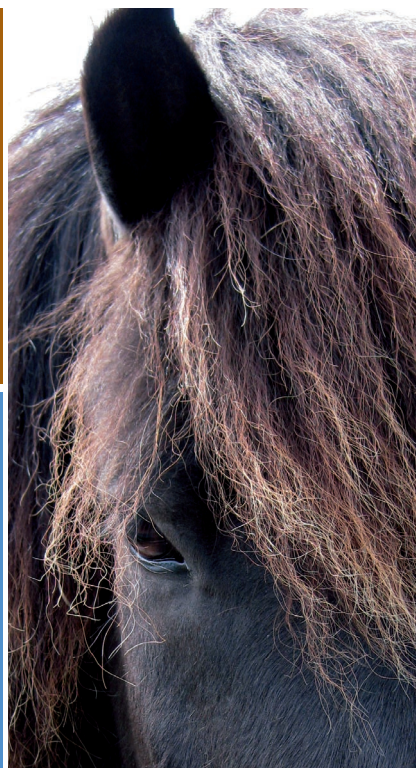
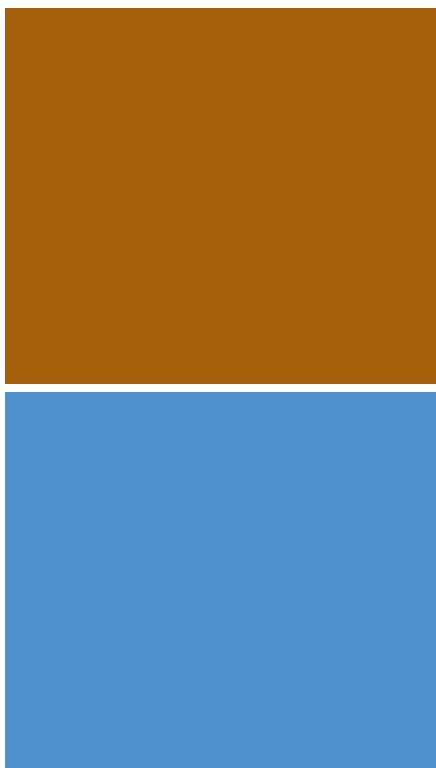


The Animal Welfare Act

The Animal Welfare Ordinance



REGERINGSKANSLIET

Government Offices
of Sweden

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Stockholm Sweden, September 2009

The Animal Welfare Act

1988:534

Consolidated text
(as last amended by SFS 2009:303
of 1 January 2010)

Unofficial translation

Scope of the Act

Section 1

This Act applies to the care and treatment of domestic animals and laboratory animals. It also applies to other animals if they are kept in captivity. Act (2005:1226).

EC provisions supplemented by the Act

Section 1 a

(1) The Act supplements those provisions in EC regulations (EC provisions) that fall within the scope of the Act. The Government shall promulgate the basic regulations concerned in the Swedish Code of Statutes.

(2) With regard to EC provisions that fall within the scope of several acts, the Government shall promulgate the provisions supplemented by this Act in the same manner as in subsection (1).

(3) The Government or the authority designated by the Government may issue regulations or, in individual cases, make decisions that are needed to supplement the EC provisions. Act (2006:809).

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Definitions

Section 1 b

‘Laboratory animals’ means animals that are used in animal experiments or are bred, kept or supplied for animal experiments. Act (2006:809).

Section 1 c

(1) ‘Animal experiments’ means use of animals for:

1. scientific research;
2. diagnosis of disease;
3. the development and manufacture of pharmaceutical or chemical products;
4. teaching purposes, if the use means that the animal is killed, subjected to a surgical operation, injection or blood-letting or if the animal is caused or risks being caused suffering; and
5. other similar purposes.

(2) ‘Animal experiments’ also means production of genetically modified animals, if gene technology, chemical or other similar methods are used. Act (2006:809).

Basic provisions concerning animal management and treatment

Section 2

(1) Animals shall be treated well and shall be protected from unnecessary suffering and disease.

(2) Animals used as laboratory animals shall not be deemed to have been subjected to unnecessary suffering or disease where such use has been approved by an ethical committee on animal experiments. Act (2005:1226).

Section 3

(1) Animals shall be given sufficient feed and water and adequate care. The feeding stuffs and water must be of good quality and appropriate for the species of animal that is being fed.

(2) Livestock buildings and other holding spaces and enclosures for animals shall provide sufficient space and shelter for the animals. Livestock buildings and other holding spaces for animals shall be kept clean.

(3) The Government or the authority designated by the Government may issue further regulations concerning:

1. feeding and watering of animals; and
2. livestock buildings and other holding spaces and enclosures for animals.

(4) Subsection (1) shall not apply to laboratory animals, unless they are kept in captivity. Act (2007:1394).

Section 3 a

(1) The Government or the authority designated by the Government may issue regulations concerning

1. compulsory prior approval of livestock buildings and other holding spaces and enclosures for animals; and
2. compulsory pre-testing of new animal management technologies.

(2) The Government may prescribe that the authority designated by the Government shall impose a special charge on persons who do not arrange for prior approval of livestock buildings or other holding spaces or enclosures for animals. The special charge shall amount to at least SEK 10 000 and at most SEK 40 000. When regulations are issued concerning the amount of the charge, account shall be taken of the complexity and scope of the prior approval procedure.

(3) The person who owned the livestock building or other holding space or enclosure for animals when a measure was taken that requires prior approval shall be liable for payment of the charge.

(4) If there are special grounds for doing so, the owner of the livestock building or other holding space or enclosure for animals may be partly or wholly exempted from paying the charge. Act (2007:1394).

Section 3 b

If a measure relating to a livestock building or other holding space or enclosure for animals that requires prior approval under regulations issued pursuant to section 3 a, subsection (1), point 1, has been taken without such approval, the authority designated by the Government shall prohibit use of the space or enclosure to house animals. A prohibition shall not, however, be ordered if the authority finds that the measure can be approved retroactively. Act (2007:1394).

Section 4

(1) Animals shall be accommodated and handled in an environment that is appropriate for animals and in such a way as to promote their health and permit natural behaviour.

(2) The Government or the authority designated by the Government may issue further regulations laying down conditions for or prohibiting certain kinds of animal management. Act (2007:362).

Section 5

(1) Animals must not be overworked.

(2) They must not be beaten or driven with implements which may hurt or otherwise injure them.

Section 6

(1) Animals must not be tied or tethered in a way that causes pain or does not allow them the necessary freedom of movement or rest or sufficient shelter from the elements.

(2) The Government or the authority designated by the Government may issue further regulations concerning the tying of animals. Act (2007:362).

Section 7

The Government or the authority designated by the Government may issue regulations concerning conditions for, or prohibitions against, sales or other transfers of ownership of animals. Act (2007:362).

Section 8

(1) The means of transport used for the transportation of animals shall be suitable for the purpose and provide shelter against heat and cold and protect the animals from shocks and abrasions and the like. To the extent necessary, the animals shall be kept separate from each other.

(2) The Government or the authority designated by the Government may issue further regulations laying down conditions for or prohibiting the transportation of animals. Act (2007:362).

Section 9

If an animal is sick, injured or in other ways, through its behaviour, shows signs of ill-health, the animal shall be given the necessary care without delay, if necessary by a veterinarian, or other measures shall be taken, unless the illness or injury is so severe that the animal must be killed immediately. Act (2003:1077).

Surgical procedures etc.

Section 10

(1) Animals must not be subjected to surgical procedures or given injections except where they are necessary for veterinary medical reasons.

(2) Subsection (1) shall not apply to surgical procedures performed or injections administered in connection with activities that have been approved by an ethical committee on animal experiments.

(3) Where special reasons exist, the Government or the authority designated by the Government may issue further regulations concerning surgical procedures performed on or injections administered to animals and regulations providing for exceptions from subsection (1). Act (2003:1076).

Section 11

/Ceases to apply on 1 January 2010/

(1) A veterinarian shall be engaged when a surgical procedure is to be performed on or an injection administered to an animal. The same shall apply to other treatment for the purpose of preventing, detecting, alleviating or curing illness or injury in an animal, if the treatment is liable to cause suffering that's not insignificant.

(2) Subsection (1) shall not apply if the treatment is so urgent that there is no time to engage the services of a veterinarian.

(3) In connection with activities that have been approved by an ethical committee on animal experiments injections may also be administered, procedures performed or other treatment given by persons who have the required training.

(4) The Government or the authority designated by the Government may issue regulations providing for exceptions from subsection (1). Act (2007:362).

Section 11
/Enters into force on 1 January 2010/

(1) A veterinarian or another animal health professional as defined in the Animal Health Care Act (2009:302) shall be engaged if any of the following measures needs to be taken:

1. a surgical procedure on or administration of an injection to an animal;
2. other treatment for the purpose of preventing, detecting, alleviating or curing illness or injury in an animal, if the treatment is liable to cause suffering that is not insignificant; or
3. treatment under general anaesthesia or under a local anaesthetic injection.

(2) Subsection (1) shall not apply to urgent measures taken in order to save the animal's life or alleviate its suffering.

(3) In connection with activities that have been approved by an ethical committee on animal experiments, persons who have the required training may also administer injections and carry out surgical procedures and other treatment.

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(4) The Government or the authority designated by the Government may issue regulations providing for exceptions from subsection (1). Act (2009:303).

Section 12

(1) The Government or the authority designated by the Government may issue regulations laying down conditions for or prohibiting:

1. the administration of hormones or other substances to animals in order to alter their characteristics for any purpose other than to prevent, detect, alleviate or to cure disease or symptoms of disease; or
2. breeding, the object of which is such that it may entail suffering for the animals or affect their natural behaviour.

(2) Subsection (1), point 1, shall not apply to substances that fall within the Feeding stuffs and Animal By Products Act (2006:805). Act (2007:362).

Section 12 a
/Ceases to apply on 1 January 2010 by virtue of Act (2009:303)/

The Government or the authority designated by the Government may issue regulations concerning the approval of farriers. The regulations may prescribe that a charge shall be made for applications for approval. Act (2007:362).

Slaughter etc.

Section 13

Animals shall be spared unnecessary discomfort and suffering when they are taken to slaughter and when they are slaughtered.

Section 14

(1) Domestic animals shall be stunned before being bled prior to slaughter. No other measures may be taken in connection with slaughter until the animal is dead.

(2) The first sentence of subsection (1) shall not apply to animals which, owing to illness or accident, must be slaughtered immediately.

(3) The Government or the authority designated by the Government may issue further regulations providing for exemptions from the first sentence of subsection (1) with respect to poultry and rabbits. Act (2007:362).

Section 15

The Government or the authority designated by the Government may issue further regulations on the slaughter and killing of animals in other cases. Act (2007:362).

Obligation to obtain permission to keep animals in certain cases

Section 16

(1) An operating permit is required by any person who, on a professional basis or on a substantial scale:

1. keeps, breeds, supplies or sells pet animals or receives pet animals for boarding or feeding;
2. keeps, breeds, supplies or sells horses or receives horses for boarding or feeding or uses horses in a riding school business; or
3. breeds fur animals.

(2) Applications for permits shall be considered by the authority designated by the Government. This authority may also withdraw a permit that has previously been granted.

(3) When applications for permits are considered, special attention shall be paid to the question of whether the applicant can be regarded as suitable to conduct the activities and whether the premises in which the activities are to be conducted are suitable with regard to animal welfare.

(4) The Government or the authority designated by the Government may issue regulations concerning:

1. the criteria for regarding a business as operating on a substantial scale;
2. exemptions from subsection (1). Act (2008:660).

Sporting events and exhibitions involving animals

Section 17

(1) Animals must not be trained for or used in sporting events in such a way as to subject them to suffering. This shall also apply to film, video or television productions and shows or other types of exhibition arranged for the public.

(2) The Government or the authority designated by the Government may issue further regulations concerning such use of animals. Act (2007:362).

Section 18

(1) An animal which is trained for or takes part in a sporting event in a sports arena or at a race-track must not be subjected to doping or other improper practices liable to affect the animal's performance or temperament.

(2) The Government or the authority designated by the Government may issue further regulations concerning unauthorized practices. Act (2007:362).

Animal experiments

Section 19

Animal experiments may only take place provided that

1. the purpose of the activity cannot be attained by any other satisfactory method that does not entail the use of animals;
2. as few animals as possible are used;
3. the activity is organized in such a way as not to subject the animals to greater suffering than is absolutely necessary; and
4. no animals other than animals bred for the purpose are used in the activity. Act (2005:1226).

Section 19 a

(1) Permission must be granted by the Government or the authority designated by the Government before laboratory animals can be used, bred, kept or supplied. Such permission may subsequently be withdrawn.

(2) When applications for permission are considered, special attention shall be paid to the question of whether the applicant has the qualifications required to carry on the activity in question and whether the premises in which the activity is to take place are suitable with regard to animal welfare.

(3) When applications for permission to breed laboratory animals are considered, the need for such animals shall also be taken into account. Act (2007:362).

Section 20

(1) In activities referred to in section 19 a there shall be

1. a supervisor approved by the authority designated by the Government, who shall be responsible for the activity;
2. a veterinarian who shall give advice and instructions about the conduct of the activity and assist with the treatment of the animals; and
3. personnel that is sufficient in number, and has the necessary training and skills for the activity.

(2) The supervisor and the veterinarian shall ensure that the activity is conducted in accordance with this Act and any regulations adopted in pursuance thereof.

(3) The Government or the authority designated by the Government may issue further regulations, or take decisions in individual cases, concerning the duties of supervisors and veterinarians and the training and skills of the personnel. Act (2007:362).

Section 21

(1) The use of animals in animal experiments shall be approved from an ethical perspective by an ethical committee on animal experiments before the activity commences.

(2) When examining a case the committee shall weigh the importance of the experiment against the suffering of the animal.

(3) The committee may only approve an animal experiment application if such use can be considered important in the public interest and the conditions set out in section 19, points 1-3 are fulfilled.

(4) The Government or the authority designated by the Government may issue further regulations concerning such approval, as well as regulations providing for exemption from the requirement for approval. Act (2007:362).

Section 22

(1) The Government or the authority designated by the Government may issue regulations laying down conditions for or prohibiting the breeding, keeping, supply or use of laboratory animals.

(2) The Government or the authority designated by the Government may issue regulations providing for exemptions from the provisions of this Act as regards animal experiments. Act (2007:362).

Section 23

A person who breeds, keeps, supplies or uses laboratory animals shall mark the animals and issue instructions for and make notes and submit information concerning these activities in accordance with the regulations issued by the Government or the authority designated by the Government. Act (2007:362).

Official control by the control authorities

Section 24

(1) Official control of compliance with this Act, the regulations and decisions issued pursuant to the Act, the EC provisions supplemented by the Act and the decisions issued pursuant to the EC provisions, shall be exercised by the county administrative boards and other government authorities, as determined by the Government.

(2) The authority that exercises official control shall have access to personnel trained in animal welfare to the extent needed for the authority to be able to perform its duties in a satisfactory manner. Act (2008:660).

Other responsibilities of the control authorities

Section 24 a

(1) The control authority designated by the Government shall coordinate the activities of the other control authorities and provide advice and assistance in these activities where needed.

(2) By advice and information activities and other means, the authority that exercises official control shall make it easier for individuals to fulfil their obligations under the Act, the regulations and decisions issued pursuant to the Act, the EC provisions supplemented by the Act and the decisions issued pursuant to the EC provisions. Act (2008:660).

Section 24 b

The authority that exercises official control shall work to ensure that action are taken against infringements of the Act, of the regulations or decisions issued pursuant to the Act or of the EC provisions supplemented by the Act. Act (2006:809).

Section 24 c

Repealed by Act (2008:600).

Section 24 d

Repealed by Act (2008:600).

Section 24 e

Repealed by Act (2008:600).

Section 24 f

Repealed by Act (2008:600).

Regulations concerning official control

Section 25

The Government or the authority designated by the Government may issue regulations concerning:

1. how official control shall be conducted; and
2. the obligation of a control body engaged in official control to provide information to the coordinating control authority referred to in section 24 a, subsection (1). Act (2008:660).

Section 25 a

The Government may issue regulations prescribing which provisions in Regulation (EC) No 882/2004 of the European Parliament and the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules, shall be applied when conducting official checks on animal keepers other than those holding food-producing animals. Act (2006:809).

Fees

Section 25 b

(1) The Government or the authority designated by the Government may issue regulations on the obligation to pay a fee

1. for official control under the Act, the regulations issued pursuant to the Act or the EC provisions supplemented by the Act; and
2. in matters processed under the Act, the regulations issued pursuant to the Act or the EC provisions supplemented by the Act.

(2) The Government or the authority designated by the Government may issue regulations on the calculation of fees charged by government authorities and control bodies. Act (2008:660).

Section 25 c

Repealed by Act (2008:600).

Section 25 d

Repealed by Act (2008:600).

Orders, prohibitions and remedies

Section 26

(1) Over and above what follows from the EC provisions supplemented by the Act, a control authority may issue the orders and prohibitions that are needed to ensure compliance with the Act, the regulations and decisions issued pursuant to the Act, the EC provisions supplemented by the Act and the decisions issued pursuant to the EC provisions.

(2) Orders and prohibitions under subsection (1) or under the EC provisions supplemented by the Act may be combined with a conditional fine, though not in cases referred to in section 29.

(3) If a person fails to comply with the Act, the regulations or decisions issued pursuant to the Act, the EC provisions supplemented by the Act or the decisions issued pursuant to the EC provisions, a control authority may decide on remedies at his or her expense. In urgent cases, such a decision may be issued without a preceding order.

Act (2008:660).

Right to information and access etc.

Section 27

(1) To the extent needed to carry out checks, a control authority and a control body engaged in official control have a right to

1. receive information and study documents on request; and
2. receive access to areas, facilities, buildings, premises and other places where animals are kept or that are associated with the keeping of animals and there inspect the animals, conduct investigations and take samples.

(2) The provisions in subsection (1) also apply as regards EC institutions and inspectors and experts appointed by the institutions.

(3) A person who is subject to official control shall provide the assistance that is needed to allow the control to be carried out. Act (2006:809).

Assistance from a police authority

Section 27 a

The police authority shall provide the assistance that is needed for exercise of official control or enforcement of decisions under this Act, the regulations or decisions issued pursuant to the Act, the EC provisions supplemented by the Act or the decisions adopted pursuant to the EC provisions. Act (2006:809).

Exceptions for animals used in the armed forces

Section 28

The provisions in sections 24–25, 25 b, subsection (1), point 1, and sections 26–27 a shall not apply to animals used in the Swedish Armed Forces. Act (2008:660).

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/Heading enters into force on 1 January 2010/ Reporting of maltreatment, etc.

Section 28 a

/Enters into force on 1 January 2010/

If, in the course of his or her professional activities, an animal health professional finds reason to believe that animals are not being kept or looked after in accordance with this Act, the regulations issued pursuant to the Act or the EC provisions supplemented by the Act, that person shall report this to the control authority. Act (2009:303).

Prohibition against having animals in care

Section 29

(1) The county administrative board shall prohibit persons to have animals, or a particular species of animal, in their care if they:

1. fail to comply with a decision taken by a control authority pursuant to section 26 which is of significant relevance to animal welfare;
2. seriously neglect the control or care of an animal;
3. maltreat an animal;
4. have been convicted of cruelty to animals pursuant to chapter 16, section 13, of the Penal Code; or
5. have repeatedly been convicted of offences pursuant to sections 36 or 36 a or have repeatedly been the subject of decisions pursuant to section 26.

(2) No prohibition shall be imposed where the offence will manifestly not be repeated.

(3) If the person who is the subject of the prohibition is the owner of the animal, the county administrative board may also order him to dispose of it and may forbid him to procure animals, or a particular species of animal, again.

(4) The prohibition may apply for a fixed period or until further notice. Act (2006:809).

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Taking charge of animals

Section 30

(1) If an animal is found so severely ill or injured that it should be killed immediately, a veterinarian or a police officer, and in urgent cases another person, may kill the animal at once.

(2) The person who has killed the animal shall immediately notify the owner or possessor of the animal to this effect. If this is not possible, the police authority shall be notified.

Section 31

The county administrative board shall decide that an animal shall be taken in charge by the police authority if:

1. the animal is gratuitously subjected to suffering and nothing is done to remedy the situation despite a request to this effect by the control authority;
2. a decision adopted pursuant to section 26, which is of significant relevance to animal welfare, is not complied with;
3. a decision adopted pursuant to section 29 is not complied with;
4. the person who has the animal in his care has been convicted of cruelty to animals pursuant to chapter 16, section 13, of the Penal Code; or

5. the person who has the animal in his care has repeatedly been convicted of offences pursuant to sections 36 or 36 a or has repeatedly been the subject of decisions pursuant to section 26. Act (2006:809).

Section 32

(1) Notwithstanding the provisions of section 31, point 1, concerning requests and remedies, the county administrative board or the police authority shall decide that an animal that is being subjected to suffering shall be taken charge of immediately if:

1. there is deemed to be no prospect of the fault being remedied;
2. the owner of the animal is unknown or cannot be found; or
3. it is otherwise deemed absolutely necessary in the interests of animal welfare.

(2) If the decision has been made by the police authority, it shall be referred to the county administrative board, which shall decide without delay whether or not it shall remain in force.

(3) The police authority shall arrange for the animal to be taken charge of. Act (2008:660).

Section 33

(1) Decisions under sections 31 or 32 shall also apply to offspring to which the animal taken care of gives birth while it is being taken care of.

(2) When an animal is taken in charge, the owner shall not have access to the animal or to its offspring which has also been taken in charge without the permission of the county administrative board. Act (2003:52).

Section 34

(1) When the county administrative board decides that an animal shall be taken in charge, it shall determine whether the animal is to be sold, otherwise transferred or killed.

(2) If it proves impossible to implement the county administrative board's decision to sell or otherwise transfer an animal, the board may instead decide that the animal shall be killed.

(3) The police authority shall arrange for the animal to be sold, otherwise transferred or killed. Act (2002:550).

Section 35

(1) Expenses incurred as a result of measures taken pursuant to sections 31 or 32 may be paid in advance out of public funds.

(2) If an animal is taken in charge pursuant to sections 31 or 32, the cost of the measure shall subsequently be paid by the person against whom it was directed, unless there are special reasons to the contrary.

(3) If the police authority has arranged for the sale of an animal taken in charge, the final amount to be paid by the owner may be deducted from the purchase sum.

Penalty provisions

Section 36

(1) The penalty for offences committed deliberately or through negligence in the following cases shall be a fine or imprisonment for not more than two years:

1. offences under sections 3, 5, 6, 8-II, 13, 14, 16-19a or 21;
2. failure to comply with a rule issued pursuant to this Act; or
3. failure to comply with an order or prohibition referred to in section 29.

(2) The penalty for offences committed deliberately and in breach of an obligation that is important from the point of view of animal welfare shall be imprisonment for not more than two years.

(3) No penalties shall be imposed for minor offences.

(4) No penalties shall be imposed pursuant to this Act where the penalty for the offence provided by the Penal Code is the same or more severe. Act (2002:550).

Section 36 a

(1) A person who deliberately or through negligence infringes against the obligations, conditions or prohibitions contained in the EC provisions supplemented by the Act shall be sentenced to a fine or imprisonment for not more than two years. However, this does not apply if the infringement concerns provisions relating to exercise of official authority.

(2) The penalty for offences committed deliberately and in breach of an obligation that is important from the point of view of animal welfare shall be imprisonment for not more than two years.

(3) No penalties shall be imposed for minor offences.

(4) No penalties shall be imposed pursuant to this Act where the penalty for the offence provided by the Penal Code is the same or more severe. Act (2006:809).

Section 37

(1) If an order or prohibition on penalty of a conditional fine has been breached, a person shall not be penalised under section 36 or section 36 a for an act covered by the order or prohibition.

(2) A person who has been ordered to pay a special charge under section 3 a, subsection (2), for neglecting to arrange for prior approval of livestock buildings or other holding spaces or enclosures for animals shall not be penalised under section 36. Act (2007:1394).

Appeals etc.

Section 38

(1) Appeals against decisions issued by a central government administrative authority under this Act, under the regulations issued pursuant to the Act or under the EC provisions supplemented by the Act may be lodged with an administrative court. Leave to appeal is required for an appeal to the administrative court of appeal.

(2) Appeals against other decisions taken by a central government administrative authority may be lodged with the Government. Act (2008:660).

Section 39

The Government may issue regulations on cases in which a decision under this Act, under the regulations issued pursuant to the Act or under the EC provisions supplemented by the Act shall have immediate effect even if an appeal has been lodged against it. Act (2006:809).

Transitional provisions

1988:534

1. This Act shall enter into force on 1 July 1988, when the Animal Welfare Act (1944:219) and the Slaughter of Domestic Animals Act (1937:313) shall cease to apply.

2. Decisions on orders, prohibitions or permits that have been given prior to the entry into force shall be deemed to have been adopted under the new Act, unless otherwise decided by the Government or the authority designated by the Government.

3. If reference is made in an Act or other legislation to a provision that has been replaced by a provision in this Act, the new provision shall apply instead. Act (1991:404).

1995:1714

This Act shall enter into force on 1 May 1996 but shall not apply in cases where the first decision in the case has been taken before then.

1998:56

1. This Act shall enter into force on 1 March 1998.
2. With regard to such use of laboratory animals as has been approved prior to the entry into force, approval under the new wording of section 21 is not required and the older wording of section 2 shall apply.

2002:550

1. This Act shall enter into force on 1 January 2003.
2. Orders and prohibitions adopted under older provisions shall continue to apply after the Act has entered into force.
3. Older provisions shall apply to cases initiated or decisions adopted before this Act entered into force.
4. The Government or, where so authorized by the Government, the Swedish Board of Agriculture may issue the regulations that may be necessary for a transitional period.

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2002:891

1. This Act shall enter into force on the day determined by the Government.
2. Permits issued under older provisions shall continue to apply after the Act has entered into force.
3. Older provisions shall apply to cases initiated or decisions adopted before this Act entered into force.
4. The Government or, where so authorized by the Government, the Swedish Board of Agriculture may issue the regulations that may be necessary for a transitional period.

2003:52

1. Section 33 of this Act shall enter into force on 1 July 2003 and the remainder of the Act on 1 January 2004.
2. The Government or the authority designated by the Government may issue the regulations that may be necessary for a transitional period.
3. The Government or the authority designated by the Government may issue the regulations concerning exemptions from the permit requirement for activities under section 16 that may be necessary for a transitional period. Act (2003:1076).

2003:1077

- 1. This Act shall enter into force on 1 January 2004.
- 2. The provision in section 3 a shall apply to measures that require prior approval after 1 January 2004.

2006:809

- 1. This Act shall enter into force on 1 July 2006.

2007:362

This Act shall enter into force on 1 July 2007.

2007:1394

- 1. This Act shall enter into force on 1 January 2008.
- 2. Older provisions shall apply to measures that require prior approval if they have been taken without prior approval before this Act entered into force.

2008:660

This Act shall enter into force on 1 January 2009.

- 2. Older regulations shall continue to apply to decisions issued by a municipal committee before this Act entered into force.
- 3. Decisions issued by a municipal committee pursuant to older regulations continue to be valid.

2009:303

This Act shall enter into force on 1 January 2010.

The Animal Welfare Ordinance

1988:539

Consolidated text
(as last amended by SFS 2008:1051
of 1 January 2009)

Unofficial translation

Introductory provision

Section 1

This Ordinance contains provisions supplementing the Animal Welfare Act (1988:534). Ordinance (2006:818).

EC provisions

Section 1 a

(1) The basic regulations in EC law that are wholly or partly supplemented by the Animal Welfare Act (1988:534) shall be specified in a Government Promulgation.

(2) With regard to provisions contained in regulations that come under the scope of more than one Act, the Promulgation shall specify which provisions are supplemented by the Animal Welfare Act.

(3) The Swedish Board of Agriculture may issue the regulations and take the decisions that are needed to supplement the EC provisions. Ordinance (2007:484).

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Livestock buildings

Section 1 b

(1) Livestock buildings and other holding spaces for animals shall be sufficiently spacious to allow all the animals to lie down at the same time and to move freely.

(2) The premises shall be designed in such a way as to allow the animals to behave naturally.

Section 2

(1) Livestock buildings shall be designed in such a way as to ensure a satisfactory indoor climate. Noise shall be kept at a low level.

(2) Livestock buildings shall be fitted with windows to let in the daylight.

(3) The Swedish Board of Agriculture may issue regulations providing for exemptions from subsection (2). Ordinance (2007:484).

Section 3

The fittings in livestock buildings and other holding spaces for animals and the equipment in enclosures shall be designed in such a way as not to cause injuries or entail risks to the health of the animals. The fittings and other equipment shall not prevent the animals from behaving naturally,

unnecessarily limit their freedom of movement or otherwise cause them inconvenience. Ordinance (2002:723).

Section 4

The Swedish Board of Agriculture may issue regulations concerning the size and general design of livestock buildings, other holding spaces for animals and enclosures. Ordinance (2007:484).

Prior approval of livestock buildings

Section 5

(1) Livestock buildings and other holding spaces and enclosures for horses, for animals bred or kept for the production of food, wool, hides or fur, or for animals used for teaching purposes not involving animal experiments may not be erected, extended or altered unless the livestock buildings, holding spaces or enclosures have first been approved from an animal welfare and animal health perspective. This also applies when a livestock building, other holding space or enclosure is modified in a manner that is of substantial relevance from an animal welfare or animal health perspective or when a livestock building, other holding space or enclosure that has previously been used for another purpose is taken into use or fitted out for such keeping or breeding of animals. The provisions here concerning livestock buildings, other holding spaces and enclosures also apply to parts of livestock buildings, other holding spaces and enclosures.

(2) Subsection (1) shall not apply to livestock buildings, other holding spaces and enclosures used by the Swedish Armed Forces.

(3) The Swedish Board of Agriculture may issue regulations on conditions for prior approval and on exemptions from subsection (1). Ordinance (2007:1395).

Section 6

(1) Matters relating to prior approval under section 5 shall be examined by the county administrative board. The county administrative board shall inspect livestock buildings and other holding spaces and enclosures before they are taken into use or, if more appropriate, as soon as possible afterwards.

(2) The Swedish Board of Agriculture may issue regulations concerning inspections. Ordinance (2007:1395).

Section 6 a

(1) If a person carries out a measure referred to in section 5 without the prior approval of the county administrative board, the county administrative

board shall order payment of the special charge mentioned in section 3 a, subsection (2) of the Animal Welfare Act (1988:534).

(2) The special charge shall be as follows:

1. SEK 12 000 for measures relating to a new building for a relatively small number of animals using well-tried technology or a minor alteration or extension; and
2. SEK 24 000 for any other new building or for major alteration or extension.

(3) If the matter has not been taken up by the county administrative board within five years of the date when the measure was taken, no special charge may be collected. Ordinance (2007:1395).

Section 6 b

If a measure concerning a livestock building or other holding space or enclosure for animals that requires prior approval under section 5 has been taken without such approval, the county administrative board shall take a decision as referred to in section 3 b of the Animal Welfare Act (1988:534). Ordinance (2007:1395).

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Pre-testing of new technologies

Section 7

(1) New animal management technologies and equipment shall be approved with regard to animal health and animal welfare before use.

(2) The Swedish Board of Agriculture may issue regulations providing for exemptions from subsection (1). Ordinance (2007:484).

Section 8

Applications for approval of new technologies shall be considered by the Swedish Board of Agriculture. Ordinance (2007:484).

Animal management

Section 8 a

The Swedish Board of Agriculture may issue regulations concerning the feeding and watering of animals. Ordinance (2007:484).

Section 9

(1) Hens for egg production may only be housed in hen-housing systems that satisfy the hens' need of nests, perches and sand-baths. The accommodation shall be such as to ensure that mortality and conduct disorders remain at a low level.

(2) The Swedish Board of Agriculture may issue further regulations concerning the accommodation of hens. Ordinance (2003:1124).

Section 9 a

(1) Foxes may only be kept in such a way as to satisfy their need to socialize with other foxes and to move, dig and otherwise occupy themselves.

(2) The Swedish Board of Agriculture may issue further regulations concerning the keeping of foxes. Ordinance (2007:484)

Section 10

Cattle kept for milk production that are older than six months shall be sent out to pasture in the summer.

Section 11

(1) Cattle, other than cattle kept for milk production, shall be sent out to pasture or otherwise allowed to graze outdoors in the summer.

(2) Subsection (1) shall not apply to animals which are younger than six months or to bulls or animals being kept in quarantine. Ordinance (1995:1225)

Section 12

Where possible, pigs kept for rearing shall be allowed outdoors during the summer.

Section 13

The Swedish Board of Agriculture may issue regulations concerning arrangements for pasture as referred to in sections 10 and 11. Ordinance (2007:484).

Section 13 a

(1) Exemptions from the provisions of sections 10 and 11 may be granted in individual cases concerning:

1. livestock buildings taken into use after 1 July 1988, if special climatic conditions make outdoor grazing unsuitable for reasons of animal welfare or if exemptions are necessary owing to unforeseen and exceptional circumstances;
2. livestock buildings taken into use before 1 July 1988, including livestock buildings that have subsequently been altered or extended, where special reasons exist and subject to the conditions specified in regulations issued by the Swedish Board of Agriculture.

(2) In cases referred to in subsection (1), point 1, the question of exemptions shall be considered by the Swedish Board of Agriculture. The same shall apply to cases referred to in subsection (1), point 2, if the livestock building has been altered or extended so as to increase the number of animals by

more than nine adult or eighteen young animals. In other cases questions of exemption shall be considered by the county administrative board.

(3) Decisions on exemptions shall be reviewed after a certain time in accordance with regulations issued by the Swedish Board of Agriculture. Exemption decisions may be cancelled if the conditions set are not fulfilled. Ordinance (2008:1051).

Section 14

Pigs shall be housed in lounging barns.

Section 15

(1) Equipment for immobilizing pigs must not be used otherwise than as a temporary measure.

(2) Equipment or devices that give animals electric shocks for the purpose of controlling their behaviour may not be used. Nor may livestock buildings, other holding spaces for animals or enclosures be fitted out with devices of this kind.

(3) The prohibition in subsection (2) does not apply to the use of electric fences.

(4) The Swedish Board of Agriculture may issue regulations concerning:

1. conditions for using electric fences;
2. exemptions from the prohibition in subsection (2) concerning electric prods or electric deterrents on feed cars; and
3. conditions for use that is permitted under regulations issued pursuant to point 2. Ordinance (2007:484).

Section 16

(1) Pens for pigs and for calves up to the age of one month shall be provided with litter bedding or similar material.

(2) Stall floors and cubicles for dairy cows shall be provided with adequate bedding of straw or similar material.

Section 17

The Swedish Board of Agriculture may issue further regulations laying down conditions for or prohibiting certain kinds of animal management. Ordinance (2007:484).

Section 18

The Swedish Board of Agriculture may issue regulations concerning the tying of animals. Ordinance (2007:484).

Section 19

It shall be prohibited to own or breed dogs which:

1. are exceptionally aggressive;
2. are irritable and bite;
3. are difficult to restrain once they have started an attack; and
4. are inclined to direct their aggression at people or other dogs. Ordinance (1997:49).

Section 19 a

Repealed by Ordinance (2002:723).

Section 20

Persons who are engaged in trade with pet animals commercially or on a large scale shall have the training or other knowledge prescribed by the Swedish Board of Agriculture. Ordinance (2007:484).

Section 21

Repealed by Ordinance (2006:818).

Section 21 a

The Swedish Board of Agriculture may issue further regulations laying down conditions for or prohibiting the sale or other transfer of animals. Ordinance (2007:484).

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Transportation of animals

Section 22

Persons who transport live animals shall attend to the animals and take the necessary steps to ensure that the animals are not injured or subjected to any suffering during loading, transport and unloading.

Section 23

The Swedish Board of Agriculture may issue further regulations concerning conditions for or prohibitions against the transport of animals. Ordinance (2007:484).

Section 24

Repealed by Ordinance (1996:720).

Surgical procedures etc.

Section 25

(1) The gelding of domestic animals and dehorning of cattle and goats shall be permitted even where this is not necessary for veterinary medical reasons.

(2) Male reindeer may be gelded by persons other than veterinarians. Male pigs may be gelded by persons other than veterinarians provided that gelding takes place before the animal has attained the age of seven days. The gelding of pigs which have attained the age of seven days shall be performed under an anaesthetic.

(3) Cattle and goats shall be dehorned under an anaesthetic and the operation shall be performed by a veterinarian or a person considered suitable for this purpose by a veterinarian. Ordinance (2002:723).

Section 26

(1) The Swedish Board of Agriculture may issue further regulations concerning surgical procedures which may be performed on or injections administered to animals where they are not necessary for veterinary medical reasons.

(2) The Swedish Board of Agriculture may issue further regulations concerning cases in which surgical procedures may be performed or injections administered by persons other than veterinarians. Ordinance (2007:484).

Section 27

The Swedish Board of Agriculture may issue detailed regulations concerning the performance of surgical procedures on and administration of injections to animals. Ordinance (2007:484).

Section 28

(1) It shall be prohibited to administer hormones or other substances to animals in order to alter their characteristics for any purpose other than to prevent, detect, cure or alleviate disease or symptoms of disease.

(2) Subsection (1) shall not apply to substances falling within the Feeding stuff and Animal By Products Act (2006:805).

(3) The Swedish Board of Agriculture may issue regulations providing for exemptions, or may in special cases grant exemptions, from subsection (1). Ordinance (2007:484).

Section 29

(1) The Swedish Board of Agriculture may issue regulations prohibiting or laying down conditions for breeding that is planned in such a way that it may affect animals' natural behaviour.

(2) Breeding that is planned in such a way that it may entail suffering for the animals shall be prohibited. Detailed regulations concerning this prohibition shall be issued by the Swedish Board of Agriculture. Ordinance (2007:484).

Slaughter etc.

Section 30

(1) Animals shall be stunned prior to slaughter in such a way as to cause rapid unconsciousness. They must not regain consciousness.

(2) The Swedish Board of Agriculture may issue regulations concerning methods of anaesthesia. Ordinance (2007:484).

Section 31

The Swedish Board of Agriculture may issue regulations providing for, or may in individual cases grant, exemptions from the requirement for anaesthesia referred to in section 14, subsection (1), of the Animal Welfare Act (1988:534) in the case of poultry and rabbits. Ordinance (2007:484).

Section 32

The Swedish Board of Agriculture may issue further regulations concerning the slaughter and killing of animals in other cases. Ordinance (2007:484).

Section 32 a

(1) If an animal is subjected to or it may be presumed that it will be subjected to unnecessary suffering at a slaughterhouse, the official veterinarian shall prohibit slaughter, order the animal to be killed immediately or take other measures that are required immediately from an animal welfare perspective.

(2) The Swedish Board of Agriculture may issue additional regulations concerning the duties of an official veterinarian from an animal welfare perspective. Ordinance (2007:484).

Mandatory permits for certain types of livestock holding

Section 32 b

(1) Applications for permits under section 16 of the Animal Welfare Act (1988:534) shall be considered by the county administrative board that, under section 59, is the competent authority to exercise official control of activities for which a permit is required.

- (2) The Swedish Board of Agriculture may issue regulations concerning
1. the criteria for regarding a business under section 16, subsection (1), of the Animal Welfare Act (1988:534) as operating on a substantial scale; and
 2. exemptions from the permit requirement under section 16, subsection (1), of the same Act. Ordinance (2008:1051).

Section 32 c

Repealed by Ordinance (2008:1051).

Sporting events and exhibitions involving animals

Section 33

(1) A veterinarian appointed by the Swedish Board of Agriculture or, if the Swedish Board of Agriculture so decides, by the county administrative board, shall be present at public sporting events involving animals. Before the event the veterinarian shall inspect the competition arena or racetrack and the animals taking part. If any animal is subjected or liable to be subjected to injury or other suffering the veterinarian shall immediately cancel the event, wholly or in part, or the participation therein of a particular animal.

(2) The Swedish Board of Agriculture may issue further regulations concerning the veterinarian.

(3) The Swedish Board of Agriculture shall fix the veterinarian's fee. The fee shall be paid by the organizer of the event.

(4) Where special reasons exist, the Swedish Board of Agriculture may prescribe, or in individual cases grant, exemptions from the first and second sentences of subsection (1). Ordinance (2007:484).

Section 34

The Swedish Board of Agriculture may issue further regulations concerning the training of animals and their use in sporting events and other activities referred to in section 17 of the Animal Welfare Act (1988:534) and concerning the organization of such events and activities. Ordinance (2007:484).

Section 35

(1) Animals must not be taken from place to place and exhibited to the public in menageries.

(2) Monkeys, predators, with the exception of domesticated dogs and cats, pinnipeds with the exception of sea-lions, rhinoceroses, hippopotamuses, deer, with the exception of reindeer, giraffes, kangaroos, birds of prey, ratite

birds and crocodilians must not be taken from place to place and exhibited to the public in other circumstances either.

(3) The animals referred to in subsection (2) must not be exhibited to the public in performances or otherwise at circuses, variety shows or similar entertainments. Ordinance (1993:1485).

Section 36

Animals other than those referred to in section 35, subsection (2) may only be exhibited to the public in performances at circuses, variety shows or similar entertainments and, provided that they have been exhibited in such performances, in livestock buildings and other holding rooms for animals. The young of such animals may also be exhibited in such buildings or rooms even if they have not been exhibited in such performances. The same shall apply to individual animals that accompany a circus in order to be trained for exhibition. Ordinance (2001:284).

Section 36 a

(1) A circus that exhibits animals to the public shall be controlled once a year by the county administrative board in the county where the circus is domiciled, enters the country or gives its first performance. The control shall be made before the circus's first performance of the year in the country. A control shall also be made in the event of any change in the collection of animals or equipment that is of significant relevance to animal welfare or animal health. The Swedish Board of Agriculture may issue more detailed regulations concerning inspections.

(2) The Swedish Board of Agriculture may issue regulations making it compulsory for persons who exhibit animals at a circus to:

1. keep records of these activities and of the animals used; and
2. supply information about the activities. Ordinance (2007:484).

Section 37

If a zoological garden, zoological park or similar facility is established, it must not be used for the public exhibition of animals until it has been approved by the county administrative board. The same shall also apply when such animals are moved and following the construction of new buildings, extensions and conversions of any significance. Ordinance (2003:105).

Section 38

The measures covered by the provisions concerning doping etc. in section 18 of the Animal Welfare Act (1988:534) shall be specified in regulations issued by the Swedish Board of Agriculture. Ordinance (2003:1124).

Section 39

The cost of control of compliance with the prohibition of doping etc. in section 18 of the Animal Welfare Act (1988:534) shall, if such control takes place at a sporting event, be paid by the organizer of the event and, if it takes place in connection with training, by the animal's owner.

Animal Experiments

Section 40

(1) A permit under section 19 a of the Animal Welfare Act (1988:534) is required for animal experiments using animals in the following animal classes: mammals, birds, reptiles, amphibians, fish and cyclostomes.

(2) Permit matters are examined by the Swedish Board of Agriculture. Ordinance (2007:484).

Section 40 a

The Swedish Board of Agriculture may issue regulations laying down conditions for or prohibiting the breeding, keeping, supply or use of laboratory animals. Ordinance (2007:484).

Section 41

(1) Ethical approvals pursuant to section 21, subsection (1) of the Animal Welfare Act (1988:534) is required for animal experiments using animals in the following animal classes: mammals, birds, reptiles, amphibians, fish and cyclostomes.

(2) For purposes of ethical approval, there are ethical committees on animal experiments. Ordinance (2006:186).

Section 42

The number of ethical committees on animal experiments shall be decided by the Swedish Board of Agriculture; however, it shall be not less than six. The committees shall be distributed throughout the country in the places decided by the Swedish Board of Agriculture. Ordinance (2007:484).

Section 43

(1) Each committee shall have a chairman and one or more vice-chairman and include laypeople, research workers and representatives of the personnel who handle laboratory animals.

(2) The Swedish Board of Agriculture shall appoint the chairman and the vice-chairman, who shall be impartial and shall preferably have legal training and experience as judges.

(3) Half of the other members of the committee shall be lay members. The number of lay members representing animal welfare organizations shall be less than half of the total number of lay members of the committee. Ordinance (2007:484).

Section 44

(1) The number of members of the ethical committees on animal experiments shall be decided by the Swedish Board of Agriculture. However, the number must not exceed 14. If the committee is divided into more than one division, however, the number of members in each division must not exceed 14.

(2) The members shall be appointed by the Swedish Board of Agriculture for not more than four years at a time. Ordinance (2007:484).

Section 45

To constitute a quorum, a committee shall consist of the chairman or a vice-chairman and the number of other members stipulated by the Swedish Board of Agriculture. Half of these other members shall be lay members. The chairman and the vice-chairman must not both simultaneously take part in a decision of the committee. Ordinance (2007:484).

Section 46

A committee may assign the task of preparing matters to one or more of its members.

Section 47

Detailed regulations concerning the organization of the committees and the procedure for decisions on matters brought before them shall be issued by the Swedish Board of Agriculture. Ordinance (2007:484).

Section 48

(1) The ethical committees on animal experiments shall assist those responsible for conducting animal experiments by giving advice.

(2) Ethical reviews of the use of the animals shall be carried out every three years. Ordinance (1998:57).

Section 49

Repealed by Ordinance (2006:186).

Section 49 a

(1) The committee may approve use of laboratory animals that entails a departure from the provisions in sections 1 b, 2, 3, 9, 10, 11, 14, 15, 16, 28 or 29 or provisions adopted pursuant to this Ordinance. However, no departure may be made from provisions specially regulating the treatment of laboratory animals.

(2) The Swedish Board of Agriculture may issue regulations on the formulation of applications for exemptions and decisions on approval referred to in subsection (1).

(3) The committee shall report all decisions on exemptions from sections 9, 10, 11, 14, 15, subsection (1) or 16 to the Swedish Board of Agriculture. (Ordinance 2007:484).

Section 50

The Swedish Board of Agriculture may issue regulations providing for exemptions from:

1. the requirement that no animals other than those bred for the purpose are used in animal experiments; and
2. the requirement for permission to breed, keep, supply or use laboratory animals. Ordinance (2007:484).

Section 50 a

(1) The Swedish Board of Agriculture may issue regulations, or take decisions in individual cases, concerning the duties of supervisors and veterinarians in connection with the breeding, keeping, supply or use of laboratory animals.

(2) The Swedish Board of Agriculture may also issue regulations, or take decisions in individual cases, concerning the training or skills that the personnel should have in connection with the breeding, keeping or supply of laboratory animals. Ordinance (2007:484).

Section 51

The Swedish Board of Agriculture may issue regulations on the education and skills required of someone who:

1. uses laboratory animals;
2. participates in the use of laboratory animals; or
3. looks after laboratory animals at the facility where the animals are used. Ordinance (2007:484).

Section 52

The Swedish Board of Agriculture may issue regulations providing for exemptions from the requirement for ethical approvals pursuant to section 21 of the Animal Welfare Act (1988:534) if the laboratory animals are not subjected to surgical procedures, injections, bleeding or other suffering. Ordinance (2007:484).

Section 53

Before an animal that is a member of one of the animal classes mammals, birds, reptiles, amphibians, fish and cyclostomes is used in an animal expe-

riment, the animal shall, if the use may involve physical or mental suffering, be stunned. However, if it is necessary in view of the purpose of the use, or if the anaesthetic would cause more suffering than the use in itself, the procedure may take place under partial anaesthesia or without an anaesthetic. Where possible, an analgesic or tranquilizer shall be used in such cases in order to alleviate the animal's suffering, in order to ensure that the animal is not subjected to severe pain, severe anxiety or any other severe suffering. Ordinance (2006:186).

Section 54

The Swedish Board of Agriculture may issue regulations on the obligation for a person using laboratory animals to submit information on the number of animals and type of animal being used. Ordinance (2007:484).

Section 54 a

The Swedish Board of Agriculture may issue regulations on the obligation for a person breeding, keeping, supplying or using laboratory animals to

1. mark the animals;
2. issue instructions concerning the care of the animals and concerning other information that is relevant in the context of animal welfare;
3. keep records of the activity and the animals; and
4. submit information about the activity. Ordinance (2007:484).

Section 55

(1) Facilities and other holding rooms for laboratory animals must not be built, extended or altered without prior approval by the Swedish Board of Agriculture with reference to animal health and welfare. The same shall apply when facilities or holding spaces are modified in such a way as to have significant effects on animal health and welfare or when a facility or holding room which was previously used for other purposes is put to use or equipped as a facility or holding space for laboratory animals.

(2) Facilities and holding spaces shall be inspected before being used or, if more appropriate, as soon as possible afterwards.

(3) Detailed regulations relating to facilities or other holding spaces for laboratory animals and to inspections shall be issued by the Swedish Board of Agriculture. Ordinance (2003:1124).

Section 55 a

Repealed by Ordinance (2006:818).

Section 56

(1) If a person carries out a measure referred to in section 55 without the prior approval of the Swedish Board of Agriculture, the Board shall order

payment of the special charge mentioned in section 3 a, subsection (2) of the Animal Welfare Act (1988:534).

(2) The special charge shall be as follows for new buildings, alterations or extensions in the cases specified:

1. in the case of a relatively small number of spaces for few and common species of animals, using well-tried technology: SEK 10 000;
2. in the case of a relatively large number of spaces for few and common species of animals, using well-tried technology: SEK 15 000;
3. in the case of a relatively small or relatively large number of spaces for few species of animals, where either the species of animals are common or the technology used is well-tried: SEK 15 000;
4. in the case of a relatively small or relatively large number of spaces for many species of animals, where either the species of animals are common or the technology used is well-tried: SEK 20 000;
5. in the case of a relatively small or relatively large number of spaces, where the species of animals are relatively uncommon and where the technology used is not well-tried: SEK 20 000;
6. in the case of a very large number of spaces that otherwise satisfy the requirements in points 1, 2, 3 or 4: SEK 20 000;
7. in the case of a relatively large number of spaces, using many species of animals that are relatively uncommon and where the technology used is not well-tried: SEK 40 000; and
8. in the case of a very large number of spaces, using species of animals that are relatively uncommon and where the technology used is not well-tried: SEK 40 000.

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(3) If the matter has not been taken up by the Swedish Board of Agriculture within five years of the date when the measure was taken, no special charge may be collected. Ordinance (2007:1395).

Section 56 a

Repealed by Ordinance (2006:818).

Section 57

If a measure concerning a facility or other holding space where laboratory animals are kept that requires prior approval under section 55 has been taken without such approval, the Swedish Board of Agriculture shall take a decision as referred to in section 3 b of the Animal Welfare Act (1988:534). Ordinance (2007:1395).

Section 57 a

Repealed by Ordinance (2006:818).

Competent authority

Section 58

Unless otherwise indicated by sections 59 or 62 or the Government decides otherwise, the Swedish Board of Agriculture shall perform the tasks that are incumbent on a competent authority under the EC provisions that are supplemented by the Animal Welfare Act (1988:534). Ordinance (2007:484).

Control authorities

Section 59

(1) The county administrative boards are competent authorities to exercise official control.

(2) The county administrative boards may agree to transfer official control of certain activities between themselves. Ordinance (2008:1051).

Section 60

Official control of transport of animals by sea between different counties shall be exercised by the county from which the transport by sea originates. Ordinance (2008:1051).

Section 61

The National Food Administration, acting through the official veterinarians and official auxiliaries at slaughterhouses, shall exercise the animal welfare controls that are the duty of official veterinarians and official auxiliaries under Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption. Ordinance (2006:818).

Section 62

Repealed by Ordinance (2008:1051).

Section 63

The Swedish Board of Agriculture shall exercise official control by coordinating the other control authorities and giving them support, advice and guidance. Ordinance (2007:484).

Official control of non-food-producing animals

Section 64

(1) In performing official controls of animal keepers other than those who keep food-producing animals, the following provisions of Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules shall apply:

- Article 3;
- Article 4.2 a-d and 4.3-4.6;
- Article 5.1-3;
- Article 6;
- Article 7;
- Article 8.1 and 8.3;
- Article 9;
- Article 10.1;
- Article 28; and
- Article 54.1, 54.2 a, e, f, h and 54.3-54.5.

(2) What is stated in these Articles concerning feed and food business operators and business operators shall also apply, where relevant, to other animal keepers. Ordinance (2008:1051).

Regulations concerning official control

Section 65

The Swedish Board of Agriculture may issue regulations concerning:

1. how official control shall be conducted;
2. cooperation between control authorities; and
3. the obligation of a control authority or a control body engaged in official control to provide information to the Swedish Board of Agriculture concerning the control activities conducted. Ordinance (2008:1051).

Section 66

Repealed by Ordinance (2008:1051).

Fees

Section 67

The Swedish Board of Agriculture may issue regulations prescribing that a fee shall be paid in connection with matters relating to:

1. approval of new technologies;
2. registration of animal carriers and exemptions from the requirement for lying areas for animals kept outdoors;
3. permission under section 19 a of the Animal Welfare Act (1988:534);
4. approval under section 20 of the Animal Welfare Act and section 37 of this Ordinance;
5. exemptions under section 13 a of this Ordinance; and
6. appointment of a veterinarian under section 33 of this Ordinance. Ordinance (2007:1395).

Section 68

The Swedish Board of Agriculture may issue regulations concerning the charge to be paid for additional controls under Article 28 of Regulation (EC) No 882/2004 of the European Parliament and of the Council and section 64 of this Ordinance. Ordinance (2008:1051).

Section 69

The National Food Administration may issue regulations prescribing that a fee shall be paid for the animal welfare controls carried out by official veterinarians and official auxiliaries at slaughterhouses. Ordinance (2006:818).

Section 70

Repealed by Ordinance (2008:1051).

Prohibition against keeping animals, taking charge of animals

Section 71

(1) If the police authority finds that there are grounds for prohibiting a person from having animals in his care pursuant to section 29 of the Animal Welfare Act (1988:534), the authority shall notify the county administrative board of this without delay. Such notification shall contain an account of the relevant circumstances.

(2) The same shall apply if there are grounds for taking charge of animals under section 31 of the Animal Welfare Act. Ordinance (2008:1051).

Section 72

Detailed regulations concerning the procedure for taking animals in charge pursuant to sections 31 and 32 of the Animal Welfare Act (1988:534) may be issued by the Swedish Board of Agriculture. Ordinance (2007:484).

Appeals etc.

Section 73

Section 38 of the Animal Welfare Act (1988:534) contains provisions on appeals. Ordinance (2006:818).

Section 74

(1) Decisions referred to in sections 29, 31, 32 and 34 of the Animal Welfare Act (1988:534) and in articles 23, 26.4 b- c, 26.5 and 26.6 of 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) nr 1255/97 shall have immediate effect unless the authority making the decision determines otherwise.

(2) In other cases an authority may determine that its decision shall have immediate effect even if an appeal is lodged against it. Ordinance (2007:484).

Implementing provisions

Section 75

Detailed regulations concerning the implementation of the Animal Welfare Act (1988:534) and this Ordinance may be issued by the Swedish Board of Agriculture. Ordinance (2007:484).

Transitional provisions

1993:1485

This Ordinance shall enter into force on 1 January 1994. A decision under section 6 a that an extra charge shall be imposed may not be adopted regarding a building measure that has been taken before this Ordinance entered into force.

1994:1834

This Ordinance shall enter into force on 1 January 1995.
A person who owns a dog of a type referred to in section 19 a at the time when this Ordinance comes into force may keep the dog provided it is kept on a leash and muzzled when in a public place.

1997:49

This Ordinance shall enter into force on 15 March 1997. A person who owns a dog of a type referred to in section 19 a other than a pitbull terrier at the time when this Ordinance comes into force may keep the dog provided it is kept on a leash and muzzled when in a public place.

1997:154

This Ordinance shall enter into force on 15 May 1995. A decision under section 55 a that an extra charge shall be imposed may not be adopted regarding a building measure that has been taken before this Ordinance entered into force.

1998:175

This Ordinance shall enter into force on 1 May 1998. However, the provision in section 40 shall apply from 1 March 1998.

2003:105

This Ordinance shall enter into force on 1 July 2003. Sections 15 and 37 shall enter into force on 1 July 2003 and the remainder of the Ordinance on 15 April 2003. The older wording of section 37 shall apply to applications for approval initiated before this Ordinance entered into force.

2005:101

This Ordinance shall enter into force on 1 April 2005. It shall also apply to approval issued by ethical committees on animal experiments before entry into force.



REGERINGSKANSLIET

**Ministry of Agriculture
Sweden**