the farm animals without prior stunning as described in the application is not associated with a religious tradition of the religious association;
4) the number of the farm animals to be slaughtered according to the application is disproportionately high, given the needs of the members of the religious association;
5) the application contains false information.

(8) The special methods of slaughtering farm animals for religious purposes, more detailed substantive and formal requirements for slaughtering for religious purposes and requirements and procedure for slaughtering for religious purposes are established by a regulation of the minister in charge of the policy sector.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

§ 18. Euthanasia

(1) 'Euthanasia' means the killing of an animal on the initiative of the animal owner or for mercy where survival would cause long-time suffering to the animal or where the animal cannot be granted species-specific life.

(2) Animal euthanasia is carried out by a veterinarian.

(3) Euthanasia must be carried out with least physical and mental suffering to the animal possible under the circumstances.

(4) The method used for euthanasia must cause an immediate state of unconsciousness and consequent death of the animal or produce general anaesthesia that leads to the certain death of the animal. A veterinarian must verify the death of an animal killed by the veterinarian.

(5) It is prohibited to use suffocation, drowning, administration of toxic substances or medicinal products the dosage and administered amount of which might not bring on the effect referred to in subsection 4 of this section, and killing by electrocution, unless this brings on an instantaneous loss of consciousness.

§ 18[1]. Killing of experimental animal

(1) An experimental animal may be killed in an establishment engaged in breeding, supplying or using experimental animals or, in the event of a field study, outside such an establishment by a person who has undergone relevant training specified in § 41[4] of this Act, in accordance with the requirements established on the basis of subsection 2 of this section.

[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

(2) The requirements for killing experimental animals and the methods of killing are established by a regulation of the minister in charge of the policy sector.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

(3) An experimental animal may be killed using another method where it has been scientifically proven that it is at least as humane as a method established on the basis of subsection 2 of this section and where according to scientific knowledge the purpose of the procedure cannot be achieved using the latter method.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

(4) The requirements of this section do not apply where an experimental animal is killed in an emergency for reasons relating to the welfare or health of a person or animal, public safety or the environment.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

§ 19. Killing of animal in presence of minor

The killing of an animal in the presence of a minor is prohibited, except:
1) extermination of invertebrates, moles and rodents for the purpose of protection of property or health;
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]
2) fishing;
3) killing of an animal in a helpless state;
4) killing relating to a study assignment in vocational education in the presence and at the liability of a supervisor.

Chapter 6
PROTECTION OF ANIMALS DURING TRANSPORT

§ 20. Transport of animals

(1) The requirements provided for in Council Regulation (EC) No 1/2005 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97 (OJ L 3, 05.01.2005, pp 1–44) must be adhered to upon transporting animals.

(2) Control posts must comply with the requirements provided for in Council Regulation (EC) No 1255/97 concerning Community criteria for control posts and amending the route plan referred to in the Annex to Directive 91/628/EEC (OJ L 174, 2.7.1997, pp 1#6).

(3) For the purposes of Article 2(f) of Council Regulation (EC) No 1/2005 and Council Regulation (EC) No 1255/97, the competent authority is the Agriculture and Food Board.
[RT I 2007, 23, 119 – entry into force 01.04.2007]

§ 20^{1}. Authorisation obligation of transporter and long journeys transporter

(1) An undertaking engaged in the transportation of animals (hereinafter *transporter*) and an undertaking engaged in making long journeys for the purpose of transportation of animals (hereinafter *long journeys transporter*) must hold an authorisation granted in accordance with Article 10 or 11 of Council Regulation (EC) No 1/2005.

(2) The authorisation is valid for five years.

(3) Requirements applicable to transporters and long journeys transporters are set out in Council Regulation (EC) No 1/2005.

(4) The authorisation specified in subsection 1 of this section is not required in the events specified in Articles 1(2) and (5) and Article 6(7) of Council Regulation (EC) No 1/2005.
[RT I, 16.06.2016, 3 – entry into force 01.09.2016]

§ 20^{2}. Application for transporter authorisation and long journeys transporter authorisation

(1) The Agriculture and Food Board decides an application for an authorisation by granting or refusing to grant the authorisation.

(2) In addition to the information required in the General Part of the Economic Activities Code Act, an application for an authorisation must contain the following data and documents:
1) the certificates of competence of the driver and attendant of a road vehicle transporting animals, which have been issued in accordance with Article 17(2) of Council Regulation (EC) No 1/2005;
2) data on the road vehicle and container used for transporting animals and on loading and unloading equipment;
3) data on the manner of transporting animals;

4) data on the species of animals to be transported.

(3) In addition to the data and documents specified in subsection 2 of this section, an application for a long journeys transporter authorisation must contain the documents specified in Article 11(1)(b) of Council Regulation (EC) No 1/2005 and, in the event specified in Article 11(2) thereof, the application must contain data on the navigation systems used.

(4) The information specified in this section is entered in the register of farm animals.
[RT I, 17.11.2021, 1 – entry into force 01.12.2021]

(5) The operator does not have to pay a state fee for a review of an application for the activity licence specified in subsection 1 of § 20^1 of this Act.
[RT I, 16.06.2016, 3 – entry into force 01.09.2016]

§ 20^3. Object of inspection of transporter authorisation

An undertaking is granted a transporter authorisation where the undertaking meets the requirements established in Article 10 of Council Regulation (EC) No 1/2005.
[RT I, 16.06.2016, 3 – entry into force 01.09.2016]

§ 20^4. Object of inspection of long journeys transporter authorisation

An undertaking is granted a long journeys transporter authorisation where the undertaking meets the requirements established in Article 11 of Council Regulation (EC) No 1/2005.
[RT I, 16.06.2016, 3 – entry into force 01.09.2016]

§ 20^5. Secondary conditions of transporter authorisation and long journeys transporter authorisation

The following secondary conditions are added to an authorisation:
1) the manner of transporting animals;
2) the species of the animals to be transported;
3) the term of validity of the authorisation.
[RT I, 16.06.2016, 3 – entry into force 01.09.2016]

§ 20^6. Training and examination of drivers and attendants of road vehicle

(1) The training and examination of drivers and attendants of road vehicles transporting animals (hereinafter driver and attendant) is organised by the Agriculture and Food Board or a supplementary training establishment in accordance with the requirements established in the Adult Education Act, this Act and Council Regulation (EC) No 1/2005.

(2) The supplementary training establishment specified in subsection (1) of this Act may organise driver and attendant training where the Agriculture and Food Board has approved the driver and attendant training curriculum drawn up by the supplementary training establishment. The Agriculture and Food Board decides to approve or reject a driver and attendant training curriculum within 20 working days as of its receipt. The Agriculture and Food Board does not approve a driver and attendant training curriculum where it does not meet the requirements established for the training curriculum.

(3) The supplementary training establishment specified in subsection 1 of this section may provide driver and attendant training where the Agriculture and Food Board has approved the examination structure and procedure prepared by the supplementary training establishment. The Agriculture and Food Board decides to approve the structure and procedure for driver and attendant examination or refuse to approve it within 20 working days after the receipt thereof.

(4) Before amendment of the curriculum and the structure and procedure for driver and attendant examination specified in subsections 2 and 3 of this section, the Agriculture and Food Board must approve the amendments planned by the supplementary training establishment. The Agriculture and Food Board decides to approve or refuse to approve the amendments within 20 working days after the receipt of the planned amendments.

(5) The supplementary training establishment sends to the Agriculture and Food Board the given name and surname of a person who passed the driver and attendant examination and data on their date of birth, place of birth and citizenship within three working days after the examination.
[RT I, 16.06.2016, 3 – entry into force 01.09.2016]

§ 20[7]. Certificate of competence of driver and attendant of road vehicle

Regarding the passing of the examination specified in subsection 1 of § 20[6] of this Act, the Agriculture and Food Board, in accordance with Council Regulation (EC) No 1/2005, issues a certificate of competence to a person who has passed the examination.
[RT I, 16.06.2016, 3 – entry into force 01.09.2016]

§ 21.–§ 24. [Repealed – RT I 2007, 23, 119 – entry into force 01.04.2007]

Chapter 7
ANIMAL COMPETITIONS, PUBLIC EXHIBITION AND SALE OF ANIMALS

§ 25. Animal competitions

[RT I 2004, 38, 257 – entry into force 01.05.2004]

(1) Animal competitions (hereinafter *competition*) must be organised in compliance with the Veterinary Act.
[RT I, 17.11.2021, 1 – entry into force 01.12.2021]

(2) Animals participating in competitions or being trained for such purposes must not be administered any substances that have or might have an effect on the capabilities of the animals.

(3) [Repealed – RT I 2004, 38, 257 – entry into force 01.05.2004]

§ 26. Requirements concerning organisation of competitions

[RT I 2004, 38, 257 – entry into force 01.05.2004]

(1) A veterinarian holding a professional activity licence must be present at a competition.
[RT I, 06.06.2014, 1 – entry into force 01.07.2014]

(2) The veterinarian of a competition must:
1) monitor compliance with animal protection requirements during the competition;
2) check the fitness of animals for competition;
3) check the suitability of the equipment and technical aids to be used in the competition;
4) provide animals with first aid and, where necessary, prescribe further treatment;
5) decide on the killing of an animal in distress;
6) in the event of unfavourable weather conditions, make a proposal to the organiser of the competition to cancel the competition.

(3) [Repealed – RT I 2004, 38, 257 – entry into force 01.05.2004]

§ 27. Public exhibition of animals

(1) The public exhibition of animals is permitted in zoos and at animal exhibitions, animal competitions, animal fairs, animal auctions or at other public events involving the gathering of animals in compliance with the Veterinary Act.
[RT I, 17.11.2021, 1 – entry into force 01.12.2021]

(2) Fish bred in artificial conditions and animals of a person trading in animals may also be displayed to the public for commercial purposes, provided that the welfare of the animals is ensured and the requirements for their keeping are complied with. On the conditions specified above, aquarium fish may also be demonstrated in the interior design of premises.
[RT I 2007, 23, 119 – entry into force 01.04.2007]

(3) Only such animals that have been born in artificial conditions, the species-characteristic behavioural habits or way of life of which allow for it without damaging the health of the animal, may be used in animal shows, animal competitions, animal fairs, animal auctions or at other public events involving the gathering of animals.
[RT I, 11.10.2017, 1 – entry into force 01.06.2018]

(3[1]) The list of the animal species and sub-species the members of which may be used in animal shows, animal competitions, animal fairs, animal auctions or at other public events involving the gathering of animals is established by a regulation of the minister in charge of the policy sector.
[RT I, 11.10.2017, 1 – entry into force 01.06.2018]

(4) It is prohibited to use an animal in an animal exhibition, animal competition, animal fair, animal auction or at another public event involving the gathering of animals where the participation of the animal in such event

may cause the animal pain, suffering or injury; it is also prohibited to train an animal in a manner that causes the animal pain, suffering or injury.
[RT I 2010, 34, 183 – entry into force 23.06.2010]

(5) It is prohibited to publicly exhibit a dog born in Estonia who belongs to a person domiciled in Estonia or to a legal person located in Estonia where the dog's ears have been cropped and the tail has been docked without medical indication. A dog with a docked tail whose tail is permitted to be docked on the basis of subsection 2 of § 9 of this Act may be exhibited to the public at an exhibition.

§ 28. Zoo

(1) A zoo is a place where animals are permanently kept for showing to the public over seven or more days a year.

(2) A zoo must be designed and constructed in a manner that ensures the health and welfare of the animals and prevents their escape.

(3) The design and construction works of a zoo must comply with the requirements established by the Government of the Republic.

(4) The health and welfare of animals upon their display to the public in a zoo must be ensured by their keeping in compliance with the requirements. A zoo engages in research of animals, provision of information to the public concerning animal species and their natural habitat, and dissemination of animal protection information.

§ 29. Licence obligation of zoo operator

An activity licence is required to operate a zoo.
[RT I, 29.06.2014, 1 – entry into force 01.07.2014]

§ 29[1]. Applying for activity licence

(1) The Environmental Board reviews an application for an activity licence and grants or refuses to grant the activity licence within 60 days as of the receipt of the application.

(2) In addition to the information required in the General Part of the Economic Activities Code Act, an application for authorisation must contain the following data and documents:
1) where the zoo has a name, the name of the zoo;
2) a description of the activities of the applicant to date and the planned activities related to the zoo;
3) documents certifying that the land required for the operations of the zoo belongs to the applicant or that the applicant has the right to use it;
4) a list of the animal species of the zoo, which sets out the Latin name of the animal species and the number of specimen planned for the zoo;
5) a list of the management positions of the zoo along with job descriptions and a list of the positions vacant at the time of applying for the licence;
6) an overview of the construction works of the zoo or the building design documentation of the zoo along with a description of the level of completion of the construction works;
7) a calculation of the funds required for construction and operation of the zoo in the next financial year along with a description of the planned source of the funds.
[RT I, 29.06.2014, 1 – entry into force 01.07.2014]

§ 29[2]. Object of inspection of activity licence

An activity licence is granted to a person where the following requirements have been fulfilled:
1) the building design documentation of the zoo complies with the requirements applicable to the plan of the zoo;
2) the person has staff properly qualified to work in a zoo and sufficient funds for building the zoo and performing the duties specified in subsection 4 of § 28 of this Act.
[RT I, 29.06.2014, 1 – entry into force 01.07.2014]

§ 30. Refusal to issue activity licence of zoo

[Repealed – RT I, 29.06.2014, 1 – entry into force 01.07.2014]

§ 31. Suspension of activity licence of zoo

[Repealed – RT I, 29.06.2014, 1 – entry into force 01.07.2014]

§ 32. Requirements for winding up of zoo

(1) Upon winding up a zoo, the owner of the zoo must ensure the health and welfare of the animals, make further living arrangements for the animals kept at the zoo or organise the euthanasia of the animals.

(2) The law enforcement authority must ascertain that, upon winding up a zoo, the provisions of subsection 1 of this section are duly complied with. Where necessary, compliance with the requirements provided for in subsection 1 of this section must be organised by the law enforcement authority. In such event, the law enforcement authority has the right to demand that the holder of the suspended activity licence cover reasonable expenses relating to the steps taken.

§ 33. Transactions with animals

(1) The sale of an animal or the transfer of an animal in any other manner for a charge or without a charge to a person less than 16 years of age is permitted only with the consent of their parent or legal representative, unless otherwise provided by law.

(2) Animals must not be used as prizes in lotteries, games of chance or other similar events.

§ 33[1]. Keeping pet animals in shop

(1) It is prohibited to keep pet animals offered for sale in a shop on the shop window.

(2) Pet animals offered for sale in a shop must be provided with a sufficiently peaceful and quiet environment necessary for their normal existence. A physical contact between a pet animal offered for sale in a shop and a visitor of the shop without the supervision of an employee of the shop must be precluded.

(3) The cage, terrarium and aquarium of a pet animal offered for sale in a shop must be separated from the pet animal supplies and feed sold in the same room by a partition wall or any other means enabling separation.
[RT I 2007, 23, 119 – entry into force 01.09.2007]

Chapter 8
PROTECTION OF EXPERIMENTAL ANIMALS

[RT I 2001, 93, 566 - entry into force 01.01.2002]

§ 34. Procedure and project

(1) For the purposes of this Act, ‘procedure’ means the use of an experimental animal for a permitted scientific or educational purpose that may cause the animal pain, suffering or injury equivalent to or higher than that caused by the introduction of a needle in accordance with good veterinary practice. ‘Procedure’ also means an act that may cause pain, suffering or injury to an animal to the aforementioned extent and that intentionally or likely leads to the birth, hatching or death of the animal or in the course of which a genetically modified animal line is created and maintained. A procedure does not include the killing of an experimental animal for the purpose of using its tissue or organs.

(2) For the purposes of this Act, ‘procedure’ also means the use of an experimental animal for the purposes specified in subsection 1 of this section along with analgesia.

(3) For the purposes of this Act, ‘procedure’ does not mean a clinical trial required for the marketing authorisation of a veterinary medicinal product or a non-experimental veterinary practice, agricultural practice or practice whose main purpose is the identification of an animal using a permitted means and method.

(4) For the purposes of this Act, ‘project’ means a programme of work having a defined scientific objective and involving one or more procedures.

(5) A project must be designed by a person (hereinafter project designer) who holds at least a master’s degree or equal qualifications in veterinary medicine, medical science, biology or another field relating to the project and has undergone the training and passed an examination in carrying out the procedures and projects specified in § 41[4] of this Act.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

§ 34[1]. Requirement for replacement, reduction and refinement of procedure

Upon planning and carrying out a procedure, the requirement for the replacement, reduction and refinement is followed, according to which:
1) another scientifically acceptable method or procedural strategy whereby live experimental animals are not used is opted for, where possible;
2) the number of experimental animals used in the project is minimised without harming the purpose of the project;

3) the breeding and keeping of and caring for experimental animals and the methods used in the procedure are refined, eliminating or minimising the possible pain, suffering, stress or lasting harm caused to the animals.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

§ 35. Permitted purposes of carrying out procedures

A procedure may be carried out for a scientific or educational purpose in the following events:
1) basic research;
2) translational research or applied research aimed at preventing, diagnosing or treating a human, animal or plant disease, health disorder or their impact;
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]
3) translational research or applied research aimed at identifying, assessing, regulating or changing the physiological condition of a human, animal or plant;
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]
4) translational research or applied research aimed at improving animal welfare or the conditions of keeping farm animals;
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]
5) development and production of medicinal products, food and other substances and products for the purposes specified in clauses 2 to 4 of this section and their quality, efficacy and safety control;
6) protecting the natural environment in the interest of the welfare or health of humans or animals;
7) a study aimed at the preservation of an animal species;
8) obtaining higher education or vocational education, or further training;
[RT I, 23.03.2015, 5 – entry into force 01.07.2015]
9) forensic research.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

§ 36. Restrictions for procedures

(1) It is prohibited to carry out a procedure for a purpose listed in § 35 of this Act where the purpose of the procedure may be achieved by another method recognised under a legal act of the European Union or under a procedural strategy that does not prescribe the use of experimental animals.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

(2) It is prohibited to carry out a procedure without anaesthesia where the procedure results in a serious injury that may cause severe pain to the animal.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

(2^1) It is prohibited to carry out a procedure where it results in severe pain, suffering or stress of the animal, which is likely to last long and cannot be alleviated.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

(3) It is prohibited to use an animal living freely in the wild as an experimental animal, unless for scientifically justified reasons the use of another experimental animal in the procedure is insufficient for achievement of the objective of the procedure.

(4) It is prohibited to use a stray animal in a procedure, unless:
1) for scientifically justified reasons the use of another experimental animal is insufficient for achievement of the objective of the procedure;
2) there is an essential need for studies concerning the health and welfare of the stray animals or serious threats to the environment or to human or animal health.

(5) It is prohibited to carry out a procedure for the purpose of development of weapons and ammunition, and for the development of the production of tobacco products.

(6) It is prohibited to carry out a procedure for the purpose of certifying compliance with public health requirements in the event of cosmetic products that are:
1) placed on the market and made available to the final consumer;
2) samples or designs of cosmetic products that have not been manufactured as a batch, but according to which products are manufactured or developed to completion.

(7) It is prohibited to carry out a procedure for the purposes of conformity assessment of the safety of the ingredients of cosmetic products or their combinations as of the date when the procedure must be replaced with at least one of the validated method listed in Commission Regulation (EC) No 440/2008 laying down test methods in accordance with Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (OJ L 142, 31.05.2008, pp 1–739) or Annex IX to Council Directive 76/768/EEC on the approximation of the laws of the Member States relating to cosmetic products (OJ L 262, 27.09.1976, pp 169–200).

(8) A procedure may be conducted either on the basis of a decision of the European Chemicals Agency or with the consent of the Health Board in order to obtain information required in the dossiers provided for in Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC and 2000/21/EC (OJ L 396, 30.12.2006, pp 1–850), or in the Biocides Act.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

(9) The repeating of a procedure without reason is avoided and to that end people keep themselves up to date with the relevant data of the Member States of the European Union sent to the European Commission on procedures carried out on the basis of the legislation of the European Union. A procedure may be repeated where in connection with the aforementioned data further animal experimentation is required for population health, safety or environmental protection purposes.
[RT I, 02.01.2025, 3 - entry into force 01.09.2025]

§ 37. Using animal belonging to endangered species in procedures

(1) It is prohibited to use an animal specified in Article 7(1) of Directive 2010/63/EU of the European Parliament and of the Council on the protection of animals used for scientific purposes (OJ L 267, 20.10.2010, pp 33–79) in a procedure, unless the procedure is in accordance with the Nature Conservation Act and the purpose of the procedure is specified in clause 2, 5 or 7 of § 35 of this Act and there is scientific justification to the effect that the purpose of the procedure cannot be achieved by the use of another experimental animal.

(2) Subsection 1 of this section does not apply to any species of non-human primates.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

§ 37[1]. Using non-human primates in procedures

(1) It is prohibited to use non-human primates in a procedure, unless there is scientific justification to the effect that the purpose of the procedure cannot be achieved by the use of another experimental animal and where the purpose of the procedure is:
1) the purpose specified in clause 2 of § 35 of this Act and the procedure is undertaken with a view to the avoidance, prevention, diagnosis or treatment of a debilitating or potentially life-threatening clinical condition in human beings;
2) the purpose specified in clause 7 of § 35 of this Act.

(2) It is prohibited to carry out a procedure where the procedure carried out for the purpose specified in subsection 1 of this section results in severe long-lasting pain or stress that cannot be ameliorated.

(3) The non-human primates listed in Annex II to Directive 2010/63/EU of the European Parliament and of the Council may be used in a procedure on the conditions established in the Annex and only where they are the offspring of non-human primates which have been bred in captivity or where they are sourced from self-sustaining colonies.

(4) For the purposes of this Act, ‘self-sustaining colony’ means a colony in which animals are bred only within the colony or sourced from other colonies but not taken from the wild, and where the animals are kept in a way that ensures that they are accustomed to humans.

(4[1]) Non-human primates not complying with the origin requirement provided for in subsection 3 of this section may be used in a procedure where it according to scientific knowledge the use of such non-human primates that are the offspring of animals bred in artificial conditions or sourced from a self-sustaining colony are insufficient for the attainment of the purpose of the procedure.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

(5) It is prohibited to use great apes in a procedure.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

§ 38. Experimental animal

(1) An experimental animal specified in Annex I to Directive 2010/63/EU of the European Parliament and of the Council must have been bred in an establishment that has received an activity licence for breeding experimental animals.

(2) An experimental animal specified in subsection 1 of this section, which has not been bred in the establishment of an operator that received an activity licence for breeding experimental animals may be used in a procedure where it has been scientifically proven that the use of an animal bred in the establishment is not sufficient for attaining the goal of the procedure.
[RT I, 29.06.2014, 1 – entry into force 01.07.2014]

§ 38[1]. Keeping experimental animals

Upon keeping experimental animals, the following requirements must be complied with in addition to those provided for in subsection 2 of § 3 of this Act:
1) the satisfaction of the physiological and ethological needs of the experimental animals are restricted as little as possible;
2) the microclimate in which the experimental animals are bred, kept or used is checked on a daily basis;
3) a plan is drawn up and implemented to ensure that a deficiency identified in the keeping of the experimental animals or preventable pain, suffering, stress or harm is eliminated as soon as possible;
4) the experimental animals are transported in suitable conditions.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

§ 39. Licence obligation in supplying, breeding and using experimental animals

[RT I, 29.06.2014, 1 – entry into force 01.07.2014]

(1) The operator must have an activity licence for operating in an establishment engaged in:
1) supplying experimental animals;
2) breeding experimental animals;
3) using experimental animals.
[RT I, 29.06.2014, 1 – entry into force 01.07.2014]

(2) An activity licence gives the operator the right to commence and pursue economic activities only in or with regard to the establishment specified in the activity licence. An activity licence is effective for up to five years.
[RT I, 29.06.2014, 1 – entry into force 01.07.2014]

(3) The requirements applicable to establishments engaged in breeding, supplying and using experimental animals are established by a regulation of the minister in charge of the policy sector.
[RT I, 29.06.2014, 1 – entry into force 01.07.2014]

(4) A procedure is carried out in an established engaged in using experimental animals, unless according to scientific knowledge the procedure needs to be carried out outside the establishment, for instance in a natural environment, livestock building, construction works, area enclosed for keeping animals or zoo to which an activity licence for using experimental animals has not been granted.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

§ 40. Applying for activity licence for breeding, supplying and using experimental animals

[RT I, 29.06.2014, 1 – entry into force 01.07.2014]

(1) The Agriculture and Food Board decides an application for an activity licence by granting or refusing to grant the activity licence.

(2) In addition to the information required in the General Part of the Economic Activities Code Act, an application for an activity licence must contain the following data and documents:
1) the site map along with the layout of the outdoor water supply and sewerage lines;
2) the layout of the rooms along with the layout of the equipment and indoor water supply and sewerage lines;
3) information on the finishing materials used;
4) the cleaning and disinfection plan that contains information on the measures taken and substances used for cleaning and disinfecting the means of transport, equipment and rooms;
5) the pest control plan along with information on the control measures taken;
6) information on the heating and ventilation systems;
7) the emergency plan that contains instructions for acting for the purpose of ensuring the health and welfare of experimental animals;
8) information on organising waste handling.

(3) The information specified in this section is entered in the register of farm animals.
[RT I, 17.11.2021, 1 – entry into force 01.12.2021]

(4) An operator applying for an activity licence for breeding, supplying and using experimental animals must pay the state fee for reviewing the application at the rate provided for in the State Fees Act before submitting the application.
[RT I, 29.06.2014, 1 – entry into force 01.07.2014]

§ 40[1]. Object of inspection of activity licence for breeding, supplying and using experimental animals

An activity licence is granted to an operator where its establishment engaged in breeding, supplying or using experimental animals complies with the requirements of this Act and legislation established on the basis thereof.

§ 40[2]. Secondary conditions of activity licence for breeding, supplying and using experimental animals

The following secondary conditions are added to an activity licence:
1) the name and contact details of the person in charge of the compliance of the establishment's operations with the requirements;
2) the name and contact details of the person in charge of the welfare and care of experimental animals;
3) the name and contact details of the person whose grants an employee attending to experimental animals access to the animal species kept in the establishment;
4) the name and contact details of the person in charge of the education and competence of the employees of the establishment;
5) the name and contact details of the veterinarian or a person with relevant qualifications whose duty is to give advice regarding the welfare and treatment of experimental animals;
6) the term of validity of the activity licence.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

§ 40[3]. Obligation to notify of change of factors relating to business activity

(1) In a notice on the intention to change the economic activities and in a notice on a change of the economic activities, the operator submits the description or the data specified in subsection 3 of § 30 of the General Part of the Economic Activities Code Act.

(2) Where the economic activities of the operator no longer comply with the requirements of the object of inspection of the activity licence following a change of the circumstances and this may adversely impact the welfare of experimental animals, the operator must, for the purpose of ensuring the welfare of the experimental animals:
1) omit the changes;
2) bring its activities or planned changes into compliance with the requirements of the object of inspection of the activity licence, or
3) apply for the amendment of the activity licence or a new activity licence.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

§ 41.–§ 41[3].[Repealed – RT I, 29.06.2014, 1 – entry into force 01.07.2014]

§ 41[4]. Training in care and killing of experimental animals, carrying out procedures and designing projects

(1) A natural person directly engaged in the care and killing of experimental animals, carrying out procedures and designing projects must have undergone relevant training, passed an examination and hold a certificate proving it.

(2) In accordance with the requirements of the Adult Education Act, Vocational Educational Institutions Act and this Act and on the basis of a programme approved by the Ministry of Regional Affairs and Agriculture, a further training establishment carries out training in the care and killing of experimental animals, training in procedures and training in designing projects.
[RT I, 30.06.2023, 1 – entry into force 01.07.2023; words "Ministry of Rural Affairs" replaced with words "Ministry of Regional Affairs and Agriculture" thoughout the Act on the basis of subsection 7 of § 105.19 of the Government of the Republic Act]

(3) A further training establishment specified in subsection 2 of this section draws up a programme for training in the care and killing of experimental animals, training in procedures and training in designing projects, taking into account the characteristics of the functions and liability of persons engaged in caring and killing experimental animals, carrying out procedures and designing projects, and submits it to the Ministry of Regional Affairs and Agriculture for approval.
[RT I, 30.06.2023, 1 – entry into force 01.07.2023; words "Ministry of Rural Affairs" replaced with words "Ministry of Regional Affairs and Agriculture" thoughout the Act on the basis of subsection 7 of § 105.19 of the Government of the Republic Act]

(4) The Ministry of Regional Affairs and Agriculture approves or rejects a training programme specified in subsection 3 of this section within 20 working days after the receipt thereof.
[RT I, 30.06.2023, 1 – entry into force 01.07.2023; words "Ministry of Rural Affairs" replaced with words "Ministry of Regional Affairs and Agriculture" thoughout the Act on the basis of subsection 7 of § 105.19 of the Government of the Republic Act]

(5) The Ministry of Regional Affairs and Agriculture rejects a training programme specified in subsection 3 of this section where it does not comply with the requirements established for the programme.

[RT I, 30.06.2023, 1 – entry into force 01.07.2023; words "Ministry of Rural Affairs" replaced with words "Ministry of Regional Affairs and Agriculture" thoughout the Act on the basis of subsection 7 of § 105.19 of the Government of the Republic Act]

(6) A training establishment issues a relevant certificate to a person who has passed an examination in the care and killing of experimental animals, in carrying out procedures and in designing projects.

(7) More detailed requirements for programmes of training in the care and killing of experimental animals, carrying out procedures and designing projects and for topics covered by training are established by a regulation of the minister in charge of the policy sector.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

§ 42. Keeping experimental animals

[Repealed – RT I, 18.12.2012, 2 – entry into force 01.01.2013]

§ 42[1]. Employees of establishment engaged in breeding, supplying and using experimental animals and experimental animal welfare records

[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

(1) There must be a sufficient number of employees on site in an establishment engaged in breeding, supplying and using experimental animals.

(2) For the purpose of ensuring the welfare of experimental animals, a supervisor is appointed for a natural person directly engaged in taking care of and killing experimental animals and in carrying out a procedure who commences work with such a species of experimental animals with which it has not any prior work experience. The supervisor supervises and evaluates the employee for as long as the employee has acquired competence in working with the experimental animals on their own without causing them unnecessary pain, suffering, stress or lasting harm.

(3) Where a natural person directly engaged in taking care of and killing experimental animals and in carrying out a procedure has not participated in any project or worked in an establishment engaged in breeding, supplying or using experimental animals in the last five years, their competence for working with experimental animals on their own is deemed lost and a supervisor is appointed for them in accordance with subsection 2 of this section upon commencement of work in the establishment.

(4) A person engaged in breeding, supplying or using experimental animals appoints in their establishment a person with relevant training who is on site in the establishment during working hours and who:
1) is in charge of the welfare and caretaking of animals kept in the establishment;
2) grants an employee attending to experimental animals access to information on the animal species kept in the establishment;
3) is in charge of ensuring that the employees of the establishment have relevant education and are competent, participate in continuous training and, where necessary, work under the supervision of a relevant person until they have acquired the competence for working on their own.

(5) A person engaged in breeding, supplying or using experimental animals appoints a veterinarian competent in the field of the medicine of the experimental animals or another person holding relevant qualifications to give advice on the welfare and treatment of experimental animals.

(6) A person engaged in breeding, supplying or using experimental animals draws up relevant records in their establishment for the purpose of ensuring experimental animal welfare and health in their establishment, following the requirements established on the basis of subsection 3 of § 39 of this Act.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

§ 42[2]. Animal welfare body

(1) A person engaged in breeding, supplying or using experimental animals establishes an animal welfare unit comprising of at least the persons specified in clause 1 of subsection 4 and subsection 5 of § 42[1] of this Act whose duty is to give advice on the welfare, treatment and care of experimental animals. In a user establishment, the animal welfare unit must comprise at least one person with a research degree in medicine, biology or another relevant field and experience in carrying out procedures.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

(2) More detailed requirements for animal welfare bodies are established by a regulation of the minister in charge of the policy sector.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

§ 42[3]. Marking of experimental animals and keeping records of experimental animals

(1) Before weaning, a dog, cat or a non-human primate used as an experimental animal is provided with an individual permanent identification mark in the least painful manner possible.

(2) Where a dog, cat or non-human primate is transferred from establishment to another before it is weaned, a record specifying the animal's mother must be maintained until the animal is marked. Where an unmarked dog, cat or non-human primate, which has been weaned, is received by an establishment, it is marked as soon as possible.

(3) A person engaged in breeding, supplying or using experimental animals keeps records of the experimental animals.

(4) After birth, each dog, cat and non-human primate gets an individual history file that contains information about the animal.

(5) More detailed requirements for keeping records of experimental animals, including the list of data to be recognised in such records, are established by a regulation of the minister in charge of the policy sector.

(6) A person engaged in breeding, supplying or using experimental animals preserves the records for a minimum of five years after the death or transfer of the animal. The individual history files of dogs, cats and non-human primates are preserved for at least three years after the death or transfer of the experimental animal.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

§ 43. Carrying out procedures

(1) A procedure may be carried out on the conditions specified in a project authorisation.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

(2) Upon choosing a procedure, preference is given to one that is likely to produce a satisfactory result and:
1) uses the minimum number of experimental animals;
2) involves animals of a species with the lowest capacity to experience pain, suffering and stress and causes the least pain, suffering, stress or possible lasting harm;
3) causes as little pain, suffering, stress or lasting harm as possible to the experimental animals.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

(3) A procedure is carried out under general or local anaesthesia, using analgesia or another appropriate method to ensure that the pain, suffering and stress of the experimental animal is as little as possible.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

(4) The requirement for using anaesthesia provided for in subsection 3 of this section does not apply where:
1) the pain, suffering or stress caused by the procedure itself is smaller than the harming of the welfare of the animal upon using anaesthesia, or
2) anaesthesia is incompatible with the purpose of the procedure.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

(4[1]) Where the experimental animal may fee pain once anaesthesia ends, preventive and post-surgical analgesia or another pain-reducing method is used with regard to it, unless according to scientific knowledge this is incompatible with the purpose of the procedure.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

(4[2]) It is prohibited to administer to an experimental animal a medicinal product to stop or restrict the showing of their pain without an adequate level of anaesthesia or analgesia. Where it is intended to administer such a medicinal product to an experimental animal, scientific reasons along with a detailed description of the anaesthetic or analgesic regime are submitted upon applying for a project authorisation.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

(5) Where possible, death as the end-point of a procedure is avoided, replacing it with an earlier and humane end-point. Where the death of experimental animals as the end-point of a procedure is unavoidable, the procedure is designed so as to result in the deaths of as few animals as possible, the duration and intensity of the animal's suffering is minimised, and it is ensured that the animal dies as painless a death as possible.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

(5[1]) Upon attainment of the purpose of a procedure, measures for reducing the suffering of the experimental animal are taken immediately.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

(5[2]) A procedure is deemed completed where no observations are carried out for that purpose or, in the case of a genetically modified animal line, where pain, suffering, stress or lasting harm equal to or exceeding that caused by a needle sting is no longer observed or presumed in the offspring.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

(6) Upon completion of a procedure, the veterinarian or another competent person decides whether the experimental animal is kept alive or killed. The animal is killed where it would otherwise be likely forced to permanently experience moderate or severe pain, suffering or stress or where lasting harm would be caused to it.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

(6^1) Where an experimental animal is kept alive after the completion of a procedure, the animal is provided with care and keeping corresponding to its health status.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

(7) Where the health status of an experimental animal allows it, where there is no threat to human or animal health or to the environment and where animal welfare is ensured, the animal that has been kept alive may be rehomed or taken back to a suitable environment, livestock building or facility or to an area enclosed for keeping animals.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

§ 43^1. Severity categories of procedures

(1) The categories of severity of a procedure based on the pain, suffering, stress and lasting harm are as follows: non-recovery, mild, moderate and severe.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

(2) An experimental animal may be used in a severe procedure only once. An experimental animal used in a moderate or mild procedure may be reused where, according to the estimate of a veterinarian, taking into account what the animal has experienced during its life, the health status and welfare of the animal has restored, and the next procedure is a mild, moderate or non-recovery procedure.

(3) The definitions of severity categories of procedures and more detailed requirements for classification of procedures are established by a regulation of the minister in charge of the policy sector.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

§ 44. Documentation of procedures

(1) A protocol must be drawn up on a procedure.

(2) A protocol must contain all relevant information such as the time of carrying out the procedure, the person responsible for the project, a person involved, the number of animals used, the origin and species of the non-human primate (if any), the progress of the procedure (including information about the actual severity of the procedure), and the time of completion of the procedure.

(3) The procedure protocol form is established by a regulation of the minister in charge of the policy sector.

(4) An authorisation holder keeps paper or electronic records of experimental animals at all times, recording the number of animals, the procedures carried out on them and the fate of the animal following the completion of the procedure.

(5) The authorisation holder preserves procedure protocols and experimental animal records for five years after the completion of a procedure.

(6) By February 1 each year, an authorisation holder submits to the Ministry of Regional Affairs and Agriculture a protocol on each procedure completed last year and on each pending procedure started last year.
[RT I, 30.06.2023, 1 – entry into force 01.07.2023; words "Ministry of Rural Affairs" replaced with words "Ministry of Regional Affairs and Agriculture" thoughout the Act on the basis of subsection 7 of § 105.19 of the Government of the Republic Act]

(7) Where the need for a retrospective assessment of a project is specified in the project authorisation, the authorisation holder draws up a standard-form protocol on retrospective assessment of the procedure concerning the completed project.
[RT I, 16.12.2022, 2 – entry into force 01.01.2023]

(8) The form of the protocol on retrospective assessment of the procedure is established by a regulation of the minister in charge of the policy sector.
[RT I, 16.12.2022, 2 – entry into force 01.01.2023]

(9) The authorisation holder submits the standard-form protocol on retrospective assessment of the procedure to the Agriculture and Food Board within the time limit specified in the project authorisation.
[RT I, 16.12.2022, 2 – entry into force 01.01.2023]

§ 45. Project authorisation and authorisation authority

(1) In order to carry out a project one must hold a project authorisation (hereinafter *authorisation*). The authorisation sets out the name and address of the holder of the project authorisation and of the person responsible for the project, the place of implementation of the project, the special conditions arising from the assessment of the project, including the need for a retrospective assessment of the project and, where necessary, other conditions of implementing the project.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

(2) The Agriculture and Food Board grants or refuses to grant the authorisation on the proposal of the project assessment committee established for advisory purposes.
[RT I, 16.12.2022, 2 – entry into force 01.01.2023]

(2^1) The project assessment committee is established by the Director General of the Agriculture and Food Board.
[RT I, 16.12.2022, 2 – entry into force 01.01.2023]

(3) The procedure for establishment and the rules of procedure of the project assessment committee are established by a regulation of the minister in charge of the policy sector.
[RT I, 16.12.2022, 2 – entry into force 01.01.2023]

(4) The activities of members of the project assessment committee are financed via the budget of the Agriculture and Food Board (hereinafter in this Chapter and in Chapter 9 *authorisation authority*).
[RT I, 16.12.2022, 2 – entry into force 01.01.2023]

§ 45^1. Assessment of project

(1) An authorisation is granted only for the carrying out of a project that has been assessed, to the procedures of which severity categories have been attributed and to which the project assessment committee has given a positive assessment.
[RT I, 16.12.2022, 2 – entry into force 01.01.2023]

(2) A project is assessed with the thoroughness suitable for the given project type, checking whether:
1) the project is reasoned from the scientific or educational point of view or prescribed by a legal act;
2) the purpose of the project justifies the using of experimental animals;
3) the project is planned in such a way that it allows for carrying out procedures in an as humane and environmentally friendly manner as possible.

(3) In the course of the assessment of a project:
1) the purposes of the project and the estimated scientific benefits or educational value are assessed;
2) the compliance of the project with the replacement, reduction and refinement requirement is assessed;
3) the severity categories of the procedures are assessed and determined;
4) the gains and losses of the project are analysed in order to assess whether the harm caused to the animals in the form of suffering, pain and stress is, given the ethical considerations, justified for the sake of the expected result and may ultimately be beneficial for humans, animals or the environment;
5) the reasons given for making the exceptions permitted under this Act upon carrying out a procedure are assessed;
6) it is determined whether and when a retrospective assessment of the project needs to be carried out.

(4) A project is assessed in a transparent and impartial manner.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

§ 46. Persons carrying out procedures

(1) A project and a procedure undertaken in the framework thereof are carried out by the project authorisation holder.

(2) The person responsible for a project must hold at least a master's degree or equal qualifications in veterinary medicine, medicine, biology or another field relating to the project and must have undergone training and passed an examination in carrying out procedures and designing projects specified in § $41^4$of this Act.

(3) Where a person responsible for a project is a legal person, the requirements provided for in subsection 2 of this section are met where a natural person working for the legal person under a contract meets the requirements.

(3^1) The person responsible for a project ensures that:
1) the causing of unnecessary pain, suffering, stress or lasting harm caused to an experimental animal in the course of a procedure is terminated;
2) the project is carried out on the conditions established in its authorisation and where the project does not comply with the conditions of the authorisation, appropriate measures are taken to remedy it and these are indicated in the protocol of the procedure.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

(4) A person involved in a project must have undergone training and passed an examination in carrying out procedures and designing projects specified in § 41^4 of this Act. Until passing the examination, the person may work under the supervision and at the liability of a person who has passed the examination.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

§ 47. Application for authorisation

(1) In order to receive the licence, the person in charge of the animal experimentation project or the person who has received an activity licence in a user establishment submits to the issuer of the licence a standard-form written application (hereinafter *licence application*) along with documents certifying the information set out therein.
[RT I, 29.06.2014, 1 – entry into force 01.07.2014]

(2) An application sets out information about the designer of the project, the person responsible for the project, the involved person, the experimental animals and genetically modified animals to be used, and the time and place of the project, justifies the need for the project, the choice of the animal species and the number of animals to be used, and lists and describes various proceedings that the animals are subjected to. In addition to the aforementioned, the following is annexed to an application for a procedure involving genetically modified animals: information concerning the donor, recipient and parental organism, and also concerning the genetic modification, monitoring, control and waste handling involved in the procedure; an emergency plan indicating extraordinary measures to be applied in the event of an accident.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

(3) Standard application forms for project authorisations are established by a regulation of the minister in charge of the policy sector.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

(4) The authorisation authority communicates to the applicant as soon as possible in writing the time limit during which a decision to grant or refuse to grant the authorisation is made.
[RT I, 28.12.2017, 2 – entry into force 01.02.2018]

(5) In the event of a procedure involving a genetically modified animal, the authorisation authority forwards a copy of the application and of the documents annexed thereto the gene technology committee specified in § 5 of the Release into Environment of Genetically Modified Organisms Act. The authorisation authority takes into account the opinion of the gene technology committee upon deciding whether to grant the authorisation. In the event of applying for an authorisation for implementing a follow-up project of an implemented project, the authorisation authority does not need to forward copies of the application and its accompanying documents to the gene technology committee.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

(6) In the event of a procedure involving an animal living freely in the wild, the authorisation authority forwards a copy of the application and of the documents annexed thereto to the Environmental Board for the purpose of obtaining its opinion. The authorisation authority takes into account the opinion of the Environmental Board upon deciding whether to grant or refuse to grant the authorisation.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

(7) The authorisation authority makes a decision to grant or refuse to grant an authorisation within 40 working days after the receipt of a due application.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

(8) The authorisation authority may extend the time limit specified in subsection 7 of this section once by up to 15 working days where an authorisation for a project calling for additional expert assessment is applied for or where the project involves several fields. The applicant is informed of the extension of the time limit in writing before the expiry of the time limit specified in subsection 7 of this section, stating the reasons for the extension of the time limit.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

(8^1) The authorisation authority delivers the decision to grant or refuse to grant the authorisation to the applicant for authorisation within three working days after making the decision.
[RT I, 16.12.2022, 2 – entry into force 01.01.2023]

(9) The application and the documents annexed thereto, a copy of the application and other documents and records relating to the project are retained for at least three years after the completion of the project.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

(10) The documents related to a project that needs to be assessed retrospectively are retained at least until the retrospective assessment has been completed.

[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

§ 47[1]. Duties of project assessment committee

The project assessment committee:
1) determines whether an application for authorisation submitted to the authorisation authority complies with the requirements;
2) reviews an application for authorisation that complies with the requirements, checks whether the project described therein complies with the requirements and assesses the project in accordance with the provisions of § 45[1] of this Act;
3) makes a reasoned proposal on whether to grant or refuse to grant an application for authorisation submitted to the authorisation authority or an application of an authorisation holder;
4) carries out a retrospective assessment of a project in accordance with the rules provided in § 51[1] of this Act.
[RT I, 16.12.2022, 2 – entry into force 01.01.2023]

§ 48. Granting of authorisation, term of validity of authorisation and disclosure of information

[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

(1) An authorisation is granted on the conditions set forth in the application and it is valid until the expiry of the term of validity or until the authorisation becomes invalid or is revoked.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

(1[1]) Where an authorisation has been granted for carrying out a project, a non-technical summary of the project is published in the central database set up by the European Commission.
[RT I, 16.12.2022, 2 – entry into force 01.01.2023]

(1[2]) Statistical information on the use of experimental animals in procedures, including information on the actual categories of severity of procedures and on the origin and species of non-human primates used in procedures, is annually published on the website of the Ministry of Regional Affairs and Agriculture based on the protocols submitted in accordance with subsection 6 of § 44 of this Act.
[RT I, 30.06.2023, 1 – entry into force 01.07.2023; words "Ministry of Rural Affairs" replaced with words "Ministry of Regional Affairs and Agriculture" thoughout the Act on the basis of subsection 7 of § 105.19 of the Government of the Republic Act]

(2) An authorisation becomes invalid upon the death of the holder of the authorisation who is a natural person or upon termination of the holder of the authorisation who is a legal person.

(3) An authorisation may be revoked by a decision of the authorisation authority:
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]
1) on the basis of an application of the holder of the authorisation;
2) if it becomes evident in the course of state supervision or administrative oversight that false information has been submitted upon application for the authorisation, or the conditions specified in the authorisation, or this Act, or the requirements provided by legislation established on the basis of this Act have been violated.
[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(4) In the event of the expiry, invalidity or revocation of an authorisation, the person responsible for the project ensures that the welfare of the animals used or intended to be used in the project does not deteriorate.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

§ 49. Refusal to grant authorisation

(1) The authorisation authority has the right to refuse to grant an authorisation where:
1) the designer of the project, the applicant, the person responsible for the project or the person involved in the project does not meet the requirements of this Act;
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]
2) false information has been submitted upon application for the authorisation;
3) the procedure is not justified;
4) the procedure described in the application does not comply with the requirements established by this Act;
5) the procedure may pose a serious threat to the environment or to human or animal health.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

(2) [Repealed – RT I 2002, 61, 375 – entry into force 01.08.2002]

§ 50. Amendment of conditions of authorisation

(1) Where a project is amended in such a manner that it no longer meets the conditions established in its authorisation and may adversely affect the welfare of the animals used in the project, the authorisation holder applies for a new authorisation.

(2) A new authorisation is issued only where the project assessment committee has made a positive assessment of amendment of the project.
[RT I, 16.12.2022, 2 – entry into force 01.01.2023]

§ 51. Marking of dogs, cats and non-human primates used as experimental animals

[Repealed – RT I, 18.12.2012, 2 – entry into force 01.01.2013]

§ 51[1]. Retrospective assessment of project

(1) The authorisation authority organises through the project assessment committee a retrospective assessment of a project in the event of a severe procedure and where non-human primates have been used in a procedure carried out in the framework of a project.
[RT I, 16.12.2022, 2 – entry into force 01.01.2023]

(2) Upon retrospective assessment of a project, the attainment of the purpose of the project and the harm caused to animals are assessed on the basis of the protocol on retroactive assessment of the procedure, taking into account the number and species of the experimental animals used, the severity categories of the procedure and other circumstances that contribute to the application of the requirement to replace, reduce and refine the procedure.
[RT I, 16.12.2022, 2 – entry into force 01.01.2023]

§ 51[2]. Experimental animal protection committee and experimental animal protection commission

(1) The experimental animal protection committee advises the authorisation authority and the animal welfare body on matters concerning the keeping of experimental animals and using them in procedures.
[RT I, 16.12.2022, 2 – entry into force 01.01.2023]

(2) The functions of the experimental animal protection committee are performed by the Ministry of Regional Affairs and Agriculture.
[RT I, 30.06.2023, 1 – entry into force 01.07.2023; words "Ministry of Rural Affairs" replaced with words "Ministry of Regional Affairs and Agriculture" thoughout the Act on the basis of subsection 7 of § 105.19 of the Government of the Republic Act]

(3) Upon performance of the functions provided for in subsection 1 of this section, the Ministry of Regional Affairs and Agriculture may, for the purpose of obtaining an opinion, address the experimental animal protection commission that has been established by the minister in charge of the policy sector for advisory purposes and involves experts of the following fields:
[RT I, 30.06.2023, 1 – entry into force 01.07.2023; words "Ministry of Rural Affairs" replaced with words "Ministry of Regional Affairs and Agriculture" thoughout the Act on the basis of subsection 7 of § 105.19 of the Government of the Republic Act]
1) breeding of experimental animals;
2) supply of experimental animals;
3) use of experimental animals.

(4) The activities of the experimental animal protection commission are financed via the budget of the Ministry of Regional Affairs and Agriculture.
[RT I, 30.06.2023, 1 – entry into force 01.07.2023; words "Ministry of Rural Affairs" replaced with words "Ministry of Regional Affairs and Agriculture" thoughout the Act on the basis of subsection 7 of § 105.19 of the Government of the Republic Act]

Chapter 9
PROTECTION OF GENETICALLY MODIFIED ANIMALS UPON CARRYING OUT PROCEDURES

[RT I 2001, 93, 566 - entry into force 01.01.2002]

§ 52. Genetically modified animals

(1) For the purposes of this Act, ‘genetically modified animal’ means each organism capable of reproduction or transfer of genetic material, whose genetic material has been modified in a manner that would be impossible under natural conditions, and that is listed in § 3 of the Release into Environment of Genetically Modified Organisms Act.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

(2) The provisions of this Chapter do not apply to genetically modified animals that are marketed or deliberately released into the environment in compliance with the Act referred to in subsection 1 of this section or to genetically modified micro-organisms.

§ 53. Application for authorisations for carrying out procedures involving genetically modified animals

(1) Upon application for an authorisation for carrying out a procedure involving a genetically modified animal, the applicant must submit a risk analysis of the procedure together with the application.

(2) The risk analysis of a procedure must contain an assessment of the hazards that might arise upon carrying out the procedure involving genetically modified animals, the consequences thereof and a risk management plan.

(3) The requirements for preparation of risk analyses of procedures and mandatory information to be presented in a risk analysis are established by a regulation of the Government of the Republic or of a minister authorised by the Government of the Republic.

§ 54. Notification of procedures involving genetically modified animals

(1) A person carrying out a procedure is required to immediately inform the authorisation authority of the following circumstances that become evident upon carrying out the procedure involving a genetically modified animal:
1) accidents;
2) information concerning the hazards of the premises to be used for the procedure or the genetically modified animals involved in the procedure, which has become evident during the processing of the application;
3) information concerning the hazards of the premises to be used for the procedure or the animals involved in the procedure, which have become evident after the granting of the authorisation;
4) intention to use genetically modified animals in a manner different from the one applied for.

(2) Where any of the circumstances listed in subsection 1 of this section become evident, the person who carries out the procedure must immediately submit a new application for an authorisation and bring the conditions of the procedure into compliance with new requirements.

(3) Where any of the circumstances listed in clauses 2 or 3 of subsection 1 of this section become evident, the processing of the application must be suspended until the submission of a new application and the procedure is suspended until a new authorisation has been granted.

§ 55. Informing public

(1) The authorisation authority publishes a notice in the official publication *Ametlikud Teadaanded*concerning the granting of each authorisation to carry out a procedure involving a genetically modified animal .

(2) Where necessary, the authorisation authority may grant the authorisation to carry out a procedure involving a genetically modified animal by way of open proceedings in accordance with § 10 of the Release into Environment of Genetically Modified Organisms Act, while adhering to the requirement of maintaining the confidentiality of information.
[RT I 2002, 61, 375 – entry into force 01.08.2002]

§ 56. Precautions

Before carrying out a procedure involving a genetically modified animal and the use of the premises prescribed for such purposes, the person carrying out the procedure must:
1) draw up an emergency plan for the protection of humans and the environment in the event of an accident;
[RT I, 11.10.2017, 1 – entry into force 01.06.2018]
2) inform, in an appropriate manner, potentially endangered persons of safety measures to be applied and correct action to be taken in the event of an accident. The person carrying out a procedure must update this information at appropriate intervals and make the information available to the public.

§ 57. Accident

(1) ‘Accident’ means a large-scale and unintentional escape of genetically modified animals in the course of a procedure that may pose a threat to human health or the environment.

(2) In the event of an accident, the person carrying out the procedure must immediately inform the authorisation authority thereof and submit the following information:
1) circumstances of the accident;
2) identification and number of genetically modified animals involved in the accident;
3) any other information that would help to determine the effect of the accident to human health or the environment;
4) applied measures.

(3) Upon receipt of the information specified in subsection 2 of this section, the authorisation authority is required to:
1) ensure the application of all necessary measures;
2) as far as possible, gather information needed for the full analysis of the accident and where necessary, make recommendations for the prevention of similar accidents and the reduction of their effects in the future.

(4) The person carrying out the procedure must remove the genetically modified animals from the environment and remedy the environmental damage caused by the release of such animals into the environment.

(5) The law enforcement authority removes the genetically modified animals from the environment and remedy the environmental damage caused by the release of such animals into the environment where the person carrying out the procedure fails to do so. Under § 26 of the Environmental Liability Act, the person who remedied the environmental damage has the right to demand that the person who carried out the procedure compensate reasonable expenses incurred upon remedying the environmental damage.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

(6) The authorisation authority organises an evaluation of the effectiveness of remedying the environmental damage at the cost of the person who caused the damage.

(7) The authorisation authority must record all accidents. Information concerning an accident must be preserved together with the materials relating to the corresponding application for carrying out a procedure in accordance with subsection 6 of § 45 of this Act.

§ 58. Restriction of procedures involving genetically modified animals

(1) The authorisation authority has the right to temporarily restrict or suspend procedures involving genetically modified animals where concrete evidence exists that such procedures endanger human health or the environment.

(2) Where, after granting an authorisation, the authorisation authority learns that the conditions established in the authorisation have been violated or are not complied with as required, the authority may demand that the person carrying out the procedure amend the conditions of the procedure or suspend or terminate the procedure.

§ 59. Confidentiality of information

An applicant for an authorisation involving a genetically modified animal has the right to make a reasoned proposal in the application for the handling of the information presented in the application as confidential in accordance with § 23 of the Release into Environment of Genetically Modified Organisms Act.

Chapter 10
STATE SUPERVISION

§ 60. State and administrative supervision

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(1) The Agriculture and Food Board and the Environmental Board enforce the requirements of this Act and legislation established on the basis thereof and administratively oversee compliance therewith.
[RT I, 10.07.2020, 2 – entry into force 01.01.2021]

(2) The Environmental Board enforces the requirements established in this Act regarding animals living freely in the wild.
[RT I, 10.07.2020, 2 – entry into force 01.01.2021]

(2^1) Regulatory enforcement by the Agricultural and Food Board, except regarding experimental animals, means regulatory veterinary supervision for the purposes of the Veterinary Act and it is carried out in accordance with the rules provided for in the same Act.
[RT I, 17.11.2021, 1 – entry into force 01.12.2021]

(3) In addition to the requirements established in this chapter, the requirements provided for in Article 34 of Directive 2010/63/EU of the European Parliament and of the Council apply upon exercising state supervision over adherence of the requirements for protecting experimental animals.
[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

§ 60[1]. Special measures of state supervision

The law enforcement authority may, for the purpose of exercising the state supervision provided for in this Act, take special measures of state supervision provided for in §§ 30, 31, 32, 45, 49, 50, 51, 52 and 53 of the Law Enforcement Act on the grounds and in accordance with the procedure provided for in the Law Enforcement Act.
[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

§ 60[2]. Use of direct coercion

The law enforcement authority is authorised to use physical force on the grounds and in accordance with the procedure established in the Law Enforcement Act.
[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

§ 61. Exercising state supervision

[Repealed – RT I, 13.03.2014, 4 – entry into force 01.07.2014]

§ 62. Rate of non-compliance levy

In the event of failure to comply with a precept the maximum non-compliance levy imposed in accordance with the procedure provided for in the Substitutional Performance and Non-Compliance Levies Act is 13 000 euros.
[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

§ 63. [Repealed – RT I 2002, 61, 375 – entry into force 01.08.2002]

§ 64. Taking over obligations related to proper keeping of animals

[RT I, 30.12.2020, 3 – entry into force 10.01.2021]

(1) In the event of a serious violation of the requirements of this Act or failure to comply or improper compliance with a compliance notice received from the Agriculture and Food Board, the Agriculture and Food Board has the right to take over the performance of the obligations of the animal keeper related to the proper keeping of animals (hereinafter *obligation related to proper keeping of animals*).

(2) The Agriculture and Food Board takes over an obligation related to the proper keeping of animals on the ground and in accordance with the procedure provided for in this Act and in the Substitutional Performance and Non-Compliance Levies Act, thereby applying substitutional performance.

(3) Simultaneously with taking over the obligations related to the proper keeping of animals as specified in subsection 1 of this section, the Agriculture and Food Board can remove an animal from its current location and put it in a place designated for keeping animals if leaving the animal in its current location endangers its health or life or does not allow the Agriculture and Food Board to perform the obligation related to the proper keeping of animals.

(4) In the event of taking over the obligations related to the proper keeping of animals as specified in subsection 1 of this section, the Agriculture and Food Board by a compliance notice imposes on the animal keeper from which the obligation related to the proper keeping of animals has been taken over the obligation to transfer the animal or to arrange the killing of the animal in the manner and on the conditions prescribed by the compliance notice. The compliance notice also contains a warning that substitutional performance is triggered in the event of failure to comply with the compliance notice by the deadline.

(5) The Agriculture and Food Board sets the shortest reasonable time limit for a transfer or arrangement of the killing of the animal, taking into account the circumstances of the case.

(6) Where due to the state of health of the animal subsections 3–5 of this section cannot be applied without harming the animal's health or life or for another reason stemming from the animal keeper, the Agriculture and Food Board applies substitutional performance on the ground and in accordance with the procedure established in this Act and in the Substitutional Performance and Non-compliance Levies Act, arranging the transfer or killing of the animal.

(7) A report on the removal of the animal specified in subsection 3 of this section from its current location and placing it in a facility designated for keeping animals is drawn up. The Agriculture and Food Board issues without delay a copy of the report to the animal keeper from whom the animal is, simultaneously with the takeover of the obligations related to the proper keeping of the animal, taken away from its current location and placed in a facility designated for keeping animals, indicating among other things the time and legal ground of and reason for removing the animal from its current location and placing it in the facility designated for keeping animals.
[RT I, 30.12.2020, 3 – entry into force 10.01.2021]

§ 64[1]. Special conditions of taking of animal away from owner in connection with bankruptcy proceedings initiated with regard to animal owner who is legal person

[Repealed – RT I, 30.12.2020, 3 – entry into force 10.01.2021]

§ 64[2]. Failure to comply with compliance notice issued when taking over obligations related to proper keeping of animals

(1) Where the animal has not been transferred or killed within the time limit set in the compliance notice specified in subsection 4 of § 64 of this Act, the Agriculture and Food Board arranges the transfer of the animal at the expense of the animal keeper in the event and in accordance with the procedure provided for in this Act or the killing of the animal at the expense of the animal keeper in accordance with the procedure provided for in the Substitutional Performance and Non-compliance Levies Act.

(2) A pet is transferred by the Agriculture and Food Board to a person who kept the animal in accordance with the procedure for substitutional performance.

(3) A report on the transfer specified in subsection 2 of this section is drawn up. The Agriculture and Food Board issues a written notice of the transfer of a pet to the animal keeper without delay.

(4) The Agriculture and Food Board arranges the killing of a farm animal at the expense of the animal keeper in accordance with the procedure established regarding substitutional performance in the Substitutional Performance and Non-compliance Levies Act.

(5) A report on the killing specified in subsection 4 of this section is drawn up in accordance with the Substitutional Performance and Non-compliance Levies Act. The killing of the animal is documented by the Agriculture and Food Board.

(6) Where a farm animal is a purebred breeding animal of a high breeding value and the state of health of the animal allows for it, the Agriculture and Food Board may arrange the transfer of such an animal in accordance with the procedure established in this Act.
[RT I, 30.12.2020, 3 – entry into force 10.01.2021]

§ 64[3]. Arrangement of transfer of purebred breeding animal of high breeding value

(1) A purebred breeding animal of a high breeding value is transferred by way of a public electronic auction (hereinafter *auction*).

(2) The Agriculture and Food Board sets the opening price at the auction based on the animal's usual value and determines the bid steps to be made at the auction.

(3) A notice of the auction is published on the website of the Agriculture and Food Board and in the auction environment at least two days before the start of the auction. The notice indicates at least a general description of the animal sold at the auction, the due date of payment of the purchase price, the time and place of access to the animal to be auctioned and the start and end time of the auction.

(4) The animal keeper from whom an obligation related to the proper keeping of an animal has been taken over in accordance with subsection 1 of § 64 of this Act without removing the animal from its current location in accordance with subsection 3 of § 64 as well as the animal keeper arranging the substitutional performance is required to tolerate operations related to the auctioning of the animal.

(5) The proceeds from the sale of the animal are subject to subsections 2–4 of § 64[8]of this Act.

(6) After the animal has been sold at the auction, the Agriculture and Food Board issues a written notice thereof to the animal keeper without delay.

(7) A report on the transfer specified in this section is drawn up. The auction is documented by the Agriculture and Food Board.

(8) A more detailed procedure for electronic auctions and requirements for carrying out auctions may be established by a regulation of the minister in charge of the policy sector.
[RT I, 30.12.2020, 3 – entry into force 10.01.2021]

§ 64[4]. Persons eligible to bid at auction

(1) A person from whom the obligation related to the proper keeping of the auctioned animal has been taken over, a person who has been convicted of a violation of the Animal Protection Act or an implementing

instrument thereof and whose conviction has not expired yet as well as a person with respect to whom the court has imposed an additional sentence under § 52[2] of the Penal Code cannot take part in an auction specified in subsection 1 of § 64[3] of this Act.

(2) The animal keeper arranging the substitutional performance may take part in the auction as a bidder.
[RT I, 30.12.2020, 3 – entry into force 10.01.2021]

§ 64[5]. Auction procedure

(1) A void bid is rejected. A void bid means, above all:
1) a bid that is lower than the opening price;
2) a bid made by a person specified in subsection 1 of § 64[4] of this Act;
3) a conditional bid.

(2) The highest bid made by the end of the auction is declared the winning bid at the auction.

(3) By the end of the working day following the day of the end of the auction, the Agriculture and Food Board draws up an auction report signed by a representative of the Agriculture and Food Board and the successful bidder.

(4) The auction report sets out, among other things, the following information:
1) the details of the animal sold at the auction;
2) the name and personal identification code or registry code of the successful bidder;
3) the price of the highest bid and the manner and due date of payment thereof;
4) the terms of handing over the animal.

(5) The successful bidder pays the purchase price on the working day following the end of the auction to the account indicated by the Agriculture and Food Board. If the person who made the highest bid has not paid the purchase price by the due date, it is deemed that they have withdrawn the bid.

(6) If the successful bidder withdraws the bid, the Agriculture and Food Board informs the second-highest bidder thereof without delay. If the second-highest bidder pays the purchase price bid by them within the prescribed time limit, the Agriculture and Food Board declares the person the successful bidder.
[RT I, 30.12.2020, 3 – entry into force 10.01.2021]

§ 64[6]. Legal consequences of auction

(1) Ownership of the auctioned animal emerges as of handing the item of property over on the basis of an auction report.

(2) In the case of the sale of an item of property, the risk of the accidental destruction and damage to the property transfers to the buyer as of the moment of handing over the animal to the buyer. As of the handover of the animal, the buyer bears all of the costs and receives all of the gains related to the animal.
[RT I, 30.12.2020, 3 – entry into force 10.01.2021]

§ 64[7]. Auction failure

(1) The Agriculture and Food Board declares an auction as failed where:
1) no bids have been submitted at the auction;
2) the purchase price is not paid within the prescribed time limit.

(2) In the event of auction failure, the Agriculture and Food Board arranges the killing of the animal at the expense of the animal keeper in accordance with the procedure established in the Substitutional Performance and Non-compliance Levies Act.

(3) A report on the killing specified in subsection 2 of this section is drawn up in accordance with the Substitutional Performance and Non-compliance Levies Act. The killing of the animal is documented by the Agriculture and Food Board.

(4) After the animal has been killed, the Agriculture and Food Board issues a written notice thereof to the animal keeper without delay.
[RT I, 30.12.2020, 3 – entry into force 10.01.2021]

§ 64[8]. Costs and proceeds of performance of obligations related to proper keeping of animals

(1) In accordance with the procedure established in the Substitutional Performance and Non-compliance Levies Act, the Agriculture and Food Board recovers the costs related to the proper keeping of the animal from the animal keeper from whom an obligation related to the proper keeping of animals has been taken over based on subsection 1 of § 64 of this Act and who has within the prescribed time limit performed the obligation to transfer the animal or to arrange the killing of the animal.

(2) In the case of an animal keeper from whom an obligation related to the proper keeping of animals has been taken over based on subsection 1 of § 64 of this Act but who has not within the time limit prescribed in subsection 4 of § 64 of this Act performed the obligation to transfer or kill the animal and instead of whom the state has performed the obligation, the Agriculture and Food Board determines the costs and proceeds arising from the performance of the obligation related to the proper keeping of the animal.

(3) In the event specified in subsection 2 of this section, the Agriculture and Food Board deducts from the proceeds obtained from the transfer or killing of an animal the costs related to the proper keeping of the animal and to the transfer or killing of the animal.

(4) Where the proceeds obtained from the transfer or killing of an animal exceed the costs of the proper keeping of the animal and the costs of the transfer or killing of the animal, the remaining sum is paid out to the animal keeper from whom the obligation related to the proper keeping of the animal was taken over. If the animal keeper does not accept the sum within one year after the day of the substitutional performance, it is transferred to the state revenue.

(5) Where the costs of the proper keeping of an animal and the costs of the transfer or killing of the animal exceed the proceeds from the transfer or killing of the animal, the Agriculture and Food Board recovers in accordance with the procedure established in the Substitutional Performance and Non-compliance Levies Act the actual costs incurred from the animal keeper from whom the obligation related to the proper keeping of the animal was taken over.

(6) Where the costs of taking over an obligation related to the proper keeping of an animal prove unforeseeably high, it is applied for funds from the reserve of the Government of the Republic for the Agriculture and Food Board for the purpose of covering the costs related to the proper keeping of the animal.
[RT I, 30.12.2020, 3 – entry into force 10.01.2021]

§ 65. Imposing of prohibition to keep farm animals

[RT I, 12.07.2014, 1 – entry into force 01.01.2015]
The court sends a copy of the judgment on the prohibition to keep a farm animal subject to registration to the register of farm animals within five working days after the date on which the court judgment enters into force.
[RT I, 12.07.2014, 1 – entry into force 01.01.2015]

§ 66. [Repealed – RT I 2007, 23, 119 – entry into force 02.01.2008]

Chapter 11
LIABILITY

§ 66[1]. Violation of animal keeping requirements

(1) The penalty for a violation of animal keeping requirements is a fine of up to 200 fine units.

(2) The penalty for the same act committed by a legal person is a fine of up to 3200 euros.
[RT I 2010, 22, 108 – entry into force 01.01.2011]

§ 66[2]. Commission of prohibited act with respect to animals

(1) The penalty for the commission of a prohibited act with respect to an animal is a fine of up to 200 fine units.

(2) The penalty for the same act committed by a legal person is a fine of up to 3200 euros.
[RT I 2010, 22, 108 – entry into force 01.01.2011]

(3) [Repealed – RT I, 12.07.2014, 1 – entry into force 01.01.2015]

§ 66[3]. [Repealed – RT I 2004, 38, 257 – entry into force 01.05.2004]

§ 66[4]. Violation of requirements for animal competitions and animal exhibitions

[RT I, 12.07.2014, 1 – entry into force 01.01.2015]

(1) The penalty for a violation of the requirement for animal competitions and animal exhibitions is a fine of up to 200 fine units.
[RT I, 12.07.2014, 1 – entry into force 01.01.2015]

(2) The penalty for the same act committed by a legal person is a fine of up to 3200 euros.
[RT I 2010, 22, 108 – entry into force 01.01.2011]

§ 66[5]. Violation of requirements for transporting animals

(1) The penalty for a violation of the requirements for transporting animals is a fine of up to 200 fine units.

(2) The penalty for the same act committed by a legal person is a fine of up to 3200 euros.
[RT I 2010, 22, 108 – entry into force 01.01.2011]

§ 66[6]. Violation of requirements for slaughtering or killing animals

(1) The penalty for a violation of the requirements for slaughtering or killing animals is a fine of up to 200 fine units.

(2) The penalty for the same act committed by a legal person is a fine of up to 3200 euros.
[RT I 2010, 22, 108 – entry into force 01.01.2011]

§ 66[7]. Violation of requirements for medical treatment of animals or other veterinary procedures

(1) The penalty for a violation of the requirements for medical treatment of animals or other veterinary procedures is a fine of up to 200 fine units.

(2) The penalty for the same act committed by a legal person is a fine of up to 3200 euros.
[RT I 2010, 22, 108 – entry into force 01.01.2011]

§ 66[8]. Carrying out procedure without authorisation or violation of requirements for carrying out procedure

(1) The penalty for carrying out of a procedure without authorisation or violation of the requirements for a procedure is a fine of up to 200 fine units.

(2) The penalty for the same act committed by a legal person is a fine of up to 3200 euros.
[RT I 2010, 22, 108 – entry into force 01.01.2011]

§ 66[9]. [Repealed – RT I 2005, 61, 477 – entry into force 01.12.2005]

§ 66[10]. Acts of person deprived of right to keep animals

(1) The penalty for the keeping of any animal or animals belonging to certain animal species by a person on whom the prohibition to keep animals has been imposed as an additional penalty is a fine of up to 200 fine units.
[RT I, 12.07.2014, 1 – entry into force 01.01.2015]

(2) The penalty for the same act committed by a legal person is a fine of up to 3200 euros.
[RT I 2010, 22, 108 – entry into force 01.01.2011]

§ 66[11]. Proceedings

(1) [Repealed – RT I, 12.07.2014, 1 – entry into force 01.01.2015]

(2) The extrajudicial proceedings of the misdemeanours provided for in §§ 66[1]–66[10] of this Act are conducted by:
1) the Environmental Board;
[RT I, 10.07.2020, 2 – entry into force 01.01.2021]
2) the Agriculture and Food Board;
3) the Police and Border Guard Board.
[RT I, 12.07.2014, 1 – entry into force 01.01.2015]

(3) The court hears misdemeanours provided for in § 66[2] of this Act where revocation of the right to keep animals is to be decided upon hearing the misdemeanour case.
[RT I 2007, 23, 119 – entry into force 02.01.2008]

§ 67.–§ 76.[Repealed – RT I 2002, 63, 387 – entry into force 01.09.2002]

Chapter 12

IMPLEMENTING PROVISIONS

§ 77.–§ 81.[Omitted from this text.]

§ 81[1]. Transition provisions

(1) Animal keepers who are operating on 1 July 2002 must comply with the requirements for keeping of animals established on the basis of subsection 4 of § 3 of this Act as of 1 January 2003, unless the requirements prescribe a later date for compliance with specific requirements.
[RT I 2001, 93, 566 – entry into force 01.01.2002]

(2) A zoo that is operating on the date of entry into force of this Act must hold an activity licence of a zoo not later than as of 1 January 2003.
[RT I 2001, 93, 566 – entry into force 01.01.2002]

(3) The prohibition provided for in subsection 27 (5) of this Act applies to dogs born after 1 January 2006.
[RT I 2005, 61, 477 – entry into force 01.12.2005]

(4) Cases relating to revocation of the right to keep animals admitted by the court for adjudication before 2 January 2008 must be adjudicated on the grounds and in accordance with the procedure currently in force.
[RT I 2007, 23, 119 – entry into force 02.01.2008]

(5) The requirements of this Act, which entered into force on 1 January 2013, do not apply to procedures that, before the given date, have been granted an authorisation that remains in force no later than until 1 January 2018.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

(6) Decisions authorising breeding establishments, supply establishments and user establishments under this Act before 1 January 2013 remains in force until 31 December 2016.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

(7) Where a person has gained at least three years of experience in slaughtering animals and related acts before 1 January 2013, it is until 8 December 2015 considered equal to undergoing training and passing an examination in slaughtering animals and a certificate specified in Article 21 of Council Regulation (EC) No 1099/2009 is issued to the person.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

(8) A person specified in subsection 7 of this section, not later than by 8 November 2015, submits to the Agriculture and Food Board information on at least three-year experience in slaughtering animals and performing related acts along with copies of documents certifying the experience.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

(9) Where, on the basis of the documents specified in subsection 8 of this section, the at least three-year experience of a person in slaughtering animals and performing related acts, which has been acquired before 1 January 2013, is considered certified, the Agriculture and Food Board issues a certificate specified in Article 21 of Council Regulation (EC) No 1099/2009 within 20 working days after the submission of the documents.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

(10) Subsections 6 and 7 of § 36 of this Act remain in force until 11 July 2013.
[RT I, 18.12.2012, 2 – entry into force 01.01.2013]

(11) Authorisations for the breeding, supplying and using of experimental animals granted on the basis of this Act before 1 January 2019 remain in force until expiry of the period specified therein.
[RT I, 04.01.2019, 13 – entry into force 15.01.2019]

(12) The ban provided in § 4[1] of this Act applies to animal keepers starting from 1 January 2026.
[RT I, 16.06.2021, 1 – entry into force 01.07.2021]

(13) An authorisation for carrying out a project granted under this Act before 1 January 2023 is effective until the expiry of the term of the authorisation, or until the authorisation becomes invalid or is revoked in accordance with the rules provided in this Act.
[RT I, 16.12.2022, 2 – entry into force 01.01.2023]

(14) An authorisation holder to whom an authorisation for carrying out a project with the need for a retrospective assessment has been granted before 1 January 2023, while the specified project has not been retrospectively assessed before the same date, draws up a standard-form protocol on retrospective assessment

of the procedure and submits it to the Agriculture and Food Board within six months after the completion of the project.
[RT I, 16.12.2022, 2 – entry into force 01.01.2023]

§ 82. Entry into force of Act

(1) This Act enters into force on 1 July 2001, except subsections 1-3 and 7 of § 22 that enter into force on 1 January 2002, Chapters 8 and 9 enter into force on 1 July 2002 and subsection 1 of § 11 enter into force on 1 January 2003.

(2) The requirements for keeping animals established on the basis of subsection 4 of § 3 of this Act enter into force on 1 July 2002.
[RT I 2001, 93, 566 – entry into force 01.01.2002]

[1]Council Directive 98/58/EC concerning the protection of animals kept for farming purposes (OJ L 221, 8.8.1998, p. 23–27), amended by Regulations (EC) No. 806/2003 (OJ L 122, 16.5.2003, p. 1–35) and (EU) 2017/625 (OJ L 95, 7.4.2017, p. 1–142); Council Directive 1999/74/EC laying down minimum standards for the protection of laying hens (OJ L 203, 3.8.1999, p. 53–57), amended by Regulations (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1–35) and (EU) 2017/625 (OJ L 95, 7.4.2017, p. 1–142) and Directive 2013/64/EU (OJ L 353, 28.12.2013, p. 8–12); Council Directive 2007/43/EC laying down minimum rules for the protection of chickens kept for meat production (OJ L 182, 12.7.2007, p. 19–28), amended by Regulation (EU) 2017/625 (OJ L 95, 7.4.2017, p. 1–142); Council Directive 2008/119/EC laying down minimum standards for the protection of calves (OJ L 10, 15.1.2009, p. 7–13), amended by Regulation (EU) 2017/625 (OJ L 95, 7.4.2017, p. 1–142); Council Directive 2008/120/EC laying down minimum standards for the protection of pigs (OJ L 47, 18.2.2009, p. 5–13), amended by Regulation (EU) 2017/625 (OJ L 95, 7.4.2017, p. 1–142); Directive 2010/63/EU of the European Parliament and of the Council on the protection of animals used for scientific purposes (OJ L 276, 20.10.2010, p. 33–79), amended by Regulation (EU) 2019/1010 (OJ L 170, 25.6.2019, p. 115–127). [RT I, 16.12.2022, 2 – entry into force 01.01.2023]