

246/1992 Coll.

ACT

of the Czech National Council of 15 April 1992

on the Protection of Animals Against Cruelty

as amended by Act No 162/1993 Coll., Act No 193/1994 Coll., Act No 243/1997 Coll., Finding of the Constitutional Court declared under No 30/1998 Coll., Act No 77/2004 Coll., Act No 413/2005 Coll., Act No 77/2006 Coll., Act No 312/2008 Coll., Act No 291/2009 Coll., Act No 308/2011 Coll., Act No 359/2012 Coll., Act No 183/2017 Coll., Act No 255/2017 Coll. and Act No 302/2017 Coll. and No 501/2020 Coll.

The Czech National Council has adopted this Act:

Animals, like humans, are living beings and are capable of experiencing various degrees of pain and suffering, and hence they deserve attention, care and protection by man.

PART ONE

GENERAL PROVISIONS

Section 1

Purpose of the Act

(1) The purpose of this Act is to protect animals, which are living beings capable of experiencing pain and suffering, against cruelty, damage to their health and killing without any reason whatsoever, if caused by man, even by negligence.

(2) This Act incorporates the relevant legislation of the European Union¹⁾ and in connection with the directly applicable legislation of the European Union^{1a)} regulates

- a) the requirements for and the conditions of protection of animals against cruelty,
- b) the rights and obligations of natural and legal persons in the field of protection of animals against cruelty, including requirements for their qualification and professional competence,
- c) the system, scope of activities and powers of authorities executing state administration in the field of protection of animals against cruelty,
- d) the measures to protect experimental animals used for scientific or educational purposes.

1) Council Directive 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes, as amended by Council Regulation (EC) No 806/2003 and Regulation (EU) 2017/625 of the European Parliament and of the Council. Council Directive 1999/74/EC of 19 July 1999, laying down minimum standards for the protection of laying hens, as amended by Council Regulation (EC) No 806/2003, Council Directive 2013/64/EU and Regulation (EU) 2017/625 of the European Parliament and of the Council.

Council Directive 2007/43/EC of 28 June 2007 laying down minimum rules for the protection of chickens kept for meat production, as amended by Regulation (EU) 2017/625 of the European Parliament and of the Council.

Council Directive 2008/119/EC of 18 December 2008, laying down minimum standards for the protection of calves, as amended by Regulation (EU) 2017/625 of the European Parliament and of the Council.

Council Directive 2008/120/EC of 18 December 2008, laying down minimum standards for the protection of pigs, as amended by Regulation (EU) 2017/625 of the European Parliament and of the Council.

Directive 2010/63/EU of the European Parliament and of the Council of 22 September 2010 on the protection of animals used for scientific purposes.

1a) 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 transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97.

Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing.

Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation).

Regulation (EU) 2019/1010 of the European Parliament and of the Council of 5 June 2019 on the alignment of reporting obligations in the field

Section 2

- (1) Cruelty to animals shall be prohibited.
- (2) All forms of promoting cruelty to animals shall be prohibited.

Section 3

For the purposes of this Act

- a) "animal" means a live vertebrate, other than man, excluding foetal or embryonic forms,
- b) "wild animal" means any animal of a species whose wildlife population lives independently, including those kept in captivity,
- c) "animal under human care" means any animal directly dependent on immediate care of man,
- d) "farm animal" means any animal kept for the production of animal products, wool, skin or fur, or for some other farming or commercial purposes, namely cattle, pigs, sheep, goats, horses, donkeys and their crossbreeds, poultry, rabbits, fur animals, game and other farm animals and fish, including animals produced as a result of genetic modifications or novel genetic combinations,
- e) "companion animal" means any animal kept not primarily for farming purposes, namely kept in premises designated for that purpose or in households above all for leisure time activities, or any animal kept for companionship,
- f) "handicapped animal" means any wild animal which as a consequence of injury, disease or other circumstances is temporarily or permanently unable to survive in the wild,
- g) "animal species requiring special care" means an animal species kept as companion animal, which because of its biological characteristics has special requirements as concerns its handling, housing, feeding, watering or treatment,
- h) "stray animal" means any animal under human care which is not under permanent control or supervision of a natural person or a breeder and which moves freely outside its accommodation, enclosure or outside the household of its breeder,
- i) "abandoned animal" means any animal originally under human care which is not under direct control or supervision of a natural person or a breeder, and the facts established indicate that its breeder abandoned it with the intention to get rid of it or to banish it,
- j) "experimental animal" means
 - 1. live vertebrate which is or is intended to be used for experiments, with the exception of a human being, including independently feeding larval forms and foetal forms of mammals from the last third of their normal development, or
 - 2. live cephalopod which is or is intended to be used for experiments;Experimental animal also means an animal which is at an earlier stage of development than the stage referred to in point 1, if the animal is to be allowed to live beyond that stage of development and, as a result of the experiments performed, is likely to experience pain, suffering, distress or lasting harm after it has reached that stage of development,
- k) "breeder or keeper" means any legal or natural person who keeps or breeds (hereinafter referred to as "breeds or keeps") an animal or animals, on a permanent or temporary basis, moves the animals, or trades in animals, operates slaughterhouses, shelters, rescue stations, hotels and boarding houses for animals or zoological gardens,¹⁾ conducts experiments on an animal or animals, or organises their public performances,
- l) "suffering of an animal" means any condition of an animal caused by any stimulus or intervention which the animal is incapable of relieving itself of and which causes pain, injury, health disorder or death to the animal,
- m) "undue pain" means any pain inadequate with regard to the nature of the necessary intervention,
- n) "killing" means any intervention or action causing death of an animal,
- o) "slaughtering" means killing of a slaughter animal^{1c)} for the purpose of the use of its products,
- p) "euthanasia" means killing of an animal, painlessly, if possible, by the prescribed veterinary means and equipment performed by a veterinarian, or a person under his supervision, or performed under an authorised experimental project by a person professionally competent to design experiments or experimental projects or by a person professionally competent to carry out experiments on experimental animals, to take care of experimental animals, and to kill experimental animals,
- r) "torturing to death" means causing death of an animal as a result of human behaviour inflicting pain or other suffering to the animal which the animal survives which, however, necessitates its euthanasia as a consequence of suffering, or killing of an animal by prohibited methods (Section 5(5) and Section 14(1)),

s) "cropping of ears" means any surgical procedure for cosmetic purposes carried out on both sides of the animal's head to gain a similar shape, resulting in the loss of ear lobe, and thus in the modification of the animal's appearance,

t) "experiment" means any use, invasive or non-invasive, of an animal for experimental or other scientific purposes, with known or unknown outcome, or educational purposes, which may cause the animal a level of pain, suffering, distress or lasting harm equivalent to, or higher than, that caused by the introduction of a needle in accordance with good veterinary practice. This includes any course of action intended, or liable, to result in the birth or hatching of an animal or the creation and maintenance of a genetically modified animal line in any such condition, but excludes the killing of animals solely for the use of their organs or tissues,

u) "experimental project" means a programme of work having a defined scientific objective and involving one or more experiments,

v) "establishment" means any installation, building, groups of buildings or other premises, in which activities with animals are conducted; it may include establishments that are not wholly enclosed or covered, as well as mobile establishments,

w) "breeder of experimental animals" means any natural or legal person breeding animals referred to in Section 17f(1) with a view to their use in experiments or for the use of their tissue or organs for scientific purposes, or breeding other animals primarily for those purposes, whether for profit or not,

x) "supplier of experimental animals" means any natural or legal person, other than a breeder of experimental animals, supplying animals with a view to their use in experiments or for the use of their tissue or organs for scientific purposes, whether for profit or not,

y) "user of experimental animals" means any natural or legal person using experimental animals in experiments, whether for profit or not,

z) "transport" means moving live animals by means of transport,^{1a)} including their loading, unloading or transfer,

aa) "intensive husbandry system" means any husbandry system where such husbandry procedures are applied, in which farm animals are bred in such numbers or density, or under such conditions, or at such production level, that their health and welfare depend on frequent supervision of man,

ab) "laying hen" means any hen of the species *Gallus gallus* which has reached laying maturity and is kept for production of eggs not intended for hatching.

1b) 1b) Act No 162/2003 Coll., on zoological gardens and on amendments to some related acts (the Act on Zoological Gardens).

1c) Section 3 of Act No 166/1999 Coll., on veterinary care and on amendments to some related acts (the Veterinary Act).

Section 4

(1) Cruelty to an animal means

a) to force an animal to perform tasks, which are not appropriate with regard to its physical condition and biological characteristics and which are apparently beyond its natural capacities,

b) to train an animal or make an animal perform at public performances or similar events, if it entails pain, suffering, injury or other harm to the animal, as well as to raise, train or purposefully use the animal for aggression against man or against other animals,

c) for other than health reasons

1. to restrict the provision of feed to the animal, including water, unless stipulated otherwise by specific legislation,^{1f)}
2. to provide an animal with feed containing admixtures or objects causing pain, suffering or other harm to the animal,
3. to restrict unnecessarily the freedom of movement necessary for an animal of a certain species, if it causes suffering to the animal,

d) to release a weak, terminally ill, exhausted or old animal, whose prolonged survival would involve permanent pain or suffering, to other purpose than immediate and painless killing,

e) to administer narcotics or other substances to an animal causing damage to animal organism in order to change its performance or appearance,

f) to train or test an animal on another live animal, except for training of a hunting bird of prey^{1e)}, to use other live animals as lures or baits, when not required by hunting^{1d)}, to urge animals to attack each other, when not required by hunting, training or the use of a sheepdog or shepherd dog, the preparation of an animal for its release into the wild or to activity as referred to in Section 14(9),

g) to carry out surgical procedures or have the surgical procedures carried out in order to change the appearance or other characteristics of an animal, namely also in cases when the referred to procedures would be carried out with the use of general or local anaesthesia, analgesia or other methods, unless in cases as referred to in Section 7(3) and (4), especially

1. to crop ears, to damage its vocal cords or to use other means to control loud vocalisation of animals, or for other than health reasons to extract claws, teeth, poison or scent glands,
2. for other than health reasons to cut the antler or its part in the living tissue (velvet) development stage,
3. to damage bones, muscles or nerves in wings of birds older than 3 days in order to prevent them from flying,

- h) to carry out a technical procedure which causes pain, suffering or harm to animal health, or a surgical procedure carried out in order to prevent or alter the permanent identification of the animal by a chip or a tattoo,
- i) to use impulses, objects or pain inducing aids in such a way that they cause clinically apparent injury or subsequent long-term clinically demonstrable negative changes in the function of the nervous system or other bodily organs of the animals,
- j) to administer to an animal, without the consent of a veterinarian^{1f)}, veterinary drugs and products²⁾, with the exception of over-the-counter drugs and products, to carry out interventions involving blood, unless carried out by a professionally competent person^{1f)}, or hoofcare and farriery, unless carried out by a person professionally competent under specific legislation;¹⁰⁾ hoofcare and interventions referred to in Section 64b of the Veterinary Act²⁾ shall not be considered such interventions,
- k) to cause without any reason undue stress of biological, physical or chemical nature,
- l) to keep, especially to breed, animals under inappropriate conditions or in such a way that they may cause suffering to themselves or to each other,
- m) to intervene in the course of parturition in such a way which is not appropriate to its complexity, intensifies the pain or damages health of both the mother and the young,
- n) to handle, transport or drive an animal in a way causing undue pain, suffering or damage to health or leading to excessive physical exhaustion,
- o) to use for tethering or other restriction of animal movement such means which cause or may be expected to cause injury, pain or other damage to health of the animal,
- p) to kill an animal in such a way which causes undue pain or suffering to the animal,
- r) to overfeed or force feed an animal, unless it is necessary in order to save its life or to keep its good health,
- s) to use live animals to feed those animal species which biologically do not require such way of feeding,
- t) to abandon an animal, with the exception of a wild animal, with the intention to get rid of the animal or banish the animal,
- u) when handling live fish to remove their scales or fins, to insert fingers under their operculum into gills or to press fingers into their eye sockets or forcefully squeeze out the eggs or milt, save for the cases of research and artificial fish breeding and save for the procedure stipulated by the Fisheries Act and the Act on Nature and Landscape Protection¹⁹⁾
- v) to identify an animal by freeze-branding, with the exception of fish, and to identify an animal by hot-iron branding, with the exception of horses, when stipulated by specific legislation^{1h)},
- w) to keep in pet stores together male and female rodents, unless they are juvenile rodents intended for feeding to animals,
- x) to use electric current to restrict the movement of extremities or body of an animal, except for the use of electric fences or electric stunning devices and killing animals or catching fish in accordance with specific legislation,¹⁹⁾
- y) other behaviour in contradiction with this Act, the consequence of which is the animal suffering.

(2) Provisions of paragraph 1 do not apply to interventions or activities

- a) associated with urgent need to save life of animals or human beings in cases of emergency rescue operations as specified by specific legislation,^{1j)}
- b) carried out in accordance with the authorised experimental project.

(3) The provision of paragraph 1(b) does not apply to raising, training and use of an animal to fulfil the tasks assigned to armed forces, security forces or municipal police pursuant to specific legislation^{1k)}. The prohibition to raise and train an animal to act aggressively towards humans, if it concerns holding a model suspect hostage or training of the bite into a training dog bite suit, does not apply to raising and training of dogs conducted by breeders' associations or organisations in the framework of leisure time activities.

(4) Any person shall ensure that the animal kept by the person does not hurt or kill an animal of another keeper. This does not apply to the animal of a keeper defending itself against the attack of an animal of another keeper or to an animal of a keeper defending the space intended for its keeping, and also in case of herding dogs protecting farm animals. This provision shall apply to a wild animal only if it is kept in captivity. This provision shall not apply to an animal kept in a hunting ground under the Act on game management and to a hunting bird of prey, if used in line with the Act on game management.

1e) Section 44(2) of Act No 449/2001 Coll., on game management.

1f) Sections 59 and 59a of Act No 166/1999 Coll.

1g) Act No 99/2004 Coll., on fishpond management, enforcement of fishery law, Fish Warden, protection of marine fishery resources and on amendment to some acts (the Act on Fishery), as amended.

Act No 114/1992 Coll., on nature and landscape protection, as amended.

1h) Act No 154/2000 Coll., on breeding, stirpiculture and record keeping of farm animals and on amendments to some related acts (the Breeding Act), as amended.

Decree No 136/2004 Coll., laying down details concerning identification and registration of animals and registration of farms and persons as defined by the Breeding Act.

1j) For example Act No 239/2000 Coll., on the integrated rescue system and on amendments to some acts, as amended.

1k) Act No 219/1999 Coll., on armed forces of the Czech Republic, as amended.

Act No 273/2008 Coll., on the Police of the Czech Republic, as amended.

Act No 124/1992 Coll., on the Military Police, as amended.

Act No 553/1991 Coll., on municipal police, as amended.

Act No 555/1992 Coll., on the Prison Service and Judicial Guard of the Czech Republic, as amended.

Act No 13/1993 Coll., the Customs Act, as amended.

Act No 185/2004 Coll., on the Customs Administration of the Czech Republic.

2) Act No 166/1999 Coll., as amended.

10) Sections 21 and 22 of Act No 455/1991 Coll., on Trades (The Trade Act), as amended.

Section 4a

Promoting cruelty to animals means especially

a) exhibiting, other demonstration or presentation of an animal, which was subject to an intervention as referred to in Section 4(1)(g), on the occasion of a public performance,

b) publishing a description, a picture or an audio-visual recording that encourages to perform breeding, training, capturing or killing procedures or practices, to change animal appearance and to conduct interventions into the health condition of the animal involving cruelty to the animal as defined in this Act, unless the accompanying information states, or it implies otherwise, that these activities are prohibited by this Act.

Section 5

(1) Nobody shall kill an animal without any reason.

(2) The reason to kill an animal is:

a) use of the products of an animal bred or kept for production of food, wool, skin or other products,

b) weakness, terminal illness, serious injury, genetic or congenital defect, overall exhaustion or old age of the animal, when its survival entails permanent suffering of the animal,

c) immediate threat posed to man by an animal,

d) exercise of the rights of hunting and fishing pursuant to specific legislation,^{2a)}

e) imposition of emergency veterinary^{2b)} or sanitary measures^{2c)} for the protection against diseases^{2d)}, or a simulation exercise organised by the State Veterinary Administration concerning emergency management plans as a response to dangerous disease and zoonotic disease outbreaks,

f) end-point of an experiment on an experimental animal, unless stipulated otherwise in the experimental project,

g) control of the population of animals under human care and wild animals; without prejudice to the provisions of specific legislation,^{2a)} ^{2e)} animal population control means a set of consistently implemented preventive measures that shall contribute to maintaining the population of certain health and genetic quality, especially through limiting unnatural supply of food sources and reproduction possibilities of the population, and the aim of which is to reduce the risks that might arise due to an increase in the population in its territory or the risks of threats caused by wild animal population, and to prevent any suffering of animals or excessive damage, particularly the spread of diseases or other adverse effects,

h) rodent control^{2c)} and measures taken to fight against harmful organisms,^{2f)}

i) imposition of a special measure in case of a failure to identify an animal pursuant to specific legislation,^{2g)}

j) depopulation¹¹⁾,

k) performance of measures to manage the population of alien animal species or measures to remove, contain or manage invasive alien animal species included in the Union list of invasive alien species of Union concern³⁶⁾ defined by another piece of legislation^{4c)}.

(3) Euthanasia may only be performed by a veterinarian or a major, who, however, may do so only under professional supervision of a veterinarian.

(4) Persons killing the animal shall make sure that the animal is dead by checking its vital signs; within the authorised experimental project, the killing of an animal may be performed also by a person professionally competent to design experiments or experimental projects, or a person professionally competent to carry out experiments on experimental animals, to take care of experimental animals and to kill them.

(5) Unless stipulated otherwise by this Act, the following methods of killing animals shall be prohibited:

- a) drowning or other methods of suffocating, including the administration of muscle relaxants,
- b) administration of such substances and products²ⁱ⁾, the dose of which does not induce deep general anaesthesia in the animal and does not cause subsequently certain death,
- c) beating to death, stabbing to death or other methods causing undue pain or suffering to an animal,
- d) use of electric current, unless an immediate loss of consciousness occurs,
- e) use of adhesives or other similar means causing long lasting restriction of the movement of an animal which results in the death of an animal due to the lack of food or liquid or as a consequence of other metabolic disorders,
- f) freezing, except for gradual freezing of snakes.

(6) Manufacturing, offering for sale, sale or use of jaw traps and glue traps and their transport from abroad to the territory of the Czech Republic shall be prohibited.

(7) Keeping and killing of animals solely or mostly to obtain fur shall be prohibited.

2a) Act No 449/2001 Coll., as amended.

Act No 99/2004 Coll., as amended.

2b) Section 54 of Act No 166/1999 Coll.

2c) Act No 258/2000 Coll., on public health protection and on amendments to some related acts, as amended.

2d) Section 10 et seq. of Act No 166/1999 Coll.

2e) Act No 114/1992 Coll., as amended.

Act No 100/2004 Coll., on the protection of wild animals and wild plant species by regulating trade in them and by other measures for the protection of these species and on amendments to some acts (the Act on Trade in Endangered Species), as amended by Act No 444/2005 Coll.

2f) Act No 326/2004 Coll., on phytosanitary care and on amendments to some related acts, as amended.

Act No 324/2016 Coll., on biocide preparations and active substances and on amendments to some related acts, as amended (the Act on Biocides), as amended by Act No 183/2017 Coll.

2g) Section 22 of Act No 154/2000 Coll., on breeding, stirpiculture ad record keeping of farm animals and on amendments to some related act (the Breeding Act), as amended by Act No 309/2002 Coll.

Section 53 of Act No 166/1999 Coll.

2i) For example Act No 167/1998 Coll., on dependency producing substances and on amendments to some other acts, as amended,

Act No 79/1997 Coll., on pharmaceuticals and on amendments and supplements to some related acts, as amended.

11) Article 2(n) of Council Regulation (EC) No 1099/2009.

36) Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species.

PART TWO

PROTECTION OF ANIMALS DURING KILLING, USE OF ANAESTHESIA AND PROTECTION OF ANIMALS AT PUBLIC PERFORMANCES

Section 5a

Professional competence for protection of animals at the time of slaughter

(1) The business operator¹²⁾ shall ensure that the activities under Article 7(2) points (c) to (g) and the activity of an animal welfare officer under Article 17 of the directly applicable European Union legislation governing the protection of animals at the time of killing¹³⁾ at slaughterhouses is performed solely by persons who have attained

- a) secondary education with the apprenticeship certificate in butchery,
- b) secondary education with the school leaving (maturita) examination in food technology,
- c) secondary education with the school leaving (maturita) examination in veterinary science or tertiary professional education in veterinary science, or
- d) a higher education degree at a higher education institution providing study programmes in veterinary medicine and hygiene or in agriculture with a focus on veterinary field.

These persons may, apart from activities under Article 7(2) points (c) to g) and the activity of an animal welfare officer under Article 17 of the directly applicable European Union legislation governing the protection of animals at the time of killing¹³⁾, in all categories of animals perform also the operations related to the slaughter of animals.

(2) The obligation to obtain a certificate of professional competence for persons involved in operations related to the slaughter of animals under the directly applicable European Union legislation governing the protection of animals at the time of killing¹³⁾ shall not apply to persons referred to in paragraph 1. The first sentence shall not apply to an animal welfare officer under Article 17 of the directly applicable European Union legislation governing the protection of animals at the time of killing¹³⁾ to whom the certificate of competence for persons involved in operations related to the slaughter of animals¹³⁾ under the directly applicable European Union legislation governing the protection of animals at the time of killing is issued for the period of 7 years.

(3) In the course of instruction aimed to acquire necessary professional qualification under paragraph 1, the persons preparing to obtain this competence can slaughter the animals only at slaughterhouses and under professional supervision of a person professionally competent under paragraph 1(b), (c) or (d), who shall ensure that cruelty to animals is prevented and that in the case of improper stunning of an animal, an immediate remedial action is taken.

(4) The qualifications obtained for other purposes, as long as they are obtained under the conditions corresponding to those laid down in the directly applicable European Union legislation governing the protection of animals at the time of killing¹⁴⁾, are considered equivalent to qualifications referred to in paragraph 1. The qualifications referred to in the first sentence and the qualifications referred to in paragraph 1 are considered equivalent to the certificate of competence for persons involved in operations related to the slaughter of animals¹⁴⁾. The Ministry of Agriculture (hereinafter referred to as the "Ministry") shall publish and update, also in a way allowing a remote access to the list of qualifications obtained for other purposes considered equivalent to the certificate of competence for persons involved in operations related to the slaughter of animals¹⁴⁾.

(5) The Ministry shall issue temporary certificates of competence for persons involved in operations related to the slaughter of animals under the conditions laid down in the directly applicable European Union legislation governing the protection of animals at the time of killing¹⁵⁾.

(6) The business operator¹²⁾ shall keep records of

a) professional competence of persons involved in operations related to the slaughter of animals, and include therein

1. the name, or names, the surname, and the date and place of birth (hereinafter referred to as the "personal data") of the person involved in operations related to the slaughter of animals,
2. the date of issue and the reference number of the certificate of competence for persons involved in operations related to the slaughter of animals,
3. the category of animals, type of equipment and activities, to which the certificate of competence for persons involved in operations related to the slaughter of animals applies,

b) the professional competence of persons referred to in paragraph 1 and include therein the personal data of persons carrying out the slaughter of animals. In accordance to points (a) and (b) records may be kept also electronically.

The business operator¹²⁾ shall, for the period of 3 years after the termination of activities of these persons, keep the records under points (a) and (b) and present them, upon request, to the competent animal protection authority. The records under point (b) shall include a copy of the document proving the attained education referred to in paragraph 1.

(7) The content and the scope of the vocational training course to obtain a certificate of competence for persons involved in operations related to the slaughter of animals, the requirements for the highest level of attained education and work experience of lecturers since the completion of the highest level of attained education, the requirements for the examiner, the scope and course of the examination, the model certificate of competence for persons involved in operations related to the slaughter of animals, the way of proving the appropriate professional experience and its definition, and the model temporary certificate of competence for persons involved in operations related to the slaughter of animals under paragraph 5 shall be stipulated by the Ministry in the implementing legislation.

12) Article 2(l) of Council Regulation (EC) No 1099/2009.

13) Council Regulation (EC) No 1099/2009.

14) Article 21 of Council Regulation (EC) No 1099/2009.

15) Article 21(5) and (6) of Council Regulation (EC) No 1099/2009.

Section 5b

Slaughter or euthanasia of sick, exhausted or injured animals

(1) When the survival of a sick, exhausted or injured animal entails its undue suffering, it shall be slaughtered or euthanised at the place where the animal got sick, exhausted or injured, namely under the conditions stipulated by specific legislation.²⁾

(2) When the keeper intends to transport a sick, exhausted or injured animal for slaughter at a slaughterhouse, and unless it is in contradiction with the requirements of Council Regulation (EC) No 1/2005, the keeper shall request an examination of the animal and an assessment of its condition by a private veterinarian who shall assess the fitness of the animal for transport and in the case of his affirmative decision states this fact in the accompanying documentation issued under Section III, Annex II to Regulation (EC) No 853/2004 of the European Parliament and of the Council.^{3c)} The keeper shall, prior to the commencement of the transport of the aforementioned animals, make sure that the animal will be accepted at the slaughterhouse, and only then the transport may commence; concurrently he shall ensure that the animal will be transported with care, using the shortest route to the nearest slaughterhouse. The length of the journey shall not exceed 100 km. No keeper shall transport animals, whose transport is prohibited by directly applicable European Union legislation governing the protection of animals during transport and official controls on products of animal origin intended for human consumption^{1c), 2k)}.

(3) The business operator¹²⁾ shall ensure that the animals, who suffered any distress or pain during their transport to the establishment or driving within the establishment, are without any delay slaughtered, euthanised or otherwise killed; it shall apply by analogy to the killing of unweaned young animals. Where impossible, these animals shall be placed separately and slaughtered, euthanised or killed as soon as possible, however, no later than two hours after the end of their transport or driving. Animals, which cannot move, shall not be further transported or dragged to the place of slaughter, euthanasia or killing in the referred to establishment. Such animals shall be killed at the place where they are lying.

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- 1a) 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 transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97.
Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing.
Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation). Regulation (EU) 2019/1010 of the European Parliament and of the Council of 5 June 2019 on the alignment of reporting obligations in the field of legislation related to the environment, and amending Regulations (EC) No 166/2006 and (EU) No 995/2010 of the European Parliament and of the Council, Directives 2002/49/EC, 2004/35/EC, 2007/2/EC, 2009/147/EC and 2010/63/EU of the European Parliament and of the Council, Council Regulations (EC) No 338/97 and (EC) No 2173/2005, and Council Directive 86/278/EEC.
- 2) Act No 166/1999 Coll., as amended.
- 2k) For example Article 21 of Regulation (EU) 2017/625 of the European parliament and of the Council.
- 3c) Section III, Annex II to Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin, as amended.
- 12) Article 2(l) of Council Regulation (EC) No 1099/2009.

Section 5c

Killing of fur animals and rodents

(1) The keeper, who as an entrepreneur keeps fur animals, shall 7 days prior to the day of planned killing of animals notify the Regional Veterinary Administration of the State Veterinary Administration or the Prague Municipal Veterinary Administration of the State Veterinary Administration (hereinafter referred to as the "Regional Veterinary Administration") of this fact.

(2) Considered equivalent to the certificate of competence to kill fur animals acquired under the directly applicable European Union legislation governing the protection of animals at the time of killing¹⁴⁾ shall be qualifications obtained for other purposes, as far as they have been obtained under the conditions corresponding to those stipulated in the directly applicable European Union legislation governing the protection of animals at the time of killing¹⁴⁾, and qualifications under Section 5a(1).

(3) The obligation to obtain the certificate of competence to kill fur animals under the directly applicable European Union legislation governing the protection of animals at the time of killing¹³⁾ shall not apply to persons who have obtained qualification under Section 5a(1), and to persons who have obtained qualification for other purposes under paragraph 2.

(4) The Ministry shall issue temporary certificates of competence to kill fur animals under the conditions laid down in the directly applicable European Union legislation governing the protection of animals at the time of killing¹⁵⁾.

(5) The keeper, who as an entrepreneur keeps fur animals, shall keep the records of

a) professional competence to kill fur animals and state therein

1. the personal data of the person killing fur animals,
2. the date of issue and the reference number of the certificate of competence to kill fur animals,

b) professional competence of persons referred to in Section 5a(1) and state therein the personal data of these persons.

The records under points (a) and (b) may also be kept electronically. The keeper, who as an entrepreneur keeps fur animals, shall for 3 years after the termination of activities of these persons keep the records under points (a) and (b) and present them upon request to the competent animal protection authority. The records under point (b) shall include a copy of the document proving the attained education under Section 5a(1).

(6) The keeper, who keeps rodents for farming purposes, may apart from the ways stipulated in Annex I to the directly applicable European Union legislation governing the protection of animals at the time of killing¹⁶⁾ also kill the animals using carbon dioxide or cervical dislocation.

(7) The content and the scope of the vocational training course to obtain a certificate of competence to kill fur animals, the requirements for the highest level of attained education and work experience of lecturers since the completion of the highest level of attained education, the model certificate of competence to kill fur animals, the way of proving the appropriate professional experience and its definition, the model temporary certificate of competence to kill fur animals under paragraph 3 shall be stipulated by the Ministry in the implementing legislation.

13) Council Regulation (EC) No 1099/2009.

14) Article 21 of Council Regulation (EC) No 1099/2009.

15) Article 21(5) and (6) of Council Regulation (EC) No 1099/2009.

16) Annex I to Council Regulation (EC) No 1099/2009.

Section 5d

Contact point under the directly applicable European Union legislation governing the protection of animals at the time of killing

The contact point under the directly applicable European Union legislation governing the protection of animals at the time of killing¹⁷⁾ shall be published by the Ministry on its website.

17) Article 20(2) of Council Regulation (EC) No 1099/2009.

Section 5e

deleted

Section 5f

Slaughter of animals for the purposes of churches and religious societies, whose religious rites prescribe particular methods of animal slaughter

(1) The particular methods of animal slaughter prescribed by religious rites¹⁹⁾ under the conditions stipulated by directly applicable European Union legislation governing the protection of animals at the time of killing¹³⁾ may be used solely by a church or a religious society²⁰⁾, namely based on the decision of the Ministry on granting a permission to slaughter animals for the purposes of churches and religious societies²⁰⁾, whose religious rites prescribe particular methods of animals slaughter, and the veterinary conditions laid down by the Regional Veterinary Administration.

(2) Animals may be slaughtered only for the purposes of churches and religious societies²⁰⁾, whose religious rites prescribe particular methods of animal slaughter and only at the slaughterhouses. The church and the religious society shall submit an application to the Regional Veterinary Administration for determination of veterinary conditions for carrying out the slaughter for individual slaughterhouses; the church and religious society shall carry out the slaughter in line with these conditions.

(3) The application for granting permission to slaughter animals for the purposes of churches and religious societies²⁰⁾, whose religious rites prescribe particular methods of animal slaughter, shall be submitted on a prescribed form, whose model shall be set out by the Ministry in the implementing legislation. Apart from the general requisites laid down in the Rules of Administrative Procedure, the application shall also contain

- a) personal data and permanent residence address, or also address for service, if it is not the same as the permanent residence address, of the person meeting the conditions under Section 5a,
- b) identification data of the slaughterhouse where the slaughter shall be carried out,
- c) species of animals that shall be slaughtered at the slaughterhouse,
- d) maximum number of animals, intended to be slaughtered at individual slaughterhouses per day and per calendar year, and justification of the requested number,
- e) method of animal slaughter.

(4) Apart from requisites referred to in paragraph 3, the application for granting the permission to slaughter animals for the purposes of churches and religious societies²⁰⁾, whose religious rites prescribe particular methods of animal slaughter, shall include

- a) a written consent of the business operator¹²⁾ to slaughter animals for the purposes of churches and religious societies²⁰⁾, whose religious rites prescribe particular methods of animal slaughter, at the given slaughterhouse, stating the maximum daily and annual capacity of the slaughterhouse for the given species and category of animals,
- b) a description of the religious rite or the regulation of the church and religious society prescribing the particular methods of animal slaughter, namely in the Czech language,
- c) a detailed description of the method of animal slaughter and a written confirmation of the church and religious society²⁰⁾ on the competence of the person referred to in paragraph 3(a) to carry out the requested method of slaughter in a way minimising the suffering of the slaughtered animal.

(5) The decision on granting the permission to slaughter animals for the purposes of churches and religious societies²¹⁾, whose religious rites prescribe particular methods of animal slaughter, shall contain the requisites referred to in paragraph 3 and the period of validity. This decision shall be issued by the Ministry for a maximum period of 1 year.

(6) The Ministry shall forward the decision on granting the permission to slaughter animals for the purposes of churches and religious societies²⁰⁾, whose religious rites prescribe particular methods of animal slaughter, for information to the Regional Veterinary Administration, the Central Veterinary Administration and the operator of the business¹²⁾, where the slaughter shall take place.

(7) The model application for granting the permission to slaughter animals for the purposes of churches and religious societies²⁰⁾, whose religious rites prescribe particular methods of animal slaughter, shall be set out by the Ministry in the implementing legislation.

12) Article 2(l) of Council Regulation (EC) No 1099/2009.

13) Council Regulation (EC) No 1099/2009.

19) Article 2(g) of Council Regulation (EC) No 1099/2009.

20) Section 3(a) of Act No 3/2002 Coll., on freedom of religion and on the position of churches and religious societies and on amendments to some acts (the Act on Churches and Religious Societies), as amended.

21) The fourth subparagraph of Article 10(1) of Directive 2010/63/EU of the European Parliament and of the Council.

Section 5g

Stunning of animals

(1) Drawings and the description of places on the head of selected animal species where the stunning blow shall be delivered and the placement of mechanical stunning device shall be stipulated by the Ministry in the implementing legislation.

(2) deleted

Section 5h

Killing of rabbits, hares and poultry during home slaughter

(1) Rabbits, hares and poultry shall not experience undue pain or suffering during the home slaughter and related operations.

(2) Animals referred to in paragraph 1 may be shackled before the stunning only provided such measures are taken ensuring that, at the time of stunning, the animals are in such a physical condition which allows for efficient and fast stunning.

(3) When killing poultry at home slaughter, bleeding may be performed by decapitation without prior stunning.

Section 5i

Process of killing fish

(1) Killing fish by bleeding may be performed only after its prior stunning ensuring the loss of sensibility and the loss of consciousness which last throughout the bleeding. Slaughterhouse dressing of fish prior to its bleeding shall be prohibited.

(2) Bleeding of fish upon sale shall be performed after stunning by a heavy percussive blow delivered to the top of the head and by cutting gill arches or the spinal cord and the vessels right behind the head.

(3) In case of industrial processing of fish, the Regional Veterinary Administration shall, upon request by the business operator, grant an exemption from the obligation and prohibition laid down in paragraph 1, in so far as the technology facilitates the processing of fish immediately after its slaughter.

(4) In case of industrial processing of fish, the fish can be stunned by a device using alternating current with the voltage of 230 V.

(5) Prior to killing, the live fish in facilities used for business activities shall be kept in tubs and adjacent tanks with constant exchange and influx of water which does not put its health at risk, or with ensuring another efficient way of aeration and oxygenation of water.

(6) The ratio of body weight of selected species of live fish and water (stocking density) in tubs and adjacent tanks, including the minimum oxygen level in water and water temperature shall be stipulated by the Ministry in the implementing legislation.

Section 5j

Rodent control

(1) The person carrying out rodent control²⁴⁾ shall

- a) ensure that the animals are spared any avoidable pain and suffering during their killing or catching,
- b) minimise the potential of impacting nontarget animal species,
- c) carry out a check or ensure that a check is carried out of all the used equipment for animal catching or killing at least once a day, and
- d) search for, in relation to the carried out rodent control measures, any injured or otherwise suffering animals and ensure their immediate killing, when their survival would entail permanent suffering for the animals and if this is possible given the nature of the carried out rodent control.

(2) The person carrying out special protective rodent control is entitled to use only the following methods of killing the

live trapped animals, or their combination:

- a) overdose of inhalational anaesthetic,
- b) carbon dioxide inhalation,
- c) blunt force trauma to the head,
- d) decapitation, or
- e) free bullet shooting.

The person carrying out special protective rodent control shall select the method appropriate for the animal species or weight category of live trapped animals.

(3) The person carrying out rodent control shall in its conduct proceed in compliance with this Act; this should be without prejudice to rodent control obligations laid down in other legislation.

24) Section 55 et seq. of Act No 258/2000 Coll., as amended.

Section 6

No person shall abandon an animal with the intention of getting rid of it or banishing it. Releasing an animal into its habitat, if appropriate with respect to the state of its health and conditions of the environment, shall not be considered an abandonment.

Section 7

(1) Except for experiments on experimental animals, any interventions causing pain to animals may be carried out only under general or local anaesthesia by a professionally competent person under the Veterinary Act.²⁾

(2) No anaesthesia shall be required

- a) when comparable interventions on human beings do not involve anaesthesia,
- b) when according to the opinion of a veterinarian the anaesthesia is not feasible or necessary, or it would cause more pain than the intervention itself, or
- c) when animals are marked under the Breeding Act by the keeper of farm animals under the conditions laid down in the Veterinary Act²⁵⁾.

(3) Where the intervention is performed by a person professionally competent under the Veterinary Act²⁾, then the anaesthesia is not required either in the case of

- a) castrating males younger than 7 days in pigs and younger than 8 weeks in cattle, sheep, goats or rabbits, which do not suffer from an anatomical anomaly of reproductive organs,
- b) dehorning or disbudding in calves and kids younger than 4 weeks by chemical cauterisation, heat cauterisation using an instrument that produces the required heat for the period of at least 10 seconds,
- c) tail docking in piglets younger than 7 days and in lambs and puppy dogs (hereinafter referred to as the "puppy") younger than 8 days,
- d) removing spurs, combs, distal wing digits, debeaking, declawing, cutting of the interdigital webbing during the first day of life of poultry, declawing and removing the upper part of the beak in Muscovy ducks younger than 21 days,
- e) cauterisation of beaks in chicks younger than 10 days that are intended for the production of table eggs,
- f) teeth grinding or clipping in suckling piglets,
- g) identification of animals by tattooing, ear tagging, or microchipping,
- h) identification of animals by ear notching, identification of horses by hot-iron branding, or identification of fish by freeze-branding.

(4) The interventions referred to in paragraph 3(a) and (b) in animals older than defined in these provisions may be performed only under anaesthesia.

(5) deleted

2) Act No 166/1999Coll., as amended.
25) Section 64a of Act No 166/1999 Coll., as amended.

Section 7a

Protection of dogs and cats in their breeding

(1) Keeping the dogs or cats, including their breeding, in a facility, including a flat, where dogs or cats are kept and bred under unsuitable conditions which cause their suffering and in larger numbers which do not allow them to satisfy their physiological, biological or ethological needs (hereinafter referred to as the “puppy mill”) shall be prohibited. The puppy mill means a facility, including a flat, referred to in the first sentence, even if it is not the main purpose of the keeper’s activity to breed animals or to make profit.

(2) Associations of legal or natural persons involved in animal breeding and breeders, who are their members, or entrepreneurs, who are within their business activities involved in animal breeding, or other persons involved in animal breeding for profit, or breeders who keep 3 or more female dogs, when selling or giving away a puppy less than 6 months of age shall

- a) keep records of sold and given away puppies and maintain them for the period of 3 years,
- b) provide the new breeder with information on the way of feeding the puppy until now and description of the follow-up care of the puppy, and
- c) issue, upon the ownership transfer of each puppy to a new breeder, a copy of the registration form of the litter with the indication of the specific transferred puppy, or another document which comprises the data on the transferred puppy referred to in paragraph 5.

(3) The provisions of paragraph 2(a) and (c) do not apply to the operator of an animal shelter.

(4) Associations of legal or natural persons involved in animal breeding and breeders, who are their members, or entrepreneurs, who are within their business activities involved in animal breeding, or other persons involved in animal breeding for profit, or breeders who keep 3 or more female dogs shall

- a) complete the registration form for each litter within 7 days from the birth of puppies at the latest,
- b) within 7 days from the date of microchipping of the puppy complete the numbers of microchips of individual puppies in the registration form, and
- c) keep the registration form of the litter for at least 3 years after their birth.

(5) The mandatory litter registration form template shall be published by the Ministry on its website. The litter registration form shall contain

- a) identification data of the breeder,
- b) place of breeding,
- c) information on the dam, particularly its breed, name, date of birth, number of the microchip or tattoo,
- d) information on puppies, particularly the date of birth and number of puppies, number of puppies that died after 7 days from birth, number of the microchip of each puppy, name and sex of the puppy, and
- e) information on puppy vaccination and deworming, or any other veterinary treatment performed before the transfer of puppies up to the age of 6 months.

(6) The dog breeder shall comply with the following conditions:

- a) the bitch shall nurse only the number of puppies allowed by its health condition; the remaining viable puppies shall be fed milk replacer provided by the breeder,
- b) no bitch shall have more than 3 litters in any 24-month period, and
- c) the minimum age for the puppy to be removed from the mother is 50 days.

(7) The cat breeder shall comply with the following conditions:

- a) the mother cat shall nurse the number of kittens allowed by its health condition; the remaining viable kittens shall be fed milk replacer provided by the breeder,
- b) no breeding cat shall have more than 3 litters in any 24-month period, and
- c) the minimum age for the kitten to be removed from the mother is 84 days.

(8) The breeder shall provide the conditions for animals kept for the purpose of breeding and the minimum space requirements for dog and cat breeding and meet the requirements for performing artificial insemination laid down in the implementing legislation. Associations of legal or natural persons involved in animal breeding and breeders, who are their members, or entrepreneurs, who are within their business activities involved in animal breeding, or other persons involved in animal breeding for profit, or breeders who keep 3 or more female dogs shall meet the requirements for minimum and maximum age of dogs or cats for breeding stipulated in the implementing legislation.

(9) The requirements concerning the conditions for breeding dogs and cats kept for the purpose of breeding and the minimum space requirements for dog and cat breeding, performance of artificial insemination and the minimum and maximum age of dogs and cats for breeding shall be stipulated by the Ministry in the implementing legislation.

Section 7b

Selling or handing over of a dog or a cat to the new breeder

No person shall sell or hand over a dog or a cat to the new breeder

- a) at a public place, with the exception of selling or handing over of these animals as a part of public performance of animals, or
- b) at places listed in Section 13a(5).

Section 8

Public performances of animals

(1) A public performance means a single or a repeated performance of activities with an animal or animals of the keeper, which are open to the public, namely also via mass media, for the purposes of education, training, advertising, competition or business, or an activity leading to the issuance of a document on an animal evaluating its appearance, performance or certain aptitudes; an animal gathering^{1c)} shall not be considered a public performance.

(2) A natural or legal person organising or conducting a public performance (hereinafter referred to as the "organiser") shall ensure that a natural person is present at the public performance who is able to

- a) recognize the obvious signs of deteriorated state of health of animals,
- b) recognize changes in behaviour of animals,
- c) to appreciate the suitability of the overall environment in order to maintain the animals in good health and welfare,
- d) safely handle the respective animal species,
- e) safeguard the protection of animals when organising a public performance.

(3) The organiser shall

- a) at least 7 days prior to the date of public performance notify the Regional Veterinary Administration and the respective municipality in person, in writing or via e-mail of
 1. the address or another specific identification of the venue and the date of the public performance,
 2. the species and the number of animals, which are to participate in the public performance,
 3. the data facilitating identification of the person under paragraph 2,
- b) together with the notification under point (a) submit a list of activities involving animals,
- c) instruct persons taking active part in a public performance of animals on how to handle the animals, prepare the aids or other equipment and inform them about the principles of animal welfare and protection pursuant to this Act, and check the observance of these principles in the course of a public performance,
- d) report any violation of animal protection conditions by a participant in a public performance to the Regional Veterinary Administration, and
- e) immediately notify the Regional Veterinary Administration and the respective municipality in person, in writing or via e-mail of any change in facts referred to in points (a) and (b).

(4) The obligations defined in paragraph 3(a) and (b) shall not apply to

- a) armed forces, security forces or municipal police,
- b) a zoological garden or a rescue station, if the public performance takes place within the premises of this zoological garden or rescue station, and
- c) release of an animal into the wild by a zoological garden or a rescue station.

(5) In the case of a reasonable suspicion of a violation of animal protection conditions laid down in this Act by a participant in the public performance, the organiser shall be entitled to suspend the public performance of animals pending the remedy, or to expel the person who violated the set-out conditions and to disqualify his animal from the public performance.

1c) Section 3 of Act No 166/1999 Coll., on veterinary care and on amendments to some related acts (the Veterinary Act).

PART THREE

PROTECTION OF ANIMALS DURING TRANSPORT

Section 8a

Maximum journey time

The journey time in national transport of farm animals for slaughter at slaughterhouses shall not exceed 8 hours.

Section 8b

Professional competence in the field of protection of animals during transport

(1) Staff of a transporter or an operator of an assembly centre²⁾ who handle the animals shall complete a training course defined in the directly applicable European Union legislation²ⁿ⁾ and receive a certificate on completion of the training course. This

training course shall be provided by a transporter or an operator of the assembly centre.

(2) Staff of a transporter or an operator of an assembly centre does not have to attend a training course as defined in paragraph 1 in the case they present a certificate on completion of a training course defined in the directly applicable European Union legislation²ⁿ⁾, issued in another Member State of the European Union.

(3) A transporter or an operator of an assembly centre shall keep records of training of persons performing activities referred to in paragraph 1. The records shall comprise the name, surname, date of birth and place of permanent residence or residence^{2o)} of trainees, content of the training course, name and surname of trainers and date of the training course. A transporter or an operator of an assembly centre shall keep these records for 3 years following the date of termination of activities of these persons and present them upon request to the competent animal protection authority.

(4) The content of the training course and the way of certifying the completion of the training course by the staff of a transporter or an operator of an assembly centre shall be stipulated by the Ministry in the implementing legislation.

(5) Drivers or attendants^{2p)} of road vehicles shall complete a general or a specialised training course and obtain a certificate of competence for drivers and attendants of road vehicles in line with the directly applicable European Union legislation^{2q)}. This certificate shall be issued by the Ministry, namely in the form of a card. The rules of examination shall be approved and the examinations shall be held by the Ministry.

(6) Drivers or attendants of road vehicles do not have to attend a training course under paragraph 5 in the case they present a certificate of competence for drivers and attendants of road vehicles^{2q)} issued in another Member State of the European Union.

(7) The content and the scope of the training course to obtain a certificate of competence for drivers and attendants of road vehicles, namely of a general course focusing on transport of all animal species as well as a specialised course focusing solely on transport of certain animal species, requirements for equipment of the training centre, requirements for the highest level of attained education and work experience of lecturers since the completion of the highest level of attained education, requirements for the examiner, course of the examination, conditions for and method of the issuance of the certificate in the form of a card and its model shall be set out by the Ministry in the implementing legislation.

2l) Article 2(b) of Council Regulation (EC) No 1/2005.

2n) Article 6(4), Article 9(2)(a), Article 17(1) and Annexes No I and II to Council Regulation (EC) No 1/2005.

2o) Act No 326/1999 Coll. on the residence of foreign nationals in the territory of the Czech Republic and on amendments to some acts as amended.

2p) Article 2(c) of Council Regulation (EC) No 1/2005.

2q) Article 6(5), Article 17(2), Chapter III, Annex No III and Annex No IV to Council Regulation (EC) 1/2005.

Section 8c

General conditions for the transport of animals

(1) No person shall transport animals or cause animals to be transported in a way likely to cause injury or undue suffering to them.

(2) When transporting animals, the transporter shall comply with the following conditions:

a) the means of transport shall be designed, constructed, maintained and operated so as to avoid injury and suffering and ensure the safety of the animals,

b) the loading and unloading facilities, if they are used, shall be adequately designed, constructed, maintained and operated so as to avoid injury and suffering and ensure the safety of the animals,

c) sufficient floor area and height shall be provided for the animals, appropriate to their size and the intended journey.

(3) The keeper shall

a) provide water and feed to the animal appropriate in quality and quantity to the animal species and its size,

b) offer rest to the animal at appropriate frequency,

c) provide first aid to an animal which got sick or injured during the transport; if the state of health of the animal requires so, he shall provide the treatment by a veterinarian.

Section 8d

Fitness of animals for transport

(1) No animal shall be transported by the keeper or handed over by him to the transporter for transport unless it is fit for the intended journey.

(2) Animals that are injured or that present physiological weaknesses or pathological processes shall not be considered

fit for transport, and in particular if

- a) they are unable to move independently without pain or to walk unassisted,
- b) they present a severe open wound, or prolapse,
- c) they are pregnant females for whom 90 % or more of the expected gestation period has already passed, or females who gave birth in the previous week,
- d) they are new-born animals in which the navel has not completely healed,
- e) they are pigs of less than 3 weeks, lambs of less than 1 week and calves of less than 10 days, unless they are transported less than 100 km,
- f) they are mammals who have not yet been weaned or who have not yet become accustomed to independent intake of feed and water, unless they are accompanied by their mother; this shall not apply to wild animals where the mother may pose a threat to its young,
- g) they are cervine animals in velvet.

(3) Provisions of paragraphs 1 and 2 shall not apply to the transport of animals

- a) for veterinary treatment and back, or if the transport is otherwise necessary to avoid more pain, suffering or damage,
- b) upon instruction of a veterinarian for diagnostic purposes.

Section 8e

Means of transport

(1) The keeper shall ensure that the means of transport, containers, cages etc. and their fittings are designed, constructed, maintained and operated so as to

- a) avoid injury and suffering and to ensure the safety of the animals,
- b) protect the animals from inclement weather, extremely high or low temperatures and adverse changes in climatic conditions,
- c) prevent the animals from escaping or falling out and be able to withstand the stresses of movements,
- d) present a flooring surface that is anti-slip,
- e) present a flooring surface that minimises the leakage of urine or faeces.

(2) The keeper shall ensure that

- a) sufficient space is provided inside the animals' compartment and that there is adequate ventilation when the animals are in a naturally standing position,
- b) cold-blooded vertebrate animals are provided with adequate species-specific water oxygenation, or supply of water or oxygen, namely throughout the entire transport.

(3) Space requirements for the transport of animals shall be stipulated by the Ministry in the implementing legislation.

Section 8f

Transport practices

(1) Objects, which are being transported in the same means of transport as animals, shall be positioned by the keeper so that they do not cause any injury, suffering or distress to the animals.

(2) Where animals are transported in containers, the keeper shall ensure that

- a) the containers are not pushed, thrown, pushed down, jolted, tipped over or dropped,
- b) the transported animals are always kept upright,
- c) the ventilation or in case of cold-blooded vertebrate animals the oxygenation is not impeded when the containers are placed one on top of the other or next to each other,
- d) the containers are transported in the horizontal position to avoid urine leakage or faeces falling,
- e) the containers are stable, especially when they are placed one on top of the other,

f) the containers of more than 50 kg in total are equipped with securing points and fastened to the means of transport.

(3) It shall be prohibited during transport to

- a) strike or kick animals or to use any other violence on animals,
- b) apply pressure to any particularly sensitive part of the body in such a way so as to cause them undue pain or suffering,
- c) suspend the animals by mechanical means,
- d) lift or drag the animals by head, ears, horns, legs, tail or fleece, or handle them in such a way so as to cause them undue pain or suffering,
- e) use prods or other implements with pointed ends,
- f) knowingly obstruct any animal which is being driven or led through any part where animals are handled,
- g) transport animals with tied legs, except for handicapped animals, tie animals by legs, except for predators kept in captivity pursuant to Act on game management ^{1e)}.

(4) Electric prods shall only be used for adult bovine animals and adult pigs which refuse to move and only when they have room ahead of them in which to move. The shocks shall last no longer than 1 second, shall be adequately spaced, and shall only be applied to the muscles of the hindquarters. Shocks shall not be used repeatedly if the animal fails to respond.

(5) During the transport the keeper shall ensure that

- a) the animals are not tied by the horns, the antlers, the nose rings or by legs tied together,
- b) calves are not muzzled,
- c) domestic Equidae older than 8 months wear halters during transport except for unbroken horses.

(6) When animals need to be tied, the keeper shall ensure that the ropes, tethers or other means used are

- a) strong enough not to break during normal transport conditions,
- b) such as to allow the animals, if necessary, to lie down and to eat and drink,
- c) designed in such a way as to eliminate any danger of strangulation or injury, and so as to allow animals to be quickly released.

1e) Section 44(2) of Act No 449/2001 Coll., on game management.

Section 8g

(1) Provisions of Sections 8c to 8f shall apply to the transport for other than farming purposes and to the transport of farm animals for a distance less than 50 km or within the holding²⁾.

(2) Transport of fish shall be governed by provisions of Section 8c (1), Section 8c(2)(a) and (b), Section 8d(1), Section 8e(1)(a), (b) and (c), Section 8e(2)(b), Section 8f(2)(a), (c), (e) and (f) and Section 8f(3)(b).

2) Act No 166/1999 Coll., as amended.

Section 8h

deleted

Section 8i

deleted

Section 8j

deleted

Section 8k

deleted

Section 8I

deleted

PART FOUR

PROTECTION OF FARM ANIMALS, COMPANION ANIMALS AND WILD ANIMALS

Protection of farm animals

Section 9

(1) When keeping farm animals, no person shall

- a) keep an animal in isolation, if it causes suffering to the animals, unless required by specific legislation,³⁾
- b) keep animals in such large or arranged groups or in such premises,
 - 1. where the extent or frequency of mutual attacks causes suffering to the animals,
 - 2. which do not allow for natural rest or appropriate care,
 - 3. where the animals are unable to satisfy their feeding and watering requirements or other requirements necessary for their life and health,
- c) keep animals in permanent darkness or fail to provide the animals with appropriate period of rest from artificial lighting,
- d) use such breeding methods or procedures which cause or may cause suffering or injury to the animal,
- e) keep an animal for farming purposes unless it can reasonably be expected, on the basis of its phenotype or genotype, that in future generations it can be kept without detrimental effect on its health and welfare,
- f) tether the animals, except for the necessary time during their treatment,
- g) castrate males and tail dock by cutting off blood supply to the testicles or a part of the tail.

(2) No person shall use the animals for other purposes, including rallies, with the exception of public performances, or use the animals to fulfil tasks assigned to the armed forces, security forces or municipal police by specific legislation^{1k)}.

1k) Act No 219/1999 Coll., on armed forces of the Czech Republic, as amended.

Act No 273/2008 Coll., on the Police of the Czech Republic, as amended.

Act No 124/1992 Coll., on the Military Police, as amended.

Act No 553/1991 Coll., on municipal police, as amended.

Act No 555/1992 Coll., on the Prison Service and Judicial Guard of the Czech Republic, as amended.

Act No 13/1993 Coll., the Customs Act, as amended.

Act No 185/2004 Coll., on the Customs Administration of the Czech Republic.

3) Act No 166/1999 Coll., as amended.

Decree No 296/2003 Coll., on animal health and its protection, on movements and transport of animals and on authorisation and professional competence to perform certain professional veterinary activities, as amended.

Section 10

When it is clear that the suffering of or other damage to the animals are caused as a consequence of the use of inappropriate technology, the keeper shall modify or change this technology.

Section 10a

Farm animals imported to the Czech Republic from the non-EU Member States (third countries), shall be accompanied by a certificate issued by the official veterinarian or by the state authorised veterinarian of the country of origin certifying that the animals have been handed in a way which is at least equivalent to that used in the Czech Republic and in the European Union Member States.

Section 11

(1) In intensive husbandry systems the keeper shall ensure that the farm animals and technical equipment are inspected at least once a day and that any defect discovered shall be rectified as soon as possible so that the health and life of animals are not endangered. A fixed or portable lighting shall be available to enable farm animals to be thoroughly inspected at any time.

(2) The keeper shall take necessary actions to prevent farm animals from escaping and shall have readily available instruments and aids for immediate administration of first aid, assistance during parturition or sudden illness and his own rescue tools appropriate to the species of kept animals and used technology, loading and unloading equipment as well as instruments

for immediate stunning and bleeding of farm animals during emergency slaughter.

Section 12

(1) The keeper shall ensure, with respect to the species of a farm animal, the degree of its development, adaptation and domestication, living conditions appropriate to physiological and ethological needs of farm animals so as to avoid any suffering of animals and to safeguard their welfare in accordance with gained experience and scientific knowledge.

(2) The keeper of farm animals shall provide adequate number of professionally competent staff possessing theoretical and practical knowledge concerning the respective species and category of farm animals and the husbandry system used to be able

a) to recognize the obvious signs of deteriorated state of health of a farm animal,

b) to recognize the changes in behaviour of a farm animal,

c) to appreciate the suitability of the overall environment in order to maintain the farm animal in good health and welfare.

(3) Farm animals shall not be administered feed or water in a manner causing unnecessary suffering. The feed shall comply with the requirements laid down by specific legislation.^{3a)}

(4) To comply with the animal protection requirements, any farm animal which appears to be ill or injured shall be treated appropriately without delay pursuant to specific legislation;²⁾ where necessary, sick or injured animals shall be isolated in suitable accommodation.

2) Act No 166/1999 Coll. as amended.

3a) Act No 91/1996 Coll., on feedstuffs, as amended.

Decree No 451/2000 Coll., implementing Act No 91/1996 Coll., on feedstuffs, as amended.

Section 12a

(1) The freedom of movement of a farm animal shall not be restricted in such a way as to cause its suffering. The accommodation shall be such that the farm animals have sufficient room to lie down, rest, stand up, to perform grooming activities and to see other animals. The lying area shall be comfortable, clean and equipped with proper drainage of liquid waste, and shall not have adverse effects on farm animals.

(2) Tethers or ties used for farm animals shall be regularly checked and adjusted to minimise the risk of suffocating or another injury to the farm animal.

(3) In order to preserve the welfare and health of farm animals in intensive husbandry systems, where the ventilation is dependent on an artificial ventilation system, an effective alarm system shall be provided to give warning of breakdown, or provisions shall be made for an appropriate backup system to guarantee sufficient air renewal. All automatic and mechanical equipment essential for animal health and well-being shall be checked at least once a day. Where defects are discovered, these must be rectified immediately, or, if this is impossible, appropriate steps shall be taken to safeguard the health and well-being of animals.

(4) Farm animals not kept in buildings shall be given appropriate protection from adverse weather conditions, predators and risks to their health.

(5) More details shall be stipulated by the Ministry in the implementing legislation.

Section 12b

Farm animals shall

a) be provided with feed, appropriate to their age and species, and which is fed to them in sufficient quantity to satisfy their needs. All farm animals shall have access to feed at intervals appropriate to their physiological needs,

b) have access to water which does not pose a threat to the state of health of the animals, or be enabled to satisfy their fluid intake needs appropriate to their species and age category,

c) have access to feeding and watering equipment so that contamination of feed and water is minimised and harmful effects of competition between individual farm animals for feed and drinking water are avoided.

Section 12c

(1) Farm animals shall be kept with respect to their species and age category or weight and other specific requirements

for their protection and welfare in compliance with the set minimum standards.

(2) Minimum standards for breeding farm animals shall be stipulated by the Ministry in the implementing legislation.

Section 12d

(1) When rearing chickens of the domestic fowl species (*Gallus gallus*) kept for meat production (hereinafter referred to as the "chicken kept for meat production") the keeper shall

- a) comply with the requirements applicable to holdings and requirements for the keeping of chickens kept for meat production stipulated in the implementing legislation,
- b) hand over to the person authorised under the Breeding Act^{3b)} a notification on the keeping of chickens kept for meat production,
- c) keep records of the keeping of chickens kept for meat production set out in the implementing legislation; these records shall be retained by the keeper for a period of at least 3 years and shall be made available to the competent animal protection authority upon request,
- d) provide to the person defined in Section 20(1)(j) of the Act the data and samples set out in the implementing legislation.

(2) Maximum stocking density in a holding, which means a production site on which chickens for meat production are kept, or a house of a holding, which means a building on a holding where a flock of chickens for meat production is kept shall not exceed 33 kg/m². The stocking density means the total live weight of chickens kept for meat production which are present in a house at the same time per square meter of usable area. Usable area means a littered area accessible to the chickens kept for meat production at any time. Flock of chickens kept for meat production means a group of chickens kept for meat production placed in a house of a holding and are present in this house at the same time.

(3) The keeper who complies with the requirements under paragraphs 1 and 2 can operate a holding with chickens kept for meat production with the stocking density exceeding 33 kg/m², when

- a) the keeper communicates to the authorised person under the Breeding Act^{3b)} the intention to use a higher stocking density by notification on the keeping of chickens kept for meat production, and
- b) the keeper complies with the requirements for a holding, requirements for the content and record keeping and requirements for the use of higher stocking densities stipulated by the implementing legislation.

In this case the maximum stocking density shall not exceed 39 kg/m². The keeper shall report any change in the stocking density at least 15 days before a new flock of chickens kept for meat production is introduced into the house.

(4) The keeper can operate a holding with chickens kept for meat production using the stocking density exceeding the value set out in paragraph 3 by a maximum of 3 kg/m² as long as, upon request, a decision to authorise the rearing of animals kept for meat production using a higher stocking density is issued by the Regional Veterinary Administration and the criteria for the use of increased stocking density set out in the implementing legislation are complied with. The Regional Veterinary Administration shall withdraw or modify the authorisation by its decision, where the conditions, under which the authorisation has been granted, are no more complied with by the keeper. The requirements set out in paragraph 3 shall apply accordingly.

(5) The keeper keeping chickens kept for meat production with the stocking density exceeding 33 kg/m² shall

- a) based on the data kept in accordance to paragraph 1(c) calculate the daily mortality rate of the flock and the cumulative daily mortality rate of the flock, and
- b) in the documentation accompanying^{3c)} the supply of chickens kept for meat production to the slaughterhouse include the data on the daily mortality rate of the flock and the cumulative daily mortality rate of the flock and the data on the hybrid and breed of the chicken.

(6) The keeper shall provide instructions and guidance on the animal welfare requirements, including those concerning the methods of slaughter practised in holdings, to persons employed or engaged by him to attend to chickens kept for meat production or to catch and load them. Upon request of the animal protection authority, the keeper shall prove his compliance with this obligation.

(7) The keeper shall ensure that a person professionally competent to take care of chickens kept for meat production is appointed who has obtained a certificate of competence to take care of chickens kept for meat production. This certificate shall be issued by the Ministry upon completion of a training course on the care of chickens kept for meat production.

(8) The Ministry shall, in the implementing legislation, stipulate the requirements applicable to the holdings and the requirements for the keeping of chickens kept for meat production, the content of records of the keeping of chickens kept for meat production, the content of data and the list of samples which shall be provided by the keepers to the person defined in Section 20(1)(j) of the Act, the requirements applicable to the holdings, the requirements for the content and record keeping and the requirements for the keeping of chickens kept for meat production with the stocking density exceeding 33 kg/m², the criteria for authorisation of a higher stocking density, the content and scope of a training course on the care of chickens kept for meat production to obtain a certificate of competence to take care of chickens kept for meat production, the requirements for the equipment of the training centre, the requirements for the highest level of attained education and work experience of lecturers

since the completion of the highest level of attained education, and the model certificate.

3b) Section 23c of Act No 154/2000 Coll., as amended by Act No 282/2003 Coll. and Act No 130/2006 Coll.

3c) Annex II, Section III of Regulation (EC) No 853/2004 of the European parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin, as amended.

Section 12e

Provisions of Section 12d shall not apply to

- a) holdings with fewer than 500 chickens,
- b) breeding stocks of chicken,
- c) hatcheries,
- d) extensive indoor and free-range chickens under the directly applicable European Union legislation^{3d)},
- e) organically reared chickens under the directly applicable European Union legislation^{3e)}.

3d) Points (b) to (e) of Annex IV to Commission Regulation (EEC) No 1538/91 of 5 June 1991 introducing detailed rules for implementing Regulation (EEC) No 1906/90 on certain marketing standards for poultry, as amended.

3e) Council Regulation (EEC) No 2092/91 of 24 June 1991 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs, as amended.

Section 12f

Instructions and guidance on the care of pigs and a training course on the care of pigs

(1) The keeper, who keeps pigs confined for rearing and fattening (hereinafter referred to as the “pig keeper”), shall ensure that the person attending to the pigs has received instructions and guidance on the care of pigs within the scope set out in this Act and the adopted implementing legislation.

(2) The person referred to in paragraph 1 means a person who

- a) has received instructions and guidance on the care of pigs from the pig keeper, or
- b) has attended a training course on the care of pigs to obtain a certificate of competence to take care of pigs, organised by the training centre.

(3) The training centre shall issue a certificate of competence to take care of pigs for the participant in the training course on the care of pigs under paragraph 2(b).

(4) The pig keeper shall keep records regarding the handing over of instructions and guidance on the care of pigs and on the issued certificates of competence to take care of pigs for persons employed by him to attend to pigs, and to include therein

- a) the personal data of persons employed by him to attend to pigs, and
- b) the date of issue and the reference number of the certificate of competence to take care of pigs, or the name, or names, and the surname of the person who has handed over the instructions and guidance on the care of pigs, and the date of handing them over.

These records may also be kept electronically. The keeper shall for 3 years after the termination of activities of these persons keep the records and present them upon request to the competent animal protection authority.

(5) The content and the scope of a training course on the care of pigs to obtain a certificate of competence to take care of pigs, the requirements for the highest level of attained education and work experience of lecturers since the completion of the highest level of attained education, the model certificate of competence to take care of pigs and model instructions and guidance on the care of pigs shall be set out by the Ministry in the implementing legislation.

Section 12g

Horses, donkeys and their crossbreds kept as farm animals or companion animals

(1) Horseys, donkeys and their crossbreds kept as farm animals or companion animals shall be kept with respect to their species and age category or weight and other specific requirements for their protection and welfare in compliance with the set out minimum standards.

(2) The minimum standards for keeping animals referred to in paragraph 1, space requirements and requirements for its

equipment, housing conditions, requirements for aids, feeding and watering shall be stipulated by the Ministry in the implementing legislation.

Section 13

Protection of companion animals

(1) Any person shall provide the companion animal with appropriate conditions to maintain its physiological functions and satisfy its biological needs in such a way so as to prevent pain, suffering or damage to health of the animals, and to take actions to prevent their escape. The animal shall not be kept as a companion animal, if appropriate conditions to maintain its physiological functions and to satisfy its biological needs have not been met, or if the animal cannot adapt itself even though these conditions have been met.

(2) Any person who keeps a companion animal or who has agreed to look after a stray or abandoned animal shall be responsible for its health and well-being; reporting the place of finding of an animal to the respective municipality or handing over a stray or abandoned animal to an animal shelter is also deemed to be an act of compliance with this responsibility.

(3) No animal shall be kept as a companion animal, if the keeper or a citizen created such breeding conditions that, due to genetic reasons, the future generations of animals will lack bodily parts or organs or if the organs of these animals will malfunction or will be malformed.

(4) No companion animal shall be sold or given to a person

a) under the age of 15 without the consent of the parents or another person exercising parental responsibilities to the given person under the age of 15,

b) whose legal capacity has been limited by a final court decision, without the consent of his guardian.

(5) Animal species requiring special care may be kept by a natural person older than 18 years of age or a legal person; if the keeper of such an animal is a legal person, he shall designate a person older than 18 years of age who will be entrusted with the care of the animal. Unless it concerns animal breeding in zoological gardens^{1b)} and rescue stations, or breeding of hunting birds of prey kept under the Act on game management^{1e)}, the keeping of an animal requiring special care shall be subject to authorisation by the Regional Veterinary Administration competent at the place where the animal is kept. The keeper of an animal species requiring special care is entitled to start breeding the animal or extend its breeding in terms of the number or species of kept animals only after the decision on the authorisation of animal breeding becomes final.

(6) The application for authorisation of breeding of animal species requiring special care shall be submitted through a form, the mandatory template of which is published on the website of the Ministry, and apart from the general requisites laid down in the Rules of Administrative Procedure shall include

a) place where the animal is kept in the territory of the Czech Republic,

b) identification data of the person who will be entrusted with the care of the animal, if the breeder is a legal person,

c) species and maximum number of animals kept,

d) a brief description of the facility keeping the animal and its equipment,

e) consent of the responsible person with the carrying out of inspections of an individual animal or a group of animals of animal species requiring special care, premises and facilities in which these animals are kept, and premises related to breeding, especially the feed storage areas.

f) occupancy permit or certificate of occupancy for the property intended for keeping of animals issued by the Building Authority, if animals referred to in Section 14a(4) are kept, and

g) certificate under Section 14d(1), if it concerns a keeper of animals referred to in Section 14a(4); this also applies to a person who will be entrusted with the care of these animals.

(7) The Regional Veterinary Administration shall not grant authorisation as referred to in paragraph 5, if the applicant fails to comply with the conditions as specified in this Act and in the implementing legislation issued for the purpose of its implementation. The Regional Veterinary Administration shall in the authorisation as referred to in paragraph 5 define the maximum numbers of animals that can be kept in a facility stated in the application pursuant to paragraph 6(c). The Regional Veterinary Administration may amend or withdraw the authorisation by its decision, where the conditions, under which the authorisation was granted, have changed or ceased to exist. The decision on the authorisation for keeping an animal of animal species requiring special care, the decision on its change or withdrawal shall be sent for information by the Regional Veterinary Administration to the municipality in the territory of which the facility keeping the animal is located. The authorisation for keeping animal species requiring special care shall be issued for the period of three years and may be extended upon a written request. The Regional Veterinary Administration, which issued the authorisation, shall at least once a year carry out an inspection monitoring the observance of breeding conditions. The records of the carried-out inspection shall be kept for the period of five years.

(8) Where there is a change of conditions under which the authorisation was issued, the keeper shall notify the Regional Veterinary Administration of this change within 30 days.

(9) The keeper, for whom the authorisation has been issued pursuant to paragraph 5, shall without undue delay report any changes in the data stated in the application pursuant to paragraph 6, which occur following the issuance of authorisation. Where the number and species of animals requiring special care are to be increased, the keeper shall submit a new application for the authorisation of breeding.

(10) The keeper of an animal of animal species requiring special care shall keep records of each and every kept animal containing the following data:

- a) species of the animal,
- b) sex of the animal,
- c) date of birth of the animal,
- d) description of the animal including its identifying characteristics,
- e) origin of the animal,
- f) number of the microchip or tattoo, if the animal bears an identification mark,
- g) diseases of the animal, and
- h) the date when keeping of the animal is terminated or the date of animal's death.

The keeper shall keep these records starting from the date of arrival of the animal, namely for the period of 3 years since the date when its keeping is terminated or the date of the animal's death; the records can be replaced with the records kept under another legislation if it contains the required data stipulated in this Act.

(11) The Ministry shall, in the implementing legislation, define the animal species requiring special care, requirements concerning their care and space and equipment requirements for keeping the selected animal species requiring special care.

1b) Act No 162/2003 Coll., on zoological gardens and on amendments to some related acts (the Act on Zoological Gardens).

1e) Section 44(2) of Act No 449/2001 Coll., on game management.

1f) Sections 59 and 59a of Act No 166/1999 Coll.

Section 13a

Specific requirements for trading in companion animals

(1) A legal or a natural person who based on a trade licence

a) keeps companion animals for trading purposes or who is trading in these animals,

b) operates a horse-riding company or a carriage business, or keeps animals for circus or public performances, shall no later than 30 days prior to the commencement or termination of business activities notify the competent Regional Veterinary Administration of the conduct of trade, the species and numbers of animals concerned, and at the same time document the way in which the care of the animals, their health and welfare will be ensured in case the activity is commenced.

(2) If the Regional Veterinary Administration identifies a serious or repeated violation of obligations laid down in this Act on the part of a legal or natural person as referred to in paragraph 1, it shall file a petition with the competent Trade Licensing Office to withdraw the trade licence or to suspend pursuing of the trade.

(3) A legal or a natural person referred in paragraph 1(a) shall keep records of the purchased or sold animals, including the documents of origin of the animal, and maintain them for the period of three years.

(4) A legal or a natural person trading in companion animals when selling an animal shall provide the buyer for free with written accurate and detailed information on breeding conditions, including the feeding method, and care of health and welfare of the purchased animal.

(5) Sale of dogs, cats and great apes in pet stores shall be prohibited.

(6) The Ministry may, in the implementing legislation, stipulate the conditions of breeding, protection and care of health and welfare of companion animals for the time when they are placed in pet stores and other points of sale.

Section 13b

Stray and abandoned animals

(1) For the purpose of control of stray and abandoned animal populations, the municipality may

a) perform information, education and other special purpose-oriented preventive activities aimed at promoting responsible behaviour of persons towards animals, and especially towards animals under human care,

b) provide financial or other benefits to persons who have taken on the care of a stray or abandoned animal, a dog or a cat in particular,

c) carry out capture of stray and abandoned animals by a person professionally competent to perform such a professional veterinary activity pursuant to the Veterinary Act^{1f)},

d) support activities conducive to control animal population through limiting uncontrolled sources of food and unplanned reproduction of dogs and cats by supporting their sterilisation.

(2) The municipality may through a generally binding decree stipulate an obligation for animal keepers to register the dogs that have permanent identification, especially the dogs that are microchipped, into a register and lay down the requisites

and the way of keeping the register of identified dogs and their keepers.

(3) The municipality shall have the stray and abandoned dogs in the municipality, which do not bear any identification, marked with a permanent identification by a person professionally competent to perform such a professional veterinary activity pursuant to the Veterinary Act^{1f)}, namely with the use of means causing during their application only mild or temporary pain, particularly tattooing or microchipping. The costs of identification of such dogs shall be covered by the municipality. When the keeper claims the ownership of the dog or when the keeper is identified by the municipality, he shall reimburse the costs of identification of the stray dog to the municipality.

1f) Sections 59 and 59a of Act No 166/1999 Coll.

Section 14

Protection of wild animals

(1) No person shall catch or kill a wild animal

- a) using a springe, deadfall, trapping net, noose, snare, harpoon or jaw traps or using a similarly constructed instrument,
- b) using a poisoned baits and poison in any form including gassing and fumigation, with the exception of cases referred to in paragraph 4,
- c) using hawk traps and birdlime,
- d) using explosives,
- e) using bows and crossbows,
- f) using electric current, excluding the exercise of rights stipulated by specific legislation,^{2a)}
- g) using semi-automatic or automatic weapons with a magazine capable of holding more than two rounds of ammunition, excluding cases referred to in Section 5(2)(c),
- h) using weapons equipped with sighting device for night shooting, electronic sighting device etc.,
- i) using an aircraft or a motor vehicle,
- j) using sounds from a tape recorder or a similar equipment, excluding equipment used in accordance with specific legislation,^{2a)}
- k) using a mirror or other dazzling devices,
- l) using artificial light sources and devices for illuminating targets,
- m) using formalin or glue traps,
- n) using live animals as decoys or baits, excluding hunting pursuant to specific legislation^{1g)}.

(2) Provisions of paragraph 1(k) and l) shall not apply to catching or killing fish pursuant to the Act on Fisheries⁴⁾.

(3) Provisions of paragraph 1(h), (k) and (l) shall not apply to cases when the state game management authority adopts a decision on the authorisation or an imposition of a measure to control the population of game pursuant to the Act on Game Management ^{4a)}, and it is ensured that the effect of the measure shall apply solely to the listed game species and shall not cause suffering to other animals.

(4) Provisions of paragraph 1(f), (j), (k) and (l) and prohibition of catching with the use of nets and nooses shall not apply to the performance of measures to manage an alien animal species and measures to remove, contain or manage an invasive alien animal species included in the Union list of invasive alien animal species of Union concern²⁴⁾ stipulated pursuant to another piece of legislation^{4c)}, provided it has been ensured that the effect of measures shall be targeted at the stipulated animal species and shall not cause suffering to other animals.

(5) Rodent control, capture and killing of wild animals recognised as pests are governed by this Act and by specific legislation.^{2), 2c), 2e), 2f)}.

(6) The operator of trapping or catching equipment shall use it in such a way to avoid cruelty to the caught animals.

(7) Prohibition of net catching shall not apply to the capture of mammals or birds for the purpose of populating hunting grounds^{4b)}, for the purpose of their return to their habitat, capture of birds and bats for the purpose of research, capture of an animal kept in captivity, or trapping of a stray or abandoned animal. The prohibition shall not apply to catching fish in fishing grounds carried out by the user of the fishing grounds. The prohibition of net catching of birds using sounds from a tape recorder or a similar equipment and using an artificial light source shall not apply to capture for the purpose of ornithological research. The prohibition of catching with the use of nets and nooses shall not apply to the capture of handicapped animals for the purpose of their placement in a rescue station. Provisions of paragraph 1 point (a) regarding the nets and points (f), (j) and (l) regarding the

artificial light source shall not apply to capturing wild animals with their subsequent release to the wild, carried out in order to identify the species, sex and age and to obtain biometric data in the framework of monitoring the wild animal populations.

(8) No person shall catch wild animals of species indigenous to the territory of the Czech Republic for the purpose of farm breeding, keeping as companion animals or keeping for the purpose of domestication, including training; this shall not apply to capture and breeding of hunting birds of prey performed in accordance with the Act on the protection of nature and landscape and the Act on trade in endangered species^{4c)}, as well as to fishing of parent fish for the purpose of induced spawning.

(9) For the protection of airports, urban agglomerations or other premises, trained hunting birds of prey may be used in accordance with specific legislation^{1e), 2e)}.

(10) Provisions of this Act concerning the protection of wild animals shall not affect specific legislation in the field of protection of nature and landscape^{2e)}.

1e) Section 44(2) of Act No 449/2001 Coll., on game management.

1g) Act No 99/2004 Coll., on fishpond management, enforcement of fishery law, Fish Warden, protection of marine fishery resources and on amendment to some acts (the Act on Fishery), as amended.

Act No 114/1992 Coll., on nature and landscape protection, as amended.

2) Act No 166/1999 Coll., as amended.

2a) Act No 449/2001 Coll., as amended.

Act No 99/2004 Coll., as amended.

2c) Act No 258/2000 Coll., on public health protection and on amendments to some related acts, as amended.

2e) Act No 114/1992 Coll., as amended.

Act No 100/2004 Coll., on the protection of wild animals and wild plant species by regulating trade in them and by other measures for the protection of these species and on amendments to some acts (the Act on Trade in Endangered Species), as amended by Act No 444/2005 Coll.

2f) Act No 326/2004 Coll., on phytosanitary care and on amendments to some related acts, as amended.

Act No 324/2016 Coll., on biocide preparations and active substances and on amendments to some related acts (Act on Biocides), as amended by Act No 183/2017 Coll.

4) Act No 99/2004 Coll., as amended.

4a) Section 45(2) of Act No 449/2001 Coll.

4b) Act No 449/2001 Coll., as amended.

4c) Act No 114/1992 Coll., as amended.

Act No 100/2004 Coll., as amended by Act No 444/2005 Coll.

Section 14a

Prohibited activities involving wild animals

(1) No person shall

a) operate a mobile facility such as travelling zoos, exotariums, terrariums and aquariums in which animals of wild animal species are kept predominantly inside a means of transport, excluding animals used in a circus,

b) subject to a special training for the preparation and performance of tricks or for a circus, theatre and a variety show performances, a movie, TV show or a similar public performance (hereinafter referred to as the "training"), except for a training or a public performance of hunting bird of prey, falcon or an owl kept for falconry purposes and targeted locomotion of animals in zoological gardens with valid licence under a special legislation^{1b)}, held for education purposes or in the interest of animals,

1. primates, pinnipeds, Cetacea, rhinoceri, hippopotami or giraffes born after 1 March 2004 inclusive,

2. individuals of the other wild animal species born after 1 January 2022 inclusive,

and to enter the territory of the country with them for these purposes, or

c) reproduce or otherwise acquire newborn individuals of wild animal species for the purpose of their training or a public performance in dolphin worlds, circuses and similar establishments focused on showing the training of animals, except for a training or a public performance of hunting bird of prey, falcon or an owl kept for falconry purposes.

(2) Wild animals shall be kept and their training shall be conducted with respect to their species and age category or weight and other specific requirements for their protection in compliance with conditions for breeding and training laid down in the implementing legislation.

(3) More detailed conditions for breeding and training of animals shall be stipulated by the Ministry in the implementing legislation.

(4) In animals of the order Carnivora listed in the Annex to this Act and their crossbreeds (hereinafter referred to as the "selected carnivore species") and in animals of the order Primates in the family Hominidae (hereinafter referred to as the "great apes") no person shall

a) enable physical contact with animals to persons other than the keeper, except for the veterinarian, the person responsible for capture and transport of animals, the person close²⁷⁾ to the keeper or the keeper's employee,

b) separate young animals from their mother and provide them with artificial feeding before their weaning, except for the cases when it is, based on the veterinarian's assessment, necessary due to the health condition of the mother or young animals, or

c) walk the animals outside the premises intended for keeping of the animal or a public performance.

(5) Moreover, with respect to animals referred to in paragraph 4 no person shall

a) breed the animals, except for breeding in the framework of their keeping in a zoological garden with a valid licence under the Act on the conditions for the operation of zoological gardens and breeding performed in order to protect the species in compliance with the Act on the protection of nature and landscape,

b) move the animals from abroad to the territory of the Czech Republic, except for their moving for the purpose of breeding in a zoological garden with a valid licence under the Act on the conditions for the operation of zoological gardens.

*1b) Act No 162/2003 Coll., on zoological gardens and on amendments to some related acts (the Act on Zoological Gardens).
27) Section 22(1) of Act No 89/2012 Coll., Civil Code, as amended.*

Section 14b

Protection of handicapped animals

(1) Any person who has taken on the care of a handicapped animal shall ensure the care thereof pursuant to paragraph 2 or hand the animal over to a rescue station, or to inform a rescue station about the place of its finding.

(2) A keeper who provides consistent necessary care to handicapped animals shall

a) create conditions to maintain their physiological functions and satisfy their biological needs, namely especially through equipping premises for handicapped animals,

b) prevent them from escaping,

c) have a certificate of professional competence of a person responsible for the care of handicapped animals, issued by the competent animal protection authority, or ensure that the care of handicapped animals is provided by a person with such a certificate in case of a rescue station,

d) observe the conditions for breeding handicapped animals, provide equipment and meet the minimum space requirements for handicapped animals as defined in the implementing legislation.

(3) Any person operating a rescue station shall designate at least 1 person responsible for the care of handicapped animals. The person responsible for the care of handicapped animals shall successfully complete a training course and obtain a certificate of professional competence of a person responsible for the care of handicapped animals; other persons, performing activities related to breeding and care of handicapped animals, shall be instructed by the person responsible for the care of handicapped animals so as to perform the referred to activities in a qualified manner. The person operating a rescue station shall keep the certificate of professional competence of the person responsible for the care of handicapped animals and keep the records regarding the instructions given to persons who perform activities related to breeding and care of handicapped animals, maintain them from the commencement of activities of these persons related to breeding and care of handicapped animals, namely for the period of 3 years after the termination of these activities.

(4) The Ministry shall stipulate in the implementing legislation the scope of technical knowledge necessary to obtain a certificate of professional competence of a person responsible for the care of handicapped animals, the content of a training course leading to the acquisition of such professional competence, the composition of the board of examiners, the requirements for the highest level of attained education and work experience of lecturers since the completion of the highest level of attained education, the course of examination, the model certificate and the conditions for breeding handicapped animals, the equipment and minimum space requirements for handicapped animals.

Section 14c

Protection of selected species of carnivores and great apes

(1) The keeper of the selected species of carnivores or great apes shall

a) create conditions to maintain their physiological functions and to satisfy their biological needs, namely especially by equipping the breeding premises,

b) prevent and avoid their escape,

c) comply with the breeding conditions, requirements for construction, security, size and equipment of premises for their breeding, conditions for housing and requirements for aids, feeding and watering set out by the implementing legislation, and

d) have the animals permanently identified with a microchip, unless they have already been identified under another piece of legislation²⁸⁾.

(2) The provisions of paragraph 1(a) and (c) shall not apply to a keeper who keeps the selected species of carnivores for the purpose of training in compliance with the implementing legislation laying down the conditions of breeding and training of animals.

(3) The keeper of selected species of carnivores or great apes shall keep the records of each and every kept animal containing the following data:

- a) species of the animal,
- b) sex of the animal,
- c) date of birth of the animal,
- d) description of the animal including its identifying characteristics,
- e) documents concerning the origin of the animal,
- f) number of the microchip of the animal,
- g) diseases of the animal, and
- h) the date when the keeping of animal is terminated or the date of animal's death.

The keeper shall keep the records starting from the date of arrival of the animal, namely for the period of 3 years since the date when its keeping is terminated or the date of the animal's death; the records can be replaced with the records kept under another legislation if it contains the required data stipulated in this Act.

(4) The breeding conditions of the selected species of carnivores and great apes, the requirements for construction, security, size and equipment of premises, housing conditions and requirements for aids, feeding and watering of the selected species of carnivores and great apes shall be stipulated by the Ministry in its implementing legislation.

28) Act No 100/2004 Coll., as amended.

Section 14d

A training course on the care of selected species of carnivores and great apes

(1) The keeper of selected species of carnivores or great apes shall pass an examination and receive a certificate of competence to take care of selected species of carnivores or great apes, or to ensure that the care of selected species of carnivores or great apes is provided by a person with this certificate. The certificate of competence to take care of selected species of carnivores or great apes is issued by the Ministry and can be obtained only after successful passing of the examination.

(2) The keeper of selected species of carnivores or great apes who does not provide care of these animals himself, shall designate at least 1 person responsible for the care of selected species of carnivores or great apes who is the holder of the certificate under paragraph 1.

(3) Other persons who perform activities related to the breeding and care of selected species of carnivores or great apes shall be instructed by the person responsible for the care of selected species of carnivores or great apes so that the respective activities are performed in a qualified manner. The keeper of selected species of carnivores or great apes shall keep the certificate of competence of the person responsible for the care of selected species of carnivores or great apes and keep the documentation on instructing the persons performing the activities related to the breeding and care of selected species of carnivores or great apes, keep it from the moment of commencing the activities of these persons related to the breeding and care of selected species of carnivores or great apes, namely for the period of 3 years from the date of termination of this activity.

(4) The obligations referred to in paragraphs 1 and 2 shall not apply to

- a) zoological gardens and their employees during the performance of their job,

- b) rescue stations and their employees during the performance of their job,

- c) persons who have attained the secondary education with the school leaving (maturita) examination in the field of exotic animal breeder, or persons who have completed a higher-education study programme or area of study in the field of agriculture with specialisation in breeding, if the subject called breeding of exotic animals was included therein, or

- d) persons who have acquired professional qualification to act a breeder of exotic animals under the Act on recognition of continuing education results ²⁹⁾.

(5) The Ministry shall stipulate in its implementing legislation the content of the course on the care of selected species of carnivores or great apes, the scope of professional knowledge necessary to obtain the certificate of competence to care for selected species of carnivores or great apes, the requirements for the examiner, requirements for the highest level of attained education and practical experience of instructors since the completion of the highest attained education, the course of the examination and the model certificate.

29) Act No 179/2006 Coll., on validation and recognition of continuing education results and on amendments to some acts (Act on recognition of continuing education results), as amended.

PART FIVE

PROTECTION OF EXPERIMENTAL ANIMALS

Section 15

Application of provisions on protection of experimental animals

(1) Provisions of this Act governing the protection of experimental animals shall apply

- a) where experimental animals are used or intended to be used in experiments or bred specifically so that their organs or tissues may be used for scientific purposes,
- b) until the experimental animals have been killed, rehomed or returned to a suitable habitat or husbandry system.

(2) The elimination of pain, suffering, distress or lasting harm of experimental animals by the successful use of anaesthesia, analgesia or other methods shall not exclude the use of experimental animals in experiments from the scope of this Act.

(3) Provisions of this Act governing the protection of experimental animals shall not apply to cases where experimental animals are used for:

- a) non-experimental agricultural practices,
- b) non-experimental clinical veterinary practices,
- c) veterinary clinical trials required for the marketing authorisation of a veterinary medicinal product,
- d) practices undertaken for the purposes of recognised animal husbandry,
- e) practices undertaken for the primary purpose of identification of an animal,
- f) practices not likely to cause pain, suffering, distress or lasting harm equivalent to, or higher than, that caused by the introduction of a needle in accordance with good veterinary practice.

(4) Provisions of this Act for the purpose defined in Section 1 (2)(d) shall lay down the rules on the following:

- a) the replacement and reduction of the use of experimental animals in experiments and the refinement of the breeding, accommodation, care and use of experimental animals in experiments,
- b) the origin, breeding, marking, care and accommodation and killing of experimental animals,
- c) the operations of breeders of experimental animals, suppliers of experimental animals and users of experimental animals,
- d) the evaluation and authorisation of experimental projects involving the use of experimental animals in experiments.

(5) This Act shall not affect the provisions of Act No 258/2000 Coll., on the protection of public health and on amendments to some related acts, as amended.

(6) deleted

Section 15a

Authorisation for breeding of experimental animals, authorisation for supplying of experimental and authorisation for using experimental animals

(1) Experimental animals shall be bred, supplied or used only by a person who has been granted an authorisation for these activities.

(2) Experiments may be carried out only in the authorised establishments of the user of experimental animals. The Ministry may grant an exemption from the requirement set out in the first sentence if the user of experimental animals proves that it is on the basis of scientific justification. An exemption for carrying out experiments outside the authorised establishment of the user of experimental animals without stating the address of the location where the applicant intends to perform his activities can be granted only for the conduct of experiments in the wild.

(3) The person who holds the authorisation for supplying experimental animals may supply the experimental animals to the person who holds the authorisation for using experimental animals exclusively from the breeding establishment of the person who holds the authorisation for breeding experimental animals.

(4) The establishments intended for breeding and supplying experimental animals shall be separated from the establishments intended for using experimental animals which, however, shall not apply to breeding, supplying and using fish and to experiments, during which only blood samples from experimental animals are taken.

Section 15b

Decision on granting the authorisation for breeding experimental animals, the authorisation for supplying experimental animals and the authorisation for using experimental animals

(1) The authorisation for breeding, supplying and using experimental animals shall be granted by the Ministry based on

an application submitted on a prescribed form, whose binding model shall be published by the Ministry on its website. Apart from the general requisites laid down in the Rules of Administrative Procedure, the application shall contain also

a) address of the place where the applicant intends to perform his activities, including the exact location, name, or other indication of individual premises intended for the performance of the activity; particularly the indication of individual rooms, stalls and similar parts of the establishment, if, based on the application, the decision on granting the given authorisation stipulates that the experimental animals may be bred, supplied or used also outside of an establishment, the applicant shall state in the application the specific place where the activity shall be performed, particularly whether the activity shall be performed in the wild and on what territory,

b) type of activity; in users of experimental animals also the purpose for which the experiments may be conducted,

c) species of experimental animals intended for breeding, supplying or using, their maximum daily stock in total and in individual rooms, stalls or similar parts of the establishment, and the weight category of animals to which the maximum daily stock is related,

d) personal data, address of permanent residence and number of the certificate pursuant to Section 15d or Section 15e of the person responsible for the care of experimental animals and the designated veterinarian, and personal data of the statutory body responsible for the compliance with this Act.

(2) The Ministry shall grant authorisation referred to in paragraph 1 provided the applicant complies with the requirements specified in this Act and in its implementing legislation and provided the applicant submits to the evaluators the data referred to in the second sentence. The applicant shall submit to the evaluators the data concerning the operation of the establishment set out in the implementing legislation.

(3) The decision on granting the authorisation pursuant to paragraph 1 shall be issued by the Ministry for a definite period of time. In case of the first granting of the authorisation, it is issued for the period of 3 years, in case of every other granting of the authorisation, the authorisation is issued for the period of 5 years, however only in case the applicant applies for granting of another authorisation before the expiry of the existing authorisation; upon request of the applicant the Ministry may also grant the authorisation for a shorter period of time.

(4) The decision on granting the authorisation pursuant to paragraph 1 shall, apart from the general requisites, contain

a) the requisites referred to in paragraph 1 points (a) to (d),

b) the period of its validity.

(5) The Ministry shall forward the decision on granting the authorisation pursuant to paragraph 1 for information to the Regional Veterinary Administration or the competent authority pursuant to Section 19(1)(d). The Ministry shall forward the decision on granting the authorisation for using experimental animals for information also to the state authority competent to authorise the experimental projects pursuant to Section 23.

(6) The breeder of experimental animals, supplier of experimental animals or user of experimental animals shall notify the Ministry of any change of data concerning the persons stated in the decision on granting the authorisation pursuant to paragraph 1 point d).

(7) Submission of a new application pursuant to paragraph 1 shall be required from the breeder of experimental animals, supplier of experimental animals or user of experimental animals in case any significant change to the structure or function of an establishment pursuant to paragraph 1 that could have an adverse effect on animal welfare of experimental animals, in case of any change to the place where activities on experimental animals are performed, extension of the types of activities or increase in the number of bred, supplied or used species of experimental animals. Amendments to the previous sentence may be made only after the decision on granting the authorisation of the breeder of experimental animals, supplier of experimental animals or user of experimental animals comes into legal force.

(8) The Ministry shall keep a register of breeders of experimental animals, suppliers of experimental animals and users of experimental animals to whom the authorisation has been granted. This register shall include the name of the establishment and the name of the municipality where the registered seat of the establishment is located.

Section 15c

Evaluators

(1) Prior to the issuance of a decision on granting the authorisation under Section 15b(1), the establishment of the breeder of experimental animals, supplier of experimental animals or user of experimental animals shall be evaluated by at least 2 evaluators who shall assess the compliance of the establishment with all the requirements laid down in this Act and in the implementing legislation and draw up a written opinion. During the evaluation, the evaluators of the establishment may be joined by an employee of the Ministry.

(2) The evaluators shall be appointed and dismissed by the Ministry. There is no legal entitlement to be appointed an evaluator. The person who is to be appointed an evaluator shall

a) be a physician, a veterinarian or a person having another higher education degree in biological sciences who has during the undergraduate or post-graduate studies demonstrably familiarized himself with the methods of breeding of experimental animals and work with experimental animals, their protection, search for and use of alternative methods,

b) have a certificate of professional competence for designing experiments and experimental projects or a certificate of extension of the validity period of the certificate of professional competence for designing experiments and experimental projects,

c) submit

1. an overview of his professional activities and publication activities, and
2. a document proving at least 5 years of professional experience in using experimental animals for scientific purposes, namely in the course of the last 10 years.

(3) The Ministry shall dismiss the evaluator, if the evaluator

- a) fails to perform the duties of the evaluator,
- b) repeatedly presents an untrue or incorrect opinion, or
- c) requested to be dismissed.

(4) The appointment of the evaluator shall expire

- a) on the date stated in the dismissal, or
- b) upon death of the evaluator or declaration of his death.

(5) Prior to the evaluation of the particular establishment, the Ministry shall send the evaluator a written authorisation entrusting him with the evaluation of the respective establishment, including a request to elaborate an expert opinion.

(6) The evaluator

a) shall

1. produce in the respective establishment his authorisation to evaluate the respective establishment issued by the Ministry,
2. evaluate, based on the authorisation, the respective establishment by a physical on-the-spot check, including the assessment of specified documents, elaborate a written expert opinion on the established facts and send it to the Ministry,
3. notify the Ministry without undue delay of any facts preventing him from elaborating a truthful expert opinion, or disqualifying him from his acting as an evaluator,
4. submit, in accordance with the applicable legislation, the statement of costs incurred in association with the evaluation of the respective establishment,
5. upon invitation of the Ministry take part in a training course focused on the relevant matters,

b) is entitled

1. to request a written position of the person authorised to represent the applicant in the administrative procedure on the expert opinion elaborated by him in connection with the evaluation of the given establishment,
2. to take part in the meeting of the Ministry where the expert opinion elaborated by him on the respective establishment is discussed.

(7) The list of data the breeder of experimental animals, supplier of experimental animals or user of experimental animals shall submit to the evaluators, the content of the written expert opinion drawn up by the evaluators, and the procedure followed by the evaluators during the evaluation shall be stipulated by the Ministry in the implementing legislation.

Section 15d

Training courses to obtain qualification and professional competence in the field of experimental animals

(1) Each breeder of experimental animals, supplier of experimental animals and user of experimental animals shall

- a) have sufficient staff in the given establishment or at the given site to ensure adequate care of experimental animals,
- b) ensure that the care of experimental animals is provided by persons professionally competent to carry out experiments on experimental animals, to take care of experimental animals and to kill experimental animals, able to recognize the changes in behaviour of an experimental animal and to recognize the obvious signs of its deteriorated state of health as well as to appreciate the suitability, or adequacy, of the external environment in relation to the health condition of the experimental animal, and to adopt necessary measures.

(2) The person who shall design the experiments and the experimental projects, carry out experiments on experimental animals, take care of experimental animals or kill experimental animals, shall be adequately educated and trained before performing any of the following functions:

- a) designing experiments and experimental projects,
- b) carrying out experiments on experimental animals,
- c) taking care of experimental animals, or
- d) killing experimental animals.

(3) The functions referred to in paragraph 2(a) can be performed solely by physicians, veterinarians and persons having another higher education degree in biological sciences who have during the undergraduate or post-graduate studies demonstrably familiarized themselves with the methods of breeding of experimental animals and work with experimental animals, their protection, search for and use of alternative methods, and who have completed a training course and obtained a certificate of professional competence for designing experiments and experimental projects. Based on this certificate these persons may also carry out experiments on experimental animals, take care of experimental animals and kill experimental animals. The certificate of professional competence for designing experiments and experimental projects shall be issued by the Ministry, namely for the period of 7 years.

(4) The functions referred to in paragraph 2(b), (c) or (d) may be performed only by persons who have completed a training course and obtained the certificate of professional competence for carrying out experiments on experimental animals, taking care of experimental animals and killing experimental animals. This certificate shall be issued by the Ministry, namely for the period of 7 years.

(5) The breeder of experimental animals, supplier of experimental animals and user of experimental animals shall provide supervision over the staff carrying out functions referred to in paragraph 2(b), (c) or (d) during the performance of their tasks until they have demonstrated the required qualification. The certificate of professional competence shall not be considered a proof of the required qualification. The required qualification can be obtained only after the passing of the professional competence examination and completion of the supervision period. Each breeder of experimental animals, supplier of experimental animals and user of experimental animals shall ensure the performance of supervision before obtaining the required qualification and clear standards determining the qualification in terms of knowledge and practical skills. The breeder of experimental animals, the supplier of experimental animals and the user of experimental animals shall keep records of the performed supervision and its level. The qualification shall be evaluated by the breeder of experimental animals, supplier of experimental animals and user of experimental animals in standard working environment and the person shall be evaluated in terms of his/her practical qualification. The supervisor shall avail of a certificate of professional competence to design experiments and experimental projects or a certificate of professional competence to carry out experiments on experimental animals, to take care of experimental animals and to kill experimental animals. The person, who at the date of commencement of his employment or a similar relationship does not hold the certificate of professional competence, or whose professional qualification has not been recognised pursuant to the Act on recognition of professional qualification^{4d)}, shall pass the professional competence examination no later than 6 months after the commencement of employment or similar relationship.

(6) The persons carrying out any of the operations referred to in paragraph 2 shall maintain their qualification through the process of continuing education, further professional development in particular. The breeder of experimental animals, supplier of experimental animals or user of experimental animals shall ensure in persons carrying out any of the operations referred to in paragraph 2,

- a) a continuous process of reviewing and maintaining the qualification, namely especially by supervising them with a view to ensure the compliance with the acceptable standards,
- b) further supervision in cases when experiments are carried out irregularly or rarely, or when the respective persons have not carried out experiments for some time, and
- c) a review of qualification in case of any problems or introduction of a new or changed procedure.

(7) Students of secondary schools and higher-education institutions performing operations referred to in paragraph 2 point (b), (c) or (d) in the framework of tertiary education or vocational training in order to obtain, maintain or improve their expertise, do not have to complete a vocational training course to obtain a certificate of professional competence to carry out experiments on experimental animals, to take care of experimental animals and to kill experimental animals, if permanent supervision is ensured by the breeder of experimental animals, supplier of experimental animals and user of experimental animals during the performance of their tasks. The supervisor shall avail of a certificate of professional competence to design experiments and experimental projects, shall always be present when the experiments are carried out and the animals are handled and shall provide direct supervision and consultancy. An exemption from the obligation to complete a vocational training course in line with the first sentence shall apply to postgraduate students during the first six months after the commencement of postgraduate studies provided the conditions referred to in this paragraph are met.

(8) The breeder of experimental animals, supplier of experimental animals and user of experimental animals shall keep records of professional competence for designing experiments and experimental projects and of professional competence for carrying out experiments on experimental animals, taking care of experimental animals and killing experimental animals, indicating therein

a) the personal data of persons to whom the respective certificates have been issued, and

b) the date of issuance and the reference number of the respective certificates.

These records can also be kept electronically. The breeder of experimental animals, the supplier of experimental animals and the user of experimental animals shall for 3 years after the termination of activities of these persons keep the records and present them upon request to the competent animal protection authority.

(9) The content and the scope of the training course to obtain a certificate of professional competence for designing experiments and experimental projects, the content and the scope of the training course to obtain the certificate of professional competence for carrying out experiments on experimental animals, taking care of experimental animals and killing experimental animals, the requirements for the highest level of attained education and professional experience of lecturers since the completion of the highest level of attained education, the composition of the board of examiners, the course of the examination, the model certificate of professional competence for designing experiments and experimental projects, and the model certificate of professional competence for carrying out experiments on experimental animals, taking care of experimental animals and killing experimental animals shall be stipulated by the Ministry in the implementing legislation.

Section 15e

Training courses for extending the validity period of the certificate of professional competence in the field of experimental animals

(1) The persons who have obtained the certificate of professional competence for designing experiments and experimental projects, or to whom the validity period of this certificate has been extended in accordance with this provision and who wish to continue performing functions referred to in Section 15d(2), shall before the expiry of the validity period of the respective certificate complete a vocational training course in order to have the validity period of the certificate of professional competence for designing experiments and experimental projects extended. The certificate of extension of the validity period of the certificate of professional competence for designing experiments and experimental projects shall be issued by the Ministry, namely for the period of 7 years.

(2) The persons who have obtained the certificate of professional competence for carrying out experiments on experimental animals, taking care of experimental animals and killing experimental animals, or to whom the validity period of this certificate has been extended in accordance with this provision and who wish to continue performing functions referred to in Section 15d(2)(b), (c) or (d), shall before the expiry of the validity period of the respective certificate complete a training course in order to have the validity period of the certificate of professional competence for carrying out experiments on experimental animals, taking care of experimental animals and killing experimental animals extended. The certificate of extension of the validity period of the certificate of professional competence for carrying out experiments on experimental animals, taking care of experimental animals and killing experimental animals shall be issued by the Ministry, namely for the period of 7 years

(3) The content and the scope of the training course for extending the validity period of the certificate of professional competence for designing experiments and experimental projects, the content and the scope of the training course for extending the validity period of the certificate of professional competence for carrying out experiments on experimental animals, taking care of experimental animals and killing experimental animals, the requirements for the highest level of attained education and professional experience of lecturers since the completion of the highest level of attained education, the composition of the board of examiners, the course of the examination, the model certificate of extension of the validity period of the certificate of professional competence for designing experiments and experimental projects, and the model certificate of extension of the validity period of the certificate of professional competence for carrying out experiments on experimental animals, taking care of experimental animals and killing experimental animals shall be stipulated by the Ministry in the implementing legislation.

Section 15f

Specific requirements for personnel

(1) Each breeder of experimental animals, supplier of experimental animals and user of experimental animals shall have one or several persons on site who shall

- a) oversee the welfare and care of the experimental animals in the respective establishment,
- b) ensure that the staff dealing with experimental animals have access to information specific to the species of experimental animals housed in the establishment, and
- c) ensure that the staff handling the experimental animals are adequately educated, qualified and continuously trained to have the validity period of the certificate of professional competence pursuant to Section 15e extended and that they are supervised until they have demonstrated the required qualification, (hereinafter referred to as the "person responsible for the care of experimental animals")

(2) The person responsible for the care of experimental animals shall perform activities referred to in paragraph 1.

(3) The persons responsible for the overall implementation of the experimental project and its compliance with the decision on the experimental project authorisation (hereinafter referred to as the "experimental project leader") shall ensure that

- a) any pain, suffering, distress or lasting harm that is being inflicted to an animal in the course of an experiment is stopped, unless it is unavoidable for the purpose of the experiment,
- b) the experimental projects are implemented in compliance with the decision on the experimental project authorisation and that in the event of non-compliance with the requirements, the appropriate remedial measures are taken and recorded,
- c) the experimental project has been drawn up and submitted to the expert commission ensuring the welfare of experimental animals for opinion,
- d) in case the experimental project has been authorised, this fact is notified to the Regional Veterinary Administration,
- e) after the commencement of an experiment, a protocol is kept confirming the performance of operations set out in the experimental project,
- f) the person responsible for the care of experimental animals, the expert commission ensuring the welfare of experimental animals and animal protection authorities are allowed to check the compliance with the experimental project requirements, including making entries of this check into the protocol,
- g) the care of experimental animals used in the experiment is provided and that the activities of other staff associated with the experiment, animal attendants in particular, are checked,
- h) the experiment is ended once it has been attained, or no later than by the deadline set out in the experimental project.

(4) The experimental project leader may appoint his deputy; the provision of paragraph 3 shall apply by analogy to the deputy of the experimental project leader. The experimental project leader or his deputy shall not take part in drawing up the expert opinion on his experimental project in his capacity of a member of the expert commission ensuring the welfare of experimental animals or the state authority competent to authorise the experimental projects.

(5) Each breeder of experimental animals, supplier of experimental animals and user of experimental animals shall designate a veterinarian with professional competence in experimental animal medicine (hereinafter referred to as the "designated veterinarian"), or, where it is more appropriate, an expert with adequate qualification, charged with advisory duties in relation to the welfare and treatment of experimental animals. The expert with adequate qualification as referred to in the first sentence means a physician or a person having another higher education degree in biological sciences who has during the undergraduate or post-graduate studies demonstrably familiarized himself with the methods of breeding of experimental animals and work with experimental animals, their protection, search for and use of alternative methods.

(6) The person responsible for the care of experimental animals, the experimental project leader, his deputy or another qualified expert pursuant to paragraph 5, and members of the expert commission of the establishment ensuring the welfare of experimental animals shall have obtained the certificate of professional competence for designing experiments and experimental projects or the certificate of extension of the validity period of the certificate of professional competence for designing experiments and experimental projects.

Section 15g

Expert commission ensuring welfare of experimental animals

(1) Each breeder of experimental animals, supplier of experimental animals and user of experimental animals shall set up an expert commission at the establishment ensuring welfare of experimental animals (hereinafter referred to as the "expert commission") and provide conditions for due fulfilment of tasks assigned to this commission by this Act.

(2) The expert commission set up by the user of experimental animals shall be made up of at least 3 members. The expert commission set up by the breeder of experimental animals or the supplier of experimental animals shall be made up of at least 2 members.

(3) The members of the expert commission shall be all the persons responsible for the care of experimental animals and, in the case of a user of experimental animals, also a scientific worker who is a physician, a veterinarian or a person with appropriate education under Section 15d(3). The expert commission shall also receive information from the designated veterinarian or the expert referred to in Section 15f(5).

(4) The expert commission shall accomplish the following tasks:

- a) advise the persons dealing with experimental animals on matters related to the welfare of experimental animals, in relation to their acquisition, accommodation, care and use, and check their activities,
- b) advise the persons referred to in point (a) on the application of the requirement of replacement, reduction and refinement in the use of experimental animals, and keep them informed on technical and scientific developments concerning the application of that requirement,
- c) establish, check and review internal operational processes as regards monitoring, reporting and follow-up in relation to the welfare of experimental animals housed or used in the establishment,
- d) follow and check the development and outcome of experimental projects, taking into account the effect on the experimental animals used, and identify and advise as regards elements that further contribute to replacement, reduction and refinement in the use of experimental animals,
- e) advise on rehoming schemes for experimental animals, including the appropriate socialisation of the experimental animals to be rehomed,
- f) discuss and submit to the responsible person of the establishment the drafts of the rules of operation, technological procedures and proposals for measures for the protection of experimental animals, and
- g) check the prescribed records of experimental animals pursuant to paragraph 5(d) point 4.

(5) The expert commission of the establishment operated by the user of experimental animals shall fulfil also the following tasks:

- a) discuss the submitted experimental project and produce a written opinion thereto with justification, which will be forwarded to the competent state authority responsible for the authorisation of experimental projects, and at the same time notify in writing the person who submitted it; where the experimental project does not have all the particulars, it shall be returned to the person who submitted it for completion, while it shall verify all the particulars of the experimental project,
- b) based on the decision on authorisation of the experimental project issued by the competent state authority responsible for the authorisation of experimental projects, issue an approval to commence the experimental project to the experimental project leader; the experimental project may be commenced only after the issuance of this approval,

c) check whether the relevant experiment protocols are kept and whether they include the data as set out by the respective experimental project,

d) elaborate and submit to the competent state authority responsible for the authorisation of experimental projects no later than on 31 January of the following year a summary report on the activities conducted in the calendar year, including the statistical tables, whose models shall be set out by the Ministry in the implementing legislation, including

1. identification of the user of experimental animals, number of the decision on granting the authorisation to use experimental animals, and the period of its validity,
2. name, or names, surname and number of the certificate of professional competence for designing experiments and experimental projects, or of the certificate of extension of the validity period of the certificate of professional competence for designing experiments and experimental projects of the members of the expert commission,
3. number of discussed and recommended experimental projects, stating the purposes of experiments as specified in Section 18 (1),
4. records showing the number of experimental animals used in experiments and the number and type of experiments conducted, including the information on the actual severity of experiments and origin and species of non-humane primates used for the experiments,
5. detailed information on exemptions granted in accordance with Section 18g(6),
6. other data prescribed by the Council of Europe treaties in the field of protection of experimental animals or the implementing legislation or requested by the Ministry,

e) elaborate and submit to the competent state authority responsible for the authorisation of experimental projects no later than on 31 August 2018 and then every 5 years always until 31 August of the given calendar year a summary report including the information on the application of Section 15g, Section 16a(2) and (3), Section 16b, 16c, Section 17c(4) and Section 17f.

(6) The records of each advice provided by the expert commission and of decisions adopted based on this advice shall be kept by the breeder of experimental animals, supplier of experimental animals and user of experimental animals at least for the period of 3 years. Upon request, the records shall be made available to the competent animal protection authority.

(7) The model statistical tables, instructions how to complete them and other data on activities of the establishment that shall be included in the summary report shall be set out by the Ministry in the implementing legislation.

Section 16

Experimental project authorisation

No person shall carry out or order to carry out an experimental project or an experiment without its prior authorisation granted by the competent state authority responsible for the authorisation of experimental projects. The experiments may be carried out by the user of experimental animals exclusively within an authorised experimental project. The experimental project shall be carried out in compliance with the decision on authorisation of the experimental project.

Section 16a

Application for project authorisation

(1) The user of experimental animals shall submit to the competent state authority responsible for the authorisation of experimental projects an application for authorisation of the experimental project on a prescribed form, whose binding model shall be published by the Ministry on its website. Apart from the general requisites laid down in the Rules of Administrative Procedure, the application shall contain also

a) address of the place where the user of experimental animals intends to perform his activities, including the exact location, name, or other indication of individual rooms intended for the performance of the activity; if, based on the application, the decision stipulates that the experimental animals may be used also outside of an establishment, the applicant shall state in the application the specific place where the activity shall be performed, particularly whether the activity shall be performed in the wild and on what territory,

b) reference number and file number of the decision on granting the authorisation to use experimental animals and the period of its validity,

c) name of the experimental project, of the task of the study, or identification of the grant,

d) the following information

1. relevance and justification of the use of experimental animals, including their origin, estimated numbers, species and life stages; relevance and justification of experiments,
 2. application of methods to replace, reduce and refine the use of experimental animals in experiments,
 3. the planned use of anaesthesia, analgesia or other pain-relieving methods,
 4. reduction, avoidance and alleviation of any form of experimental animal suffering, from birth to death where appropriate,
 5. use of humane end-points with respect to experimental animals,
 6. experimental or observational strategy and statistical design to minimise experimental animal numbers, pain, suffering, distress and environmental impact where appropriate,
 7. reuse of experimental animals and the accumulative effect thereof on the experimental animals,
 8. the proposed severity classification of experiments,
 9. avoidance of unjustified duplication of experiments where appropriate,
 10. housing, husbandry and care conditions for the experimental animals,
 11. methods of killing of experimental animals,
 12. list of persons involved in the experimental project and the numbers of their certificates pursuant to Section 15d(3) and (4) or Section 15e,
- e) the experimental project proposal, including a written opinion of the expert commission pursuant to Section 15g on the submitted

experimental project,

f) a non-technical experimental project summary,

g) veterinary conditions for carrying out of experiments on experimental animals laid down by the Regional Veterinary Administration in the cases referred to in another legislation²⁾,

h) where individuals of wild animal species are used, an opinion of the locally competent nature conservation authority, and

i) justification and scientific evidence of the need to carry out the specific experiment outside the authorised establishment of the user of experimental animals, if based upon the application the decision shall authorise the use of experimental animals also outside this establishment.

(2) The non-technical experimental project summary shall be anonymous and shall not contain the names and addresses of the user of experimental animals and its personnel. Subject to safeguarding intellectual property and confidential information, the non-technical experimental project summary shall provide the following:

a) information on the objectives of the experimental project, including the predicted harm and benefits and the number and species of animals to be used,

b) a demonstration of compliance with the requirement of replacement, reduction and refinement in the use of experimental animals.

(3) The competent state authority responsible for the authorisation of experimental projects shall publish the non-technical experimental project summary and any updates thereto, namely in a way enabling a remote access, no later than within 30 days from the day on which the decision on authorisation of the experimental project becomes final.

(4) As of 1 January 2021, the state authority competent to authorise experimental projects shall submit to the European Commission (hereinafter referred to as the "Commission") through electronic transmission non-technical experimental project summaries for the purpose of their publishing within six months of their authorisation as well as for the purpose of their potential update.

2) Act No 166/1999 Coll., as amended.

Section 16b

Experimental project evaluation

(1) The competent state authority responsible for the authorisation of experimental projects shall perform the experimental project evaluation with a degree of detail appropriate for the type of experimental project and shall verify that the experimental project meets the following criteria:

a) the experimental project is justified from a scientific or educational point of view or required by law,

b) the purposes of the experimental project justify the use of experimental animals,

c) the experimental project is designed so as to enable experiments to be carried out in the most humane and environmentally sensitive manner possible.

(2) The experimental project evaluation shall consist of the following:

a) an evaluation of the objectives of the experimental project, the predicted scientific benefits or educational value,

b) an assessment of the compliance of the experimental project with the requirement of replacement, reduction and refinement in the use of experimental animals, c) an assessment and assignment of the classification of the severity of experiments,

d) a harm-benefit analysis of the experimental project, to assess whether the harm to the experimental animals in terms of suffering, pain and distress is justified by the expected outcome, taking into account ethical considerations, and may ultimately benefit human beings, animals or the environment,

e) an assessment of any justification referred to in Sections 16 (1), Section 17a to 17f, Sections 18b, 18d and 18g.

(3) The competent state authority responsible for the authorisation of experimental projects, carrying out the experimental project evaluation, shall consider expertise in particular in the following areas

a) the areas of scientific use for which experimental animals will be used including the replacement, reduction and refinement in the respective areas,

b) experimental design, including statistics where appropriate,

c) veterinary practice in experimental animal science or wildlife veterinary practice where appropriate,

d) animal husbandry and care, in relation to the species of experimental animals that are intended to be used for experiments.

(4) The project evaluation process shall be transparent. Subject to safeguarding intellectual property and confidential information, the experimental project evaluation shall be performed in an impartial manner and may integrate the opinion of

independent parties.

(5) The competent state authority responsible for the authorisation of experimental projects shall state in the experimental project evaluation whether the experimental project has received a favourable or unfavourable evaluation and shall determine whether and when the retrospective assessment of the experimental project shall be carried out, provided the experimental project has received a favourable experimental project evaluation.

(6) The experimental project evaluation shall be carried out also in case of a change in the experimental project.

Section 16c

Retrospective assessment

(1) When determined by the competent state authority responsible for the authorisation of experimental projects in accordance with Section 16b(5), the retrospective assessment shall be carried out by the competent state authority responsible for the authorisation of experimental projects which shall on the basis thereof issue an opinion which shall evaluate the following:

a) whether the objectives of the experimental project have been achieved,

b) the harm inflicted on experimental animals, including the numbers and species of experimental animals used, and the severity of the experiments,

c) any elements that may contribute to the further implementation of the requirement of replacement, reduction and refinement in the use of experimental animals.

(2) All experimental projects using non-humane primates and experimental projects involving experiments classified as severe, including those referred to in Section 18c(3) and (4) shall undergo a retrospective assessment carried out by the competent state authority responsible for the authorisation of experimental projects.

(3) The requirement for a retrospective assessment shall not apply to experimental projects involving only experiments classified as mild or non-recovery.

(4) The user of experimental animals shall upon request provide all the documents and information necessary for the conduct of retrospective assessment to the competent state authority responsible for the authorisation of experimental projects.

(5) The competent state authority responsible for the authorisation of experimental projects shall in its opinion on the retrospective assessment of the experimental project state whether the experimental project has received a favourable or unfavourable evaluation of the retrospective assessment.

Section 16d

Decision on experimental project authorisation and deadlines for its issuance

(1) The experimental project may be authorised provided it has received a favourable experimental project evaluation in accordance with Section 16b.

(2) Apart from the general requisites laid down in the Rules of Administrative Procedure, the decision on experimental project authorisation shall contain also

a) name, or names, surname and reference number of the certificate of professional competence to design experiments and experimental projects, or of the certificate of extension of the validity period of the certificate of professional competence to design experiments and experimental projects of the experimental project leader and his deputy, if he has been designated,

b) address of the establishment or other indication of the place where the experiment is intended to take place,

c) data on all specific conditions ensuing from the experimental project evaluation, including whether and when the experimental project shall undergo retrospective assessment,

d) validity period of the decision.

(3) The decision on experimental project authorisation shall be issued for the maximum period of 5 years. The decision on experimental project authorisation shall, however, not be issued for a period of time exceeding the validity period of the decision on granting the authorisation to use experimental animals.

(4) The competent state authority responsible for the authorisation of experimental projects may allow the authorisation of multiple generic experimental projects carried out by the same user of experimental animals if such experimental projects are to satisfy regulatory requirements or if such projects use experimental animals intended for production or diagnostic purposes with established methods.

(5) The competent state authority responsible for the authorisation of experimental projects shall issue and notify the decision on experimental project authorisation 40 working days at the latest from the receipt of the complete and correct

application. This period shall include the experimental project evaluation. When justified by the complexity of the experimental project or its multi-disciplinary nature, the competent state authority may extend the period referred to in the first sentence once, by an additional period not exceeding 15 working days. The extension shall be duly motivated and shall be notified to the applicant before the expiry of the period referred to in the first sentence.

(6) The competent state authority responsible for the authorisation of experimental projects shall immediately acknowledge to the applicant all applications for authorisation of experimental projects, and shall indicate the period referred to in paragraph 5 within which the decision is to be taken.

Section 16e

Amendment, suspension, withdrawal or expiry of the validity of the decision on experimental project authorisation

(1) The user of experimental animals shall notify the competent state authority responsible for the authorisation of experimental projects of the change in the data regarding the persons indicated in the decision on experimental project authorisation.

(2) In the case of a change in the experimental project that can negatively affect the welfare of experimental animals, the user of experimental animals shall submit an application for amendment to the decision on experimental project authorisation. The changes referred to in the previous sentence can be made only once the decision on amendment to the decision on experimental project authorisation comes into force. In case of a change in the types of activities to be performed with the experimental animals, the user of experimental animals shall submit a new application for experimental project authorisation. This is without prejudice to the provision of Section 16.

(3) Each amendment to the decision on experimental project authorisation shall be subject to a further favourable outcome of the experimental project evaluation.

(4) The competent state authority responsible for the authorisation of experimental projects based on the unfavourable outcome of the retrospective assessment of the experimental project in accordance with Section 16c shall suspend or withdraw the experimental project authorisation in accordance with Section 16d.

(5) The provisions of Section 20a(1) to (3) shall apply by analogy to the decision on the amendment, suspension or withdrawal of the experimental project authorisation. The provisions of Section 20a(4) shall apply by analogy to the expiry of the validity of experimental project authorisation.

Section 16f

Keeping the documentation on experimental projects

(1) The competent state authority responsible for the authorisation of experimental projects shall keep and make available all relevant documentation, including the decision on experimental project authorisation, and the outcome of experimental project evaluation for the period of at least 3 years from the expiry date of the decision on experimental project authorisation.

(2) The competent state authority responsible for the authorisation of experimental projects shall keep the documentation for experimental projects which have to undergo retrospective assessment until the retrospective assessment has been completed; this shall be without prejudice to the provisions of paragraph 1.

Section 16g

Alternative approaches and the point of contact

(1) The point of contact that provides advice on the regulatory relevance and suitability of alternative approaches proposed for validation, shall be published by the Ministry on its website.

(2) The point of contact referred to in paragraph 1 provides under Section 15g the competent state authorities responsible for the authorisation of experimental projects for free and the expert commission for consideration with advice regarding the regulatory relevance and suitability of alternative approaches proposed for validation.

Section 17

Requirements for establishments, installations and equipment

(1) The breeder of experimental animals, the supplier of experimental animals and the user of experimental animals shall

a) ensure that all the establishments have installations and equipment suited to the species of animals housed, and where experiments are carried out, to the performance of the experiments,

b) comply with other requirements for establishments, installations and equipment set out in the implementing legislation.

(2) The design, construction and method of functioning of the installations and equipment referred to in paragraph 1(a) shall ensure that the experiments are carried out as effectively as possible, and aim at obtaining reliable results using the minimum number of animals and causing the minimum degree of pain, suffering, distress or lasting harm.

(3) The requirements for installations and equipment of the establishments, with respect to their functions and general design, holding rooms, rooms for general and special purpose experiments, service rooms, requirements for the environment and control thereof, with respect to the ventilation and temperature, lighting, noise, alarm systems, and other requirements for establishments, installations and equipment shall be stipulated by the Ministry in the implementing legislation.

Section 17a

Conditions of the care of experimental animals

(1) The breeder of experimental animals, supplier of experimental animals and user of experimental animals shall, as far as the care and accommodation of experimental animals is concerned, ensure that

- a) all experimental animals are provided with accommodation, an environment, food, water and care which are appropriate to their health and well-being,
- b) any restrictions on the extent to which an animal can satisfy its physiological and ethological needs are kept to a minimum,
- c) the environmental conditions in which animals are bred, kept or used are checked daily,
- d) arrangements are made to ensure that any defect or avoidable pain, suffering, distress or lasting harm discovered is eliminated as quickly as possible, and
- e) experimental animals are transported under appropriate conditions and in containers marked with a symbol indicating the transport of experimental animals; this fact shall be indicated in the accompanying documents.

(2) The breeder of experimental animals, supplier of experimental animals and user of experimental animals shall also

- a) ensure that in barrier systems the access is limited by an airlock and the movement of all materials is to be executed solely pursuant to the set out standard code of practice or a procedure which safeguards, checks and registers the set of subsequent steps associated with a repeated activity related to animal breeding, especially the operation and use of technological equipment (hereinafter referred to as the "technological procedure"),
- b) ensure that persons entering the installations, in which animals are kept, use work clothes, shoes and other protective aids as specified in the technological procedure,
- c) stipulate and enforce the prohibition of smoking in the installations in which animals are kept, and minimise the exposure to irritating stimuli, especially smells and toxic gases and jewellery worn by persons handling the animals,
- d) ensure the performance of disinfection, disinsection and rodent control, and during experiments involving radioactive substances also inactivation, as well as cleaning and sanitation of installations, technological equipment, instruments, tools, working aids, means of transport and personal protective equipment in keeping with the technological procedure so that the exposure of animals to irritating stimuli is minimised, and the keeping of records of these activities and their maintenance for the period of 3 years,
- e) set up separate installations and set out a technological procedure for storage and treatment of liquid and food, bedding and aids,
- f) set up and equip the installations and set out a technological procedure for safe storage and disposal of used biological materials, aids and waste so as to safeguard the protection of experimental animals and external environment,
- g) develop, observe and check a set of personal, material and technical measures and devices guaranteeing the operation of establishments and protection of experimental animals (rules of operation of the establishment),
- h) draw up operations and working methods for the purpose of repeated working procedures in the form of a technological procedure and define the method of their control.

(3) The competent state authority responsible for the authorisation of experimental projects may grant exemptions from the requirements of paragraph 1(a) and from the requirements for care and accommodation of experimental animals laid down in the implementing legislation for scientific, animal-welfare and animal-health reasons.

(4) The breeder of experimental animals, supplier of experimental animals and user of experimental animals shall comply with the requirements for the care and accommodation of experimental animals and requirements for the care and accommodation in relation to the species of experimental animals stipulated in the implementing legislation.

(5) The Ministry shall stipulate in the implementing legislation

- a) more detailed requirements for breeding and use of experimental animals,
- b) the number of experimental animals applicable to their transport in containers,
- c) the requirements for the care and accommodation of experimental animals, with respect to their health, animals taken from the wild for experiments, housing of experimental animals, enrichment, construction of animal enclosures, feeding, watering,

construction and equipment of resting and sleeping areas and handling experimental animals, and

d) the requirements for the care and accommodation in relation to individual species of experimental animals.

Section 17b

Endangered species

(1) Specimens of those endangered species listed in Annex A to Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein, which do not fall within the scope of Article 7 (1) of that Regulation, shall not be used in experiments, with the exception of those experiments meeting the following conditions:

a) the experiment has one of the purposes referred to in point 1 of Section 18(1) (b) or in Section 18(1) (c) or (e),

b) there is scientific justification to the effect that the purpose of the experiment cannot be achieved by the use of species of experimental animals other than those listed in that Annex.

(2) The exemption referred to in paragraph 1 shall not apply to any species of non-human primates.

Section 17c

Non-human primates

(1) Non-human primates shall not be used in experiments, with the exception of those referred to in paragraph 2 and with the exception of experiments meeting the following conditions:

a) the experiment has one of the purposes referred to in:

1. point 1 of Section 18(1)(b) or Section 18(1)(c) and is undertaken with a view to the avoidance, prevention, diagnosis or treatment of debilitating or potentially life-threatening clinical condition in human beings; a debilitating clinical condition means a reduction in a person's normal physical or psychological ability to function; or
2. Section 18(1)(a) or (e) and

b) there is scientific justification to the effect that the purpose of the experiment cannot be achieved by the use of species of experimental animals other than non-human primates.

(2) Specimens of non-human primates listed in Annex A to Regulation (EC) No 338/97, which do not fall within the scope of Article 7 (1) of that Regulation, shall not be used in experiments, with the exception of those experiments meeting the following conditions:

a) the experiment has one of the purposes referred to in:

1. point 1 of Section 18(1)(b) or Section 18(1)(c) and is undertaken with a view to the avoidance, prevention, diagnosis or treatment of debilitating or potentially life-threatening clinical conditions in human beings, or
2. Section 18(1)(e) and

b) there is scientific justification to the effect that the purpose of the experiment cannot be achieved by the use of species of experimental animals other than non-human primates and by the use of species not listed in that Annex.

(3) Great apes shall not be used in experiments, with the exception referred to in paragraph 6.

(4) The breeder of experimental animals who breeds non-human primates shall have a strategy in place for increasing the proportion of experimental animals that are the offspring of non-human primates that have been bred in captivity.

(5) Where the competent state authority responsible for the authorisation of experimental projects has scientifically justifiable grounds for believing it is essential to use non-human primates for the purposes referred to in point 1 of paragraph 1(a) with regard to human beings, but where the use is not undertaken with a view to the avoidance, prevention, diagnosis or treatment of debilitating or potentially life-threatening clinical conditions, it may in the decision on experimental project authorisation allow such use, provided the purpose cannot be achieved by the use of species other than non-human primates.

(6) Where the adoption of an action is essential for the preservation of a certain animal species or in relation to an unexpected outbreak of life-threatening or debilitating clinical conditions in human beings, the competent state authority responsible for the authorisation of experimental projects by decision on experimental project authorisation may allow the use of great apes in experiments having one of the purposes referred to in point 1 of Section 18(1)(b), Section 18(1)(c) or (e), provided the purpose of the experiment cannot be achieved by the use of species other than great apes or by the use of alternative methods. The exemption from point 1 Section 18(1)(b) shall not apply to animals and plants.

Section 17d

Animals taken from the wild

(1) Animals taken from the wild shall not be used in experiments.

(2) The competent state authority responsible for the authorisation of experimental projects may, based on the application of the user of experimental animals, grant an exemption from paragraph 1, as long as the user of experimental animals provides

scientific justification to the effect that the purpose of the experiment cannot be achieved by the use of an experimental animal which has been bred for use in experiments. The competent state authority responsible for the authorisation of experimental projects may grant such an exemption as long as the authorisation to use the animals taken from the wild in experiments has been granted to the user of experimental animals in the decision on granting the authorisation to the user of experimental animals issued by the Ministry, unless stipulated otherwise in this Act.

(3) The capture of animals in the wild, which are intended to be used in experiments, shall be carried out by a qualified person with the use of methods which do not cause the experimental animals avoidable pain, suffering, distress or lasting harm; the qualified person shall be

- a) a person professionally competent to design experiments and experimental projects who has acquired practical experience with capture of animals in the wild under supervision of a qualified person,
- b) a person professionally competent to carry out experiments on experimental animals, to take care of experimental animals and to kill experimental animals who has acquired practical experience with capture of animals in the wild under supervision of a qualified person, or
- c) a person professionally competent to capture animals in the wild under another legislation.

(4) Any animal found, at or after capture from the wild, to be injured or in poor health, shall be examined by a veterinarian. The veterinarian or the user of experimental animals shall take actions to minimise the suffering of the animal taken from the wild that is intended to be used in experiments. The competent state authority responsible for the authorisation of experimental projects may as a part of the decision on experimental project authorisation grant exemptions from the requirement for taking actions to minimise the suffering of the experimental animal, if there is scientific justification.

Section 17e

Abandoned and stray animals of domestic species

(1) Abandoned and stray animals of domestic species shall not be used in experiments.

(2) The competent state authority responsible for the authorisation of experimental projects may grant an exemption from paragraph 1 subject to the following conditions:

- a) the user of experimental animals has proven that there is an essential need for conducting studies concerning health and welfare of these animals or serious threats to the environment or to human or animal health,
- b) the user of experimental animals has proven there is scientific justification to the effect that the purpose of the experiment can be achieved only by the use of an abandoned or a stray animal,
- c) the Ministry has authorised the use of abandoned or stray animals in the decision on granting the authorisation to the user of experimental animals.

(3) The Ministry may, in the decision on granting the authorisation to use experimental animals, grant an exemption from paragraph 1, if the user of experimental animals has proven there is scientific justification to the effect that the purpose of the experiment can be achieved only by the use of an abandoned or a stray animal, and also that there is an essential need for conducting studies concerning health and welfare of these animals or serious threats to the environment or to human or animal health.

Section 17f

Animals bred for use in experiments

(1) Mice (*Mus musculus*), rats (*Rattus norvegicus*), Guinea pigs (*Cavia porcellus*), Syrian (golden) hamsters (*Mesocricetus auratus*), Chinese hamsters (*Cricetulus griseus*), Mongolian gerbils (*Meriones unguiculatus*), rabbits (*Oryctolagus cuniculus*), dogs (*Canis familiaris*), cats (*Felis catus*), non-human primates, frogs (*Xenopus laevis and tropicalis*), Rana species (*Rana temporaria and pipiens*) or zebra fish (*Danio rerio*) may only be used in experiments where those animals have been bred for use in experiments.

(2) From 1 January 2013 marmoset (*Callithrix jacchus*) and 5 years after the publication of the feasibility study which shall include an animal health and welfare assessment²¹⁾, provided this study does not recommend an extended period, Cynomolgus monkey (*Macaca fascicularis*), Rhesus monkey (*Macaca mulatta*) and other species of non-human primates may be used in experiments only where they are the offspring of non-human primates which have been bred in captivity or where they are sourced from self-sustaining colonies. Self-sustaining colony means a colony in which animals are bred only within the colony or sourced from other colonies but not taken from the wild, and where the animals are kept in a way that ensures that they are accustomed to humans.

(3) The Ministry may grant an exemption from paragraphs 1 and 2, if the user of experimental animals has proven there is scientific justification.

21) The fourth subparagraph of Article 10(1) of Directive 2010/63/EU of the European Parliament and of the Council.

Section 17g

Records of experimental animals

(1) The breeder of experimental animals, the supplier of experimental animals and the user of experimental animals shall keep records of the following:

- a) number and species of experimental animals bred, or acquired, supplied, used in experiments, set-free or rehomed,
- b) origin of the experimental animals, including whether they are bred for use in experiments,
- c) dates on which the animals are acquired, supplied, released or rehomed,
- d) name, or names, surname and address or name and corporate name, identification number or similar data and address of the registered office (hereinafter referred to as the "identification data") of the person who supplied the animals,
- e) identification data of the recipient of experimental animals,
- f) number and species of experimental animals which died or were killed in each establishment; for experimental animals that have died, the cause of death shall, when known, be noted, and
- g) in the case of users of experimental animals, the experimental projects in which the animals are used for experiments.

(2) The records referred to in paragraph 1 shall be kept by the breeder of experimental animals, the supplier of experimental animals and the user of experimental animals for a minimum of 5 years and made available to the competent animal protection authority upon request.

Section 17h

Information on dogs, cats and non-human primates and their marking and identification

(1) The breeder of experimental animals, the supplier of experimental animals and the user of experimental animals shall on each dog, cat and non-human primate

- a) keep the following information:
 - 1. identity details,
 - 2. place and date of birth, when available,
 - 3. whether it is bred for use in experiments and
 - 4. in the case of a non-human primate, whether it is the offspring of non-human primates that have been bred in captivity, and
- b) keep an individual history file, which follows the experimental animal as long as it is kept for the use in experiments; this file shall
 - 1. be established at birth or as soon as possible thereafter, and
 - 2. shall cover any relevant reproductive, veterinary and social information on the individual experimental animal and the experimental projects in which it has been used.

(2) The information and documentation referred to in paragraph 1 shall be kept by the breeder of experimental animals, the supplier of experimental animals and the user of experimental animals for a minimum of 3 years after the death or rehoming of the experimental animal and shall be made available to the competent animal protection authority upon request. In the case of rehoming, relevant veterinary care and social information from the individual history file referred to in paragraph 1 shall accompany the animal.

(3) The breeder of experimental animals, the supplier of experimental animals and the user of experimental animals shall

- a) provide each dog, cat or non-human primate, at the latest at the time of weaning, with a permanent individual identification mark in the least painful manner possible,
- b) permanently mark a received unmarked dog, cat or non-human primate, which is weaned, as soon as possible and in the least painful manner possible, or
- c) provide, at the request of competent animal protection authority, reasons for which the experimental animal is unmarked.

(4) Where a dog, cat or non-human primate is transferred from one breeder of experimental animals, supplier of experimental animals or user of experimental animals to another before it is weaned, and it is not practicable to mark it beforehand, a record, specifying the mother of the experimental animal, must be maintained by the recipient of the experimental animal until it is marked.

Section 17i

Principle of replacement, reduction and refinement of the use of experimental animals

(1) Whenever possible, a scientifically satisfactory method or testing strategy, not entailing the use of live animals, shall be used by the user of experimental animals instead of an experiment.

(2) The user of experimental animals shall ensure that the number of experimental animals used in project experiments is reduced to minimum without compromising the objectives of the experimental project.

(3) Each breeder of experimental animals, supplier of experimental animals and user of experimental animals shall ensure refinement of breeding, accommodation and care of experimental animals, and of methods used in experiments, eliminating or reducing to the minimum any possible pain, suffering, distress or lasting harm to the experimental animals.

(4) When choosing the methods under paragraphs 1 to 3, the respective person shall act in accordance with Section 18a.

Section 18

Purposes of experiments

(1) Experiments may be carried out for the following purposes only:

- a) basic research,
- b) translational or applied research with the following aims
 1. the avoidance, prevention, diagnosis or treatment of disease, ill-health or other abnormality or their effects in human beings, animals or plants,
 2. the assessment, detection, regulation or modification of physiological conditions in human beings, animals or plants, or
 3. the improvement of welfare and production conditions for animals reared for agricultural purposes,
- c) for any of the aims in point (b) in the development, manufacture or testing of the quality, effectiveness and safety of drugs, foodstuffs and feed-stuffs and other substances or products,
- d) protection of the natural environment in the interests of the health or welfare of human beings or animals,
- e) research aimed at preservation of the species,
- f) higher education, or training for the acquisition, maintenance or improvement of expertise,
- g) criminal proceedings and other judicial proceedings.

(2) To use animals in experiments for the purpose of development or testing of arms, warfare agents or ammunition and related equipment shall be prohibited.

Section 18a

Choice of methods

(1) The user of experimental animals shall not carry out an experiment and the competent state authority responsible for the authorisation of experimental projects shall not authorise an experiment if another method or testing strategy for obtaining the result sought, not entailing the use of a live experimental animal, is recognised under the legislation of the European Union.

(2) In choosing between experiments, those shall be selected by the user of experimental animals which to the greatest extent meet the following requirements:

- a) use the minimum number of experimental animals,
- b) involve experimental animals with the lowest capacity to experience pain, suffering, distress or lasting harm, or
- c) cause the least pain, suffering, distress or lasting harm, and are most likely to provide satisfactory results.

(3) Death or killing as the end-point of an experiment shall be avoided by the user of experimental animals as far as possible and replaced by early and humane end-points. Where death or killing of an experimental animal as the end-point is unavoidable, the experiment shall be designed by the user of experimental animals so as to

- a) result in the deaths of as few experimental animals as possible, and
- b) reduce the duration and intensity of suffering to the animal to the minimum possible and, as far as possible, ensure painless death.

Section 18b

Anaesthesia

(1) The user of experimental animals shall, where possible with respect to the purpose of the experiment, carry out experiments under general or local anaesthesia. For anaesthesia, the analgesia or another appropriate method shall be used to ensure that pain, suffering and distress are kept to a minimum. Experiments that involve serious injuries to an experimental animal that may cause severe pain shall always be carried out under anaesthesia.

(2) When deciding on the appropriateness of using anaesthesia, the following shall be taken into account,

- a) whether anaesthesia is judged to be more traumatic to the experimental animal than the experiment itself,
- b) whether anaesthesia is incompatible with the purpose of the experiment.

(3) The user of experimental animals shall not give any drug to experimental animals to stop or restrict their showing pain without an adequate level of anaesthesia or analgesia. In these cases, a scientific justification shall be provided by the user of experimental animals to the competent state authority responsible for the authorisation of experimental projects, accompanied by the details of the anaesthetic or analgesic regimen.

(4) An experimental animal, which may suffer pain once anaesthesia has worn off, shall be treated with pre-emptive and post-operative analgesics or other appropriate pain-relieving methods provided that it is compatible with the purpose of the experiment.

(5) As soon as the purpose of the experiment has been achieved, the user of experimental animals shall take appropriate actions in accordance with Section 18f or 18g to minimise the suffering of the experimental animal.

Section 18c

Classification of severity of procedures

(1) The severity of an experiment shall be determined by the degree of pain, suffering, distress or lasting harm, expected to be experienced by an individual experimental animal during the course of the experiment.

(2) Each experiment shall, using the assignment criteria set out in the implementing legislation, be classified in terms of severity as

a) non-recovery which means an experiment which is performed entirely under general anaesthesia from which the animal shall not recover consciousness,

b) mild which means an experiment on experimental animals as a result of which the experimental animals are likely to experience short-term mild pain, suffering or distress, as well as an experiment with no significant impairment of the well-being or general condition of the experimental animals,

c) moderate which means an experiment on experimental animals as a result of which the experimental animals are likely to experience shorter, moderate pain, suffering or distress, or long-lasting mild pain, suffering or distress as well as an experiment that is likely to cause moderate impairment of the well-being or general condition of the experimental animals, or

d) severe which means an experiment on experimental animals as a result of which the animals are likely to experience severe pain, suffering or distress, or long-lasting moderate pain, suffering or distress as well as an experiment that is likely to cause severe impairment of the well-being or general condition of the experimental animals.

(3) With the exception referred to in paragraph 4, the user of experimental animals shall not perform an experiment if it involves severe pain, suffering or distress that is likely to be long-lasting and cannot be ameliorated.

(4) Where for exceptional and scientifically justifiable reasons that shall be demonstrated by the user of experimental animals, it is necessary to allow the performance of an experiment involving severe pain, suffering or distress that is likely to be long-lasting and cannot be ameliorated, as referred to in paragraph 3, the competent state authority responsible for the authorisation of experimental projects may allow such experiment.

(5) The assignment criteria, the factors related to the experiment and the examples of different types of experiments assigned to each of the severity categories on the basis of factors related to the type of the experiment shall be stipulated by the Ministry in the implementing legislation.

Section 18d

Reuse of experimental animals

(1) An experimental animal already used in one or more experiments, when a different experimental animal on which no experiment has previously been carried out could be used, may only be reused in a new experiment by the user of experimental animals provided that the following conditions are met:

- a) the actual severity of the previous experiments was mild or moderate,
- b) it is demonstrated that the experimental animal's general state of health and well-being has been fully restored,
- c) the further experiment is classified as mild, moderate or non-recovery, and
- d) it is in accordance with veterinary advice, taking into account the previous way of using the experimental animal.

(2) In exceptional circumstances, by way of derogation from point (a) of paragraph 1 and after a veterinary examination of the experimental animal, the competent state authority responsible for the authorisation of experimental projects may allow

reuse of an experimental animal, provided the experimental animal has not been used more than once in an experiment entailing severe pain, distress or equivalent suffering.

Section 18e

End of the experiment

(1) An experiment shall be deemed to end when no further observations are to be made for that experiment, or as regards new genetically modified experimental animal lines, when the progeny are no longer observed or expected to experience pain, suffering, distress or lasting harm equivalent to, or higher than, that caused by the introduction of a needle.

(2) At the end of an experiment, a decision to keep an animal alive shall be taken by a veterinarian or by a person professionally competent to design experiments or experimental projects. An experimental animal shall be killed when it is likely to remain in moderate or severe pain, suffering, distress or lasting harm.

(3) Where an experimental animal is to be kept alive, it shall receive care and accommodation from the user of experimental animals appropriate to its state of health.

4) In the case of occurrence of a disease with clinical signs, or deaths and in the case of laboratory proof of an infection communicable from animals to other animals or to human beings, the experiment shall be put an end to, unless the observation of the aforementioned signs is provided for by the experimental project.

Section 18f

Setting free of experimental animals and rehoming

(1) Experimental animals used or intended to be used in experiments may be rehomed, or returned to a suitable habitat or husbandry system appropriate to the experimental animal species, provided that the following conditions are met:

- a) the state of health of the experimental animal allows it,
- b) there is no danger to public health, animal health or the environment,
- c) appropriate measures have been taken to safeguard the well-being of the experimental animal, and
- d) it is not in contradiction with the legislation governing the protection of nature and landscape and trading in the endangered species^{2e)} and game management and fisheries^{2a)}.

(2) The breeders of experimental animals, the suppliers of experimental animals and the users of experimental animals, from whom the experimental animals are intended to be rehomed, shall have a rehoming scheme in place that ensures socialisation of the animals. In the case of wild animals, where appropriate, a programme of rehabilitation shall be put in place by the persons referred to in the first sentence before the animals are returned to their habitat.

2a) Act No 449/2001 Coll., as amended.

Act No 99/2004 Coll., as amended.

2e) Act No 114/1992 Coll., as amended.

Act No 100/2004 Coll., on the protection of wild animals and wild plant species by regulating trade in them and by other measures for the protection of these species and on amendments to some acts (the Act on Trade in Endangered Species), as amended by Act No 444/2005 Coll.

Section 18g

Methods of killing experimental animals

(1) The breeder of experimental animals, the supplier of experimental animals and the user of experimental animals shall ensure that experimental animals are killed with minimum pain, suffering or distress.

(2) The breeder of experimental animals, supplier of experimental animals and user of experimental animals shall ensure that experimental animals are killed in their establishment by a person professionally competent to design experiments or experimental projects or a person professionally competent to carry out experiments on experimental animals, to take care of experimental animals and to kill experimental animals. However, in the case of a field study, an experimental animal may be killed by a person referred to in the first sentence outside of an establishment.

(3) In the process of killing experimental animals, the following methods shall be used by persons referred to in paragraph 2:

- a) anaesthetic overdose,
- b) captive bolt,
- c) carbon dioxide,

- d) cervical dislocation,
- e) concussion/percussive blow to the head,
- f) decapitation,
- g) electrical stunning,
- h) inert gasses (Ar, N²), or
- i) shooting with a free bullet with appropriate firearm and ammunition.

(4) Methods other than those listed in paragraph 3 may be used

- a) on unconscious experimental animals, provided the experimental animal does not regain consciousness before death, and
- b) on experimental animals used in agricultural research, when the aim of the experimental project requires that the experimental animals are kept under similar conditions to those under which farm animals are kept; these experimental animals may be killed in accordance with the requirements laid down in the directly applicable European Union legislation on the protection of animals at the time of killing¹⁶⁾.

(5) The killing of experimental animals shall be completed by one of the following methods:

- a) confirmation of permanent cessation of the circulation,
- b) destruction of the brain,
- c) dislocation of the neck,
- d) exsanguination, or
- e) confirmation of the onset of rigor mortis.

(6) The competent state authority responsible for the authorisation of experimental projects may in the decision on experimental project authorisation based on the justified application of the user of experimental animals grant exemptions from the requirements referred to in paragraphs 3 to 5

- a) to allow the use of another method provided that, on the basis of scientific evidence, the method is considered to be at least as humane, or
- b) when evidence is presented by the user of experimental animals that on the basis of scientific justification and adequate reasoning the purpose of the experiment cannot be achieved by the use of a method of killing set out in paragraph 3 or 4.

(7) The Ministry can, on the basis of a justified application of the breeder of experimental animals or supplier of experimental animals, grant exemptions from the requirements laid down in paragraphs 3 to 5 by a decision to allow the use of another method provided that, on the basis of scientific evidence, this method is considered to be at least equally humane.

(8) Paragraphs 2 to 5 shall not apply where an experimental animal has to be killed in emergency circumstances for animal-welfare, public-health, public-security, animal-health or environmental reasons.

(9) The methods of killing of individual species of experimental animals in accordance with paragraph 3 shall be stipulated by the Ministry in the implementing legislation.

16) Annex I to Council Regulation (EC) No 1099/2009.

Section 18h

Killing of animals solely for the use of their organs or tissues for scientific purposes

(1) Killing of animals solely for the use of their organs or tissues for scientific purposes can be carried out only by a veterinarian or a person professionally competent to design experiments or experimental projects or a person professionally competent to carry out experiments on experimental animals, to take care of experimental animals and to kill experimental animals, namely only in premises referred to in the authorisation to breed experimental animals, to supply experimental animals, or to use experimental animals.

(2) Killing of animals solely for the use of their organs or tissues for scientific purposes shall be performed by the person referred to in paragraph 1 in compliance with this Act.

(3) The breeder of experimental animals, supplier of experimental animals and user of experimental animals shall in relation to killing of animals solely for the use of their organs or tissues for scientific purposes keep the records of

- a) number and the species of killed animals,

- b) origin of killed animals, including whether they were bred for the use in experiments,
- c) date of killing of animals,
- d) person performing the killing of animals, and
- e) specific purpose of killing of animals.

(4) The records referred to in paragraph 3 shall be kept by the breeder of experimental animals, supplier of experimental animals and user of experimental animals for a minimum of 5 years and made available to the competent animal protection authority upon request.

PART SIX

ANIMAL PROTECTION AUTHORITIES

Section 19

(1) Animal protection authorities shall be the following

- a) the Ministry,
- b) the State Veterinary Administration,²⁾
- c) competent state authorities responsible for the authorisation of experimental projects,
- d) the Ministry of Interior and the Ministry of Defence within the scope of their responsibilities,
- e) municipal authorities of municipalities with extended powers.

(2) Municipalities shall also execute powers within a defined scope in the field of animal protection.

(3) Where the directly applicable European Union legislation⁵⁾ refers to

- a) a competent authority, a central competent authority, it means for the purposes of this Act the central state administration authority or another state administration authority, whose responsibilities cover the execution of the respective powers or the implementation of the respective measure, or an authority to which the execution of the respective powers or the implementation of the respective measure have been delegated,
- b) a competent veterinary authority, it means for the purposes of this Act the State Veterinary Administration.

(4) Where the legislation as specified in paragraph 3 refers to measures to ensure the observance of obligations and uniform application of requirements laid down in this legislation or removal of established defects, it means the relevant measures pursuant to this Act.

(5) The persons who shall meet the obligations imposed upon them by this Act, shall also meet the obligations in the field of animal protection arising from the legislation as specified in paragraph 3.

²⁾ Act No 166/1999 Coll., as amended.

⁵⁾ For example, Council Regulation 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 1255/1997 as regards the use of staging points, Council Regulation (EC) No 411/98 on additional animal protection standards applicable to road vehicles used for the carriage of livestock on journeys exceeding eight hours.

Section 20

The Ministry

(1) The Ministry shall

- a) discuss, coordinate and control the fulfilment of tasks in the field of protection of farm animals, experimental animals, companion animals and wild animals, including animals in zoological gardens, and submit to the competent state authorities proposals of the necessary measures to be taken,
- b) cooperate with the other central state administration bodies, the Academy of Sciences of the Czech Republic, higher education institutions and legal persons involved in animal protection or breeding, which contribute to the fulfilment of animal protection tasks,
- c) approve the statutes and the rules of procedure of the Central Commission for Animal Welfare (hereinafter referred to as the "Central Commission") and the Committee for the protection of animals used for scientific purposes,
- d) fulfil the tasks arising from the directly applicable European Union legislation governing the protection of animals during transport and related activities⁵⁾ and from the directly applicable European Union legislation governing the protection of animals

at the time of killing¹³⁾,

- e) identify points of contact, where required by the European Union legislation, and make them publicly available on its website,
- f) adopt decisions on granting, amending or withdrawing the permission for animal slaughter for the purposes of churches and religious societies, whose religious rites prescribe particular methods of animal slaughter, namely also on the basis of a procedure initiated by virtue of office,
- g) adopt decisions on granting, amending, suspending or withdrawing the authorisation to breed experimental animals, to supply experimental animals and to use experimental animals, namely also on the basis of a procedure initiated by virtue of office, and on granting an exemption under Section 18g(7),
- h) appoint and recall evaluators involved in the administrative procedure on granting authorisation to breed experimental animals, to supply experimental animals and to use experimental animals; it shall provide the evaluators with the relevant methodology, organisation and material support and control the performance of their activities,
- i) in the field of protection of experimental animals
 1. send by 10 November 2023 and every 5 years thereafter to the Commission the information on the application of this Act, Section 15g, Section 16a(2) and (3), Sections 16b, 16c, Section 17c(4), Section 17f, Section 20b(2)(b) and Section 22(1)(s) in particular; the Ministry shall submit and publish the data by electronic transfer in a format established by the Commission³⁰⁾,
 2. collect and make publicly available, on an annual basis, statistical information on the use of experimental animals in experiments, including information on the actual severity of the experiments and on the origin and species of non-human primates used in experiments; it shall submit this statistical information to the Commission, at the latest by 10 November of the following year, by electronic transfer, in a non-summarised format established by the Commission ³⁰⁾,
 3. submit to the Commission, on annual basis, detailed information on exemptions granted under Section 18g (6) and (7),
- j) designate a person who shall ensure the collection of data from breeders and a scientifically based, objective and comparable analysis of data resulting from the monitoring of a representative sample of flocks of chickens kept for meat production, slaughtered during a minimum period of one year, and shall submit this analysis to the Ministry,
- k) issue a written opinion for the purpose of approval procedure of zoological gardens^{1b)}, and
- l) require a copy of the records of administrative infractions kept by the Criminal Register or an extract from the Criminal Register to assess whether there is a reason for withdrawal of the certificate referred to in paragraph 2(g) point 2; the application for a copy of the records of administrative infractions kept by the Criminal Register and an extract from the Criminal Register and the copy of the register of administrative infractions kept by the Criminal Register and the extract from the Criminal Register shall be submitted by electronic means, namely in a way that allows remote access.

(2) The Ministry also

- a) may grant, suspend or withdraw the accreditation of the training centres to hold
 1. a training course aimed to obtain the certificate of competence for persons involved in operations related to the slaughter of animals,
 2. a training course aimed to obtain the certificate of competence to kill fur animals,
 3. a training course aimed to obtain the certificate of competence for drivers and attendants of road vehicles,
 4. a training course on the care of chickens kept for meat production,
 5. a training course on the care of pigs aimed to obtain the certificate of competence to take care of pigs,
 6. a training course aimed to obtain the certificate of professional competence for persons responsible for the care of handicapped animals,
 7. a training course aimed to obtain the certificate of professional competence to design experiments and experimental projects and a training course to have the validity period of the certificate of professional competence to design experiments and experimental projects extended,
 8. a training course aimed to obtain the certificate of professional competence to carry out experiments on experimental animals, to take care of experimental animals and to kill experimental animals, and a training course to have the validity period of the certificate of professional competence to carry out experiments on experimental animals, to take care of experimental animals and to kill experimental animals extended,
 9. a training course on the care of selected species of carnivores or great apes,
 10. a training course aimed to obtain professional competence to perform supervision in the field of animal protection (hereinafter referred to as the "courses on protection of animals against cruelty"),
- b) shall keep a list of accredited training centres and publish it in a way allowing a remote access,
- c) shall appoint, upon proposal of the training centre, the lecturers for courses in the field of protection of animals against cruelty, namely within 30 days from the date of receipt of the proposal for appointment of the lecturer,
- d) shall hold examinations aimed to obtain professional competence in courses in the field of protection of animals against cruelty and in cooperation with the State Veterinary Administration shall prepare the content of these courses and the test questions,
- e) shall appoint the examiners for courses in the field of protection animals against cruelty,
- f) shall issue a certificate of successful passing of the examination in the courses in the field of protection of animals against cruelty or a certificate of the participation in the course under Section 14d,

- g) shall withdraw the certificate or suspend its validity in
1. a training course aimed to obtain the certificate of competence for drivers and attendants of road vehicles for reasons referred to in the directly applicable legislation governing the protection of animals during transport^{5a)}, and
 2. other training courses in the field of protection of animals against cruelty, where it concerns a person who was punished for an administrative infraction of cruelty to animals in the last 3 years recorded in the register of administrative infractions kept by the Criminal Register, repeatedly punished for other administrative infractions in the field of protection of animals against cruelty, for which a penalty was imposed upon the offender not set at the lower limit for the given administrative infraction, or convicted for a crime in the field of cruelty to animals,
- h) shall keep a list of persons to whom it has issued the certificate,
- i) shall keep a list of persons to whom the certificate has been issued by the training centre,
- j) shall carry out inspections of training centres, especially of their activities and the standard of courses in the field of protection of animals against cruelty.

(3) The provisions of paragraph 2(c) to (h) shall not apply to the training course on the care of pigs aimed to obtain the certificate of competence to take care of pigs, the training course aimed to obtain the certificate of competence to kill fur animals, and the training course aimed to obtain the certificate of competence for persons involved in operations related to the slaughter of animals, which is intended for persons who handle the animals and take care of the animals before their restraint or restrain animals for the purpose of stunning or killing.

(4) The Ministry shall in the administrative procedure in accordance with paragraph 1(g) adopt a decision within 120 days from the date of initiation of the procedure at the latest. When the applicant, who has already been issued the decision in accordance with paragraph 1(g), applies for the issuance of another decision that shall follow from the previous one, the decision shall not expire pending the final decision regarding the application. The application shall be submitted at least 60 days before the validity of the issued decision expires, otherwise the previous decision expires once the validity period indicated therein elapses.

1b) Act No 162/2003 Coll., on zoological gardens and on amendments to some related acts (the Act on Zoological Gardens).

5) For example, Council Regulation 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 1255/1997 as regards the use of staging points, Council Regulation (EC) No 411/98 on additional animal protection standards applicable to road vehicles used for the carriage of livestock on journeys exceeding eight hours.

5a) Article 26(5) of Council Regulation (EC) No 1/2005.

13) Council Regulation (EC) No 1099/2009.

30) Article 6 of Regulation (EU) 2019/1010 of the European Parliament and of the Council of 5 June 2019 on the alignment of reporting obligations in the field of legislation related to the environment, and amending Regulations (EC) No 166/2006 and (EU) No 995/2010 of the European Parliament and of the Council, Directives 2002/49/EC, 2004/35/EC, 2007/2/EC, 2009/147/EC and 2010/63/EU of the European Parliament and of the Council, Council Regulations (EC) No 338/97 and (EC) No 2173/2005, and Council Directive 86/278/EEC.

Section 20a

Amendment, suspension or withdrawal of the authorisations or permissions granted by the Ministry

(1) The Ministry may, by virtue of office, amend, suspend or withdraw the authorisations or permissions granted under Section 20(1), as long as the person, to whom the authorisation or permission has been granted, fails to comply with the conditions stipulated by the Act, the adopted legislation to implement it, the directly applicable legislation of the European Union or these authorisations or permissions.

(2) The amendment, suspension or withdrawal of the authorisations granted pursuant to Section 20(1)(g) shall not have an adverse effect on the welfare of the experimental animals housed in the establishment. The Ministry shall set out in the decision on amendment, suspension or withdrawal of the authorisation to breed experimental animals, the authorisation to supply experimental animals and the authorisation to use experimental animals pursuant to Section 20(1)(g), where appropriate, the way of ensuring further care of experimental animals bred by the breeder of experimental animals, supplied by the supplier of experimental animals or used by the user of experimental animals. Where a breeder of experimental animals, supplier of experimental animals or user of experimental animals no longer complies with the requirements set out in the Act, legislation issued for the purpose of its implementation, directly applicable European Union legislation or authorisations granted under Section 20(1), the Regional Veterinary Administration shall impose, through a decision, appropriate remedial action to remove the detected shortcomings by procedure under Section 22(1)(l), or the Ministry shall proceed under paragraph 1.

(3) The Ministry may amend or withdraw the authorisations or permissions granted pursuant to Section 20(1) upon request of the applicant. Where the authorisation or permission has been granted to another person, the applicant shall prove that he is the person authorised by this permission or authorisation.

(4) The validity of the authorisations or permissions granted pursuant to Section 20(1) shall expire

- a) upon the lapse of time for which it was granted,
- b) upon dissolution of the establishment in which the authorised activity was to be performed,

c) upon dissolution of the legal person or upon death of the natural person or by the declaration of his death.

Section 20b

Committee for the Protection of Animals Used for Scientific Purposes

(1) The Ministry shall set up the Committee for the Protection of Animals Used for Scientific Purposes. This Committee shall not be a part of the Central Commission.

(2) The Committee for the Protection of Animals Used for Scientific Purposes shall

a) provide pursuant to Section 15g the competent state authorities responsible for the authorisation of experimental projects for free and the expert commissions for consideration with advice regarding the acquisition, breeding and accommodation of experimental animals, care of experimental animals and their use in experiments, and make sure that the best practice is shared,

b) in order to avoid the duplication of experiments accept data from other European Union Member States in the field of protection of experimental animals that are generated by experiments recognised by the legislation of the European Union, unless further experiments need to be carried out regarding that data for the purpose of protection of public health, safety or the environment, and submit them to the competent state authorities responsible for the authorisation of experimental projects, the point of contact, or the expert commissions pursuant to Section 15g,

c) elaborate and submit to the Ministry, no later than on 30 September 2018, and every 5 years thereafter always before 30 September, a report including the information on the application of point (b).

(3) The Committees for the Protection of Animals used for Scientific Purposes of the European Union Member States shall exchange information on functioning of the expert commissions pursuant to Section 15g and on carrying out the evaluation of experimental projects, and share the best practice.

(4) The chairperson and the members of the Committee for the Protection of Animals Used for Scientific Purposes shall be appointed and recalled by the Minister of Agriculture. There is no legal entitlement to be appointed a member of the Committee for the Protection of Animals Used for Scientific Purposes. The Minister of Agriculture may as a member of the Committee appoint a person who

a) is a physician, a veterinarian or a person having another higher education degree in biological sciences who has during the undergraduate or post-graduate studies demonstrably familiarized himself with the methods of breeding experimental animals and work with experimental animals, their protection, search for and use of alternative methods,

b) has a certificate of professional competence for designing experiments and experimental projects or a certificate of extension of the validity period of the certificate of professional competence for designing experiments and experimental projects,

c) submit

1. an overview of his professional and publication activities, and
2. a document proving at least 5 years of professional experience in using experimental animals for scientific purposes, namely in the course of the last 10 years.

(5) More details concerning the composition of the Committee for the Protection of Animals Used for Scientific Purposes and its mode of operation shall be laid down in the statute and the rules of procedure of the Committee for the Protection of Animals Used for Scientific Purposes.

Section 21

Central Commission

(1) The Minister of Agriculture shall set up the Central Commission as his expert advisory body in the field of animal protection to perform tasks set out in Section 20(1). The chairperson and the members of the Central Commission shall be appointed and recalled by the Minister of Agriculture upon agreement with the Minister of Environment, namely from among the experts nominated by the competent state authorities and legal persons active in the protection or breeding of animals, involved in the fulfilment of animal protection tasks.

(2) Membership in the Central Commission shall be a public office which does not establish an employment relationship with the Czech Republic. Remuneration of members of the Central Commission shall be determined by the Ministry. The members of the Central Commission shall be entitled to reimbursement of costs incurred in connection with the performance of activities in their capacity as members of the Central Commission.

(3) The bodies of the Central Commission shall be the chairperson and the Council. The Central Commission shall be composed of the Committee for the Protection of Farm Animals, the Committee for the Protection of Companion Animals, the Committee for the Protection of Wild Animals, and the Committee for the Protection of Experimental Animals. The Council shall be composed of the chairperson and 4 vice-chairpersons elected from among the members of the Central Commission who simultaneously act as the chairpersons of the Committees. The Council shall manage activities of the Central Commission between its individual meetings and coordinate the activities of the Committees.

(4) More details on the composition and decision making of the Central Commission shall be stipulated in the statute and the rules of procedure of the Central Commission.

Section 22

State Veterinary Administration

(1) Regional Veterinary Administrations and the Municipal Veterinary Administration in the territory of the Capital of Prague shall in the field of animal protection

- a) supervise the fulfilment of obligations imposed upon the breeders and other natural and legal persons,
- b) fulfil tasks imposed upon them by the directly applicable European Union legislation⁵⁾, governing the protection of animals during transport and related operations, and by the directly applicable European Union legislation governing the protection of animals at the time of killing¹³⁾, particularly supervise the fulfilment of obligations of natural and legal persons ensuing from this legislation and from the directly applicable European Union legislation governing official controls³¹⁾,
- c) grant an exemption pursuant to Section 5i(3),
- d) issue, amend or withdraw decisions on the authorisation for breeding animal species requiring special care, both the individual animals and groups of animals, pursuant to Section 13(5),
- e) receive the notifications pursuant to Section 13a(1) and file a petition with the competent Trade Licensing Office pursuant to Section 13a(2),
- f) draw up expert opinions and issue certificates of approval for a means of transport by road or a livestock vessel^{5b)}, suspend or withdraw such certificates,
- g) issue, suspend or withdraw transporter authorisations and transporter authorisations for long journeys^{5c)},
- h) notify the Ministry of any violation of the directly applicable European Union legislation governing the protection of animals during transport and related operations^{1a)} by a driver or attendant who is the holder of a certificate,
- i) carry out checks and other measures related to journey log^{5d)},
- j) make decisions on granting, suspending or withdrawing the approval issued for the control post^{5e)},
- k) lay down veterinary requirements for the conduct of experiments on animals and for the conduct of slaughter pursuant to Section 5f,
- l) be able, on the basis of inspection findings, in the case of a violation of legislation in the field of protection of animals against cruelty, to issue a decision on a binding instruction to remove the established deficiencies; this decision shall state the legal obligation that has been violated, the way it has been violated and the deadline by which the established deficiencies are to be removed, and check whether the deficiencies have been removed,
- m) file motions with the municipal authorities of municipalities with extended powers to initiate hearings of administrative infractions arising from the breach of obligations imposed upon the breeders and other natural or legal persons in the field of animal protection,
- n) carry out checks of cross-compliance in accordance with the Act on agriculture⁵ⁱ⁾ in compliance with the directly applicable European Union legislation governing the rules for the implementation of cross-compliance, modulation and the integrated administration and control systems^{5g)},
- o) issue and withdraw authorisations for rearing chickens kept for meat production with increased stocking density pursuant to Section 12d(4),
- p) at slaughterhouses together with the supply of chickens kept for meat production receive the data pursuant to Section 12d(5) (b), assess the observance of the rules of protection of chickens in breeding in a way stipulated by the implementing legislation,
- q) fulfil tasks associated with depopulation operations defined in Article 18 of Council Regulation (EC) No 1099/2009 of 24 September 2009 on protection of animals at the time of killing,
- r) fulfil tasks laid down in Article 22 (1)(a), (b) and (e) of Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing,
- s) regularly supervise the fulfilment of obligations set for the breeders of experimental animals, the suppliers of experimental animals and the users of experimental animals frequency, when conducting the supervision adapt the frequency of inspections on the basis of a risk analysis for each establishment, taking account of the number and species of experimental animals housed, the record of the breeder of experimental animals, supplier of experimental animals and user of experimental animals in complying with the legislation, the number and types of experimental projects carried out by the user of experimental animals in question, and any information that might indicate non-compliance with this Act and its implementing legislation; inspections shall be carried out on at least one third of the users of experimental animals each year in accordance with the risk analysis referred to in this point, in case of non-human primates, the breeders of experimental animals, suppliers of experimental animals and users of experimental animals shall be inspected at least once a year; an appropriate proportions of the inspections shall be carried out without prior warning; records of all inspections shall be kept for at least 5 years.

(2) The Central Veterinary Administration of the State Veterinary Administration in the field of animal protection shall

- a) draw up and implement the animal protection programme,
- b) supervise the compliance with obligations defined in this Act and generally binding legislation issued on the basis of this Act where it reserves so,
- c) in cases where it reserves so, fulfil the tasks arising from the directly applicable European Union legislation^{5b)} governing the protection of animals during transport and related activities and from the directly applicable European Union legislation governing the protection of animals at the time of killing¹³⁾, particularly supervise the fulfilment of obligations of natural and legal persons ensuing from this legislation, and the tasks arising from the directly applicable European Union legislation governing official controls³¹⁾,
- d) cooperate in the field of supervision of animal protection with the animal welfare bodies of the Council of Europe, European Union and third countries and upon request provide them with relevant information,
- e) keep records of transporter authorisations and transporter authorisations for long journeys, certificates of approval of means of transport by road and of approval of livestock vessels^{5h)},
- f) be able to prohibit transport of animals by a certain transporter or a certain means of transport in compliance with the directly applicable European Union legislation governing the protection of animals during transport and related operations⁵ⁱ⁾,
- g) keep and publish information on the animal protection programme on the website of the State Veterinary Administration,
- h) in the field of protection of animals and animal welfare organise vocational training and life-long education of official veterinarians pursuant to Section 26, or other professionally competent staff for the performance of activities pursuant to specific legislation,²⁾
- i) fulfil tasks laid down in Article 13(3) to (5) of Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing,
- j) elaborate and submit to the Ministry, no later than on 30 September 2018, and every year thereafter always before 30 September, a report including the information on the application of paragraph 1(s),
- k) submit to the Commission by 31 August each year an annual report for the previous year on the supervision carried out in order to check the compliance with the requirements of the European Union legislation³²⁾; the report shall be accompanied by an analysis of the most serious findings of non-compliance and a national action plan to prevent or decrease their occurrence for the forthcoming years.

(3) The tasks of the animal protection authorities supervising the compliance with this Act and its implementing legislation pursuant to paragraph 1(a) shall be fulfilled with respect to the breeding and use of animals for the purposes of the Ministry of Defence and the Ministry of Interior by the competent authorities of these ministries which shall also provide information thereon to the State Veterinary Administration and the Ministry.

1a) 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 transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97.

Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing.

Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation). Regulation (EU) 2019/1010 of the European Parliament and of the Council of 5 June 2019 on the alignment of reporting obligations in the field of legislation related to the environment, and amending Regulations (EC) No 166/2006 and (EU) No 995/2010 of the European Parliament and of the Council, Directives 2002/49/EC, 2004/35/EC, 2007/2/EC, 2009/147/EC and 2010/63/EU of the European Parliament and of the Council, Council Regulations (EC) No 338/97 and (EC) No 2173/2005, and Council Directive 86/278/EEC.

2) Act No 166/1999 Coll., as amended.

5) For example, Council Regulation 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 1255/1997 as regards the use of staging points, Council Regulation (EC) No 411/98 on additional animal protection standards applicable to road vehicles used for the carriage of livestock on journeys exceeding eight hours.

5b) Article 18 and 19 of Council Regulation (EC) No 1/2005.

5c) Article 10 and 11 of Council Regulation (EC) No 1/2005.

5d) Article 14 of Council Regulation (EC) No 1/2005.

5e) Article 2(h) of Council Regulation (EC) No 1/2005.

5f) Section 4c of Act No 252/1997 Coll., on Agriculture, as amended by Act No 291/2009 Coll.

5g) Article 48 of Commission Regulation (EC) No 796/2004 of 21 April 2004 laying down detailed rules for the implementation of cross-compliance, modulation and the integrated administration and control system provided for in Council Regulation (EC) No 1782/2003, establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers, as amended.

5h) Article 13(3), Article 18(3) and Article 19(3) of Council Regulation (EC) No 1/2005.

5i) Article 26(6) of Council Regulation (EC) No 1/2005.

13) Council Regulation (EC) No 1099/2009.

31) For example, Articles 4 and 21 of Regulation (EU) 2017/625 of the European Parliament and of the Council.

32) Council Directive 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes, as amended by Council Regulation (EC) No 806/2003 and Regulation (EU) 2017/625 of the European Parliament and of the Council.

Council Directive 1999/74/EC of 19 July 1999 laying down minimum standards for the protection of laying hens, as amended by Council Regulation (EC) No 806/2003, Council Directive 2013/64/EU and Regulation (EU) 2017/625 of the European Parliament and of the Council.

Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97, as amended.

Council Directive 2007/43/EC of 28 June 2007 laying down minimum rules for the protection of chickens kept for meat production, as amended by Regulation (EU) 2017/625 of the European Parliament and of the Council.

Council Directive 2008/119/EC of 18 December 2008 laying down minimum standards for the protection of calves, as amended by Regulation (EU) 2017/625 of the European Parliament and of the Council.

Council Directive 2008/120/EC of 18 December 2008 laying down minimum standards for the protection of pigs, as amended by Regulation (EU) 2017/625 of the European Parliament and of the Council.

Section 23

Competent state authorities responsible for the authorisation of experimental projects

(1) The competent state authority responsible for the authorisation of experimental projects shall be the central state administration authority with the subject-matter jurisdiction according to the scope of business of the user of experimental animals pursuant to the Act on establishing ministries and other central state administration authorities of the Czech Republic, unless stipulated otherwise.

(2) In the case of

a) experiments on wild animals, the competent state authority responsible for the authorisation of experimental projects shall be the Ministry of Environment, with the exception of the use of experimental animals in courses in the field of protection of animals against cruelty,

b) use of experimental animals in courses in the field of protection of animals against cruelty, the competent state authority responsible for the authorisation of experimental projects shall be the Ministry,

c) experiments carried out by a public research institution of the Academy of Sciences of the Czech Republic, the competent state authority responsible for the authorisation of experimental projects shall be the Academy of Sciences of the Czech Republic.

Section 23a

Tasks of the competent state authorities responsible for the authorisation of experimental projects

(1) The competent state authority responsible for the authorisation of experimental projects shall

a) take a decision on granting or refusing the authorisation of an experimental project, taking into account its compliance with this Act and its implementing legislation, and on amendment, suspension or withdrawal of the decision on experimental project authorisation,

b) elaborate and submit to the Ministry no later than on 28 February of the following year a summary report on the activities of user establishments, for which they are the competent state authority responsible for the authorisation of experimental projects, conducted in the calendar year, including the statistical tables, whose model shall be set out by the Ministry in the implementing legislation, including

1. the identification of the user of experimental animals, identification of the decision on granting the authorisation to use experimental animals, and the period of its validity,

2. the name, or names, surname and numbers of the certificate of professional competence to design experiments and experimental projects, or of the certificate of extension of the validity period of the certificate of professional competence to design experiments and experimental projects of the members of the expert commission pursuant to Section 15g,

3. the number of discussed and recommended experimental projects, stating the purposes of experiments as specified in Section 18(1),

4. the records showing the number of experimental animals used in experiments and the number and type of experiments conducted, including the information on the actual severity of experiments and origin and species of non-humane primates used for experiments,

5. the detailed information on exemptions granted in accordance with Section 18g(6),

6. other data prescribed by the treaties of the Council of Europe in the field of protection of experimental animals or the implementing legislation or requested by the Ministry,

c) elaborate and submit to the Ministry no later than on 30 September 2018, and then every 5 years always until 30 September of the given calendar year, a summary report including the information on the application of Section 15g, Section 16a(2) and 3, Section 16b, 16c, Section 17c(4) and Section 17f.

(2) The competent state authority responsible for the authorisation of experimental projects shall not authorise those experimental projects which failed to obtain a favourable evaluation of the experimental project pursuant to Section 16b.

(3) The locally competent nature protection authority^{2e)} at the place where the experiment on wild animals is to be

conducted, shall upon request of the user of experimental animals give its opinion on the experimental projects on individuals of wild animal species. Its opinion shall be binding for the competent state authority responsible for the authorisation of experimental projects.

(4) The competent state authority responsible for the authorisation of experimental projects which has authorised by its decision an experiment pursuant to Section 17c(5) or (6) or pursuant to Section 18c(4), shall immediately inform the Commission and the other Member States thereof, giving reasons for its decision and submitting evidence of the situation based on which the decision was issued²²⁾.

(5) The competent state authority responsible for the authorisation of experimental projects shall take necessary actions to have advisers from among the experts with the certificate of professional competence to design experiments and experimental projects, with the certificate of extension of the validity period of the certificate of professional competence to design experiments and experimental projects or qualification pursuant to Section 26 for the fulfilment of tasks pursuant to paragraph 1, who shall set up a ministerial expert commission for experimental project authorisation. The competent state authority responsible for the authorisation of experimental projects shall in each procedure on experimental project authorisation request the opinion of the ministerial expert commission for experimental project authorisation.

2e) Act No 114/1992 Coll., as amended.

Act No 100/2004 Coll., on the protection of wild animals and wild plant species by regulating trade in them and by other measures for the protection of these species and on amendments to some acts (the Act on Trade in Endangered Species), as amended by Act No 444/2005 Coll.

22) Article 55(4) of Directive 2010/63/EU of the European Parliament and of the Council.

Section 24

Municipalities

(1) A municipality may establish, operate and close down animal shelters.⁶⁾

(2) A municipality may through a generally binding ordinance regulate the movement of dogs at public spaces and define the areas for free movement of dogs.

(3) deleted

(4) deleted

6) Section 35 of Act No 128/2000 Coll., on municipalities (Establishment of Municipalities), as amended by Act No 313/2002 Coll.

Section 24a

Municipal authorities of municipalities with extended powers

(1) Municipal authorities of municipalities with extended powers shall

a) take a decision on a special measure pursuant to Section 28a and Section 28b and on preliminary foster care pursuant to Section 28c, including the recovery of costs of this measure,

b) fulfil other tasks in the field of animal protection stipulated by this Act and specific legislation, unless the jurisdiction rests with another animal protection authority, and

c) require a copy of the records of administrative infractions kept by the Criminal Register or an extract from the Criminal Register in the proceedings in respect of special measure under Section 28a; the application for a copy of the records of administrative infractions and an extract from the Criminal Records and the copy of the records of administrative infractions and the extract from the Criminal Records shall be submitted by electronic means, namely in a way that allows remote access.

(2) In the territory of the Capital of Prague, the tasks specified in paragraph 1 shall be fulfilled by the competent authority of the city district of the Capital of Prague.

(3) The municipal authority of the municipality with extended powers shall discuss all the motions filed pursuant to Section 22(1)(m), and once the decision in the respective matter, resolution on not proceeding with the matter, or resolution on discontinuance of proceedings is adopted send it immediately to the competent Regional Veterinary Administration; this applies also to cases when the administrative procedure has not been initiated based on the motion of the competent Regional Veterinary Administration, with the exception of a proceedings on administrative infraction referred to in paragraph 5. This applies by analogy to the decisions issued in the appellate procedure, review hearing and renewal of proceedings and to the issuance of a new decision.

(4) The municipal authority of the municipality with extended powers shall seek, in the administrative infraction proceedings, an expert opinion of the Regional Veterinary Administration which shall be binding for these proceedings. Where proceedings are initiated upon the motion of the Regional Veterinary Administration and a component part of the motion is also an expert opinion, another expert opinion shall not be requested.

(5) The expert opinion pursuant to paragraph 4 shall not be requested in proceedings on an administrative infraction consisting in the breach of

- a) prohibition to abandon an animal pursuant to Section 4(1)(t),
- b) obligation to have a certificate of professional competence or a certificate of competence,
- c) obligation to keep and maintain records pursuant to Section 5a(6), Section 8b(3), Section 12f(4), Section 13(10), Section 13a(3), Section 14b(3), Section 14c(3), Section 14d(3), Section 15d(8), Section 15g(6), Section 17g(1) and (2), Section 17h(1) and (2), Section 18h(3) and (4),
- d) obligation to prevent an animal of one breeder from harming or causing death to an animal of another breeder,
- e) obligation pursuant to Section 7a(2) and (4),
- f) obligations of the organiser pursuant to Section 8(3),
- g) obligation to take measures to prevent the animal from escaping,
- h) obligation to notify no later than 30 days prior to the commencement or termination of business activities the competent Regional Veterinary Administration of the conduct of trade, the species and numbers of animals concerned, and to document the way in which the care of the animals, their health and welfare will be ensured in case the activity is commenced pursuant to Section 13a(1), or
- i) obligation to provide the buyer for free with written accurate and detailed information on breeding conditions, including the way of feeding, and on care for health and welfare of the purchased animal pursuant to Section 13a(4).

Section 24b

Provision of data

(1) The Ministry, State Veterinary Administration, regional authorities, municipal authorities of municipalities with extended powers and municipal authorities shall in exercising their powers use

- a) data from the basic population register,
- b) data from the information system of the population register, and
- c) data from the information system for foreign nationals.

(2) The provided data pursuant to paragraph 1 point (a) shall include

- a) name, or names, surname,
- b) date of birth,
- c) place and district of birth; place and country of birth for a citizen born abroad,
- d) date and place of death, if the data subject died outside the territory of the Czech Republic,
- e) date of death, place and country where the death occurred; if a court decision has been issued declaring the person dead, the date stated in the decision as the date of death or the date not survived by the person declared dead, and the date of entry into force of this decision,
- f) address of residence, and
- g) nationality, or multiple nationalities.

(3) The provided data pursuant to paragraph 1 point (b) shall include

- a) name, or names, surname, maiden name,
- b) date of birth,
- c) place and district of birth; place and country of birth for a citizen born abroad,
- d) birth certificate number, if assigned,
- e) address of permanent residence, and
- f) nationality, or multiple nationalities.

(4) The provided data pursuant to paragraph 1 point (c) shall include

- a) name, or names, surname, maiden name,
- b) date of birth,
- c) place and country of birth of a foreign national, place and district of birth if the foreign national was born in the territory of the Czech Republic,
- d) nationality, or multiple nationalities,
- e) type and address of residence, and
- f) date of commencement, or date of termination of residence.

(5) The data included in the basic population register shall be taken from the information system of the population register or the information system for foreign nationals only if they are in the form preceding the current state.

(6) In each specific case, only the data necessary for carrying out a given task may be taken from the accessible records.

Section 25

(1) Animal protection authority staff in charge of the supervision of the compliance with obligations specified in this Act, its implementing legislation and directly applicable European Union legislation, evaluators of the establishment during an administrative procedure on granting the authorisation for breeding experimental animals, supplying experimental animals or using experimental animals, and when complying with the conditions set out in the Veterinary Act²⁾ also the staff of municipalities working at municipal authorities of municipalities with extended powers, in so far as it is necessary to conduct an administrative infraction

proceedings or when implementing a special measure pursuant to this Act, are entitled to

- a) enter the establishment of the breeder of experimental animals, supplier of experimental animals or user of experimental animals, the premises where commercial activities involving animals are carried out, the premises and places where public performances are held or where animal shelters are operated, the premises of breeders in which animals are kept, and the premises where animals are killed,
- b) request from breeders the necessary documents, information, material personal or other assistance necessary to perform their activities; this assistance shall be provided free of charge,
- c) make visual documentation.

(2) Each breeder or organiser of a public performance shall provide the staff of animal protection authorities, supervising the compliance with this Act and its implementing legislation, and persons stipulated in paragraph 1 with

- a) access to premises and places referred to in paragraph 1(a),
- b) necessary information, documents, material and personal assistance necessary to perform their activities, including free of charge access to public performances,
- c) presentation of an animal or animals, upon request, at a place determined by the person conducting supervision.

(3) The operator of a shelter or a rescue station shall apart from the obligations set out in paragraph 2 keep and make available to the staff of animal protection authorities, supervising the compliance with legislation in the field of animal protection, with the following information and documents:

- a) rules of operation safeguarding the protection of animal welfare and organisation of work and work procedures stipulated by specific legislation^{6a)},
- b) a list of received animals indicating the number, species, description, including identification marks, weight, date and place of finding of the animals, or indication of their original keepers^{6b)},
- c) a list of released animals and their new breeder^{6b)}, including the date of their handing over, address where the animals will be kept, or places where the animals were released in their original habitat,
- d) records of animals which escaped from the shelter,
- e) a document of the professional competence.

(4) The operator of a shelter shall also

- a) operate a website of the shelter and publish an updated list of all animals housed in the shelter with their photograph and the date and location where they were found on this website,
- b) provide the new keeper, when handing over the animal, for free with written information on the to-date way of feeding the animal and description of the follow-up care of the animal.

(5) Where the European Commission, using its own experts or experts from other Members States, who are on the list kept by the European Commission for these purposes, in cooperation with the animal protection authorities (Section 19(1)) carries out inspections in the Czech Republic of compliance and uniform application of obligations and requirements, set out by this Act and its implementing legislation or directly applicable European Union legislation^{5b)}, the animal protection authorities shall provide them with material and personal assistance and information necessary for carrying out these inspections.

(6) The provisions of paragraph 1 shall apply by analogy to carrying out inspections as specified in paragraph 5. These experts shall first and foremost be provided with the same access to places, establishments and parts of the means of transport in which animals are transported as the animal protection authority staff in charge of the supervision. The information obtained by these experts in the course of inspections and the conclusions drawn shall not serve other than inspection purposes.

(7) The authority or another person who seals off an apartment or other premises, or who executes other measures as a consequence of which nobody shall temporarily enter the apartment or other premises, shall make sure that there is no live animal left in the apartment or other premises which could suffer due to restriction of feeding and watering. The authority or another person, who executes another measure as a consequence of which the breeder cannot ensure the care of the animal, particularly the unplanned hospital stay of the breeder or restriction of the breeder's personal freedom, shall make sure that there is no animal together with the breeder that could be abused in consequence of its restricted feeding and watering. If it is established that such a danger exists, the authority or another person shall without undue delay notify the competent municipal authority or the city district authority. This authority shall immediately provide for necessary care of the animal or place the animal in foster care; the costs efficiently incurred in relation to this care shall be reimbursed by the state provided the costs related to an animal or animals of a single breeder exceed the amount of CZK 30 000. The costs incurred in relation to the provision of foster care of an animal shall be reimbursed to the state by the owner of the animal. This provision shall also apply to cases when, after making the breeder unable to take care of an animal for the aforementioned reasons, a flat, a vehicle or other premises are opened.

(8) The efficiently incurred costs pursuant to paragraph 7 mean the costs of transport of the animal, the costs of feed, veterinary care, drugs and medical supplies and other costs incurred in relation to the state of its health, labour costs and similar costs to ensure necessary care or foster care of the animal. The application for reimbursement of costs efficiently incurred in

relation to the provision of care of the animal pursuant to paragraph 7 shall be submitted to the Ministry always no later than 3 months after the termination of the care of the animal. In case the animal is taken care of for more than 3 months, an application for advance payment can be submitted to cover the costs of the previous period. The Ministry may provide appropriate advance payment to cover the documented efficiently incurred costs. Once the care of the animal for which the advance payment was made is terminated, an application for reimbursement of the costs efficiently incurred in relation to the provision of care of the animal pursuant to paragraph 7 shall be submitted.

(9) The application for reimbursement of costs efficiently incurred in relation to the provision of care of the animal pursuant to paragraph 7 shall be submitted on a form whose binding model shall be published by the Ministry on its website. Apart from the general requisites laid down in the Rules of Administrative Procedure, the application shall contain also

- a) the total amount of efficiently incurred costs,
- b) the personal data and the address of residence or identification data of the owner of the animal, or also the personal data and the place of residence of the animal keeper, if the animal is kept by a person other than the owner of the animal,
- c) the personal data and the place of residence or identification data of the person providing the care of the animal.

(10) Attached as an annex to the application for reimbursement of costs efficiently incurred in relation to providing the care of the animal pursuant to paragraph 7 shall be

- a) identification of the animal or animals with respect to which the reimbursement of efficiently incurred costs is applied for,
- b) justification of the application, including the information as to what authority has provided the care of the animals and for what reasons,
- c) a document proving the fact that the keeper is unable to ensure the care of the animal, particularly a document confirming the hospital stay or commencement of sentence of imprisonment,
- d) a report on handing the animal over to care,
- e) a contract on provision of care of the animal, if concluded,
- f) a document on efficiently incurred costs, including the financial statement justifying the amount of the requested reimbursement of costs,
- g) a document on the authorisation to act on behalf of the applicant.

2) Act No 166/1999 Coll., as amended.

5) For example, Council Regulation 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 1255/1997 as regards the use of staging points, Council Regulation (EC) No 411/98 on additional animal protection standards applicable to road vehicles used for the carriage of livestock on journeys exceeding eight hours.

6a) For example, Government Order No 27/2002 Coll., laying down the work organisation and work procedures which shall be ensured by the employer at work related to animal breeding.

6b) Act No 101/2000 Coll., on personal data protection and on amendments to some acts, as amended.

Section 26

(1) Only such expert with a higher education degree in veterinary science and hygiene, who has obtained the certificate of competence after a successful passing of examinations pursuant to the examination rules and who has demonstrated his knowledge of legislation relevant for activities performed by him may be authorised to conduct the supervision. The examination rules shall be approved and the examinations shall be held by the Ministry.

(2) The content and the scope of the training course to obtain professional competence to conduct supervision in the field of animal protection, the requirements for the training centre, the requirements for the highest level of attained education and professional experience of lecturers since the completion of the highest level of attained education, the composition of the board of examiners, the course of the examination and the model certificate shall be stipulated by the Ministry in the implementing legislation.

Section 26a

Accreditation to hold courses in the field of protection of animals against cruelty

(1) The courses in the field of protection of animals against cruelty may be held only by training centres that are accredited for this purpose by the Ministry and comply with the conditions stipulated by this Act, its implementing legislation and directly applicable European Union legislation in the field of protection of animals against cruelty. The accreditation to hold courses in the field of protection of animals against cruelty is non-transferrable and does not pass on to the legal successor. The delegation of power in accordance with the directly applicable European Union legislation governing the protection of animals at the time of killing²³⁾ means accreditation as referred to in this provision.

(2) The training centre shall send the application for accreditation to hold courses in the field of protection of animals against cruelty to the Ministry. Apart from general requisites laid down in the Rules of Administrative Procedure, the application shall contain also the name of the course in the field of protection of animals against cruelty that is intended to be held by the training centre.

(3) Apart from the requisites referred to in paragraph 2, the application for accreditation to hold courses in the field of protection of animals against cruelty shall include

- a) authorisation to perform educational activities or a document proving that education is stated in the scope of business of the training centre,
- b) overview of activities of the training centre in the field of education to-date,
- c) documents proving adequate technical, material and organisational support of the course in the field of protection of animals against cruelty, particularly the address of buildings where the educational programmes will be held, the number and capacity of classrooms and the technical equipment of classrooms,
- d) completed questionnaires of expert lecturers indicating their name, or names, surname and title, data on their highest level of attained education, on their professional experience since their completion of the highest level of attained education, however for no more than the last 10 years, an overview of their professional or also publication activities, a document on their competence to lecture, e.g. a certificate of completion of a course, and documents on their professional competence as requested by the implementing legislation,
- e) a written approval of the lecturer to take part in the courses in the field of protection of animals against cruelty and his consent to the publication of his personal data in the application for accreditation,
- f) agenda of the course in the field of protection of animals against cruelty, namely detailed information on the content and scope of respective topics of lectures, timetable,
- g) way of obtaining the feedback from the graduates from the course in the field of protection of animals against cruelty,
- h) the decision on granting the authorisation of the user of experimental animals, if live animals are used as a part of the course in the field of protection of animals against cruelty; this decision shall be issued for the training centre or another person, whose establishment shall be the venue of the course in the field of protection of animals against cruelty.

(4) There is no legal entitlement to be granted the accreditation to hold courses in the field of protection of animals against cruelty. The Ministry may grant the accreditation provided the training centre

- a) submits and duly documents all the requisites referred to in paragraphs 2 and 3,
- b) avails of adequate competence, staffing and equipment to hold courses in the field of protection of animals against cruelty.

(5) Upon request of the training centre, the Ministry may amend or withdraw the accreditations granted pursuant to paragraph 1. The Ministry may, by virtue of office, amend or withdraw the accreditations granted pursuant to paragraph 1, if the person to whom the accreditation has been granted

- a) for the period of at least 2 years does not hold any course in the field of protection of animals against cruelty for which the accreditation has been granted,
- b) when holding the course in the field of protection of animals against cruelty fails to comply with the conditions laid down by this Act, its implementing legislation, directly applicable European Union legislation or the decision on granting accreditation.

In the case of a change of the lecturer of the course in the field of protection of animals against cruelty, the training centre shall apply for an amendment to the accreditation to hold courses in the field of protection of animals against cruelty. The lecturer not stated in the accreditation to hold courses in the field of protection of animals against cruelty may teach in the course in the field of protection of animals against cruelty only after the amendment to the accreditation.

(6) Where, during the inspection, deficiencies in holding the courses in the field of protection of animals against cruelty are identified by the Ministry, the training centre shall be called upon to take remedial measures within a reasonable period. Where remedial measures are not taken by the training centre within the set deadline, the Ministry shall withdraw its accreditation.

23) Article 21(2) of Council Regulation (EC) No 1099/2009.

Section 26b

Requirements for training centres that hold or intend to hold courses in the field of protection of animals against cruelty

(1) Apart from the requirements for training centres that hold or intend to hold courses in the field of protection of animal against cruelty referred to in Section 26a, these training centres shall comply with the requirements referred to in paragraphs 2 to 6.

(2) The training course to obtain the certificate of competence for persons involved in operations related to the slaughter

of animals shall be held by a secondary school or a higher education institution with an accredited study programme in veterinary science or meat processing technology, or a legal person who performs killing of animals or associates persons who perform killing of animals, or a state authority performing the state veterinary supervision²⁾, or a legal person associating veterinarians pursuant to the Act on the Chamber of Veterinary Surgeons of the Czech Republic.

(3) The training course on the care of chickens kept for meat production to obtain the certificate of competence to take care of chickens kept for meat production shall be held by a secondary school or a higher education institution with an accredited study programme in veterinary science or breeding, or a legal person engaged in rearing chickens kept for meat production or associating persons who rear chickens kept for meat production, or another person complying with the statutory requirements.

(4) The course on the care of pigs to obtain the certificate of competence to take care of pigs shall be held by a secondary school or a higher education institution with an accredited study programme in veterinary science or breeding, or a legal person engaged in pig breeding or associating persons who breed pigs, or another person complying with the statutory requirements.

(5) The training courses in the field of protection of experimental animals against cruelty shall be held by a higher education institution or a workplace of the Academy of Sciences of the Czech Republic for which the decision on granting authorisation of the user of experimental animals has been issued; this applies also to cases when live experimental animals are not used as a part of instruction in the training course in the field of protection of experimental animals against cruelty.

(6) The training course to obtain professional competence for the performance of supervision in the field of protection of animals against cruelty shall be held by a higher education institution with an accredited study programme in veterinary science and hygiene.

2) Act No 166/1999 Coll., as amended

Section 26c

Conditions for holding courses in the field of protection of animals against cruelty and recognition of qualification

(1) When holding a course in the field of protection of animals against cruelty, the training centre shall comply with the conditions stipulated by this Act, its implementing legislation, directly applicable European Union legislation, or accreditation.

(2) The courses in the field of protection of animals against cruelty may not be held in the form of distance education or self-study.

(3) The courses in the field of protection of animals against cruelty, during which animal handling takes place, may be held only by the training centre which in the application for accreditation included the decision on granting authorisation of the user of experimental animals, issued to this training centre or another person, whose establishment shall be the venue of the course in the field of protection of animals against cruelty. This decision shall be effective as at the date of the course in the field of protection of animals against cruelty.

(4) The lecturer in the course in the field of protection of animals against cruelty may only be the person who is indicated in the accreditation for holding courses in the field of protection of animals against cruelty pursuant to Section 26a.

(5) Only the physicians, veterinarians and persons with other higher education degree in biological sciences may be allowed by the training centre to take the examination within the training course to obtain the certificate of professional competence to design experiments and experimental projects. The training centre shall request a copy of the diploma of higher education from the participant in the training course to obtain the certificate of professional competence to design experiments and experimental projects, and the participant in the aforementioned course shall present this copy. The training centre shall assess the compliance of the document on the attained education with the requirements stipulated in Section 15d(3).

(6) Only the professional staff with a higher education degree in veterinary medicine and hygiene may be allowed by the training centre to take the examination within the training course to obtain professional competence to perform supervision in the field of animal protection. The training centre shall request a copy of the diploma of higher education from the participant in the training course to obtain professional competence to perform supervision in the field of animal protection, and the participant in the aforementioned course shall present this copy. The training centre shall assess the compliance of the document on the attained education with the requirements stipulated in Section 26(1).

(7) The examiner may exclude from the examination the participant in the course who during the examination uses prohibited aids or otherwise interferes with the course of examination.

(8) The training centre shall issue the certificate of successful completion of examination, unless stipulated otherwise by the Act. The training centre shall, unless stipulated otherwise below, send a list of participants in the course with their personal data and the number of the respective certificate within 7 days from the date of the course in the field of protection of animals against cruelty to the Ministry.

(9) When recognising qualifications obtained in another Member State of the European Union, another contracting party of the Agreement on European Economic Area, or the Swiss Confederation, a specific legislation on recognition of professional qualifications shall be applicable^{4d)}. When the recognition authority recognises the professional qualification pursuant to another legislation^{4d)} only partially, the candidate may take a differential examination before the board of examiners. During a differential examination, the candidate's knowledge of areas, in which his professional qualification has been recognised, shall not be tested.

PART SEVEN

ADMINISTRATIVE INFRACTIONS

Section 27

Administrative infractions committed by natural persons

(1) An administrative infraction is committed by a natural person who

- a) promotes cruelty to animals,
- b) commits cruelty to an animal or causes death of an animal by its abusing,
- c) as a legal representative of a minor or of a person whose legal capacity was limited by a court decision, tolerates cruelty to an animal by this person, of which he has received reliable information,
- d) kills an animal without any of the reasons referred to in Section 5(2),
- e) kills an animal with the use of veterinary products, though not being a person referred to in Section 5(3),
- f) produces, offers for sale, sells or uses a jaw trap or a glue trap and/or transports it from abroad to the territory of the Czech Republic,
- g) kills an animal at a home slaughter in contradiction with Section 5h,
- h) kills fish in contradiction with Section 5i(1), (2) or 4,
- i) carries out rodent control in contradiction with Section 5j,
- j) violates the prohibition of capture pursuant to Section 14(8),
- k) carries out an experiment or experimental project without having the certificate of professional competence for designing experiments and experimental projects pursuant to Section 15d(3) or without having the certificate of extension of the validity period of the certificate of professional competence for designing experiments and experimental projects pursuant to Section 15e(1),
- l) carries out an experiment on an experimental animal, takes care of an experimental animal or kills an experimental animal without having obtained the certificate of professional competence for carrying out experiments on experimental animals, taking care of experimental animals and killing experimental animals pursuant to Section 15d(4) or the certificate of extension of the validity period of professional competence for carrying out experiments on experimental animals, taking care of experimental animals and killing experimental animals pursuant to Section 15e(2), or without having met the conditions under Section 15d(6) or (7),
- m) carries out or orders to carry out an experimental project or an experiment without prior authorisation by the competent state authority responsible for the authorisation of experimental projects pursuant to Section 16, or without meeting the conditions pursuant to Section 15d(6) or (7),
- n) captures an animal in the wild which is intended to be used for experiments, while not complying with the conditions stipulated in Section 17d(3),
- o) kills an experimental animal in contradiction with requirements set out in Section 18g(3), (4) or 5, or Section 18h(1) or (2),
- p) fails to collaborate pursuant to Section 25(2), fails to fulfil the obligation to present the animal, or otherwise frustrates the execution of powers of persons referred to in Section 25(1),
- q) holds a course in the field of protection of animals against cruelty without having the accreditation pursuant to Section 26a(1),
- r) fails to fulfil an obligation stipulated based on this Act in a generally binding ordinance of a municipality,
- s) fails to fulfil an obligation stipulated by directly applicable European Union legislation^{1a)} in the field of protection of animals against cruelty, or
- t) in contradiction with Section 5(7) breeds or kills an animal exclusively or predominantly to obtain the fur.

(2) An administrative infraction is committed by a natural person as a keeper who

- a) fails to prevent harming or causing death by his own animal to an animal kept by another keeper,

- b) violates the obligation of a dog keeper stipulated in Section 7a(2) or (4),
- c) violates the obligation related to the conditions for keeping a dog or a cat stipulated in Section 7a(6), (7) or (8),
- d) violates the prohibition of selling or handing over of a dog or a cat to a new keeper in a public place pursuant to Section 7b(a),
- e) transports an animal in contradiction with Section 8a, 8c, 8d, 8e or 8f,
- f) violates the obligations pursuant to Section 12g,
- g) fails to take actions to prevent escape of animals pursuant to Section 13(1),
- h) sells or gives away a companion animal to a person referred to in Section 13(4),
- i) keeps an animal species requiring special care in contradiction with Section 13(5),
- j) violates the prohibition of activities involving wild animals pursuant to Section 14a(1), (4) or (5),
- k) when keeping selected species of carnivores or great apes violates the obligations referred to in Section 14c(1)(a) or (c),
- l) when keeping selected species of carnivores or great apes violates the obligations referred to in Section 14c(1)(b) or (d), or fails to keep records pursuant to Section 14c(3), or
- m) when keeping selected species of carnivores or great apes violates the obligations referred to in Section 14d(1), (2) or (3).

(3) An administrative infraction is committed by a natural person as a keeper of farm animals who

- a) fails to request an examination and evaluation of the condition of an animal by a private veterinarian pursuant to Section 5b(2),
- b) in contradiction with Section 5b(2) commences the transport of an animal or transports an animal over a distance exceeding 100 km,
- c) imports a farm animal without the certificate pursuant to Section 10a,
- d) fails to ensure that the farm animals are inspected pursuant to Section 11(1),
- e) fails to take actions necessary to prevent farm animals from escaping or fails to have readily available instruments and aids referred to in Section 11(2),
- f) fails to provide adequate number of professionally competent staff for the farm animal husbandry system pursuant to Section 12(2),
- g) in contradiction with Section 12a(3) keeps farm animals in an intensive husbandry system without having the ventilation system equipped with an alarm system or a backup system, or in case of a discovered defect of automatic and mechanical equipment fails to take appropriate steps to safeguard the health and well-being of animals, or
- h) fails to meet the minimum standards for keeping farm animals pursuant to Section 12c(2),
- i) when rearing chickens kept for meat production fails to comply with the requirements for the keeping of chickens set out in Section 12d(1)(a) and (2) to (5),
- j) when rearing chickens kept for meat production, fails to keep, retain and make available records during an inspection pursuant to Section 12d(1)(c), fails to hand over to the authorised person the data pursuant to Section 12d(1)(b), fails to provide the data and samples pursuant to Section 12d(1)(d), fails to provide data pursuant to Section 12d(5), fails to provide instructions and guidance pursuant to Section 12d(6), or takes care of chickens kept for meat production without having a person professionally competent pursuant to Section 12d(7),
- k) fails to ensure the fulfilment of requirements set out in Section 12f(1), or
- l) fails to keep records pursuant to Section 12f(4),
- m) in contradiction with Section 12h keeps laying hens in battery cages.

(4) An administrative infraction is committed by a natural person as a keeper of an animal species requiring special care who fails to notify a change of conditions pursuant to Section 13(8) or fails to keep records pursuant to Section 13(10).

(5) An administrative infraction is committed by a natural person as a keeper providing consistent necessary care to a handicapped animal who fails to fulfil the obligation pursuant to Section 14b(2).

(6) An administrative infraction is committed by a natural person as an organiser who

- a) during a public performance of animals fails to ensure the presence of a natural person pursuant to Section 8(2),

- b) fails to make notification pursuant to Section 8(3)(a), (d) or (e),
- c) fails to submit a list of activities with animals pursuant to Section 8(3)(b), or
- d) fails to provide instructions pursuant to Section 8(3)(c).

(7) An administrative infraction is committed by a natural person as a person responsible for the care of experimental animals who fails to fulfil the obligation pursuant to Section 15f(2).

(8) An administrative infraction is committed by an experimental project leader who fails to fulfil the obligation pursuant to Section 15f(3).

(9) An administrative infraction is committed by an experimental project leader or his deputy who takes part in drawing up of the expert opinion in contradiction with Section 15f(4).

(10) An administrative infraction is committed by a natural person as a person responsible for the care of experimental animals, an experimental project leader, his deputy or another qualified expert, or a member of the expert commission pursuant to Section 15g who is not a holder of the certificate of professional competence for designing experiments and experimental projects pursuant to Section 15d(3) or the certificate of extension of the validity period of the certificate of professional competence for designing experiments and experimental projects pursuant to Section 15e(1).

(11) An administrative infraction is committed by a natural person as an operator of an animal shelter or a rescue station who fails to fulfil any of the obligations pursuant to Section 25(3) or (4).

(12) An administrative infraction may be penalised by a penalty

a) in the amount of up to CZK 1 000 000 in case of an administrative infraction pursuant to paragraph 1(b) to (d), (f) to (m), (o), (s) or (t) or pursuant to paragraph 2(a) or (i) to (k),

b) in the amount of up to CZK 400 000 in case of an administrative infraction pursuant to paragraph 1(a), (e) or (q), pursuant to paragraph 2(c) to (f) or (m), pursuant to paragraph 3(g) to (i), pursuant to paragraphs 5 to 8 or 10, or

c) in the amount of up to CZK 100 000 in case of an administrative infraction pursuant to paragraph 1(n), (p) or (r), pursuant to paragraph 2(b), (g), (h) or (l), pursuant to paragraph 3(a) to (f), (j) to (l) or pursuant to paragraphs 4, 9 or 11.

(13) Jointly with the penalty for an administrative infraction pursuant to paragraph 1(a), (b), (f), (i), (m), (o) or (s), pursuant to paragraph 2(c), pursuant to paragraph 3(h) or pursuant to paragraph 5 the prohibition of activity may be imposed and for an administrative infraction pursuant to paragraph 1(b) or c), pursuant to paragraph 2(c), (i) to (k), pursuant to 3(h) or pursuant to paragraph 5 forfeiture of the animal or prohibition to keep animals for the period of up to 5 years may be imposed.

(14) A penalty in the amount of more than CZK 5 000 shall be imposed for an administrative infraction pursuant to paragraph 1(a) or (b) committed on two or more animals.

1a) *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 transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97.
Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing.
Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation). Regulation (EU) 2019/1010 of the European Parliament and of the Council of 5 June 2019 on the alignment of reporting obligations in the field of legislation related to the environment, and amending Regulations (EC) No 166/2006 and (EU) No 995/2010 of the European Parliament and of the Council, Directives 2002/49/EC, 2004/35/EC, 2007/2/EC, 2009/147/EC and 2010/63/EU of the European Parliament and of the Council, Council Regulations (EC) No 338/97 and (EC) No 2173/2005, and Council Directive 86/278/EEC.*

Section 27a

Administrative infractions committed by legal persons and natural persons doing business

(1) An administrative infraction is committed by a legal person or a natural person doing business who

- a) promotes cruelty to animals,
- b) commits cruelty to an animal or causes death of an animal by its abusing,
- c) kills an animal without the reason referred to in Section 5(2),

- d) produces, offers for sale, sells or uses a jaw trap or a glue trap, or transports it from abroad to the territory of the Czech Republic,
- e) kills an animal at a home slaughter in contradiction with Section 5h,
- f) kills fish in contradiction with Section 5i(1) to (4),
- g) carries out rodent control in contradiction with Section 5j,
- h) violates the prohibition of capture pursuant to Section 14(8),
- i) breeds experimental animals without the authorisation to breed experimental animals, supplies experimental animals without the authorisation to supply experimental animals or uses experimental animals without the authorisation to use experimental animals pursuant to Section 15a(1),
- j) carries out or orders to carry out an experimental project or an experiment without prior authorisation by the competent state authority responsible for the authorisation of experimental projects pursuant to Section 16,
- k) captures an animal in the wild which is intended to be used for experiments, while not complying with the conditions stipulated in Section 17d(3),
- l) kills an experimental animal in contradiction with requirements set out in Section 18g(3), (4) or (5) or Section 18h(1) or (2),
- m) fails to collaborate pursuant to Section 25(2), fails to fulfil the obligation to present the animal, or otherwise frustrates the execution of powers of persons referred to in Section 25(1),
- n) holds a course in the field of protection of animals against cruelty without having the accreditation pursuant to Section 26a(1),
- o) fails to fulfil an obligation stipulated based on this Act in a generally binding ordinance of a municipality,
- p) fails to fulfil an obligation stipulated by directly applicable European Union legislation^{1a)} in the field of protection of animals against cruelty, or
- q) in contradiction with Section 5(7) breeds or kills an animal exclusively or predominantly to obtain the fur.

(2) An administrative infraction is committed by a natural person doing business who

- a) kills an animal with the use of veterinary products, though not being a person referred to in Section 5(3),
- b) carries out an experiment or experimental project without having the certificate of professional competence for designing experiments and experimental projects pursuant to Section 15d(3) or without the certificate of extension of the validity period of the certificate of professional competence for designing experiments and experimental projects pursuant to Section 15e(1), or
- c) carries out an experiment on an experimental animal, takes care of an experimental animal or kills an experimental animal without having obtained the certificate of professional competence for carrying out experiments on experimental animals, taking care of experimental animals and killing experimental animals pursuant to Section 15d(4) or the certificate of extension of the validity period of the certificate of professional competence for designing experiments and experimental projects pursuant to Section 15e(2),

(3) An administrative infraction is committed by a legal person or by a natural person doing business as a keeper who

- a) fails to prevent harming or causing death by his own animal to an animal kept by another keeper,
- b) transports an animal in contradiction with Section 8a, 8c, 8d, 8e or 8f,
- c) violates the obligations stipulated in Section 12g,
- d) fails to take actions to prevent escape of animals pursuant to Section 13(1),
- e) sells or gives away a companion animal to a person referred to in Section 13(4),
- f) keeps an animal species requiring special care in contradiction with Section 13(5),
- g) violates the prohibition of activities involving wild animals pursuant to Section 14a(1),(4) or (5),
- h) when keeping selected species of carnivores or great apes violates the obligations referred to in Section 14c(1)(a) or (c),
- i) when keeping selected species of carnivores or great apes violates the obligations referred to in Section 14c(1)(b) or (d), or fails to keep records pursuant to Section 14c(3), or
- j) when keeping selected species of carnivores or great apes violates the obligations referred to in Section 14d(1), (2) or (3).

(4) An administrative infraction is committed by a legal person or a natural person doing business as a keeper of farm

animals who

- a) fails to request an examination and evaluation of the condition of an animal by a private veterinarian pursuant to Section 5b(2),
- b) in contradiction with Section 5b(2) commences the transport of an animal or transports an animal over a distance exceeding 100 km,
- c) imports a farm animal without the certificate pursuant to Section 10a,
- d) fails to ensure that the farm animals are inspected pursuant to Section 11(1),
- e) fails to take actions necessary to prevent farm animals from escaping or fails to have readily available instruments and aids referred to in Section 11(2),
- f) fails to provide adequate number of professionally competent staff for the farm animal husbandry system pursuant to Section 12(2),
- g) in contradiction with Section 12a(3) keeps farm animals in an intensive husbandry system without having the ventilation system equipped with an alarm system or a backup system, or in case of a discovered defect of automatic and mechanical equipment fails to take appropriate steps to safeguard the health and well-being of animals,
- h) fails to meet the minimum standards for keeping farm animals pursuant to Section 12c(2),
- i) when rearing chickens kept for meat production fails to comply with the requirements for the keeping of chickens set out in Section 12d(1)(a) and (2) to (5),
- j) when rearing chickens kept for meat production, fails to keep, retain and make available records during an inspection pursuant to Section 12d(1)(c), fails to hand over to the authorised person the data pursuant to Section 12d(1)(b), fails to provide the data and samples pursuant to Section 12d(1)(d), fails to provide data pursuant to Section 12d(5), fails to provide instructions and guidance pursuant to Section 12d(6) or takes care of chickens kept for meat production without having a person professionally competent pursuant to Section 12d(7),
- k) fails to ensure the fulfilment of requirements set out in Section 12f(1), or
- l) fails to keep records pursuant to Section 12f(4),
- m) in contradiction with Section 12h keeps laying hens in battery cages.

(5) An administrative infraction is committed by a legal person or a natural person doing business as a keeper of an animal species requiring special care who

- a) fails to notify a change of conditions pursuant to Section 13(8), or fails to keep records pursuant to Section 13(10), or
- b) fails to designate a person older than 18 years of age in contradiction with Section 13(5).

(6) An administrative infraction is committed by a legal person or a natural person doing business as a keeper providing consistent necessary care to a handicapped animal who fails to fulfil the obligation pursuant to Section 14b(2).

(7) An administrative infraction is committed by a legal person or a natural person doing business as a keeper who

- a) violates the obligation of a dog keeper stipulated in in Section 7a(2) or (4),
- b) violates the obligation related to the conditions for keeping a dog or a cat stipulated in Section 7a(6), (7) or (8), or
- c) violates the prohibition of selling or handing over of a dog or a cat to a new keeper in a public place pursuant to Section 7b(a).

(8) An administrative infraction is committed by a legal person or a natural person doing business as an organiser who

- a) during a public performance of animals fails to ensure the presence of a natural person pursuant to Section 8(2),
- b) fails to make notification pursuant to Section 8(3)(a), (d) or (e),
- c) fails to submit a list of activities involving animals pursuant to Section 8(3)(b), or
- d) fails to provide instructions pursuant to Section 8(3)(c).

(9) An administrative infraction is committed by a legal person or a natural person doing business as the person referred to in Section 13a(1) who

- a) fails to notify pursuant to Section 13a(1) no later than 30 days prior to the commencement or termination of business activities the competent Regional Veterinary Administration of the conduct of trade, the species and numbers of animals concerned,
- b) fails to document the way in which the care of the animals, their health and welfare will be ensured in case the activity is commenced,
- c) fails to keep records pursuant to Section 13a(3),

d) sells a companion animal without the provision of information pursuant to Section 13a(4), or provides incorrect or incomplete information, or requests compensation for the provision of information in contradiction with Section 13a(4), or
e) violates the prohibition to sell dogs, cats or primates in pet stores pursuant to Section 13a(5).

(10) An administrative infraction is committed by a church or a religious society that carries out an animal slaughter for the purposes of churches and religious societies, whose religious rites prescribe particular methods of animal slaughter,

a) in contradiction with the decision of the Ministry on granting permission to slaughter animals for the purposes of churches and religious societies, whose religious rites prescribe particular methods of animal slaughter, pursuant to Section 5f(1),

b) without the decision of the Ministry on granting permission to slaughter animals for the purposes of churches and religious societies, whose religious rites prescribe particular methods of animal slaughter, pursuant to Section 5f(1),

c) in contradiction with the set out veterinary conditions for carrying out the slaughter pursuant to Section 5f(2), or

d) without the set out veterinary conditions for carrying out the slaughter pursuant to Section 5f(2).

(11) An administrative infraction is committed by a business operator¹²⁾ who

a) fails to ensure that the killing of animals is carried out by a person pursuant to Section 5a(1) or (4),

b) fails to ensure that involved in the operations related to the slaughter of animals is a person who has obtained a certificate of competence of a person involved in operations related to the slaughter of animals, or who has qualification considered equivalent to this certificate, or who has qualification pursuant to Section 5a(1),

c) fails to ensure that the activity of an animal welfare officer under Article 17 of the directly applicable European Union legislation governing the protection of animals at the time of killing¹³⁾ is performed by a person who has obtained the certificate of competence for persons involved in operations related to the slaughter of animals pursuant to directly applicable European Union legislation governing the protection of animals at the time of killing¹³⁾,

d) fails to keep or maintain records pursuant to Section 5a(6), or

e) in contradiction with Section 5a(3) fails to ensure professional supervision in the course of instruction to obtain qualification that is considered equivalent to the certificate of competence of persons involved in operations related to the slaughter of animals.

(12) An administrative infraction is committed by a legal person or a natural person doing business as a breeder of experimental animals, supplier of experimental animals or user of experimental animals, who

a) in contradiction with Section 15a(4) fails to separate the establishment intended for breeding and supplying experimental animals from the establishment intended for using experimental animals,

b) fails to notify any change of data regarding the persons stated in the decision on granting the authorisation for breeding experimental animals, supplying experimental animals or using experimental animals pursuant to Section 15b(6),

c) in contradiction with Section 15b(7) makes a significant change to the structure or function of the establishment for breeding experimental animals, supplying experimental animals or using experimental animals that could have an adverse effect on experimental animal welfare, changes the place where activities on experimental animals are performed, extends the types of activities or increases the number of bred, supplied or used species of experimental animals, without a new decision on granting the authorisation for breeding experimental animals, supplying experimental animals or using experimental animals,

d) fails to ensure that of the care experimental animals is provided by persons pursuant to Section 15d(1),

e) in contradiction with Section 15d (5) fails to ensure supervision of the persons who perform functions pursuant to Section 15d(2)(b), (c) or d) until the persons prove they have obtained the requested qualification, or fails to comply with the conditions pursuant to Section 15d(5), (6) or (7),

f) in contradiction with Section 15d(8) fails to keep records or maintain documentation,

g) in contradiction with Section 15f(1) fails to have a person on site responsible for the care of experimental animals,

h) in contradiction with Section 15f(5) fails to designate a veterinarian or a qualified expert,

i) in contradiction with Section 15g(1) fails to set up an expert commission pursuant to Section 15g, or fails to ensure conditions for appropriate performance of activities of this commission, or fails to meet the conditions pursuant to Section 15g(2) or (3),

j) fails to keep or maintain records, or fails to make them available to the competent animal protection authority pursuant to Section 15g(6),

k) fails to comply with the requirements for establishments, installations and equipment pursuant to Section 17,

l) fails to comply with the requirements for the care and accommodation of experimental animals pursuant to Section 17a (1), (2) or (4),

m) fails to keep records pursuant to Section 17g(1), or in contradiction with Section 17g(2) fails to maintain the records or make them available to the competent animal protection authority,

n) fails to keep records or documentation pursuant to Section 17h(1), or in contradiction with Section 17h(2) fails to keep or maintain these records or documentation, or fails to make them available to the competent animal protection authority, or fails to hand them over in the case of rehoming pursuant to Section 17h(2),

o) fails to identify the dog, cat or non-human primate with a permanent individual identification mark pursuant to Section 17h(3)(a) or (b), or fails to provide reasons for which the experimental animal is unmarked pursuant to Section 17h(3)(c), or fails to keep data pursuant to Section 17h(4),

p) proceeds in contradiction with Section 17i,

q) proceeds in contradiction with Section 18f(1),

r) kills an experimental animal in contradiction with requirements set out in Section 18g(1) or (2), or fails to ensure the compliance with these requirements set out in Section 18g(1) or (2), or

s) fails to keep or maintain records stipulated in Section 18h(3).

(13) An administrative infraction is committed by a legal person or a natural person doing business as a breeder of experimental animals who fails to have a strategy in place pursuant to Section 17c(4).

(14) An administrative infraction is committed by a legal person or a natural person doing business as a supplier of experimental animals who supplies an experimental animal in contradiction with Section 15a(3).

(15) An administrative infraction is committed by a legal person or a natural person doing business as a user of experimental animals, who

a) carries out an experiment in contradiction with Section 15a(2),

b) in contradiction with Section 16 carries out an experiment outside the framework of the authorised experimental project or in contradiction with the decision on experimental project authorisation,

c) in contradiction with Section 16c(4) fails to provide the competent state authority responsible for the authorisation of experimental projects with all the documents or information necessary for retrospective assessment,

d) fails to notify the competent state authority responsible for the authorisation of experimental projects of the change in the data regarding the persons indicated in the decision on experimental project authorisation pursuant to Section 16e(1),

e) in contradiction with Section 16e(2) makes a change in the experimental project that can negatively affect the welfare of experimental animals, without a new decision on experimental project authorisation,

f) in contradiction with Section 17b(1) carries out an experiment on a specimen of an endangered species, in contradiction with Section 17c(1), (2) or (3) carries out an experiment on a non-human primate or a great ape, or in contradiction with Section 17d(1) or (2) carries out an experiment on an animal captured in the wild,

g) fails to take actions to minimise the suffering of the experimental animal pursuant to Section 17d(4),

h) in contradiction with Section 17e(1) or (2) uses an abandoned or a stray animal in an experiment,

i) uses animals in experiments in contradiction with Section 17f(1) or (2),

j) carries out an experiment in contradiction with requirements set out in Section 18a,

k) carries out an experiment on an experimental animal in contradiction with requirements set out in Section 18b,

l) carries out an experiment on an experimental animal in contradiction with Section 18c(3),

m) carries out an experiment in contradiction with Section 18d, or

n) fails to fulfil any of the obligations pursuant to Section 18e(3) or (4).

(16) An administrative infraction is committed by a legal person or a natural person doing business as an operator of a shelter or a rescue station who fails to fulfil any of the obligations set out in Section 25(3) or (4).

(17) An administrative infraction is committed by a legal person or a natural person doing business as a training centre when holding a course in the field of protection of animals against cruelty who fails to comply with the conditions or fails to fulfil any of the obligations set out in Section 26c(1) to (6) or (8).

(18) An administrative infraction is committed by a natural person doing business as a designated veterinarian who in contradiction with Section 17d(4) fails to examine an experimental animal, or fails to take actions to minimise the suffering of an

experimental animal.

(19) An administrative infraction may be penalised by a penalty

a) in the amount of up to CZK 3 000 000 in case of an administrative infraction pursuant to paragraph 1(b) to (j), (l), (p) or (q), pursuant to paragraph 2(b) or (c), pursuant to paragraph 3(a) or (f) to (h), pursuant to paragraph 10, pursuant to paragraph 12(c), (p) or (r) or pursuant to paragraph 15(a), (b), (e) to (g), or (i) to (m),

b) in the amount of up to CZK 1 000 000 in case of an administrative infraction pursuant to paragraph 1(a) or (n), pursuant to paragraph 2(a), pursuant to paragraph 3(b), (c) or (j), pursuant to paragraph 4(g) to (i), pursuant to paragraph 6, pursuant to paragraph 7(b) or (c), pursuant to paragraph 8 or 9, pursuant to paragraph 11(a) to (c) or (e), pursuant to paragraph 12(d), (g), (k) or (l), pursuant to paragraph 14, paragraph 15(h) or (n), pursuant to paragraph 17 or 18, or

c) in the amount of up to CZK 200 000 in case of an administrative infraction pursuant to paragraph 1(k), (m) or (o), pursuant to paragraph 3(d), (e) or (i), pursuant to paragraph 4(a) to (f), or (j) to (l), pursuant to paragraph 5, pursuant to paragraph 7(a), pursuant to paragraph 11(d), pursuant to paragraph 12(a), (b), (e), (f), (h) to (j), (m) to (o), (q) or (s), pursuant to paragraph 13, pursuant to paragraph 15(c) or (d) or pursuant to paragraph 16.

(20) Jointly with the penalty for an administrative infraction pursuant to paragraph 1(a), (b), (d), (g), (j) or (p), pursuant to paragraph 4(h), pursuant to paragraph 6 or pursuant to paragraph 7(a) or (b), pursuant to paragraph 10(a) or (b), pursuant to paragraph 12(a) or (p) or pursuant to paragraph 14(a), (b), (e) to (g) or (i) to (m), prohibition of activity or publication of the decision on administrative infraction may be imposed, and for an administrative infraction pursuant to paragraph 1(b) or (i), pursuant to paragraph 3(f) to (g), pursuant to paragraph 4(h), pursuant to paragraph 6 or pursuant to paragraph 7(a) or (b) forfeiture of the animal or prohibition to keep animals for the period of up to 5 years, or publication of the decision on administrative infraction may be imposed.

(21) An administrative infraction pursuant to paragraph 1(a) or (b) committed on two or more animals may be penalised by a penalty in the amount of more than CZK 10 000.

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- 1a) *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 transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97.
Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing.
Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation). Regulation (EU) 2019/1010 of the European Parliament and of the Council of 5 June 2019 on the alignment of reporting obligations in the field of legislation related to the environment, and amending Regulations (EC) No 166/2006 and (EU) No 995/2010 of the European Parliament and of the Council, Directives 2002/49/EC, 2004/35/EC, 2007/2/EC, 2009/147/EC and 2010/63/EU of the European Parliament and of the Council, Council Regulations (EC) No 338/97 and (EC) No 2173/2005, and Council Directive 86/278/EEC.
- 12) *Article 2(l) of Council Regulation (EC) No 1099/2009.*
- 13) *Council Regulation (EC) No 1099/2009.*

Section 27b

Prohibition of keeping animals and forfeiture of an animal

(1) The municipal authority of the municipality with extended powers may decide to impose a prohibition of keeping animals where there is a reasonable concern that the offender

a) will continue to abuse the animal, especially in the case of an offender who was punished or convicted for an administrative infraction of cruelty to an animal in the last 3 years,

b) fails to provide care to an abused animal requested by its state of health, or

c) starts keeping more animals in the same way which constituted an administrative infraction for which he was punished or convicted in the past with respect to another animal.

(2) Forfeiture of an animal may be imposed by the municipal authority of the municipality with extended powers by a decision if the animal was abused and the abused animal is owned by the offender and when there is a reasonable concern that the offender

a) will continue to abuse the animal, especially in the case of an offender who was punished or convicted for an administrative infraction of cruelty to an animal in the last 3 years, or

b) fails to provide care to an abused animal requested by its state of health.

(3) Forfeiture of an animal may also be imposed by the municipal authority of the municipality with extended powers by a decision even if the animal has so far not experienced suffering provided the animal is owned by the offender who keeps the animal without the authorisation pursuant to Section 13(5).

(4) Where prohibition of keeping animals or forfeiture of an animal is imposed, the municipal authority of the municipality with extended powers shall always impose also a penalty in accordance with this Act. Prohibition of keeping animals or forfeiture of an animal cannot be imposed if the severity of the administrative infraction is so low that the penalty, which was also imposed, is set at the lower limit for the given administrative infraction.

(5) A forfeited animal shall become the property of the state.

Section 27c

Seizure of an abused animal

(1) Where forfeiture of an animal has not been imposed pursuant to Section 27b and the abused animal is the property of a person who cannot be prosecuted for the administrative infraction since this person is not responsible for the administrative infraction committed, a decision may be taken to seize the abused animal.

- (2) The municipal authority of the municipality with extended powers may also decide to seize an abused animal if
- a) the animal is abused by a person who is not the owner of the animal and who keeps the animal with the knowledge of the owner of the animal, and the owner of the animal fails to ensure the care of the abused animal upon the formal notice pursuant to paragraph 3, or
 - b) the person whose animal was placed in foster care, fails to cover the costs pursuant to the first sentence of Section 28a(6) within 3 months of the date of notification of the decision on costs, and the animal is not owned by this person.

(3) If the person accused of animal abuse or the offender is not the owner of the abused animal and keeps the abused animal with the knowledge of the owner of the animal, the municipal authority of the municipality with extended powers shall call upon the owner of the abused animal to ensure proper care of the abused animal within 7 days of the delivery of this formal notice. Upon the formal notice of the municipal authority of municipality with extended powers, the owner of the abused animal is obliged to ensure proper care of the abused animal at his own expense.

(4) The seizure of an abused animal pursuant to paragraph 2 shall be imposed upon the owner of the animal. The decision on the seizure of the abused animal pursuant to paragraph 2 cannot be issued prior to the issuance of the decision on the imposition of penalty to the offender. The seizure of the abused animal pursuant to paragraph 2 cannot be imposed if the severity of administrative infraction is low and the penalty imposed upon offender is set at the lower limit for the given administrative infraction.

(5) The seized animal shall become the property of the state.

Section 27d

Seizure of an animal

(1) The municipal authority of the municipality with extended powers may decide to seize an animal, if the animal is kept by a person upon whom the prohibition to keep animals or the prohibition of activity has been imposed by final decision or judgment.

(2) The provisions of Section 27c(3) to (5) shall similarly apply to the seizure of an animal.

Section 28

Common provisions on administrative infractions

(1) Prohibition of activity may be imposed upon a legal person for no longer than 5 years.

(2) Administrative infractions pursuant to this Act shall be heard by the municipal authority of the municipality with extended powers, except for the administrative infractions pursuant to Section 27(1)(r) and pursuant to Section 27a(1)(o), which shall be heard by the municipal authority. In the territory of the Capital of Prague, administrative infractions shall, pursuant to this Act, be heard by the city district authorities of the Capital of Prague.

(3) Penalties shall be collected and enforced by the authority that has imposed them.

Section 28a

Special measures

(1) Upon proposal of the Regional Veterinary Administration, the municipal authority of the municipality with extended powers may through an administrative decision

- a) order and provide for the placement of an abused animal in foster care,
- b) order the keeper to provide for measures to reduce the number of animals, including their killing in compliance with this Act, where the animals have been abused,
- c) order the keeper to suspend his activities during which cruelty to animals has been committed, namely pending the removal of deficiencies. Suspension of activity does not mean the prohibition of activity. Suspension of activity shall not include the obligation of the keeper to provide for foster care of animals. The municipal authority of the municipality with extended powers shall decide on lifting the suspension of activity based on an expert opinion of the Regional Veterinary Administration which assesses the removal of deficiencies,
- d) order the owner of the animal to arrange for killing of the animal by a person professionally competent pursuant to the Veterinary Act, if there is a reason to kill the animal pursuant to Section 5(2)(b),
- e) order the keeper to allow another person to take care of the animal on the land, in the housing facility or in other premises of the keeper where the animal is placed.

(2) An appeal against the decision pursuant to paragraph 1(a), (c) and (e) shall have no suspensory effect.

(3) The costs incurred in relation to the placement of an abused animal in foster care and the follow-up care of the animal shall be covered by the person from whose care the animal has been removed. The costs incurred in relation to the provision of care pursuant to paragraph 1(e) shall be covered by the keeper.

(4) The costs incurred in relation to treatment of the animal which was abused and the health of which was consequently damaged, shall be borne by the person that has caused this situation, even if the costs exceed the value of the animal.

(5) The costs incurred in relation to the reduction of the number of animals or euthanasia of animals shall be covered by the keeper.

(6) The decision on costs pursuant to paragraphs 3 and 4 shall be taken by the municipal authority of the municipality with extended powers in an administrative procedure. Where the person, whose animal was placed in foster care, fails to cover the costs pursuant to the first sentence within 3 months from the date of notice of the decision on costs, and the animal is the property of this person, the municipal authority of the municipality with extended powers may decide that the animal becomes the property of the state. The owner shall be explicitly informed about this fact in the decision on costs. The state shall ensure the care of such animal. If the person whose animal has been placed in foster care fails to cover the costs pursuant to the first sentence within 3 months of the date of notification of the decision on costs and the animal is not owned by this person, the municipal authority of the municipality with extended powers may decide to seize the abused animal using the procedure stipulated in Section 27c(3) to (5).

(7) If an administrative procedure on a special measure has been commenced, the municipal authority of the municipality with extended powers shall also commence administrative infraction proceedings; this shall not apply to cases where criminal proceedings has been commenced on the merits. The decision on a special measure cannot be issued if the severity of administrative infraction is so low that the penalty that should be imposed or has simultaneously been imposed is at the lower limit of the penalty for the respective administrative infraction.

Section 28b

Foster care of an abused animal

(1) The decision pursuant to Section 28a(1)(a) shall apart from the general requisites set out by the Rules of Administrative Procedure, also include the conditions for ensuring protection of an animal, after the fulfilment of which the animal will be returned to the owner. The municipal authority of the municipality with extended powers may, upon initiative of the owner, decide on terminating the implementation of the special measure and on returning the animal to its owner. The municipal authority of the municipality with extended powers shall decide on returning the animal to its owner based on the expert opinion of the Regional Veterinary Administration which shall assess the compliance with the conditions stated in the first sentence.

(2) The provision of paragraph 1 shall not apply, where after consideration all the circumstances of the case, the correction of the offender cannot be foreseen and it is also beyond doubt that a proper care of the animal will not be ensured.

(3) The owner of the animal, who has been notified of the decision on placing the animal in foster care, shall hand the animal over to the municipal authority. Where the animal is not handed over to the administrative authority within the set out deadline, the animal may be taken away from the person who possesses the animal. For the sake of taking away of the abused animal, the person who is taking away the animal, shall be entitled to enter all the premises where the animal is kept. A report shall be made on handing over or taking away of the animal, which shall include also a description of the animal.

(4) A foster care shall be ensured by a person who has had experience with keeping the given animal species (hereinafter referred to as the "caretaker"), based on the contract concluded with the municipal authority of the municipality with extended powers. The contract comprises also an obligation of the caretaker to provide the municipal authority of the municipality with extended powers with documents on the costs associated with ensuring the foster care. The caretaker shall take due care of the animal.

(5) If young animals are born in the foster care, the decision on the special measure shall also apply to them. Other

products or benefits from the animal generated at the time of foster care are the property of the caretaker.

Section 28c

Emergency foster care

(1) The municipal authority of the municipality with extended powers may through a decision order an emergency foster care of an abused animal, if an imposition of the forfeiture of an abused animal, a decision on its seizure or a decision on the placement of an abused animal in foster care in the administrative procedure can be expected. The first act in the procedure on preliminary measure may be the issuance of the decision on the preliminary measure. This decision shall be enforceable immediately after its announcement. The appeal against this decision shall have no suspensory effect. The animal may be taken away and placed in emergency foster care, even if the keeper of the animal is not present when the decision is announced and the animal taken away. The provisions of Section 28b(3) shall be applicable by analogy to the emergency foster care.

(2) If forfeiture of the abused animal is not imposed, or if no decision is taken on its seizure or placement in foster care, the municipal authority of the municipality with extended power shall decide on removing the animal from the emergency foster care upon request of the keeper. Prior to the termination of the procedure referred to in the first sentence, the animal shall not be handed over from the emergency foster care by the municipal authority of the municipality with extended powers to the accused person.

(3) In order to ensure the emergency foster care of an abused animal, the municipal authority of the municipality with extended powers may conclude a contract on the implementation of the emergency foster care with the caretaker. The provisions of Section 28b(4) and (5) shall be applicable by analogy to the emergency foster care.

(4) Until the animal is taken from the premises where it has been kept to the emergency foster care, the user of these premises shall tolerate therein the performance of activities common in taking care of the animal. This shall apply also to cases when the already forfeited or seized animal is to be taken away.

(5) The municipal authority of the municipality with extended powers ensuring the emergency foster care of an animal shall get the costs reimbursed which were efficiently spent on ensuring the emergency foster care and the veterinary care in order to reduce and alleviate the damage to health of the animal caused by its abuse. The costs referred to in the first sentence are subject to the decision of the municipal authority of the municipality with extended powers in the administrative procedure. The referred to costs shall be reimbursed by the offender, where forfeiture of the abused animal has been imposed or where a decision has been taken to place the abused animal in foster care, or by the person who cannot be prosecuted for the administrative infraction, where a decision has been taken to seize the abused animal. The person referred to in the third sentence shall reimburse also the costs incurred in relation to the animals born in the emergency foster care, or in relation to the animals who died during this period or had to be killed, including the costs associated with the killing of animals.

(6) The decision on emergency foster care can be issued prior to the commencement of the administrative infraction proceedings. If the procedure referred to in the first sentence is followed, the municipal authority of the municipality with extended powers shall initiate the administrative infraction proceedings within 20 days of the date of issue of the decision on emergency foster care.

(7) The provisions of the Rules of Administrative Procedure on a preliminary measure shall apply by analogy to the emergency foster care.

Section 28d

Reimbursement of costs incurred in relation to the provision of emergency foster care and special measure by the Ministry

(1) Efficiently incurred costs associated with the provision of emergency foster care pursuant to Section 28c shall be reimbursed by the Ministry based on the application submitted by the municipal authority of the municipality with extended powers provided the costs incurred in relation to a single keeper exceed the amount of CZK 200 000. The municipal authority of the municipality with extended powers can apply for an advance to cover the efficiently incurred costs of the past period. The Ministry can provide an adequate advance to cover the documented efficiently incurred costs. The application shall be submitted to the Ministry always no later than 3 months from the time when the costs efficiently incurred and reimbursed by the municipal authority of the municipality with extended powers exceeded the amount of CZK 200 000.

(2) Efficiently incurred costs associated with the provision of special measure pursuant to Section 28a(1)(a) and (e) shall be reimbursed by the Ministry based on the application submitted by the municipal authority of the municipality with extended powers, if the special measure lasts more than 3 months, the costs incurred in relation to a single keeper exceed the amount of CZK 200 000 and the keeper failed to reimburse the costs associated with the special measure within the deadline stipulated in Section 28a(6) or by distraint. The application shall be submitted to the Ministry always no later than 3 months of the receipt of information by the municipal authority of the municipality with extended powers from the distrainor regarding the reasons of the unsuccessful distraint, however, no later than 2 years after the commencement of the unsuccessful distraint.

(3) The person who has been lawfully convicted of an administrative infraction pursuant to Section 27 or 27a, shall reimburse the costs covered by the Ministry pursuant to paragraph 1 or 2 to the Ministry.

(4) Efficiently incurred costs mean the costs of transport of the animal, placement of the animal, feed, veterinary care, medicinal products and medical supplies, other costs depending on the health condition of the animal and the labour and similar costs associated with the provision of emergency foster care or special measure. The costs incurred at the time of delays in

administrative procedure on the imposition of administrative penalty or placement of the abused animal in emergency foster care or during the provision of special measure caused by the municipal authority of the municipality with extended powers shall not be considered efficiently incurred costs.

(5) The application for reimbursement of efficiently incurred costs pursuant to paragraphs 1 and 2 shall be submitted by the municipal authority of the municipality with extended powers on a form whose binding model shall be published by the Ministry on its website.

(6) Apart from the general requisites laid down in the Rules of Administrative Procedure, the application for reimbursement of efficiently incurred costs pursuant to paragraphs 1 and 2 shall contain also

- a) the total amount of efficiently incurred costs,
- b) the personal data and the address of residence or identification data of the owner of the animal, or also the personal data and the place of residence or identification data of the animal keeper, if the animal is kept by a person other than the owner of the animal, and
- c) the personal data and the place of residence or identification data of the person providing the care of the animal.

(7) Attached as an annex to the application pursuant to paragraph 6 shall be

- a) a document on the authorisation to act on behalf of the applicant,
- b) a document proving the opening of a bank account of the applicant, particularly the bank statement or the bank account agreement,
- c) identification of the animal or animals with respect to which the reimbursement of efficiently incurred costs is applied for,
- d) justification of the application, including the information as to what authority has provided the care of the animal and for what reasons,
- e) a report on handing the animal over to care,
- f) a contract on provision of care of the animal, if concluded,
- g) documents on the reimbursed efficiently incurred costs and their summary,
- h) a proposal of the competent Regional Veterinary Administration to impose a special measure, the decision on the imposition of a special measure, the decision on the reimbursement of costs incurred in relation to the imposition of a special measure, distraint notice or distraint order in relation to the costs associated with the imposition of a special measure, and information on the reasons of unsuccessful distraint, or the decision on the imposition of emergency foster care and notice on initiation of administrative infraction proceedings, unless the procedure has been terminated, the decision on reimbursement of efficiently incurred costs on the provision of emergency foster care if the emergency foster care has already been terminated, and
- i) the decision on the imposition of administrative penalty in the field of animal protection, or information on the reasons why such a decision has not been issued as yet.

Section 28e

Provision of care of an animal in a rescue centre

(1) An animal to which the Act governing the trade in endangered species²⁸⁾ applies, in case of foster care pursuant to Section 25(7), forfeiture of an animal pursuant to Section 27b(2) or (3), seizure of an abused animal pursuant to Section 27c, seizure of an animal pursuant to Section 27d, imposition of foster care pursuant to Section 28a(1)(a) and Section 28b, decision on the animal becoming the state property pursuant to Section 28a(6), or imposition of emergency foster care pursuant to Section 28c shall be placed in a rescue centre operated in compliance with the Act governing the trade in endangered species³³⁾.

(2) The amount of costs associated with the provision of care of an animal referred to in paragraph 1 to be reimbursed shall be set in line with the Act governing the trade in endangered species³⁴⁾ based on their statement issued by the operator of the rescue centre in which the animal has been placed.

(3) The costs associated with the care of an animal referred to in paragraph 1 shall be reimbursed in line with the procedure under this Act in case of foster care pursuant to Section 25(7), imposition of foster care pursuant to Section 28a(1)(a) and Section 28b, or imposition of emergency foster care pursuant to 28c. In the other cases referred to in paragraph 1, the costs associated with the care of an animal referred to in paragraph 1 shall be reimbursed by the Ministry of Environment pursuant to the Act governing the trade in endangered species³⁵⁾.

PART EIGHT

FINAL PROVISIONS

Section 29

(1) The Ministry shall issue a decree for the implementation of Section 5a(7), Section 5c(7), Section 5f(7), Section 5g, Section 5i(6), Section 7a(9), Section 8b(4) and (7), Section 8e(3), Section 12a(5), Section 12c(2), Section 12d(8), Section 12f(5), Section 12g(2), Section 13(11), Section 14a(3), Section 14b(4), Section 14c(4), Section 14d(5), Section 15c(7), Section 15d(9), Section 15e(3), Section 15g(7), Section 17(3), Section 17a(5), Section 18c(5), Section 18g(9) and Section 26(2).

(2) The Ministry may issue a decree for the implementation of Section 13a(6).

Section 29a

(1) Any person who has been registered pursuant to the specific legislation⁹⁾ as of 1 March 2004 shall submit the Rules of protection of animals at a public performance or animal gathering and the Rules of protection of animals in breeding [Section 21(3)(g)] to the Central Commission for approval by 1 July 2004 at the latest.

(2) When the keeper keeps laying hens in the establishment specified in the implementing legislation using the already installed technology with the height of at least 36 cm over at least 65 % of the cage area and not less than 33 cm at any point and is not older than 16 years of age, his conduct shall not be considered cruelty to animals pursuant to Section 4(1)(v) before December 2009.

(3) Any accreditation granted to user establishments pursuant to the existing legislation shall remain in force even after this Act takes effect, however, no longer than until the date specified in the decision on its granting.

(4) Any certificate granted to breeding and supplying establishments pursuant to the existing legislation shall remain in force even after this Act takes effect, however, no longer than until the date specified in the decision on its granting.

(5) The Rules of breeding and trials of animals, the rules of protection of animals at a public performance or animal gathering approved by the Central Commission pursuant to the existing legislation shall be aligned by persons submitting them to comply with this Act no later than 2 years following its effective date.

(6) Any certificate granted pursuant to the existing legislation with respect to the management and control of experiments on animals and the conduct of supervision shall remain in force.

9) For example, Act No 83/1990 Coll., on association of citizens, as amended.

Section 29b

The powers assigned to a municipal authority under Section 25(7) and Section 28(2) and the powers assigned to a municipal authority of a municipality with extended powers or to a competent authority of a city district of the Capital of Prague under Section 28(2) and Section 28a to Section 28c represent the execution of delegated powers.

Section 29c

(1) If the breeder as at the effective date of Section 5(7) of this Act, with the knowledge of the Regional Veterinary Administration, breeds animals exclusively or predominantly to obtain fur (hereinafter referred to as breeding animals for fur¹⁾), this activity shall be terminated in accordance with the existing legislation before 31 January 2019.

(2) The Ministry shall provide from the state budget, under the conditions below, a one-off financial contribution to breeders who as a part of their business activity breed animals for fur and terminate their activity in the transition period pursuant to paragraph 1 (hereinafter referred to as the "compensatory allowance") in order to mitigate the impacts.

(3) The application for provision of compensatory allowance to the breeder who as a part of his business activities operated the breeding of animals for fur and terminated his activities before 31 January 2019 (hereinafter referred to as "the application") shall be submitted to the Ministry on a form whose binding model shall be published by the Ministry on its website. Apart from the general requisites laid down in the Rules of Administrative Procedure, the application shall contain

- address of venue or venues where the breeding of animals for fur was operated by the applicant,
- animal species kept by the applicant exclusively or predominantly to obtain fur,
- number of animals kept in 2014, 2015, 2016, 2017 and 2018,
- date of termination of breeding of animals for fur by the applicant,
- total amount of compensatory allowance requested by the applicant,
- banking details of the applicant.

(4) The Ministry shall request from the Regional Veterinary Administration

- an opinion issued by the Regional Veterinary Administration confirming that the applicant had been subject to supervision pursuant to Section 22(1)(a) of this Act, during which it was confirmed or ascertained that the applicant operated the breeding of animals for fur,
- a document confirming that the applicant has filed a notice of termination of business activity pursuant to Section 5(4)(a) of the Veterinary Act²⁾ stating the date of termination of business activity in the field of breeding of animals for fur, certified by the Regional Veterinary Administration, or a copy of this notice,
- a document issued by the Regional Veterinary Administration confirming the number of bred animals identified at the applicant during the inspections of the Regional Veterinary Administration carried out in 2014, 2015, 2016, 2017 and 2018.

(5) The compensatory allowance may be requested only by the breeder who started breeding animals for fur on 30 June 2016 at the latest and who no later than on this date notified the Regional Veterinary Administration thereof. In the cases deserving special consideration, the Ministry may accept also the request of the breeder who started breeding animals for fur or notified the Regional Veterinary Administration thereof after 30 June 2016, but prior to the effective date of Section 5(7) of this Act. The request may be submitted also by the legal successor of the breeder who has met the conditions referred to in this paragraph.

(6) The applicant can submit an application only after having sent the notice of termination of business activity to the Regional Veterinary Administration pursuant to Section 5(4)(a) of the Veterinary Act²⁾, stating the particular date. The applicant can submit the application within 30 months of the date of termination of breeding animals for fur at the latest.

(7) The amount of compensatory allowance intended to reimburse the actual damage amounts to CZK 3 000 per each

bred mink and CZK 3 900 per each bred fox. The compensatory allowance to compensate the lost profits shall not be provided.

(8) The number of bred animals for the calculation pursuant to paragraph 7 shall be set as the highest number of animals identified at the breeder during inspections carried out by the Regional Veterinary Administration in 2014, 2015, 2016, 2017 and 2018. In case of a legal successor pursuant to the third sentence of paragraph 5, the number of animals identified at the original breeder pursuant to the first sentence is used for the calculation.

(9) The compensatory allowance shall be reimbursed via cashless transfer to a bank account of the applicant.

2) Act No 166/1999 Coll., as amended.

Section 30

This Act shall come into effect on the date of its promulgation.

Annex

Animal species of the order Carnivora, in which activities are prohibited pursuant to Section 14a(4)

Pursuant to Section 14a(4) Carnivora mean:

1. in family Felidae
 - a) all species in subfamily big cats (Pantherinae),
 - b) species Puma concolor of genus Puma and genus Lynx in subfamily small cats (Felinae)
 - c) genus Acinonyx in subfamily Acinonychinae,
2. all species in family Ursidae,
3. all species in family Hyaenidae, and
4. species Canis lupus and Lycaon pictus in family Canidae.

Article II

of Act No 312/2008 Coll.

amending Act No 246/1992 Coll., on the protection of animals against cruelty, as amended, Act No 634/2004 Coll., on administrative fees, as amended, and Act No 114/1992 Coll., on nature and landscape protection, as amended

Transitional provisions

1. The certificate of professional qualification of the transporter transporting animals, the card of the person transporting animals and the certificate of registration of the transporter transporting animals, issued in accordance with the existing legislation, expire at 6 months after the effective date of this Act.

2. The persons who have obtained the certificate of professional qualification of the transporter transporting animals and the card of the person transporting animals in accordance with the existing legislation, shall apply at the Ministry for a replacement card within 6 months after the effective date of this Act. When receiving a replacement certificate, these persons shall be informed about the directly applicable Community legislation in the field of animal protection.

3. The persons who have obtained the certificate of registration of the transporter in accordance with the existing legislation shall apply within 6 months from the effective date of this Act with the competent authority of the veterinary administration for

a) transporter authorisation, or

b) long journeys transporter authorisation and certificate of approval of means of transport by road, or certificate of approval of livestock vessels.

4. In selected animal species requiring special care, defined by the implementing legislation, the keeper shall ensure that the animals are marked with permanent unique identification by a professionally competent person, with the use of means causing during their application only mild or temporary pain, particularly tattooing or microchipping, namely within 3 years after the effective date of this Act.

5. The person responsible for the care of handicapped animals shall successfully complete the training course and obtain the certificate of professional competence of the person responsible for the care of handicapped animals within 2 years from the effective date of this Act.

6. The accreditations granted to the user establishments and the certificates granted to the breeding and supplying establishments in accordance with the existing legislation shall remain valid also after the effective date of this Act, but no longer than for the period stated in the decision on their issuance.

7. The decisions on approval of the rules of protection of animals in breeding and the rules of protection of animals at a public performance or animal gathering, issued in accordance with the existing legislation, remain valid also after the effective date of this Act.

8. The certificates of professional competence to perform supervision in the field of animal protection, issued in accordance with the existing legislation, remain valid also after the effective date of this Act.

9. The administrative procedures, commenced prior to the effective date of this Act, shall until their completion be governed by the existing legislation.

Article II of Act No 359/2012 Coll.

amending Act No 246/1992 Coll., on the protection of animals against cruelty, as amended, Act No 634/2004 Coll., on administrative fees, as amended, and Act No 166/1999 Coll., on veterinary care and on amendments to some related acts (the Veterinary Act), as amended

Transitional provisions

1. The final decisions on granting an exemption to the slaughter of slaughter animals for the purposes of churches and religious societies, issued in line with the existing legislation, shall expire at 2 months from the effective date of this Act.

2. Until 8 December 2015, the Ministry of Agriculture shall issue certificates of competence for persons involved in operations related to the slaughter of animals and certificates of competence to kill fur animals to persons who shall duly document the appropriate professional experience of at least 3 years.

3. The person attending to pigs shall receive instructions and guidance on the care of pigs from the keeper within 1 year from the effective date of this Act, or such a person shall by this deadline take part in the course on the care of pigs to obtain the certificate of competence to take care of pigs.

4. The accreditations granted to person operating user establishments and the certificates granted to persons operating breeding and supplying establishments under the existing legislation shall remain valid also after the effective date of this Act until the date indicated in the decision on their issuance, but only until 1 January 2018.

5. The certificates of professional competence to manage, carry out and control experiments on animals pursuant to Section 17(1) of the Act issued in accordance with the existing legislation shall expire at the end of 2 years from the effective date of this Act.

6. The certificates of professional competence for laboratory staff, technicians and animal attendants pursuant to Section 17(3) of the Act issued in accordance with the existing legislation shall expire at the end of 2 years from the effective date of this Act.

7. Final decisions on experimental project authorisation issued in accordance with the existing legislation remain valid also after the effective date of this Act, but only until the date indicated in the decision on their issuance. The decisions on experimental project authorisation issued in accordance with the existing legislation, whose validity period exceeds 1 January 2018, shall remain valid also after the effective date of this Act, but only until 1 January 2018. The decisions on experimental project authorisation issued in accordance with the existing legislation, in which the validity period is not explicitly indicated, shall remain valid also after the effective date of this Act, but only until the end of the validity period of the decision on granting the accreditation to the person operating a user establishment, based on which the decision on experimental project authorisation has been issued.

8. The administrative procedures, commenced prior to the effective date of this Act, shall until their completion be governed by the existing legislation.

9. The training centres holding courses in the field of protection of animals against cruelty in accordance with the existing legislation shall apply for accreditation to hold courses in the field of protection of animals against cruelty no later than 1 month from the effective date of this Act. If the training centre submits the application in line with the previous sentence, it shall be entitled to hold courses in the field of protection of animals against cruelty without the accreditation to hold courses in the field of protection of animals against cruelty for the period of 6 months from the effective date of this Act.

Article II of Act No 501/2020 Coll.

amending Act No 246/1992 Coll., on the protection of animals against cruelty, as amended and Act No 634/2004 Coll., on administrative fees, as amended

Transitional provisions

1. Administrative procedures initiated pursuant to Act No 246/1992 Coll., as amended with effect before the effective date of this Act and not terminated by final decision before the effective date of this Act, shall be completed pursuant to Act No 246/1992 Coll., as amended, with effect before the effective date of this Act.

2. The keeper who kept selected species of carnivores or great apes before the effective date of this Act, shall attend a training course on the care of selected species of carnivores or great apes and obtain a certificate of competence to take care of selected species of carnivores or great apes within 2 years of the effective date of this Act. The certificate shall state that the keeper has obtained the certificate by attending the course. The keeper referred to in the first sentence shall submit to the training centre

- a) decision of the Regional Veterinary Administration on the authorisation of breeding the animal species requiring special care pursuant to Section 13(5) of Act No 246/1992 Coll., as amended with effect before the effective date of this Act, which applies to the selected species of carnivores or great apes,
- b) notification certified by the Regional Veterinary Administration pursuant to Section 13a(1) of Act No 246/1992 Coll., as amended with effect as of the effective date of this Act, specifying the animal species, which applies to the selected species of carnivores or great apes,
- c) notification certified by the Regional Veterinary Administration pursuant to Section 5(4)(a) of Act No 166/1999 Coll., on veterinary care and on amendments to some related acts (the Veterinary Act), as amended, specifying the animal species, which applies to the selected species of carnivores or great apes, or
- d) statement issued by the Regional Veterinary Administration confirming that supervision had been performed at the keeper before the effective date of this Act pursuant to Section 22(1)(a) of Act No 246/1992 Coll., as amended with effect as of the effective date of this Act, during which it was confirmed or ascertained that the keeper keeps selected species of carnivores or great apes.

3. If the application for reimbursement of efficiently incurred costs was submitted pursuant to Section 25(7) of Act No 246/1992 Coll., as amended with effect as of the effective date of this Act,

- a) efficiently incurred costs related to the care of the animal pursuant to Section 25(6) of Act No 246/1992 Coll., as amended with effect before the effective date of this Act shall be reimbursed pursuant to Act No 246/1992 Coll., as amended with effect before the effective date of this Act, and
- b) the efficiently incurred costs related to the care of the animal pursuant to Section 25(7) of Act No 246/1992 Coll., as amended with effect as of the effective date of this Act shall be reimbursed pursuant to Act No 246/1992 Coll., as amended with effect as of the effective date of this Act.

4. The provision of Section 28d of Act No 246/1992 Coll., as amended with effect as of the effective date of this Act shall be applied in cases where a decision is adopted regarding the imposition of emergency foster care pursuant to Section 28c of Act No 246/1992 Coll., as amended with effect as of the effective date of this Act, and regarding special measure pursuant to Section 28a(1)(a) and (e) of Act No 246/1992 Coll., as amended with effect as of the effective date of this Act, in relation to administrative infraction proceedings initiated in line with Act No 246/1992 Coll., as amended with effect as of the effective date of this Act.

5. The provision of Section 9(1)(f) of Act No 246/1992 Coll., as amended with effect as of the effective date of this Act shall apply only to constructions for animals built, reconstructed or put into operation for the first time after the effective date of this Act, with the exception referred to in the second sentence. The constructions for cattle built, reconstructed or put into operation for the first time before the effective date of this Act shall be subject to the provision of Section 9(1)(f) of Act No 246/1992 Coll. as amended with effect as of the effective date of this Act after 1 January 2030.

6. The administrative procedure initiated pursuant to Section 29c of Act No 246/1992 Coll., as amended with effect before the effective date of this Act and not lawfully terminated before the effective date of this Act shall be discontinued by the resolution of the Ministry pursuant to Section 66(1)(g) of Act No 500/2004 Coll.

7. If the applicant received the compensatory allowance pursuant to Section 29c of Act No 246/1992 Coll., as amended with effect before the effective date of this Act, the compensatory allowance to be provided to the applicant pursuant to Section 29c of Act No 246/1992 Coll., as amended with effect as of the effective date of this Act shall be reduced by the amount provided to the applicant pursuant to Section 29c of Act No 246/1992 Coll., as amended with effect before the effective date of this Act.

8. The business operator shall ensure no later than within two years of the effective date of this Act that the activities of an animal welfare officer under Article 17 of the directly applicable European Union legislation governing the protection of animals at the time of killing¹³⁾ are performed by a person who has successfully completed the examination in the vocational training course to obtain the certificate of competence for persons involved in operations related to the slaughter of animals, intended for animal welfare officers under Article 17 of the directly applicable European Union legislation governing the protection of animals at the time of killing¹³⁾.

9. The certificates of competence for the persons involved in operations related to the slaughter of animals, granted to the animal welfare officers under Article 17 of the directly applicable European Union legislation governing the protection of animals at the time of killing¹³⁾, shall pursuant to Act No 246/1992 Coll., as amended with effect before the effective date of this Act expire after two years as of the effective date of this Act.

13) Council Regulation (EC) No 1099/2009.