

DECREE

of 22 December 2008

on professional competence for the performance of supervision in the field of protection of animals against cruelty

The Ministry of Agriculture stipulates pursuant to section 29 para 1 for the implementation of section 26 para 2 of Act No 246/1992 Coll., for the protection of animals against cruelty, as amended by Act No 312/2008 Coll. (hereinafter referred to as the “Act“):

§ 1

Scope of Application

This Decree stipulates the content and the scope of technical course for the acquisition of professional competence for the performance of supervision in the field of protection of animals against cruelty, requirements for the training center, composition of the board of examiners, course of the examination, conditions for and method of issuance of certificates of professional competence for the performance of supervision in the field of protection of animals against cruelty, and the specimen certificate of professional competence for the performance of supervision in the field of protection of animals against cruelty.

§ 2

Vocational training and acquisition of certificate of professional competence for the performance of supervision in the field of protection of animals against cruelty

(1) The technical course shall be organised by a higher education institution with accredited study programme in the field of veterinary medicine (hereinafter referred to as the “training center”). The list of training centers shall be published in such a way which facilitates remote access.

(2) The technical course shall comprise 35 classroom lessons. Each lesson lasts 45 minutes.

(3) The content of the technical course covers the topics related to the protection of animals against cruelty, namely

- a) provisions of the Act and its implementing legislation,
- b) Community legislation¹⁾ and international conventions of the Council of Europe in the field of protection of animals against cruelty²⁾,

¹⁾ E.g. Council Regulation (EC) No 1255/97 of 25 June 1997 concerning Community criteria for staging points and amending the route plan referred to in the Annex to Directive 91/628/EEC, Council Regulation (EC) No 1040/2003 of 11 June 2003 amending Regulation (EC) No 1255/97 as regards the use of staging points, Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during

- c) selected parts of other legislation governing the animal protection and the performance of supervision in breeding and of experiments, the administrative punishment and merits of criminal acts concerning cruelty to animals as defined in Annex No 1 to this Decree,
- d) principles of the legal system of the Czech Republic, the Constitution and the Charter of Fundamental Rights and Freedoms, types of legislation, legal publications, explanation of basic legal concepts,
- e) methodology of the conduct of checks in the field of protection of animals against cruelty, information and data processing in the animal protection programme, information systems of the State Veterinary Administration of the CR,
- f) historical development of the protection of animals against cruelty, ethical and economic importance of the protection of animals against cruelty.

(4) At the end of the technical course the acquired knowledge is tested by means of a written test, or also an oral examination. The written test is scored by the board of examiners which awards one point to each correct answer. In order to successfully pass the examination the trainee has to receive at least 80 per cent of the total score. In case the trainee fails to receive 80 per cent of the total score, but achieves more than 60 per cent of the score, he is immediately invited to sit for an oral examination before the board of examiners that, after verifying his knowledge, shall take a decision whether or not to issue the certificate of professional competence to perform the supervision in the field of protection of animals against cruelty. The result of the oral examination is arrived at by the board of examiners who takes a decision by vote. The decision is taken by the absolute majority of votes. Each member of the board of examiners has one vote. The result of the examination is either passed or failed.

(5) The examination is conducted by the board of examiners composed of three experts from the veterinary administration, the Ministry and the training center. The chairman of the board of examiners shall always be the employee of the Ministry. The members of the board of examiners shall be qualified pursuant to section 26 para 1 of the Act, or at least 3 years of work experience with the animal protection authorities referred to in the first sentence.

(6) The Board of examiners shall produce a report of the examination and its results indicating the first name, or first names, the surname of members of the board of examiners, the date and venue of the examination, the identification data of participants in the technical

transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97.

2) The Protocol concerning sanitary, phytosanitary and animal welfare measures in relation to trade to the Europe Agreement between the European Communities and their Member States, of the one part, and the Czech Republic of the other part, No 200/1998 Coll.
 European Convention on the Protection of Pet Animals, No 19/2000 Coll. of International Treaties
 European Convention for the Protection of Animals During International Transport, No 20/2000 Coll. of International Treaties
 European Convention for the Protection of Animals Kept for Farming Purposes, No 21/2000 Coll. of International Treaties
 European Convention for the Protection of Animals for Slaughter, No 114/2003 Coll. of International Treaties
 European Convention for the Protection of Vertebrate Animals Used for Experimental and Other Scientific Purposes, No 116/2003 Coll. of International Treaties
 The Protocol of amendment to the European Convention for the Protection of Vertebrate Animals Used for Experimental and Other Scientific Purposes, No 118/2006 Coll. of International Treaties

course and their examination results. The report shall be signed by all the members of the board of examiners.

(7) The participant in the technical training course who successfully passed the examination will receive the certificate of professional competence to perform the supervision in the field of protection of animals against cruelty issued by the Ministry of Agriculture. The specimen certificate of professional competence to perform the supervision in the field of protection of animals against cruelty is presented in Annex 2 to this Decree.

(8) The participant in the technical course who failed the examination may apply for re-examination no later than 3 months after his failure to pass the examination. Without attending the technical course again the participant in the technical course may sit for the re-examination only once, namely no earlier than 1 month following his failure to pass the examination. The re-examination shall follow the provisions of para 4 to 7, accordingly.

(9) The participant in the technical course who failed in the examination and did not apply for re-examination within 3 months following the date of failed examination notice, shall attend the technical training course again before his next examination.

§ 3

Effect

This decree shall come into effect on the fifteenth day following its promulgation.

Minister:

Mgr. Gandalovič m. p.

Selected parts of other legislation governing the animal protection and performance of supervision in breeding and of experiments, the administrative punishment and merits of criminal acts related to cruelty to animals

Selected parts of other legislation related to animal protection and to the performance of supervision in breeding and of experiments mean particularly the selected parts of

- a) legislation regulating the procedure on infractions and administrative delicts,
- b) the Penal Code,
- c) legislation regulating the nature and landscape protection, trade in endangered animal species, operating zoological gardens, game management and fisheries,
- d) the Civil Code,
- e) the Act on Police of the Czech Republic and the Act on firearms,
- f) the Act on state control,
- g) legislation regulating the technical requirements for agricultural buildings and animal husbandry methods with respect to animal protection and welfare,
- h) legislation regulating the methods of organisation of work and work procedures that the employer is obliged to ensure for work related to animal breeding,
- i) legislation regulating the right to access to information, copyright, classified information, liability for damage caused in the exercise of public authority by decision or maladministration,
- j) legislation regulating municipal and regional constitution.

**Specimen certificate of professional competence to perform the supervision in the field
of protection of animals against cruelty**

CZECH REPUBLIC

Ministry of Agriculture

issues

**Certificate of professional competence
to perform the supervision in the field of protection of animals against
cruelty
pursuant to § 26 para 1 of Act No 246/1992 Coll., for the protection of
animals against cruelty,
as amended**

Certificate number

Title, first name(s) and surname.....
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Date and place of birth.....

Name and address of the training center.....
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Date of successful passing of the examination
.....

Signature of the chairperson
of the board of examiners

Signature of the employee
of the Ministry of Agriculture

Official stamp of the Ministry of Agriculture