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# Animal Protection Act <sup>1</sup>

Adopted on 13.12.2000  
 RT I 2001, 3, 4  
 entered into force in accordance with § 82 of the Act.

## Amended by the following acts

Reception	Publication	Enforcement
14.11.2001	RT I 2001, 93, 566	01.01.2002
full text RT in hard copy	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, partially 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 shall enter into force on the day specified in the decision of the Council of the European Union on the annulment of the exception established for the Republic of Estonia on the basis of Article 140(2) of the Treaty on the Functioning of the European Union, Council of the European Union 13.07.2010. a decision No. 2010/416/EU (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; effective date changed 01.07.2014 [RT I, 22.12.2013, 1]
08.12.2011	RT I, 29.12.2011, 1	01.01.2012, partially 01.01.2014 and 01.11.2014; effective date partially changed 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, partially 01.01.2015, 01.01.2017 and 01.01.2019
19.02.2014	RT I, 13.03.2014, 4	01.07.2014, partially 23.03.2014; in the law, the words "supervisory officer" and "supervisory authority" are replaced by the word "law enforcement agency" in the corresponding case
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, titles of ministers replaced on the basis of § 107 <sup>3</sup> subsection 4 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, on the basis of § 107 <sup>4</sup> subsection 2 of the Government of the Republic Act, the word "Ministry of Agriculture" was replaced by the word "Ministry of Rural Affairs" in the corresponding case.
08.06.2016	RT I, 16.06.2016, 3	26.06.2016, partially 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

Reception	Publication	Enforcement
10.06.2020	RT I, 01.07.2020, 1	01.01.2021, the law replaced the words "Veterinary and Food Board" with the words "Agricultural and Food Board" in the corresponding case.
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; On the basis of § 105.19 subsection 7 of the Government of the Republic Act, the word "Ministry of Rural Affairs" throughout the text is replaced by the words "Ministry of Regional and Agricultural Affairs" in the corresponding case

## Chapter 1 general settings

### § 1. Scope of the Act

(1) This Act regulates the protection of animals against human activity or inactivity that threatens or may endanger the health or well-being of animals.

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

(3) The protection of animals against diseases and animal diseases is regulated by the Veterinary Act.

[ RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

(4) The provisions of the Administrative Procedures Act are applied to the administrative procedure provided for in this Act, taking into account Regulation (EU) 2017/625 of the European Parliament and of the Council, which deals with official control and other official actions, which are carried out with the aim of ensuring compliance with legal regulations on food and feed and animal health and animal welfare, plant health - and the application of legal regulations on plant protection products, amending the European Parliament and Council 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, 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 the European Parliament and Council Regulations (EC) No. 854/2004 and (EC) No. 882/2004, 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 control regulation) (OJ L 95, 07.04.2017, pages 1–142), other legislation of the European Union and specifics of this law.

[ RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

(5) If a decision made on the basis of this Act is delivered by post, it may be delivered by registered letter, registered letter or registered letter with delivery notice.

[ RT I, 28.12.2017, 2 - enters into force. 01.02.2018]

### § 2. Animal

(1) An animal within the meaning of this Act is a mammal, bird, reptile, amphibian, fish or invertebrate.

(2) For the purposes of this Act, an agricultural animal is an animal kept and bred for the purpose of producing animal products. For the purposes of this law, an equine is also considered an agricultural animal.

[ RT I 2008, 51, 284 - entry into force. 01.01.2009]

(3) For the purposes of this Act, a pet is an animal kept for the personal entertainment or companionship of a person or intended to be kept for this purpose. The provisions regarding pets also apply to animals trained to perform special tasks, used for example by the blind, the police or the Rescue Service.

[ RT I, 29.12.2011, 1 - enters into force. 01.01.2012]

(4) An experimental animal for the purposes of this Act is a permitted animal used in animal experiments conducted for scientific or educational purposes, a vertebrate animal bred for use in animal experiments or to obtain tissues and organs, a self-feeding larval form, a fetal form of a mammal from the last third of its normal development, and a living cephalopod. A test animal is also a larval form in an earlier stage of development and a fetal form of a mammal that outlives this stage of development and is likely to experience pain, suffering or stress or suffer permanent damage as a result of the experiment when it reaches the last third of development or the self-feeding larval stage.

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

## Chapter 2 ANIMAL KEEPING REQUIREMENTS

### § 3. Animal husbandry

(1) For the purposes of this Act, an animal keeper is a person who owns an animal (animal owner) or who keeps an animal on the basis of a lease or other similar relationship with the animal owner.

(2) The animal keeper must provide the animal with the following according to the species and age of the animal:

- 1) an appropriate amount of feed and drinking water;
- 2) appropriate maintenance;
- 3) a suitable microclimate and space or building that satisfies the specific movement needs of the species;
- 4) other necessary for the health and well-being of the animal.

(3) In animal husbandry, it is prohibited to use tools or equipment that can injure the animal.

1

(3 ) The health and well-being of farm animals must be checked as often as necessary to prevent avoidable suffering.  
[ RT I 2008, 51, 284 - entry into force. 01.01.2009]

2

(3 ) The health and well-being of farm animals subjected to intensive animal husbandry must be checked at least once a day. Intensive animal husbandry within the meaning of this law is the keeping of animals with such an animal burden, under such conditions or at such a level of production, in which the animal's health and well-being depend on frequent human care.  
[ RT I 2008, 51, 284 - entry into force. 01.01.2009]

3

(3 ) Technical equipment used in intensive animal husbandry must be checked at least once a day, and the discovered error must be corrected as soon as possible. If the fault cannot be rectified as soon as possible, temporary measures to protect the animal's health and welfare must be implemented immediately.  
[ RT I 2008, 51, 284 - entry into force. 01.01.2009]

4

(3 ) In intensive animal husbandry, the number of animals kept for a certain purpose of animal husbandry or kept in a room or building used for keeping animals belonging to a certain species or group may not exceed the maximum animal load. The maximum animal load may be exceeded only to the permitted extent if the space or building used for keeping animals meets relevant additional requirements ensuring animal welfare and health, or if, according to the results of state supervision, the level of compliance of the animal husbandry with animal husbandry requirements has previously been high, or the animal keeper implements his own measures to ensure animal welfare and health. The Agricultural and Food Board must be notified in advance of exceeding the animal load. The animal keeper must keep records of his activities.  
[ RT I 2010, 34, 183 - entry into force. 23.06.2010]

(4) The Government of the Republic or its authorized minister shall establish:

1) requirements for the keeping of farm animals and the space or building intended for this purpose . 2) [invalidated - RT I 2005, 61, 477 - entry into force. 01.12.2005] 3) [invalidated - RT I 2007, 23, 119 - entry into force. 01.04.2007]

1

(4 ) The requirements specified in point 1 of subsection 4 of this section may also establish the maximum animal load, the permitted rate of exceeding it, and requirements for the space, building or animal keeper used for keeping animals, in case of exceeding the maximum animal load, and regarding the record keeping of the animal keeper's activities.  
[ RT I 2010, 34, 183 - entry into force. 23.06.2010]

(5) The Government of the Republic or its authorized minister may establish requirements specified in subsections 2 and 3 of this section for animal husbandry requirements arising from the purpose of animal husbandry or the animal's belonging to a certain species or group, including requirements for animal husbandry premises or buildings.  
[ RT I 2007, 23, 119 - entry into force. 01.04.2007]

1

### **§ 3 . Animal husbandry knowledge**

(1) The animal keeper must have the necessary knowledge of the animal's anatomy and physiology, behavioral habits specific to the animal species, and animal protection requirements to ensure the health and well-being of the animal.

(2) Due to the purpose of keeping animals or the animal's belonging to a certain species or group, the person directly engaged in keeping animals must have completed training in the proper keeping of such animals, if an obligation to undergo training is established on the basis of this Act.

(3) Regarding completion of the training specified in subsection 2 of this section, the person must have a certificate that proves that the person can directly engage in the keeping of animals kept for the purpose specified therein or belonging to the species or group specified therein.

(4) The minister responsible for the field may establish the requirements for the purpose of animal husbandry, animal species or group, in which the person directly engaged in animal husbandry must have completed the training specified in subsection 2 of this section, and the requirements arising from the purpose of animal husbandry or the animal's belonging to a certain species or group .  
[ RT I 2010, 34, 183 - entry into force. 23.06.2010]

### **§ 4. Inadmissible act towards an animal**

(1) An impermissible act towards an animal is an act that causes the death, injury or avoidable physical and mental suffering of the animal, such as forcing the animal to make efforts beyond its power, organizing an animal fight, abandoning the animal or leaving it in a helpless state, breeding activities that cause suffering to the animal and other similar an act with consequences that is not due to the treatment of an animal, another veterinary procedure or an emergency situation, with the exception of the cases specified in § 10 subsection 1 of this Act and animal experiments that meet the requirements of this Act.

(2) Animal fighting within the meaning of this Act is a fight between an animal and an animal or between a person and an animal, which is organized for commercial, entertainment or other purposes and as a result of which the animal may die, be injured or suffer pain.

(3) Forcible feeding of an animal is prohibited, except for medical indications.  
[ RT I 2008, 51, 284 - entry into force. 01.01.2009]

1

### **§ 4 . Animal husbandry for fur production**

It is prohibited to keep, breed and reproduce animals solely or mainly for the purpose of fur production.  
[ RT I, 16.06.2021, 1 - enters into force. 01.07.2021; the prohibition provided for in this section applies to livestock keepers from January 1, 2026]

## **§ 5. Stray animals**

(1) Within the meaning of § 37 subsections 2 and 4 of the Veterinary Act, animals without an owner or that have escaped from the keeper (hereafter *stray* ) must be captured and returned to the owner or a new owner must be found for them.  
[ RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

(2) If it is not possible to determine the owner of a stray animal or to find a new owner for it, the animal must be euthanized in accordance with the procedure provided for in § 18 of this Act. There must be at least two weeks between the beginning of the identification of the animal owner and the execution of the euthanasia, during which the animal must be kept properly and, if necessary, treated.

(3) Catching, keeping, killing and destruction of carcasses of stray animals is organized by the local government unit in its territory.

(4) The procedure for catching and keeping stray animals, determining their owner and killing stray animals shall be established by the Government of the Republic .

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

# **1**

## **2 . chapter**

### **PROTECTION OF PETS**

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

# **1**

## **§ 5 . Pet health and well-being**

(1) The pet's health and well-being must be checked regularly. More attention must be paid to the health and well-being of the animal during the calving or reproduction of the animal, during the animal's illness and in the event that there are significant changes in the pet's environment. If a deviation from the usual behavior is found during the inspection of the pet's health and well-being, the cause must be found out immediately and measures taken to improve the pet's health and well-being. A sick or injured pet must receive the necessary treatment.

(2) A pet may be confined indoors only for a short time and for reasons of ensuring the animal's well-being.

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

# **2**

## **§ 5 . A room or building for keeping a pet and tools and equipment**

(1) In the room or building where the pet is kept, the animal must have the opportunity to see and hear what is happening in the room or building and its surroundings, and the opportunity to communicate, according to the behavioral habits of the species.

(2) The room or building for keeping a pet and the means and equipment used for keeping it must be safe for the animal and easy to clean.

(3) The means and equipment for feeding and watering a pet must be placed in a room or building in such a way that the risk of contamination of feed and drinking water is minimal.

(4) The room or building where the pet is kept must have furnishings suitable for the animal species. If the pet cannot perform species-specific behaviors such as scratching, digging, chewing, hiding, bathing, diving, and nesting outside the room or building, there must be suitable material for such activities.

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

## **Chapter 3**

### **PROTECTION OF ANIMALS LIVING FREELY IN NATURE**

## **§ 6. Protection of animals living freely in nature**

(1) In addition to this Act, the protection and use of animals living freely in nature is also regulated by the Nature Conservation Act, the Hunting Act and the Fishing Act.

[ RT I 2004, 38, 258 - entry into force. 10.05.2004]

(2) An animal living freely in nature, which is intended to be used in an animal experiment, may only be captured by a person with appropriate preparation in a way that does not cause the animal pain, avoidable physical and mental suffering, or permanent damage. Hunting law does not apply to the described capture.

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

(3) An injured or ill-health animal caught from the wild for the purpose of animal testing is examined by a veterinarian or a person with appropriate training, who, if necessary, takes measures to reduce the animal's suffering, unless it is scientifically justified that such measures are not suitable for the purpose of animal testing.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

(4) An animal used in an animal experiment, which is caught from the wild and does not belong to a non-native species, may, under the conditions specified in § 43 subsection 7 of this Act and taking into account the opinion of the Environmental Board issued pursuant to § 47 subsection 6, be returned to a suitable living environment at the location specified in the animal experiment project permit. The Nature Conservation Act does not apply to the described release into the wild.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

## **§ 7. Protection of animals during execution of works**

- (1) In order to prevent the death of animals living freely in nature, the law enforcement body has the right to:
- 1) demand the application of technological methods and equipment that repel animals living freely in nature during field work;
  - 2) demand a change in the technological schemes of the works, notifying the person who gave permission for the execution of the works;
  - 3) stop mining and forestry work for the breeding season of wild animals.
- (2) The injunction to suspend the activity or to implement protective measures specified in subsection 1 of this section takes effect from the moment of its delivery or announcement. The costs of complying with the order shall be borne by the customer of the works.
- (3) The access of animals living freely in nature to these dangerous substances and to the handling of dangerous raw materials and waste must be excluded.

## **Chapter 4 ANIMAL TREATMENT AND VETERINARY PROCEDURES**

### **§ 8. Treatment of animals**

When treating an animal, it must be protected from avoidable suffering and infection.

### **§ 9. Veterinary procedures**

- (1) Operations and other veterinary procedures that change the animal's appearance and are not performed for medical purposes are prohibited. Ears and tails of dogs and cats may be clipped only if there is a medical indication.
- (2) Such veterinary procedures as animal castration, sterilization, nudging, hoof and hoove trimming, animal tattooing and microchipping, tail trimming of bird and burrowing dogs used for hunting, trimming of piglets' teeth and tails, nose ringing of bulls, trimming of chicks' beaks and outdoor enclosures are permitted. ringing the sleds of held cults. Piglet tails may only be clipped if, in the judgment of the veterinarian, it is absolutely necessary to ensure their health and well-being. It is forbidden to castrate animals in a way that causes tissue necrosis that causes long-term pain.  
[ RT I 2005, 61, 477 - entry into force. 01.12.2005]
- (3) Operations and other veterinary procedures, including tattooing of dogs and cats and microchipping of animals, are performed by a veterinarian. Under the direct supervision and responsibility of a veterinarian, operations and other veterinary procedures can also be performed by a student of the veterinary education curriculum. The student's activity is considered the activity of the veterinarian under whose guidance he acts. Authorized procedures that are short-term and cause little pain can also be performed by a person with appropriate training.  
[ RT I, 06.06.2014, 1 - enters into force. 01.07.2014]
- (4) The list of permitted veterinary procedures, the persons who perform them, the requirements for the performance of these procedures and the preparation of the person performing these procedures shall be established by the Government of the Republic or its authorized minister .

## **Chapter 5 ANIMAL PROTECTION DURING SLAUGHTER AND EXECUTION [ RT I 2005, 61, 477 - entry into force. 01.12.2005]**

### **§ 10. Permissible killing of an animal**

- (1) Permissible killing of an animal is:
- 1) killing or killing an agricultural animal;
  - 2) killing day-old chicks and embryos in hatchery waste;
  - 3) emergency killing of a farm animal;
  - 4) execution of an animal in a helpless condition;
  - 5) killing an animal for a religious purpose;
  - 6) euthanasia of an animal;
  - 7) killing caught fish;
  - 8) game hunting;
  - 9) destruction of invertebrates, moles and rodents to protect property or health;
- [ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]
- 10) controlled slaughter and execution of animals prescribed in the Veterinary Act to prevent the spread of animal diseases;  
[ RT I, 17.11.2021, 1 - enters into force. 01.12.2021]
- 11) killing an animal in self-defense;
- 12) execution of experimental animal.  
[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]
- (2) In the case of the authorized execution of an animal, the method of execution must be chosen, which causes the animal as little physical and mental suffering as possible.
- (3) An animal may be killed in self-defense if the animal's attack threatens the life or health of a person and it is not possible to avoid or repulse the attack in any other way.
- (4) The permitted 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 for killing agricultural animals**

[Repealed - RT I, 18.12.2012, 2 - entered into force. 01.01.2013]

## **§ 12. Pre-slaughter keeping of agricultural animals in a slaughterhouse**

[Repealed - RT I, 18.12.2012, 2 - entered into force. 01.01.2013]

## **§ 13. Killing and execution of farm animals**

(1) Poultry, rabbit and hare kept as farm animals, which are killed outside the slaughterhouse for their own use, must be stunned before slaughter and, if necessary, their movement must be restricted before stunning.

(2) Stunning within the meaning of this Act is an activity that causes an animal to become unconscious as quickly as possible and lasts until death in a way that causes as little suffering and pain as possible.

(3) The animal specified in subsection 1 of this section is stunned and killed by a person who has relevant knowledge and practical skills.

(4) Before further handling of the animal specified in subsection 1 of this section, one must be convinced of its death.

(5) The requirements stipulated 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) shall be followed when killing and executing an agricultural animal, except for the animal specified in subsection 1 of this section.

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

(7) The Agriculture and Food Board publishes on its website and submits to the European Commission the guidelines for good slaughter and execution practices, which have been developed in accordance with Article 13 of Council Regulation (EC) No. 1099/2009 and which have been approved by the Board.

(8) For the implementation of Article 14(3) of Council Regulation (EC) No. 1099/2009, the requirements for the mobile slaughterhouse used to stun and kill agricultural animals and the equipment used in it can be established by regulation of the minister responsible for the field .

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

### **1**

## **§ 13 . Farm animal slaughter training and examination**

(1) Training in animal slaughter and related operations (hereinafter *animal slaughter training* ) and the examination is carried out by the Agriculture and Food Board or a continuing education institution (hereinafter *training institution* ) provided for in the Adult Education Act, the Vocational Education Institution Act, this Act and Council Regulation (EC) No. 1099/2009 according to the requirements.

[ RT I, 23.03.2015, 5 - enters into force. 01.07.2015]

(2) The training institution specified in subsection 1 of this section may conduct animal slaughter training if the Agriculture and Food Board has approved the animal slaughter training program drawn up by the training institution. The Agriculture and Food Board decides to approve or disapprove the animal slaughter training program within 20 working days of receiving the said program. The Agriculture and Food Board will not approve the animal slaughter training program if it does not meet the requirements established for it.

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

(3) The training institution specified in subsection 1 of this section may conduct an animal slaughter exam if the Agriculture and Food Board has approved the structure and conduct procedure of the exam prepared by the training institution. The Agriculture and Food Board decides to approve or disapprove the structure and conduct of the animal slaughter examination within 20 working days of receiving it.

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

(4) The training institution must inform the Agriculture and Food Board in writing about the change in the data specified in subsections 2 and 3 of this section and about the change in the personnel conducting the training and examination within seven working days of the change.

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

(5) The training institution forwards to the Agriculture and Food Board the first and last name and personal identification code of the person who passed the exam, or, if there is no such code, the date of birth within three working days of the exam taking place.

[ RT I, 13.03.2019, 2 - enters into force. 15.03.2019]

### **2**

## **§ 13 . Certificate of competence for killing agricultural animals**

### **1**

Regarding the completion of the examination specified in § 13 subsection 3 of this Act, the Agriculture and Food Board issues a certificate in accordance with Council Regulation (EC) No. 1099/2009 to the person who passed the examination

[ RT I, 18.12.2012, 2 - in force. 01.01.2013]

## **§ 14. Execution of day-old chicks and embryos in hatchery waste**

[Repealed - RT I, 18.12.2012, 2 - entered into force. 01.01.2013]

## **§ 15. Emergency killing of an agricultural animal**

(1) [Repealed - RT I, 18.12.2012, 2 - entered into force. 01.01.2013]

(2) Emergency killing must be done with the least physical and mental suffering for both the farm animal to be killed and the other farm animal present at the place of emergency killing.

[ RT I 2008, 51, 284 - entry into force. 01.01.2009]

(3) Sick, weak or injured farm animals must be euthanized immediately. Farm animals unable to move must be emergency killed where they are, or transported to the place of slaughter, if this does not cause them suffering.

## **§ 16. Execution of an animal in a helpless state**

An animal rendered helpless as a result of an accident or emergency may be euthanized if survival would cause it lasting suffering or if its species-specific way of life or return to the wild proves impossible.

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

## **§ 17. Killing an agricultural animal for religious purposes**

(1) A religious association registered in Estonia may kill an agricultural animal using a special method for religious purposes in accordance with the requirements set out in Council Regulation (EC) No. 1099/2009 and this section, provided that the slaughter takes place in a slaughterhouse and it is necessary for the use of members of the religious association and that a law enforcement agency is present at the slaughter.

(2) For religious purposes, a previously electrically stunned farm animal or a previously non-stunned farm animal may be killed, taking into account the religious tradition of the religious community.

(3) If an agricultural animal is killed without first being stunned, taking into account the religious tradition of the religious community, the agricultural animal must be stunned immediately after cutting both jugular veins and carotid arteries.

(4) In order to slaughter an agricultural animal for religious purposes, a religious association must have a permit to slaughter an agricultural animal for religious purposes.

(5) In order to obtain permission to kill an agricultural animal for religious purposes, a religious association submits a written application to the Agriculture and Food Board, which contains the following information:

- 1) the type and number of agricultural animals to be killed and the justification for the choice of animal species and the number of animals;
- 2) the time and place of the slaughter of the farm animal and the document issued by the slaughterhouse proving the possibility of such slaughter in the slaughterhouse;
- 3) a description of the special method of killing an agricultural animal and justification for the need to use this method, including proof of the connection of the special method of slaughter with religious tradition;
- 4) a description of the way meat is used for the consumption of religious community members.

(6) The Board of Agriculture and Food decides whether to issue a permit or refuse to issue a permit for the slaughter of an agricultural animal for religious purposes within 20 working days from the date of receipt of the request specified in subsection 5 of this section.

(7) The Agriculture and Food Board may refuse to grant a permit to slaughter an agricultural animal for religious purposes if:

- 1) the applicant does not meet the requirements set forth in this section;
- 2) the circumstances described in the application do not meet the relevant requirements of this section or those established on the basis of it or laid down in Council Regulation (EC) No. 1099/2009;
- 3) the killing of the previously unstunned farm animal described in the application is not related to the religious tradition of the religious community;
- 4) the number of farm animals to be killed submitted in the application is disproportionately large compared to the needs of members of the religious community;
- 5) false information is provided in the application.

(8) The special methods of slaughtering agricultural animals for religious purposes, the detailed content and form requirements of the application for a permit for slaughtering for religious purposes, and the requirements and procedure for carrying out slaughtering for religious purposes shall be established by a regulation of the minister responsible for the field .

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

## **§ 18. Euthanasia**

(1) Euthanasia is the killing of an animal at the initiative of the animal's owner or out of compassion, if survival would cause lasting suffering for the animal or if its species-specific way of life proves impossible.

(2) Animal euthanasia is performed by a veterinarian.

(3) Euthanasia must be carried out with the least physical and mental suffering, depending on the situation.

(4) The euthanasia method must cause the animal to immediately become unconscious and die or lead it from deep general anesthesia to certain death. The veterinarian must identify the death of the animal he killed.

(5) It is prohibited to suffocate, drown an animal, use poisonous substances or drugs, the dosage and administration rate of which may not cause the effect mentioned in subsection 4 of this section, and execution by electricity, unless it is accompanied by an immediate loss of consciousness.

1

## **§ 18 . Killing an experimental animal**

4

(1) An experimental animal may be executed by a person who has completed the relevant training specified in § 41 of this Act in an enterprise breeding experimental animals, supplying experimental animals or using experimental animals, or in the case of field research outside the said enterprise, in compliance with the requirements established on the basis of subsection 2 of this section.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

(2) The requirements for the execution of experimental animals and the methods of execution shall be established by a regulation of the minister responsible for the field .

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

(3) An experimental animal may be executed using another method, if it has been scientifically proven that this method is at least as humane as the method established on the basis of subsection 2 of this section, and if it is scientifically justified that the purpose of the

animal experiment cannot be achieved using the latter method.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

(4) The requirements of this section do not apply if the experimental animal is killed in an emergency for reasons related to human or animal well-being or health, public security or the environment.

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

### **§ 19. Execution of an animal in the presence of a minor**

Killing an animal in the presence of a minor is prohibited, except for:

1) destruction of invertebrates, moles and rodents to protect property or health;

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

2) fishing;

3) execution of an animal in a helpless condition;

4) in connection with the task of teaching in the acquisition of vocational education and in the presence and responsibility of the supervisor.

## **Chapter 6 PROTECTION OF ANIMALS DURING TRANSPORTATION**

### **§ 20. Transporting animals**

(1) When transporting animals, the Council Regulation (EC) No. 1/2005, which deals with the protection of animals during transport and related operations and which amends Directives 64/432/EEC and 93/119/EC and Regulation (EC) No. 1255/ 97 (OJ L 3, 05.01.2005, pp. 1–44), the requirements set forth.

(2) Checkpoints must meet the requirements set out in Council Regulation (EC) No. 1255/97 on Community criteria for checkpoints and on changes to itineraries referred to in the Annex to Directive 91/628/EEC (OJ L 174, 02.07.1997, pp. 1–6).

(3) The competent authority within the meaning of Article 2 point f of Council Regulation (EC) No. 1/2005 and Council Regulation (EC) No. 1255/97 is the Agriculture and Food Board.

[ RT I 2007, 23, 119 - entry into force. 01.04.2007]

#### **1**

### **§ 20 . Licensing obligation of the animal transporter and long-haul animal transporter**

(1) An enterprise engaged in transporting animals (hereinafter *animal transporter* ) and an enterprise engaged in long-term transport of animals (hereinafter *long-haul animal transporter* ) must have an activity permit issued in accordance with Article 10 or 11 of Council Regulation (EC) No. 1/2005.

(2) The activity license is valid for five years.

(3) The requirements for animal transporters and long-haul animal transporters are set out in Council Regulation (EC) No. 1/2005.

(4) The license specified in subsection 1 of this section is not required in the cases provided for in subsections 2 and 5 of Article 1 and subsection 7 of Article 6 of Council Regulation (EC) No. 1/2005.

[ RT I, 16.06.2016, 3 - enters into force. 01.09.2016]

#### **2**

### **§ 20 . Applying for an animal transporter's and long-haul animal transporter's license**

(1) The application for an activity license is resolved by the Agricultural and Food Board by granting or refusing to grant an activity license.

(2) In addition to the provisions of § 19 (2) of the Act on the General Part of the Code of Economic Activities, the following data and documents are submitted in the application for an activity permit:

1) certificates of competence of the driver and attendant of the road transport vehicle transporting animals, issued in accordance with Article 17 (2) of the Council Regulation (EC) No. 1/2005;

2) data on means of transport, container and means of loading and unloading used for transporting animals;

3) data on the way animals are transported;

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

(3) In addition to the data and documents specified in subsection 2 of this section, the application for the license of an animal carrier carrying out long-haul transport also includes the documents specified in point b of Article 11 (1) of Council Regulation (EC) No. 1/2005 and, in the case provided for in Article 11 (2), data on the navigation systems used.

(4) The data specified in this section shall be entered in the register of agricultural animals.

[ RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

1 subsection

(5) The entrepreneur shall not pay a state fee for the resolution of the application for an activity license specified in § 20 1 of this Act.

[ RT I, 16.06.2016, 3 - enters into force. 01.09.2016]

#### **3**

### **§ 20 . Inspection subject of animal transporter's activity permit**

An entrepreneur is granted an animal carrier license if he meets the requirements set forth in Article 10 of Council Regulation (EC) No. 1/2005.

[ RT I, 16.06.2016, 3 - enters into force. 01.09.2016]



4

**§ 20 . Inspection of the activity permit of an animal transporter carrying out long hauls**

An entrepreneur is granted a long-haul animal carrier license if he meets the requirements set forth in Article 11 of Council Regulation (EC) No. 1/2005.

[ RT I, 16.06.2016, 3 - enters into force. 01.09.2016]

5

**§ 20 . Additional conditions to be added to the activity license of animal transporters and long-haul animal transporters**

The following additional conditions are added to the activity permit:

- 1) the way animals are transported;
- 2) the type of animals to be transported;
- 3) the term of the activity permit.

[ RT I, 16.06.2016, 3 - enters into force. 01.09.2016]

6

**§ 20 . Road transport driver and attendant training and examination**

(1) The training and examination of the driver and attendant of a road transport vehicle transporting animals (hereinafter *the driver and attendant* ) is organized by the Agriculture and Food Board or a continuing education institution in accordance with the requirements set forth in the Adult Training Act, this Act and Council Regulation (EC) No. 1/2005.

(2) The in-service training institution specified in subsection 1 of this section may organize driver and attendant training if the Agriculture and Food Board has approved the driver and attendant training curriculum prepared by the in-service training institution. The Board of Agriculture and Food decides to approve or disapprove the driver and attendant training curriculum within 20 working days of receiving the curriculum. The Board of Agriculture and Food will not approve the driver and attendant training curriculum if it does not meet the requirements established for the training curriculum.

(3) The in-service training institution specified in subsection 1 of this section may conduct the driver and attendant exam if the Agriculture and Food Board has approved the structure and procedure for conducting the exam prepared by the in-service training institution. The Agriculture and Food Board decides to approve or disapprove the structure and conduct of the driver and dispatcher exam within 20 working days of receiving the order.

(4) Before changing the curriculum of the training specified in subsections 2 and 3 of this section and the structure and conduct of the exam, the Agriculture and Food Board must approve the changes planned by the continuing education institution. The Agriculture and Food Board decides to approve or disapprove the said changes within 20 working days of receiving the planned changes.

(5) The continuing education institution shall forward to the Agriculture and Food Board the first and last name of the person who passed the driver and attendant exam, as well as data on his date of birth, place of birth and citizenship within three working days from the date of the exam.

[ RT I, 16.06.2016, 3 - enters into force. 01.09.2016]

7

**§ 20 . Competency certificate of the driver and attendant of the road transport vehicle**

Regarding the completion of the examination specified in subsection 6

of § 20 of this Act, the Agriculture and Food Board issues a certificate of competence in accordance with Council Regulation (EC) No. 1/2005 to the person who passed the examination.

[ RT I, 16.06.2016, 3 - enters into force. 01.09.2016]

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

## **Chapter 7 ANIMAL COMPETITIONS, PUBLIC SHOWS AND SALES**

**§ 25. Animal competitions**

[ RT I 2004, 38, 257 - entered into force. 01.05.2004]

(1) Animal competitions (hereinafter *the competition* ) must be organized in accordance with the Veterinary Act.

[ RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

(2) Animals participating in competitions or being trained for this purpose are prohibited from being administered any substances that affect or may affect the animal's abilities.

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

**§ 26. Requirements regarding the organization of competitions**

[ RT I 2004, 38, 257 - entered into force. 01.05.2004]

(1) A licensed veterinarian must be present at competitions.

[ RT I, 06.06.2014, 1 - enters into force. 01.07.2014]

(2) The competition veterinarian must:

- 1) monitor the fulfillment of animal protection requirements during the competition;
- 2) check the animal's suitability for competition;
- 3) check the suitability of equipment and aids used in competitions;
- 4) give the animal first aid and prescribe further treatment if necessary;
- 5) to decide on the execution of an animal in a state of emergency;
- 6) in case of unfavorable weather conditions, to make a proposal to the organizer of the competition to cancel the competition.

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

## **§ 27. Public display of animals**

(1) Animals are allowed to be shown publicly in a zoo, as well as at an animal exhibition, competition, fair, auction or other public event related to bringing animals together in accordance with the Veterinary Act.

[ RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

(2) Farmed fish and animals of a person trading in animals may be publicly displayed for commercial purposes if the welfare of the animals is ensured and the requirements for keeping them are met. Under the aforementioned conditions, aquarium fish can also be demonstrated in the interior design of the rooms.

[ RT I 2007, 23, 119 - entry into force. 01.04.2007]

(3) At an animal exhibition, competition, fair, auction or other public event related to the bringing together of animals, it is permitted to use only such an animal born in artificial conditions, whose species-specific behavior habits or way of life allow it without harming the animal's health.

[ RT I, 11.10.2017, 1 - enters into force. 01.06.2018]

1

(3) The list of the animal species and subspecies to which the animals belonging are allowed to be used at an animal exhibition, competition, fair, auction or other public event related to bringing animals together shall be established by a regulation of the minister responsible for the field .

[ RT I, 11.10.2017, 1 - enters into force. 01.06.2018]

(4) It is prohibited to use an animal at an animal exhibition, competition, fair, auction or other public event related to the bringing together of animals, if this may involve causing it pain, suffering or injury, and it is also prohibited to train the animal in a way that causes it pain, suffering or injuries.

[ RT I 2010, 34, 183 - entry into force. 23.06.2010]

(5) It is forbidden to publicly show a dog born in Estonia belonging to a person permanently living in Estonia or a legal entity located in Estonia, whose ears and tail have been cut without a medical indication. A dog with a cut tail may be publicly shown at the exhibition, whose tail is allowed to be cut on the basis of § 9 (2) of this Act.

## **§ 28. Zoo**

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

(2) The zoo must be planned and built in such a way that the health and well-being of the animals is ensured and the escape of animals is prevented.

(3) The layout and buildings of the zoo must meet the requirements established by the Government of the Republic .

(4) When animals are shown publicly in the zoo, their health and well-being must be ensured by proper keeping. In the zoo, animals are studied, the public is informed about the species of animals on display and their natural habitats, and animal protection information is disseminated.

## **§ 29. Zookeeper's permit obligation**

To keep a zoo, you must have an activity permit.

[ RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

1

### **§ 29 . Applying for an activity permit**

(1) The Environmental Board resolves the application for an activity permit by granting or refusing to grant an activity permit within 60 days from the submission of the application.

(2) In addition to the provisions of the General Part of the Code of Economic Activities, the following data and documents are submitted in the application for an activity permit:

1) if the name of the zoo exists, the name of the zoo;

2) a description of the applicant's current activities and planned activities related to the zoo;

3) documents certifying the applicant's ownership of the land necessary for the operation of the zoo or the right to use it;

4) a list of animal species in the zoo, in which the Latin name of the animal species and the planned number of specimens in the zoo are indicated;

5) the list of zoo management positions with job descriptions and the list of unfilled positions at the time of the permit application;

6) an overview of the zoo's buildings or the zoo's construction project with a description of the level of completion of the buildings;

7) calculation of funds needed for construction and maintenance of the zoo during the next financial year, together with a description of the planned source of funds.

[ RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

2

### **§ 29 . Activity license inspection subject**

An activity permit is granted to a person if the following requirements are met:

1) the zoo project meets the requirements for the zoo plan;

2) the person has employees with appropriate professional training for working in the zoo and sufficient financial resources for the construction of the zoo and for the performance of the tasks specified in subsection 28 (4) of this Act.

[ RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

## **§ 30. Refusal to issue a zoo activity permit**

[Repealed - RT I, 29.06.2014, 1 - entered into force. 01.07.2014]

### § 31. Suspension of the zoo activity license

[Repealed - RT I, 29.06.2014, 1 - entered into force. 01.07.2014]

### § 32. Requirements regarding the termination of zoo operations

(1) Upon termination of the activity of the zoo, the owner of the activity permit must ensure the health and well-being of the animals, organize the further life or euthanasia of the animals kept there.

(2) The law enforcement body must ensure that the provisions of subsection 1 of this section are properly fulfilled when the zoo is closed. If necessary, the enforcement of paragraph 1 of this section must be organized by a law enforcement agency. In this case, the law enforcement body has the right to demand from the owner of the suspended activity license compensation for the reasonable costs associated with the actions performed.

### § 33. Transactions with animals

(1) The sale or other transfer of an animal for a fee or free of charge to a person under the age of 16 is permitted only with the consent of his parent or legal representative, unless otherwise provided by law.

(2) The animal cannot be a prize for a lottery, game of chance or other similar event.

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### § 33 . Keeping pets in the store

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

(2) Pets offered for sale in the store must be provided with a sufficiently calm and quiet environment necessary for their normal life activities. In the store, physical contact between the pet offered for sale and the store visitor must be excluded without the supervision of a store employee.

(3) The pet's cage, terrarium and aquarium offered for sale in the store must be separated from the pet supplies and animal feed sold in the same room by a partition wall or 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. Animal testing and animal testing project

(1) Animal testing within the meaning of this Act is the permitted use of an experimental animal for scientific or educational purposes, which may cause pain, suffering or injury to the animal that is equal to or greater than that caused by a needle stick performed in accordance with good veterinary practice. Animal testing is also an activity that may cause pain, suffering or injury to an animal to the extent mentioned above, and which intentionally or likely results in the birth, hatching or death of an animal, or in which a genetically modified breeding line is created and maintained. Animal testing does not involve the killing of a test animal for the purpose of using its tissues or organs.

(2) For the purposes of this Act, animal testing also includes the use of an experimental animal for the purposes specified in subsection 1 of this section together with pain relief.

(3) For the purposes of this Act, a clinical trial performed to obtain a marketing authorization for a veterinary medicine and a veterinary procedure not related to an animal trial, an agricultural activity or an activity whose main purpose is the identification of an animal using an approved means and method are not considered animal experiments.

(4) An animal experiment project within the meaning of this Act is a work program with a specified scientific goal and which includes one or more animal experiments.

(5) An animal experiment project may be prepared by a person (hereinafter *the animal experiment project designer* ) who has at least a master's degree or a corresponding qualification in veterinary medicine, medicine, biology or another field related to the animal experiment project and who has completed the training for conducting animal experiments and planning animal experiment projects

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specified in § 41 of this Act, and passed the exam.

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

1

### § 34 . Claim to replace, reduce and improve animal testing

When planning and conducting an animal experiment, the requirement of substitution, reduction and improvement is followed, according to which:

1) if possible, another scientifically satisfactory method or test strategy is chosen instead of an animal experiment, in which live test animals are not used;

2) the number of test animals used in the animal testing project is reduced to a minimum, given that such a reduction does not harm the purpose of the animal testing project;

3) breeding, keeping and care of experimental animals and the methods used in animal experiments are improved, eliminating possible pain, suffering, stress or permanent damage caused to experimental animals or reducing them to a minimum.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

### § 35. Permitted purpose of conducting animal experiments

Animal experiments may be conducted for scientific or educational purposes in the following cases:

1) basic research;

2) transitional research or applied research, the purpose of which is the prevention, diagnosis or treatment of a disease, health disorder or their effects in humans, animals or plants;

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

3) transitional research or applied research, the purpose of which is to identify, evaluate, regulate or change the physiological state of a person, animal or plant;

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

4) transitional research or applied research, the purpose of which is to improve the welfare of animals or the conditions for keeping agricultural animals;

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

5) development and production of medicines, food and other substances and products and their quality, effectiveness and safety control for the purposes specified in points 2-4 of this section;

6) protection of the natural environment in the interests of human or animal well-being or health;

7) research aimed at preserving the animal species;

8) acquisition of higher education or vocational education or further training;

[ RT I, 23.03.2015, 5 - enters into force. 01.07.2015]

9) forensic examination.

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

### **§ 36. Restrictions on conducting animal experiments**

(1) Animal testing for the purposes listed in § 35 of this Act is prohibited if the purpose of the animal testing can be achieved by using another method or test strategy recognized on the basis of the legislation of the European Union, which does not provide for the use of experimental animals.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

(2) An animal experiment without anesthesia is prohibited if the experiment involves severe injury that may cause severe pain to the animal.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

1

(2 ) Animal testing is prohibited if it involves severe pain, suffering or stress for the animal, which is likely to last for a long time and cannot be alleviated.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

(3) It is prohibited to use an animal living freely in nature in an animal experiment, unless it is scientifically justified that the use of another experimental animal is not sufficient to achieve the purpose of the animal experiment.

(4) It is prohibited to use a stray animal in an animal experiment, unless:

1) it is scientifically justified that the use of another experimental animal is not sufficient to achieve the purpose of the animal experiment;

2) there is a significant need for a study dealing with the health and welfare of stray animals or a serious threat to the environment or human or animal health.

(5) It is prohibited to carry out animal experiments for the purpose of improving weapons and ammunition and developing tobacco products.

(6) It is prohibited to carry out animal testing to prove compliance with health safety requirements in the case of a cosmetic product that:

1) is placed on the market and made available to the end consumer;

2) is a test specimen or a design of a cosmetic product that has not been produced as a batch, but according to which the product is finally manufactured or developed.

(7) It is prohibited to carry out animal testing to prove the compliance of cosmetic product ingredients or their combinations with health safety requirements from the date when this test must be replaced by at least one Commission Regulation (EC) No. 440/2008 establishing test methods in accordance with European Parliament and Council Regulation (EC) No. 1907/2006 concerning the Registration, Evaluation, Authorization and Restriction of Chemicals (REACH) (OJ L 142, 31.05.2008, pp. 1–739), or Council Directive 76/768/EEC on the harmonization of legislation adopted in Member States on cosmetic products (OJ L 262, 27.09.1976, p. 169-200) with the validated method listed in Annex IX.

(8) Regulation (EC) No. 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorization and Restriction of Chemicals (REACH) and establishing the European Chemicals Agency and amending Directive 1999/45/EC and repealing Council Regulation (EEC) No. 793/93, Commission Regulation (EC) No. 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC ( ELT L 396, 30.12.2006, pp. 1–850), or for the purpose of obtaining the data required in the files stipulated by the Biocidal Act, an animal experiment may be carried out either on the basis of a decision of the European Chemicals Agency or with the consent of the Health Board.

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

(9) Unwarranted repetition of animal experiments is avoided, and for this purpose, relevant data of other European Union member states regarding animal experiments conducted on the basis of European Union legislation, forwarded to the European Commission, are kept up to date. The animal experiment may be repeated if, in connection with the aforementioned data, it is necessary to perform further animal experiments for the protection of public health, safety or the environment.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

### **§ 37. Use of an animal belonging to an endangered species in an animal experiment**

(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 276, 20.10.2010, pages 33–79) in animal experiments, unless the animal experiment is in accordance with the Nature Conservation Act and the purpose of the animal experiment is the purpose specified in §

35 points 2, 5 and 7 of this Act, and it is scientifically justified that the use of another experimental animal is not sufficient to achieve the purpose of the animal experiment.

(2) Subsection 1 of this section does not apply to any species of primates.

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

1

### **§ 37 . Use of primates in animal experiments**

(1) It is prohibited to use a non-human primate in an animal experiment, unless it is scientifically justified that the use of another experimental animal is not sufficient to achieve the purpose of the animal experiment, and if the purpose of the experiment is:

- 1) the purpose specified in clause 2 of § 35 of this Act and the animal experiment is carried out in a way that is life-threatening to humans or to prevent, diagnose or treat a disabling clinical condition;
- 2) the purpose specified in Clause 7 of § 35 of this Act.

(2) It is prohibited to carry out an animal experiment if the animal experiment performed for the purpose specified in subsection 1 of this section is accompanied by severe long-lasting pain or stress that cannot be alleviated.

(3) It is permitted to use non-human primates listed in Annex II of Directive 2010/63/EU of the European Parliament and of the Council in animal experiments under the conditions established in the said Annex and if the non-human primates are the offspring of farmed animals or if they come from a sustainable colony.

(4) A sustainable colony within the meaning of this Act is a colony in which only an animal obtained within the colony or from another colony, but not caught from the wild, is used for animal reproduction and in which the animal is kept in a way that ensures its habituation to humans.

1

(4 ) Non-human primates that do not meet the origin requirements set forth in subsection 3 of this section may also be used in animal experiments, if it is scientifically justified that the use of non-human primates that are the offspring of farmed animals or come from a sustainable colony is not sufficient to achieve the purpose of the animal experiment.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

(5) It is prohibited to use great apes in animal experiments.

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

### **§ 38. Experimental animal**

(1) The experimental animal specified in Annex I of Directive 2010/63/EU of the European Parliament and of the Council must be raised in the company of an entrepreneur who has obtained an activity license for the cultivation of experimental animals.

(2) An experimental animal specified in subsection 1 of this section may also be used in an animal experiment, which has not been bred in the company of an entrepreneur licensed to breed experimental animals, if it is scientifically justified that the use of an animal bred in the said company is not sufficient to achieve the purpose of the animal experiment.

[ RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

1

### **§ 38 . Keeping experimental animals**

When keeping experimental animals, in addition to the provisions of § 3 subsection 2 of this Act, the following requirements are observed:

- 1) satisfying the physiological and ethological needs of experimental animals is limited as little as possible;
- 2) the microclimate in which experimental animals are raised, kept or used is checked daily;
- 3) a plan is drawn up, following which it is ensured that the identified deficiency or avoidable pain, suffering, stress or damage in the keeping of experimental animals is eliminated as soon as possible;
- 4) experimental animals are transported in suitable conditions.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

### **§ 39. Licensing obligation for the supply and breeding of experimental animals and the use of experimental animals**

[ RT I, 29.06.2014, 1 - entered into force. 01.07.2014]

(1) An entrepreneur must have an activity license to operate in a company engaged in:

- 1) supplying experimental animals;
- 2) breeding experimental animals;
- 3) with the use of experimental animals.

[ RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

(2) An activity license entitles an entrepreneur to start and carry out economic activity only in the company or part of the company specified in the business license. The license is valid for up to five years.

[ RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

(3) The minister responsible for the field shall establish the requirements for the company breeding experimental animals, supplying experimental animals and using experimental animals by regulation.

[ RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

(4) An animal experiment is carried out in an enterprise using experimental animals, unless it is scientifically justified that it needs to be done outside the mentioned enterprise, for example in a natural environment, animal husbandry building, facility, a demarcated area for keeping animals or a zoo, in which an activity permit for experimental animals has not been granted for use.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

#### **§ 40. Application for an activity permit for breeding experimental animals, providing experimental animals and using experimental animals**

[ RT I, 29.06.2014, 1 - entered into force. 01.07.2014]

(1) The application for an activity license shall be resolved by the granting or refusal of an activity license by the Agriculture and Food Board.

(2) In addition to the provisions of the General Part of the Code of Economic Activities Act, the following data and documents are submitted in the application for an activity permit:

- 1) location plan together with the plan of external water and sewage networks;
- 2) the plan of the premises with the layout of the equipment and the plan of the internal water and sewage networks;
- 3) data on used finishing materials;
- 4) cleaning and disinfection plan, which contains data on the measures and substances used for cleaning and disinfecting means of transport, equipment and premises;
- 5) pest control plan with data on the measures implemented for pest control;
- 6) data on heating and ventilation systems;
- 7) an emergency action plan, which includes action instructions to ensure the health and well-being of experimental animals;
- 8) data on the organization of waste management.

(3) The data specified in this section shall be entered in the register of agricultural animals.

[ RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

(4) An entrepreneur applying for an activity license for breeding experimental animals, supplying experimental animals and using experimental animals is obliged to pay a state fee for processing the application at the rate provided for in the State Fees Act before submitting the application.

[ RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

#### **1**

#### **§ 40 . Inspection subject of the activity license for breeding experimental animals, supplying experimental animals and using experimental animals**

An entrepreneur is granted an operating license if his enterprise of breeding experimental animals, supplying experimental animals or using experimental animals meets the requirements of this Act and the legislation established on the basis of it.

#### **2**

#### **§ 40 . Additional conditions of the activity license for the breeding of experimental animals, supply of experimental animals and use of experimental animals**

The following additional conditions are added to the activity permit:

- 1) the name and contact details of the person responsible for the appropriateness of the company's activities;
- 2) the name and contact details of the person responsible for the welfare and care of experimental animals;
- 3) the name and contact details of the person who ensures the access of the employee dealing with experimental animals to information about the species of animals kept in the company;
- 4) name and contact details of the person responsible for the education and competence of the company's employees;
- 5) the name and contact details of the veterinarian or appropriately qualified person whose task is to provide advice on the welfare and treatment of experimental animals;
- 6) the term of the activity permit.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

#### **3**

#### **§ 40 . Obligation to report changes in circumstances related to economic activity**

(1) In the notification of the intention to change the economic activity and in the notification of the change in the economic activity, the entrepreneur submits the description or data specified in § 30 subsection 3 of the General Part of the Economic Activities Code Act.

(2) If the economic activity of the enterprise no longer meets the requirements of the control object of the activity license and may negatively affect the welfare of the experimental animals, in order to ensure the welfare of the experimental animals, the enterprise must either:

- 1) abandon the changes;
- 2) to bring their activities or planned changes into line with the requirements of the control object of the activity permit or
- 3) to apply for a change of the activity permit or a new activity permit.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

#### **3**

**§ 41. - § 41 .** [Repealed - RT I, 29.06.2014, 1 - entered into force. 01.07.2014]

#### **4**

#### **§ 41 . Training in the care and execution of experimental animals, conducting animal experiments and planning an animal experiment project**

(1) A natural person directly involved in the care and execution of experimental animals, conducting animal experiments and planning an animal experiment project has undergone relevant training and passed an exam and has a certificate proving this.

(2) Training in the care and execution of experimental animals, conducting animal experiments and planning an animal experiment project is carried out by a continuing education institution on the basis of a program approved by the Ministry of Regional Affairs and Agriculture in accordance with the requirements set forth in the Adult Education Act, the Vocational Education Institution Act and this Act.

[ RT I, 30.06.2023, 1 - enters into force. 01.07.2023; On the basis of § 105.19 subsection 7 of the Government of the Republic Act, the word "Ministry of Rural Affairs" replaced by the words "Ministry of Regional and Agricultural Affairs" in the corresponding case]

(3) The continuing education institution specified in subsection 2 of this section prepares a training program for the care and execution of experimental animals, the execution of animal experiments and the planning of an animal experiment project, taking into account the specifics arising from the tasks and responsibilities of persons engaged in the care and execution of experimental animals, the execution of animal experiments and the planning of an animal experiment project, and submits it to the Ministry of Regional Affairs and Agriculture for approval .

[ RT I, 30.06.2023, 1 - enters into force. 01.07.2023; On the basis of § 105.19 subsection 7 of the Government of the Republic Act, the word "Ministry of Rural Affairs" replaced by the words "Ministry of Regional and Agricultural Affairs" in the corresponding case]

(4) The Ministry of Regional Affairs and Agriculture decides to approve or disapprove the training program specified in subsection 3 of this section within 20 working days of receiving it.

[ RT I, 30.06.2023, 1 - enters into force. 01.07.2023; On the basis of § 105.19 subsection 7 of the Government of the Republic Act, the word "Ministry of Rural Affairs" replaced by the words "Ministry of Regional and Agricultural Affairs" in the corresponding case]

(5) The Ministry of Regional Affairs and Agriculture shall not approve the training program specified in subsection 3 of this section if it does not meet the requirements established for it.

[ RT I, 30.06.2023, 1 - enters into force. 01.07.2023; On the basis of § 105.19 subsection 7 of the Government of the Republic Act, the word "Ministry of Rural Affairs" replaced by the words "Ministry of Regional and Agricultural Affairs" in the corresponding case]

(6) The training institution shall issue an appropriate certificate to the person who passed the exam regarding the examination of the care and execution of experimental animals, the conduct of animal experiments and the planning of an animal experiment project.

(7) More detailed requirements regarding the training program for the care and killing of experimental animals, the conduct of animal experiments and the planning of an animal experiment project, and the topics covered in the training shall be established by a regulation of the minister responsible for the field .

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

## **§ 42. Keeping experimental animals**

[Repealed - RT I, 18.12.2012, 2 - entered into force. 01.01.2013]

### **1**

## **§ 42 . Employees of the company breeding experimental animals, supplying experimental animals and using experimental animals, and documents on the welfare of experimental animals**

[ RT I, 04.01.2019, 13 - entered into force. 15.01.2019]

(1) A company breeding experimental animals, supplying experimental animals and using experimental animals must have sufficient employees on site.

(2) A natural person directly engaged in the care and execution of experimental animals and conducting animal experiments, who starts working with a species of experimental animals with which he has no previous work experience, shall be assigned a supervisor in the company for the purpose of ensuring the well-being of the experimental animals. The supervisor guides and evaluates the employee until the employee has acquired the competence to work independently with laboratory animals in a way that does not cause them unnecessary pain, suffering, stress or permanent damage.

(3) If a natural person directly engaged in the care and execution of experimental animals and conducting animal experiments has not participated in any animal experiment project or worked in a company breeding experimental animals, supplying experimental animals or using experimental animals within five years, his competence for independent work with experimental animals is considered to have been lost and he is assigned a supervisor upon starting work in the company in accordance with paragraph 2 of the section.

(4) A person engaged in breeding experimental animals, supplying experimental animals or using experimental animals appoints a person with appropriate training in his company, who stays at the company during working hours and who:

- 1) is responsible for the welfare and care of the animals kept in the company;
- 2) ensures access to information about animal species kept in the company for the employee dealing with experimental animals;
- 3) is responsible for ensuring that the company's employees are appropriately educated and competent, participate in further training and, if necessary, work under the guidance of a relevant person until they have acquired the competence to work independently.

(5) A person engaged in breeding experimental animals, supplying experimental animals or using experimental animals appoints a veterinarian who is competent in the field of experimental animal medicine or, if necessary, a person with appropriate qualifications, whose task is to advise on the welfare and treatment of experimental animals.

(6) A person engaged in breeding experimental animals, supplying experimental animals or using experimental animals prepares relevant documents to ensure the welfare and health of experimental animals in his company, in compliance with the requirements established on the basis of subsection 39 (3) of this Act.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

### **2**

## **§ 42 . Animal Welfare Unit**

(1) A person engaged in breeding experimental animals, supplying experimental animals or using experimental animals forms an

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animal welfare unit, which includes at least the persons specified in clause 1 and subsection 5 of § 42 4) of this Act , whose task is to provide advice on the welfare, treatment and care of experimental animals. In a company using experimental animals, the animal welfare unit also includes at least one person who has a degree in medicine, biology or other relevant field and has experience in conducting animal experiments.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

(2) The detailed tasks of the animal welfare unit shall be established by a regulation of the minister responsible for the field .  
[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

### 3

#### **§ 42 . Labeling of experimental animals and keeping records of experimental animals**

(1) Dogs, cats and non-human primates used as test animals shall be permanently and uniquely marked in a way that causes the least pain before weaning.

(2) When a dog, cat or primate is transferred from one company to another before weaning, the documentation enabling the identification of the animal's mother must be kept until the animal is tagged. If an unmarked weaned dog, cat or primate is brought to the company, the animal will be marked as soon as possible.

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

(4) After the birth of a dog, cat or primate, a personal file is created for it as soon as possible, in which data about the animal is entered.

(5) More detailed requirements for keeping records of experimental animals, including the list of data to be reflected in the records, shall be established by a regulation of the minister responsible for the field .

(6) A person engaged in breeding experimental animals, supplying experimental animals or using experimental animals shall keep the records for at least five years after the death or alienation of the experimental animal. The personal files of dogs, cats and non-human primates are kept for at least three years after the death or disposal of the test animal.

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

#### **§ 43. Procedure for conducting animal experiments**

(1) Animal testing may be carried out under the conditions specified in the permit for the animal testing project.

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

(2) When choosing an animal experiment, preference is given to such an animal experiment that is most likely to give a satisfactory result and:

- 1) in which as few experimental animals as possible are used;
- 2) in which experimental animals belonging to such a species are used, whose ability to experience pain, suffering and stress is the smallest, and to whom the possible permanent damage caused is the smallest;
- 3) which causes as little pain, suffering, stress or permanent damage to experimental animals as possible.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

(3) The animal experiment is carried out under the influence of general or local anesthesia, using analgesia or another appropriate method, which ensures that the pain, suffering and stress of the experimental animal are as small as possible.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

(4) The requirement for the use of anesthesia provided for in subsection 3 of this section shall not be applied if:

- 1) the animal experiment causes less pain, suffering or stress to the experimental animal compared to harming the welfare of the animal using anesthesia or
- 2) the anesthesia does not fit the purpose of the experiment.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

#### 1

(4 ) If the test animal may feel pain after the end of the anesthesia, preventive and post-operative analgesia or other appropriate pain-reducing method is used for it, unless it is scientifically justified that it is not suitable for the purpose of the experiment.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

#### 2

(4 ) It is forbidden to administer to the test animal without adequate anesthesia or analgesia such a drug that prevents or limits the display of pain. If the said drug is to be administered to an experimental animal, a scientific justification together with a detailed description of the anesthesia or analgesia regimen shall be submitted when applying for an animal experimental project permit.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

(5) If possible, the death of the experimental animal as the end point of the animal experiment is avoided by replacing it with an earlier and humane end point. If it is not possible to avoid the death of the experimental animal as the end point of the animal experiment, the experiment is planned in such a way that as a result as few experimental animals die as possible, the duration and severity of the suffering of the experimental animal is reduced as much as possible and the animal's death is ensured as painless as possible.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

#### 1

(5 ) If the objective of the animal experiment is achieved, measures are taken immediately to reduce the suffering of the experimental animal.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

#### 2

(5 ) An animal experiment is considered completed when no more observations are made for it, or in the case of a genetically modified breeding line, when pain, suffering, stress or permanent damage equal to or greater than that caused by a needle stick is no longer observed or expected in the offspring.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

(6) At the end of the animal experiment, the veterinarian or a person with appropriate training decides whether to keep the experimental animal alive or kill it. A test animal is killed if it would otherwise be likely to experience moderate to severe pain, suffering



or distress, or if permanent damage would be caused to it.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

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(6 ) If the experimental animal is kept alive after the animal experiment has ended, it is provided with care and housing appropriate to its health status.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

(7) If the health condition of the experimental animal allows it, if there is no danger to human or animal health or the environment, and if the animal's well-being is ensured, the surviving animal may be placed in a suitable new place of residence or returned to a suitable living environment, animal husbandry building or facility, or an area demarcated for animal keeping.

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

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#### **§ 43 . Levels of severity of animal testing**

(1) The degrees of severity of animal testing according to the cause of pain, suffering, stress and permanent damage are: irreversible, mild, moderate and severe.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

(2) An experimental animal may be used only once in a severe animal experiment. An experimental animal used in a moderate or mild animal experiment may be used repeatedly if, in the opinion of a veterinarian, taking into account what has been experienced during the animal's life, the health and well-being of the animal has been restored, and the next animal experiment is an experiment with mild, moderate or irreversible life activity.

(3) Definitions of the degrees of severity of animal testing and more precise requirements for classifying animal testing according to degrees of severity shall be established by a regulation of the minister responsible for the field .

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

#### **§ 44. Animal experiment documentation**

(1) Animal experiments must be recorded.

(2) The animal experiment protocol must reflect important data about the animal experiment, such as the time of the animal experiment, the person responsible for the animal experiment project, the person involved, the number of animals used, their origin and species in the case of non-human primates, the course of the animal experiment, including information about the actual severity of the animal experiment, and the time when the animal experiment ended .

(3) The form of the animal experiment protocol shall be established by a regulation of the minister responsible for the field .

(4) The permit holder shall keep a continuous record of experimental animals, either on paper or electronically, in which the number of experimental animals, the experiments conducted with them and the fate of the experimental animal after the end of the animal experiment are recorded.

(5) The permit holder shall keep the protocols of animal experiments and the records of experimental animals for five years from the end of the animal experiments.

(6) The permit holder submits a protocol to the Ministry of Regional Affairs and Agriculture by February 1 for each animal experiment carried out or in progress in the previous year.

[ RT I, 30.06.2023, 1 - enters into force. 01.07.2023; On the basis of § 105.19 subsection 7 of the Government of the Republic Act, the word "Ministry of Rural Affairs" replaced by the words "Ministry of Regional and Agricultural Affairs" in the corresponding case]

(7) If the need for post-evaluation of the animal testing project is indicated on the permit for the animal testing project, the permit holder shall draw up a formal protocol for the post-evaluation of the animal testing project for the conducted animal testing project.

[ RT I, 16.12.2022, 2 - enters into force. 01.01.2023]

(8) The form of the animal experiment follow-up evaluation protocol shall be established by regulation of the minister responsible for the field .

[ RT I, 16.12.2022, 2 - enters into force. 01.01.2023]

(9) The permit holder submits a formal protocol of the follow-up assessment of the animal experiment to the Agriculture and Food Board within the deadline specified in the permit for the animal experiment project.

[ RT I, 16.12.2022, 2 - enters into force. 01.01.2023]

#### **§ 45. Permit to conduct animal experiments and permit giver**

(1) In order to carry out an animal experiment project, an animal experiment project permit (hereafter *permit* ) must be obtained. The name and address of the owner of the animal experiment permit and the person responsible for the animal experiment project, the place where the animal experiment project is carried out, the special conditions resulting from the evaluation of the animal experiment project, including the need for a follow-up evaluation of the animal experiment project, and other conditions for the implementation of the animal experiment project are indicated on the permit.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

(2) The Agriculture and Food Board grants or refuses to grant a permit on the proposal of the evaluation committee of the animal experiment project with advisory rights.

[ RT I, 16.12.2022, 2 - enters into force. 01.01.2023]

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(2 ) The evaluation committee of the animal experiment project is formed by the Director General of the Agriculture and Food Board.

[ RT I, 16.12.2022, 2 - enters into force. 01.01.2023]

(3) The order and working procedure for the establishment of the animal experiment project evaluation committee shall be established by a regulation of the minister responsible for the field .  
[ RT I, 16.12.2022, 2 - enters into force. 01.01.2023]

(4) The activities of the members of the evaluation committee of the animal experiment project are financed through the budget of the Agriculture and Food Board (further on in this chapter and in chapter 9, *the licenser* ).  
[ RT I, 16.12.2022, 2 - enters into force. 01.01.2023]

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#### **§ 45 . Evaluation of an animal experimental design**

(1) Permission is granted only for the implementation of such an animal experiment project that has been evaluated and the included experiments have been assigned degrees of difficulty, and which has been given a positive assessment by the animal experiment project evaluation committee.

[ RT I, 16.12.2022, 2 - enters into force. 01.01.2023]

(2) The animal experiment project is evaluated with the appropriate level of detail for the type of project, by checking whether:

- 1) the animal experiment project is justified from a scientific or educational point of view or prescribed by legislation;
- 2) the purpose of the animal experiment project justifies the use of experimental animals;
- 3) the animal experiment project is designed in such a way that it allows experiments to be carried out as humanely and environmentally friendly as possible.

(3) During the evaluation of the animal experiment project:

- 1) the goals, expected scientific benefit or educational value of the animal experiment project are evaluated;
- 2) the compliance of the animal test project with the requirement of replacement, reduction and improvement is assessed;
- 3) the difficulty levels of the tests are evaluated and determined;
- 4) the benefits and harms of an animal experiment project are analyzed in order to assess whether the harm caused to animals in the form of suffering, pain and stress is justified for the sake of the expected result, taking into account ethical considerations, and may ultimately be beneficial to humans, animals or the environment;
- 5) the justifications provided for making exceptions permitted in the conduct of animal experiments in this Act are evaluated;
- 6) it is determined whether and when the animal experiment project must be re-evaluated.

(4) The animal experiment project is evaluated transparently and impartially.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

#### **§ 46. Performers of animal experiments**

(1) The person conducting the animal experiment project and the animal experiment performed within it is the permit holder.

(2) The person responsible for the animal experiment project must have at least a master's degree or a corresponding qualification in veterinary medicine, medicine, biology or another field related to the animal experiment project, and he must have completed the

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training for conducting animal experiments and planning the animal experiment project specified in § 41 of this Act and passed the exam.

(3) If the person responsible for the animal testing project is a legal entity, the requirements set forth in subsection 2 of this section are fulfilled if they are met by a natural person acting on the basis of a contract for him.

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(3 ) The person responsible for the animal testing project ensures that:

- 1) unnecessary pain, suffering, stress or permanent damage to the test animal is stopped during the animal testing;
- 2) the animal experiment project is carried out under the conditions specified in the permit, and in the event that the animal experiment project does not meet the conditions of the permit, appropriate measures are taken to correct it and noted in the animal experiment protocol.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

4

(4) The person involved in the animal testing project must have completed the training for conducting animal testing specified in § 41 of this Act and passed the exam. Until he passes the exam, he can work under the supervision and responsibility of the person who passed the exam.

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

#### **§ 47. Application for a permit**

(1) In order to obtain a permit, the person responsible for the animal testing project or the person who has received an operating permit to operate in a company using experimental animals, submits a formal written application (hereinafter *permit application* ) to the permit grantor along with documents proving the data stated therein.

[ RT I, 29.06.2014, 1 - enters into force. 01.07.2014]

(2) In the permit application, the information about the designer of the animal experiment project, the person responsible for the animal experiment project, the person involved, the experimental animals and genetically modified animals that are intended to be used, and the time and place of the animal experiment project are indicated, the need for the animal experiment project, the choice of the intended animal species and the number of animals to be used, and the procedures applied to the animals are listed and described. . In case of conducting an animal experiment with a genetically modified animal, in addition to the above-mentioned data, information about the donor, recipient and parent organism, genetic modification, monitoring, control and waste management shall be indicated in the permit application, and a plan of emergency measures to be implemented in the event of an accident shall be attached to the permit application.

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

(3) The forms of the permit application for an animal experiment project shall be established by a regulation of the minister responsible for the field .

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

(4) The permit grantor shall notify the permit applicant in writing as soon as possible of the time limit within which the decision to grant or refuse the permit shall be made.

[ RT I, 28.12.2017, 2 - enters into force. 01.02.2018]

(5) In order to conduct an animal experiment with a genetically modified animal, the permit grantor forwards copies of the permit application and the attached documents to the Genetic Technology Commission specified in § 5 of the Act on the Release of Genetically Modified Organisms for an opinion. The licensor takes into account the opinion of the Genetic Technology Commission when deciding whether to grant or refuse to grant a permit. In the case of applying for a permit to carry out a follow-up project of an animal experiment project, the permit grantor does not have to forward copies of the permit application and the documents attached to it to the Genetic Technology Commission.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

(6) In order to conduct an animal experiment with an animal living freely in the wild, the permit grantor shall forward copies of the permit application and the attached documents to the Environmental Board for an opinion. The permit grantor takes into account the opinion of the Environmental Board when deciding whether to grant a permit or refuse to grant a permit.

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

(7) The permit grantor decides to grant or refuse a permit within 40 working days from the receipt of a proper permit application.

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

(8) The permit grantor may extend the deadline specified in subsection 7 of this section once up to 15 working days, if a permit is requested to conduct an animal experiment project requiring additional expertise or if the animal experiment project covers several areas. The permit applicant will be informed of the extension of the deadline in writing before the end of the deadline specified in subsection 7 of this section, giving reasons for the extension of the deadline.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

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(8 ) The permit grantor delivers the decision to grant or refuse the permit to the permit applicant within three working days of the decision being made.

[ RT I, 16.12.2022, 2 - enters into force. 01.01.2023]

(9) The permit application and its additional documents, a copy of the permit and other documents related to the animal testing project shall be kept for at least three years after the completion of the animal testing project.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

(10) Documents related to such an animal test project, which need to be ex post-assessed, shall be kept at least until the end of the ex-post assessment.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

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#### **§ 47 . Tasks of the evaluation committee of the animal experiment project**

The evaluation committee of the animal experiment project:

- 1) determines the appropriateness of the permit application submitted to the permit grantor;
- 2) reviews the appropriate permit application, checks the appropriateness of the animal testing project described therein and

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evaluates the animal testing project in accordance with the provisions of § 45 of this Act ;

3) makes a reasoned proposal regarding the approval or rejection of the permit application submitted to the permit grantor or the permit holder's request;

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4) conducts a follow-up evaluation of the animal experiment project in accordance with the procedure provided for in § 51 of this Act

[ RT I, 16.12.2022, 2 - enters into force. 01.01.2023]

#### **§ 48. Granting and validity of a permit and publication of information**

[ RT I, 04.01.2019, 13 - entered into force. 15.01.2019]

(1) The permit is granted under the requested conditions for up to five years and it is valid until the expiration of the term, until the permit expires or the permit is declared invalid.

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

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(1 ) If permission has been granted to conduct an animal experiment project, a non-technical summary of the animal experiment project is published in the central database created by the European Commission.

[ RT I, 16.12.2022, 2 - enters into force. 01.01.2023]

2

(1 ) On the website of the Ministry of Regional Affairs and Agriculture, statistical information collected on the basis of the protocols submitted in accordance with § 44 (6) of this Act, regarding the use of experimental animals in animal experiments, including information on the actual severity of animal experiments and the origin and species of non-human primates used in animal experiments, is published annually.

[ RT I, 30.06.2023, 1 - enters into force. 01.07.2023; On the basis of § 105.19 subsection 7 of the Government of the Republic Act, the word "Ministry of Rural Affairs" replaced by the words "Ministry of Regional and Agricultural Affairs" in the corresponding case]

(2) The permit ceases to be valid in the event of the death of the natural person permit holder or the termination of the legal person permit holder.

(3) The permit may be declared invalid by the decision of the permit grantor:

[ RT I, 04.01.2019, 13 - entry into force. 15.01.2019]

1) on the basis of the license holder's request;

2) if, during the performance of state or administrative supervision, it turns out that false information has been provided when applying for a permit, the conditions specified in the permit, this Act or the requirements of legislation established on its basis have been violated.

[ RT I, 13.03.2014, 4 - enters into force. 01.07.2014]

(4) In the event of the expiry of the permit's term, loss of validity or invalidation, the person responsible for the animal experiment project shall ensure that the welfare of the experimental animals used or intended to be used in the animal experiment project does not deteriorate.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

#### **§ 49. Refusal to issue a permit**

(1) The permit grantor may refuse to grant a permit if:

1) the designer of the animal testing project, the permit applicant, the person responsible for the animal testing project or the person involved in the animal testing project does not meet the requirements of this Act;

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

2) false information has been provided when applying for a permit;

3) conducting an animal experiment is not justified;

4) the animal experiment described in the application does not meet the requirements of this Act;

5) animal testing may cause a serious risk to the environment or human or animal health.

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

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

#### **§ 50. Changing the conditions of the permit**

(1) If the animal experiment project is changed in such a way that it no longer meets the conditions specified in the permit and may negatively affect the welfare of the experimental animals used in the animal experiment project, the permit holder shall apply for a new permit.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

(2) A new permit is issued only if the evaluation committee of the animal experiment project has given a positive assessment of the amendment to the animal experiment project.

[ RT I, 16.12.2022, 2 - enters into force. 01.01.2023]

#### **§ 51. Marking of dogs, cats and primates used as experimental animals**

[Repealed - RT I, 18.12.2012, 2 - entered into force. 01.01.2013]

### **1**

#### **§ 51 . Follow-up evaluation of the animal experimental project**

(1) The permit grantor organizes the follow-up evaluation of the animal experiment project through the animal experiment project evaluation committee in the case of a severe animal experiment and in the event that non-human primates have been used in the animal experiment performed as part of the animal experiment project.

[ RT I, 16.12.2022, 2 - enters into force. 01.01.2023]

(2) In the follow-up evaluation of the animal experiment project, the achievement of the goal of the animal experiment project and the harm caused to the animals are evaluated based on the protocol of the follow-up evaluation of the animal experiment, taking into account the number of experimental animals used, the species and the degree of severity of the animal experiment and other circumstances that contribute to the application of the requirement to replace, reduce and improve the animal experiment.

[ RT I, 16.12.2022, 2 - enters into force. 01.01.2023]

### **2**

#### **§ 51 . The Committee for the Protection of Laboratory Animals and the Committee for the Protection of Laboratory Animals**

(1) The committee for the protection of experimental animals advises the permit grantor and the animal welfare unit on the issues of keeping experimental animals and using experimental animals in animal experiments.

[ RT I, 16.12.2022, 2 - enters into force. 01.01.2023]

(2) The tasks of the Committee for the Protection of Experimental Animals are performed by the Ministry of Regional Affairs and Agriculture.

[ RT I, 30.06.2023, 1 - enters into force. 01.07.2023; On the basis of § 105.19 subsection 7 of the Government of the Republic Act, the word "Ministry of Rural Affairs" replaced by the words "Ministry of Regional and Agricultural Affairs" in the corresponding case]

(3) When performing the duties provided for in subsection 1 of this section, the Ministry of Regional Affairs and Agriculture may turn to the Committee for the Protection of Laboratory Animals with advisory rights established by the minister responsible for the field, whose composition includes experts from the following fields:

[ RT I, 30.06.2023, 1 - effective. 01.07.2023; On the basis of § 105.19 subsection 7 of the Act on the Government of the Republic, the word "Ministry of Rural Affairs" replaced by the words "Ministry of Regional and Agricultural Affairs" in the corresponding case]

1) breeding of experimental animals;

2) provision of experimental animals;

3) use of experimental animals.

(4) The activities of the Committee for the Protection of Experimental Animals are financed through the budget of the Ministry of Regional Affairs and Agriculture.

[ RT I, 30.06.2023, 1 - enters into force. 01.07.2023; On the basis of § 105.19 subsection 7 of the Government of the Republic Act, the word "Ministry of Rural Affairs" replaced by the words "Ministry of Regional and Agricultural Affairs" in the corresponding case]

## **Chapter 9 PROTECTION OF GENETICALLY MODIFIED ANIMALS DURING ANIMAL TESTING**

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

### **§ 52. Genetically modified animal**

(1) A genetically modified animal within the meaning of this Act is any organism capable of reproduction or the transfer of hereditary information, whose hereditary information has been changed in a way that is not possible naturally and which is listed in § 3 of the Act on the Release of Genetically Modified Organisms into the Environment.

[ RT I, 18.12.2012, 2 - entered into force. 01.01.2013]

(2) This chapter does not apply to genetically modified animals that have been marketed or released into the environment in accordance with the law specified in subsection 1 of this section, as well as to genetically modified microorganisms.

### **§ 53. Application for permission to conduct animal experiments with genetically modified animals**

(1) When applying for a permit to conduct an animal experiment with a genetically modified animal, the permit applicant must submit a risk analysis of the animal experiment with the application.

(2) The risk analysis of an animal experiment must include the dangers that may arise when conducting an animal experiment with a genetically modified animal, their consequences and an action plan for risk reduction.

(3) The requirements for the preparation of the risk analysis of animal experiments and the data required in the risk analysis shall be established by a regulation of the Government of the Republic or its authorized minister.

### **§ 54. Notification of the conduct of an animal experiment with a genetically modified animal**

(1) The person conducting the animal experiment is obliged to immediately inform the permittee of the following circumstances that occurred during the conduct of the animal experiment with a genetically modified animal:

- 1) accidents;
- 2) information about the dangerousness of the premises or genetically modified animals that became known during the review of the permit application;
- 3) information about the danger of used premises or genetically modified animals that became known after the authorization was granted;
- 4) intention to use genetically modified animals in a different way than requested.

(2) If the circumstances listed in subsection 1 of this section occur, the animal experimenter must immediately submit a new permit application and bring the test conditions into line with the new requirements.

(3) If the circumstances specified in points 2 and 3 of subsection 1 of this section occur, the procedure for applying for a permit must be suspended until a new permit application is submitted or the animal experiment is conducted until a new permit is granted.

### **§ 55. Informing the public**

(1) The granting of a permit to conduct an animal experiment with a genetically modified animal is announced by the grantor in the official publication *Ametlikud Teadaanded*.

(2) If necessary, the grantor may grant permission to conduct animal experiments with genetically modified animals in accordance with an open procedure, doing so in accordance with the requirement of data confidentiality and in accordance with § 10 of the Act on the Release of Genetically Modified Organisms.

[ RT I 2002, 61, 375 - entered into force. 01.08.2002]

### **§ 56. Precautions**

Before conducting an animal experiment with a genetically modified animal and using the premises provided for it, the person conducting the animal experiment must:

1) prepare an emergency plan for the protection of people and the environment in the event of an accident;

2) inform potentially endangered persons in the necessary manner about safety measures and correct behavior in the event of an accident. This information must be updated at appropriate intervals by the animal experimenter and made available to the public.

### **§ 57. Accident**

(1) An accident is a significant and unintended release of genetically modified animals during an animal experiment, which can be dangerous to human health and the environment.

(2) In the event of an accident, the person conducting the animal experiment must immediately inform the licensor and provide the following information:

- 1) the circumstances of the accident;
- 2) the identity and number of genetically modified animals involved in the accident;
- 3) any other information that helps define the impact of the accident on human health and the environment;
- 4) applied remedies.

(3) Upon receipt of the information specified in subsection 2 of this section, the licensor is obliged to:

- 1) ensure the implementation of all necessary remedies;

2) to the extent possible, collect information necessary for a complete analysis of the accident and, if necessary, give recommendations to prevent similar accidents and reduce their effects in the future.

(4) The person conducting the animal experiment must remove the genetically modified animal from the environment and eliminate the environmental damage caused by the introduction of this animal into the environment.

(5) If the person conducting the animal experiment does not remove the genetically modified animal from the environment and does not eliminate the environmental damage caused by the introduction of this animal into the environment, the law enforcement body shall do so. Pursuant to § 26 of the Environmental Liability Act, the liquidator of environmental damage has the right to demand compensation for the reasonable costs involved in liquidation from the animal experimenter.

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

(6) The assessment of the effectiveness of the elimination of environmental damage is organized by the permit grantor at the expense of the person who caused the damage.

(7) The licensee must document accidents. Data on accidents must be kept with the materials of the application for animal testing in accordance with § 45 subsection 6 of this Act.

#### **§ 58. Limitation of experiments conducted with genetically modified animals**

(1) The licensee may temporarily limit or prohibit the conduct of animal experiments with genetically modified animals if there is clear evidence that they pose a threat to human health or the environment.

(2) If, after granting the permit, the grantor learns that the conditions established in the permit are not fulfilled or not properly fulfilled when conducting an animal experiment, the grantor may require the person conducting the animal experiment to change the test conditions, suspend or terminate the experiment.

#### **§ 59. Data confidentiality**

An applicant for conducting an animal experiment with a genetically modified animal may make a reasoned proposal in the permit application to treat the submitted data as confidential in accordance with § 23 of the Act on the Release of Genetically Modified Organisms into the Environment.

## **Chapter 10 STATE SUPERVISION**

#### **§ 60. State and administrative supervision**

[ RT I, 13.03.2014, 4 - entered into force. 01.07.2014]

(1) State and administrative supervision over compliance with the requirements of this Act and legislation established on the basis thereof shall be carried out by the Agricultural and Food Board and the Environmental Board.

[ RT I, 10.07.2020, 2 - enters into force. 01.01.2021]

(2) The Environmental Board performs state supervision of the fulfillment of the requirements established in this Act regarding animals living freely in the wild.

[ RT I, 10.07.2020, 2 - enters into force. 01.01.2021]

1

( ) State supervision performed by the Agriculture and Food Board, except for test animals, is state veterinary supervision within the meaning of the Veterinary Act and is carried out in accordance with the procedure provided for in the same act.

[ RT I, 17.11.2021, 1 - enters into force. 01.12.2021]

(3) In addition to the requirements set forth in this chapter, the requirements set forth in Article 34 of Directive 2010/63/EU of the European Parliament and of the Council shall apply to the exercise of state supervision over the fulfillment of requirements for the protection of experimental animals.

[ RT I, 13.03.2014, 4 - enters into force. 01.07.2014]

1

#### **§ 60 . Special measures of state supervision**

The law enforcement body may apply 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 basis and according to the procedure provided for in the Law Enforcement Act to carry out the state supervision provided for in this Act.

[ RT I, 13.03.2014, 4 - enters into force. 01.07.2014]

2

#### **§ 60 . Use of immediate coercion**

The law enforcement body is allowed to use physical force on the basis and according to the procedure stipulated in the Law on Law Enforcement.

[ RT I, 13.03.2014, 4 - enters into force. 01.07.2014]

#### **§ 61. Performing state supervision**

[Repealed - RT I, 13.03.2014, 4 - entered into force. 01.07.2014]

#### **§ 62. Rate of extortion money**

In the case of failure to comply with the injunction, the maximum amount of the fine to be applied in accordance with the procedure laid down in the Substitute Enforcement and Fines Act is 13,000 euros.

[ RT I, 13.03.2014, 4 - enters into force. 01.07.2014]

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

**§ 64. Taking over the obligation related to the proper keeping of an animal**

[ RT I, 30.12.2020, 3 - entered into force. 10.01.2021]

(1) In the event of a significant violation of the requirements of this Act or in the event of non-compliance or improper compliance with the instructions of the Agriculture and Food Board, the Agriculture and Food Board has the right to take over the responsibilities of the animal keeper, which are related to the proper keeping of the animal (hereinafter, *the obligation related to the proper keeping of the animal*).

(2) The Agriculture and Food Board takes over the obligation related to the proper keeping of the animal on the basis and according to the procedure provided for in this Act and in the Substitute Enforcement and Extortion Act, applying the substitute enforcement.

(3) At the same time as taking over the obligation related to the proper keeping of the animal specified in subsection 1 of this section, the Agriculture and Food Board may remove the animal from its current location and place it in a place designated for keeping animals, if leaving the animal in the current location endangers its health or life or does not allow the Agriculture and Food Board to fulfill the obligation related to the proper keeping of the animal.

(4) In the case of taking over the obligation related to the proper keeping of the animal specified in subsection 1 of this section, the Agriculture and Food Board imposes a precept on the animal keeper from whom the responsibility related to the proper keeping of the animal has been taken over, to dispose of the animal or arrange for the animal to be killed in the manner and under the conditions specified in the precept. The said injunction also contains a warning that if the injunction is not complied with by the deadline, substitute enforcement will be applied.

(5) The Agriculture and Food Board shall determine the shortest reasonable term for the transfer of the animal or the organization of the execution, taking into account the circumstances of the case.

(6) If, due to the health condition of the animal, it is not possible to apply the provisions of subsections 3-5 of this section without endangering the health or life of the animal, or due to other reasons arising from the animal keeper, the Agriculture and Food Board shall implement the replacement of the animal on the basis and according to the procedure provided for in this Act and in the Surrogacy and Extortion Act, by organizing alienation or execution.

(7) The taking away of the animal from its current location and placing it in the place designated for keeping animals, provided for in subsection 3 of this section, shall be recorded. To the animal keeper, from whom the animal is taken from its current location at the same time as taking over the obligation related to the proper keeping of the animal and placed in the place designated for keeping animals, the Agriculture and Food Board immediately issues a copy of the protocol, in which, among other things, the time of removing the animal from the previous location and placing the animal in the place designated for keeping animals, legal basis and reason.

[ RT I, 30.12.2020, 3 - enters into force. 10.01.2021]

1

**§ 64 . Special conditions for taking away an animal in connection with bankruptcy proceedings initiated against a legal person animal owner**

[Repealed - RT I, 30.12.2020, 3 - effective. 10.01.2021]

2

**§ 64 . Failure to comply with the prescription made when taking over the responsibility related to the proper keeping of the animal**

(1) If the animal has not been disposed of or killed within the time limit specified in the injunction specified in subsection 4 of § 64 of this Act, the Agriculture and Food Board shall arrange the transfer of the animal at the expense of the animal keeper in the case and in the manner provided for in this Act, or in the manner provided for in the Substitute Execution of Animal Execution at the expense of the animal keeper and in the Act on Extortion .

(2) The Agriculture and Food Board transfers the pet to the person who kept the animal as a replacement.

(3) The transfer provided for in subsection 2 of this section shall be recorded. The Agriculture and Food Board immediately issues a written notification to the animal keeper about the transfer of the pet.

(4) The killing of an agricultural animal is organized by the Agriculture and Food Board at the expense of the animal keeper in accordance with the procedure provided for in the Act on Substitute Execution and Extortion.

(5) The execution provided for in subsection 4 of this section is recorded in accordance with the Substitute Execution and Extortion Act. The killing of the animal is documented by the Agriculture and Food Board.

(6) If the agricultural animal is a purebred breeding animal with high breeding value and if the animal's state of health allows it, the Agriculture and Food Board may arrange the transfer of such an animal at the expense of the animal keeper in accordance with the procedure provided for in this Act.

[ RT I, 30.12.2020, 3 - enters into force. 10.01.2021]

3

**§ 64 . Organizing the transfer of a purebred breeding animal with high breeding value**

(1) A purebred breeding animal with a high breeding value is sold at a public electronic auction (hereinafter *auction* ).

(2) The initial price of the animal at the auction, based on the normal value of the animal, and the step of the bids made at the auction shall be determined by the Agriculture and Food Board.

(3) The announcement about 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 shall state at least a general description of the animal to be sold at the auction, the deadline for payment of the purchase price, the time and place of viewing the animal for sale, and the start and end time of the auction.

(4) An animal keeper from whom the obligation related to the proper keeping of an animal has been taken over in accordance with § 64 (1) of this Act, but the animal has not been removed from its previous location in accordance with § 64 (3), and the animal keeper organizing the replacement is obliged to endure operations related to the auctioning of the animal.

8 of this Act apply to the result obtained from the sale of an animal.

(5) The provisions of subsections 2-4 of § 64

(6) After the animal is sold by auction, the Agriculture and Food Board shall immediately issue a written notification to the animal keeper.

(7) The transfer provided for in this section shall be recorded. The auction is documented by the Agriculture and Food Board.

(8) The minister responsible for the field may establish the detailed procedure and requirements for conducting the electronic auction by regulation.

[ RT I, 30.12.2020, 3 - enters into force. 10.01.2021]

#### 4

### § 64 . Persons may bid at the auction

for

(1) A person from whom the obligation related to the proper keeping of an animal offered sale has been taken over, a person who has a valid sentence for violating the requirements of the Animal Protection Act or its implementing act, or a person to whom the court

2

has applied § 52 resulting additional penalty.

(2) An animal keeper organizing a substitute filling may participate in the auction as a bidder.

[ RT I, 30.12.2020, 3 - enters into force. 10.01.2021]

#### 5

### § 64 . Auction procedure

(1) An invalid offer is rejected. In particular, the following are considered void bids:

1) bids lower than the initial price;

4

2) the offer of the person specified in subsection 1 of § 64 of this Act; 3) conditional offer.

(2) At the auction, the highest bid made at the end of the auction is recognized as the best bid.

(3) The Agriculture and Food Board prepares the auction deed on the working day following the end of the auction, which is signed by the representative of the Agriculture and Food Board and the winner of the auction.

(4) The following data shall be noted in the act of auction:

1) data of the animal sold at the auction;

2) the name, personal identification or registry code of the auction winner;

3) the price of the best offer and the method and term of its payment;

4) conditions for handing over the animal.

(5) The winner of the auction shall pay the purchase price to the account designated by the Agriculture and Food Board on the working day following the end of the auction. If the person who made the best offer has not paid the offered purchase price within the stipulated time, he is considered to have abandoned the offer.

(6) If the winner of the auction has withdrawn from the bid, the Agriculture and Food Board immediately informs the person who made the next best bid in the auction. If the person who made the next best offer pays their proposed purchase price within the time limit set for that, the Agriculture and Food Board recognizes that person as the winner of the auction.

[ RT I, 30.12.2020, 3 - enters into force. 10.01.2021]

#### 6

### § 64 . Legal consequences of the auction

(1) Ownership of an animal sold at an auction arises upon the transfer of the thing on the basis of the auction deed.

(2) When selling an item, the risk of accidental destruction of the item being sold is transferred to the buyer from the time the animal is handed over. From the moment the animal is handed over, the buyer bears all costs related to the animal and receives all the benefits.

[ RT I, 30.12.2020, 3 - enters into force. 10.01.2021]

#### 7

### § 64 . Auction failure

(1) The Agriculture and Food Board declares the auction failed if:

1) no bid is submitted to the auction;

2) the purchase price is not paid within the specified time.

(2) In case of failure of the auction, the Agriculture and Food Board organizes the execution of the animal at the expense of the animal keeper in accordance with the procedure provided for in the Act on replacement execution and extortion.

(3) The execution provided for in subsection 2 of this section is recorded in accordance with the Substitute Execution and Extortion 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 notification to the animal keeper without delay.

[ RT I, 30.12.2020, 3 - enters into force. 10.01.2021]



#### **§ 64 . The cost and income incurred in fulfilling the obligation related to the proper keeping of the animal**

(1) The Agriculture and Food Board requires the animal keeper from whom the obligation related to the proper keeping of the animal has been taken over on the basis of § 64 (1) of this Act and who has fulfilled the obligation imposed on him by the order to dispose of the animal or arrange for the animal to be killed, to make a substitute payment for the cost related to the proper keeping of the animal and according to the procedure provided by the extortion law.

(2) In the case of an animal keeper from whom the obligation related to the proper keeping of an animal has been taken over on the basis of § 64 subsection 1 of this Act, but who has not disposed of or killed the animal within the time limit specified in the prescription specified in § 64 subsection 4 of this Act and for whom the state has fulfilled this obligation , the cost and income incurred in fulfilling the obligation related to the proper keeping of the animal is determined by the Agriculture and Food Board.

(3) In the case specified in subsection 2 of this section, the Agricultural and Food Board deducts the cost related to the proper keeping of the animal and the cost of the transfer or killing of the animal from the income received from the transfer or killing of the animal.

(4) If the income obtained from the transfer or killing of an animal is greater than the cost related to the proper keeping of the animal and the cost of the transfer or killing of the animal, the remaining amount is paid 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 receive the amount within one year from the day of replacement, it will be transferred to the state revenue.

(5) If the cost related to the proper keeping of the animal and the cost of the transfer or killing of the animal is greater than the income obtained from the transfer or killing of the animal, the Agriculture and Food Board shall demand the reimbursement of the actually incurred cost from the animal keeper from whom the obligation related to the proper keeping of the animal was taken over in accordance with the procedure provided for in the law. .

(6) If the costs of taking over the obligation related to the proper keeping of the animal turn out to be unexpectedly high, the Agricultural and Food Board shall be requested to cover the costs related to the proper keeping of the animal from the reserve of the Government of the Republic.

[ RT I, 30.12.2020, 3 - enters into force. 10.01.2021]

#### **§ 65. Implementation of the ban on keeping agricultural animals**

[ RT I, 12.07.2014, 1 - entered into force. 01.01.2015]

The court sends a copy of the judgment banning the keeping of farm animals subject to registration to the register of farm animals within five working days from the entry into force of the judgment.

[ RT I, 12.07.2014, 1 - enters into force. 01.01.2015]

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

## **Chapter 11 RESPONSIBILITY**

### **1**

#### **§ 66 . Violation of animal husbandry requirements**

(1) Violation of animal husbandry requirements - shall be punished with a fine of up to 200 fine units.

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 3,200 euros.

[ RT I 2010, 22, 108 - entry into force. 01.01.2011]

### **2**

#### **§ 66 . Committing an unlawful act against an animal**

(1) For committing an impermissible act against an animal - a fine of up to 200 fine units is imposed.

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 3,200 euros.

[ RT I 2010, 22, 108 - entry into force. 01.01.2011]

(3) [Repealed - RT I, 12.07.2014, 1 - entered into force. 01.01.2015]

### **3**

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

### **4**

#### **§ 66 . Violation of requirements for animal competition and public display of animals**

[ RT I, 12.07.2014, 1 - entered into force. 01.01.2015]

(1) Violation of requirements for animal competition and public display of an animal - shall be punished with a fine of up to 200 fine units.

[ RT I, 12.07.2014, 1 - enters into force. 01.01.2015]

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 3,200 euros.

[ RT I 2010, 22, 108 - entry into force. 01.01.2011]

5

**§ 66 . Violation of requirements for transporting animals**

(1) Violation of the requirements for transporting animals - shall be punished with a fine of up to 200 fine units.

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 3,200 euros.  
[ RT I 2010, 22, 108 - entry into force. 01.01.2011]

6

**§ 66 . Violation of the requirements for the killing or execution of an animal**

(1) Violation of the requirements for killing or executing an animal - shall be punished with a fine of up to 200 fine units.

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 3,200 euros.  
[ RT I 2010, 22, 108 - entry into force. 01.01.2011]

7

**§ 66 . Violation of animal treatment and other veterinary procedure requirements**

(1) Violation of the requirements of animal treatment or other veterinary procedure - shall be punished with a fine of up to 200 fine units.

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 3,200 euros.  
[ RT I 2010, 22, 108 - entry into force. 01.01.2011]

8

**§ 66 . Unauthorized animal testing or violation of animal testing requirements**

(1) Unauthorized animal testing or violation of requirements for animal testing - shall be punished with a fine of up to 200 fine units.

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 3,200 euros.  
[ RT I 2010, 22, 108 - entry into force. 01.01.2011]

9

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

10

**§ 66 . Actions of a person without the right to keep animals**

(1) For keeping any animal or an animal belonging to a certain animal species by a person who has been sentenced to a ban on keeping animals as an additional punishment for a misdemeanor, - shall be punished with a fine of up to 200 fine units.

[ RT I, 12.07.2014, 1 - enters into force. 01.01.2015]

(2) For the same act, if it has been committed by a legal entity, - shall be punished with a fine of up to 3,200 euros.

[ RT I 2010, 22, 108 - entry into force. 01.01.2011]

11

**§ 66 . Procedure**

(1) [Repealed - RT I, 12.07.2014, 1 - entered into force. 01.01.2015]

1 10

(2) Extrajudicial proceedings for misdemeanors provided for in §§ 66 - 66 of this Act are: 1) Environmental Board;

[ RT I, 10.07.2020, 2 - enters into force. 01.01.2021]

2) Agriculture and Food Board;

3) Police and Border Guard Board.

[ RT I, 12.07.2014, 1 - enters into force. 01.01.2015]

2

(3) The misdemeanor provided for in § 66 of this Act shall be heard by the court if, when hearing the misdemeanor case, it is necessary to decide on the withdrawal of the right to keep animals.

[ RT I 2007, 23, 119 - entry into force. 02.01.2008]

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

**Chapter 12  
IMPLEMENTATION PROVISIONS**

**§ 77. – § 81.** [Omitted from this text.]

**§ 81 . Transitional Provisions**

(1) Livestock breeders who operate on July 1, 2002 must comply with the animal husbandry requirements established on the basis of § 3 subsection 4 of this Act from January 1, 2003, unless a later date is provided for the fulfillment of certain requirements.

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

(2) A zoo operating at the time of entry into force of this Act must have a zoo operating license from January 1, 2003.

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

(3) The prohibition provided for in § 27 subsection 5 of this Act applies to dogs born after January 1, 2006.

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

(4) Matters of revocation of the right to keep animals entered into court proceedings before January 2, 2008 shall be resolved on the grounds and procedure that have been in effect until now.

[ RT I 2007, 23, 119 - entry into force. 02.01.2008]

(5) The requirements of this Act that entered into force on January 1, 2013 do not apply to the conduct of animal experiments for which a permit has been granted before the specified deadline, which is valid no longer than January 1, 2018.

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

(6) On the basis of this Act, decisions on the recognition of experimental animal breeding companies, experimental animal supply companies and experimental animal use companies recognized before January 1, 2013 are valid until December 31, 2016.

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

(7) If a person has acquired at least three years of experience in killing animals and performing related operations before January 1, 2013, until December 8, 2015, this will be considered equivalent to completing animal killing training and passing an exam, and the person will be issued with the Council Regulation (EC) certificate referred to in Article 21 of No. 1099/2009.

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

(8) The person specified in subsection 7 of this section shall, by November 8, 2015 at the latest, submit to the Veterinary and Food Board data on at least three years of experience in animal slaughter and related operations acquired before January 1, 2013, together with copies of documents proving it.

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

(9) If, on the basis of the documents specified in subsection 8 of this section, at least three years of experience in killing animals and performing related operations acquired by the person before January 1, 2013 has been proven, the Veterinary and Food Board shall issue the person with a Council Regulation (EC) within 20 working days from the submission of the documents. the certificate referred to in Article 21 of No. 1099/2009.

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

(10) Paragraphs 6 and 7 of § 36 of this Act are valid until July 11, 2013.

[ RT I, 18.12.2012, 2 - enters into force. 01.01.2013]

(11) On the basis of this Act, activity permits for breeding experimental animals, supplying experimental animals and using experimental animals issued before January 1, 2019 are valid until the end of the term specified in them.

[ RT I, 04.01.2019, 13 - enters into force. 15.01.2019]

(12) The prohibition provided for in § 4 of this Act applies to livestock keepers from January 1, 2026.

[ RT I, 16.06.2021, 1 - enters into force. 01.07.2021]

(13) On the basis of this Act, the permit granted before January 1, 2023 to conduct an animal experiment project is valid until the expiration of the term of this permit, until it expires or is declared invalid in accordance with the procedure provided for in this Act.

[ RT I, 16.12.2022, 2 - enters into force. 01.01.2023]

(14) A permit holder who has been granted a permit to carry out an animal experiment project with the need for follow-up evaluation before January 1, 2023, and the said animal experiment project has not been ex-post evaluated before the same deadline, prepares a protocol for the follow-up evaluation of the animal experiment and submits it to the Agriculture and Food Board within six months of the completion of the animal experiment project.

[ RT I, 16.12.2022, 2 - enters into force. 01.01.2023]

**§ 82. Entry into force of the law**

(1) This Act shall enter into force on July 1, 2001, with the exception of § 22 subsections 1–3 and 7, which shall enter into force on January 1, 2002, Chapters 8 and 9, which shall enter into force on July 1, 2002, and § 11 paragraph 1, which enters into force on January 1, 2003.

(2) Animal husbandry requirements established on the basis of § 3 subsection 4 of this Act shall enter into force on July 1, 2002.

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

Council Directive 98/58/EC concerning the protection of farm animals (OJ L 221, 08.08.1998, pp. 23–27), amended by Regulations (EC) No. 806/2003 (OJ L 122, 16.05.2003, pp. 1–35 ) and (EU) 2017/625 (OJ L 95, 07.04.2017, pp. 1–142); Council Directive 1999/74/EC laying down the minimum requirements for the protection of laying hens (OJ L 203, 03.08.1999, pp. 53–57), amended by Regulations (EC) No. 806/2003 (OJ L 122, 16.05.2003, pp. 1–35 ) and (EU) 2017/625 (OJ L 95, 07.04.2017, pp. 1–142) and with Directive 2013/64/EU (OJ L 353, 28.12.2013, pp. 8–12); Council Directive 2007/43/EC laying down minimum rules for the protection of broiler chickens (OJ L 182, 12.07.2007, pp. 19–28), amended by Regulation (EU) 2017/625 (OJ L 95, 07.04.2017, pp. 1–142) ; Council Directive 2008/119/EC laying down the minimum requirements for the protection of calves (OJ L 10, 15.01.2009, pp. 7–13),

amended by Regulation (EU) 2017/625 (OJ L 95, 07.04.2017, pp. 1–142) ;  
Council Directive 2008/120/EC laying down the minimum requirements for the protection of pigs (OJ L 47, 18.02.2009, pp. 5–13),  
amended by Regulation (EU) 2017/625 (OJ L 95, 07.04.2017, pp. 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, pp. 33–79), amended by Regulation (EU) 2019/1010 (OJ L 170, 25.06.2019, p. 115 -127).  
[ RT I, 16.12.2022, 2 - enters into force. 01.01.2023]