

# EUROGROUP FOR ANIMALS

Analysis of national legislation related  
to the keeping and sale of exotic pets in Europe

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# GLOSSARY

## **CBD [1]:**

The Convention of Biological Diversity (CBD) was established in 1993 and has three main objectives:

1. The conservation of biological diversity
2. The sustainable use of the components of biological diversity
3. The fair and equitable sharing of the benefits arising out of utilization of genetic resources.

The Convention was first introduced by the United Nations Environment Programme (UNEP) in 1988 as a response to the growing recognition that biological diversity is a global asset of tremendous value. To date, when the threat to species and ecosystems is so great, 193 Parties adopted the Convention of Biological Diversity.

## **CITES [2]:**

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) is an international agreement between governments established in 1975. CITES is a legally-binding treaty to which states or countries (referred to as 'Parties') adhere voluntarily and aims to protect wild animals and plants from over-exploitation by international trade. The Convention provides a framework that must be implemented in the national legislation of the Parties that have adopted the CITES treaty. CITES has been signed by 178 Parties and warrants the protection to more than 30.000 species of animals and plants.

## **DAISIE [3]:**

The Delivering Alien Invasive Species Inventories for Europe (DAISIE) project provides information on biological invasions in Europe and an inventory of invasive species that threaten European terrestrial, fresh-water and marine environments.

## **Exotic pet:**

For the purposes of this report we use the term "exotic pet" to refer to all non-

domesticated animals, both native and non-native, kept as pets (see paragraph 2.1 What is an exotic pet?).

## **Five Freedoms [4]:**

The Five Freedoms are basic ideals of animal welfare described by the Farm Animal Welfare Council (FAWC) in 1992. Although the Five Freedoms were originally defined for farm animals, they are applicable to other animals and have been used for assessing the welfare of pet and captive animals. The Five Freedoms cover: Freedom from hunger and thirst, Freedom from discomfort, Freedom from pain, injury and disease, Freedom to express normal behaviour, Freedom from fear and distress.

## **IAS:**

An Invasive Alien Species (IAS) is a species whose introduction and/or spread threaten biological diversity [5] [6]. 'Alien species' refers to a species, sub-species or lower taxon, introduced outside its natural past or present distribution and includes any part, gametes, seeds, eggs or propagules of such species that might survive and subsequently reproduce.

## **ISSG [7]:**

The Invasive Species Specialist Group (ISSG) is a global network of scientific and policy experts on invasive species, organized under the auspices of the Species Survival Commission (SSC) of the International Union for Conservation of Nature (IUCN). It provides information on invasive alien species and its aim is to reduce the threats to natural ecosystems by increasing awareness of invasive alien species. The network also promotes and facilitates the exchange of information and knowledge on invasive species across the globe and ensures the linkage between knowledge, practice and policy.

## **NOBANIS [8]:**

The European Network on Invasive Alien

Species (NOBANIS) provides information on alien and invasive species in North and Central Europe. The network also provides a database on introduced species, a literature database and fact sheets on most invasive species.

## **OIE:**

The World Organisation for Animal Health is the intergovernmental organisation responsible for improving animal health worldwide. It is recognised as a reference organisation by the World Trade Organization (WTO) and in 2013 had a total of 178 Member Countries.

## **Zoonotic disease:**

Is a disease which is transmittable between various animal species and human beings.





## *Analysis of national legislation related to the keeping and sale of exotic pets in Europe*

The lack of proper regulations on the keeping of exotic pet animals and insufficient knowledge of private keepers undermine the welfare and health of both humans and animals and poses a threat to biodiversity.

To determine the regulatory gaps on the keeping and sale of exotic animals in EU Member States, a review of existing animal welfare and other relevant legislation at national level was conducted. The countries covered by the study are the 27 EU Member States, with UK further split in four “entities”, as well as Norway, Switzerland, Croatia and Turkey. The main aspects examined include the following: restrictions on the keeping of exotic animals by private people; registration and authorisation; housing and other requirements; rules for pet shops including on training of staff; and abandonment and release of exotic pets. The report also briefly reviews relevant existing and pending legislation at European level (Council of Europe and European Union).

## *Results*

The analysis indicates that national rules on the restriction of keeping exotic pets vary widely across countries. Legal provisions may ban the keeping of some species of animals (negative or black list) or only allow some species to be kept (positive or white list). Keeping can also require authorisation in the form of a licence.

The study shows that big gaps exist in current national legislation related to exotic pets.

In particular, out of the 31 countries studied, five countries (including three EU Member States) do not have any restriction on the private keeping of exotic pets, while eight countries (five EU member states and Northern Ireland) do not have a list of species that may or may not be kept by private people. In addition, lists may only cover some animal groups such as mammals,

or be based on criteria such as dangerous animals or invasiveness and not on animal welfare criteria.

Concerning housing requirements, 20 countries (17 EU Member States and Scotland and Wales) have no rules at all for exotic pets, and 16 countries (13 EU Member States) do not have any requirements for the sale of exotic animals in pet shops, while the training of pet shop staff is not compulsory in 13 countries.

In 16 countries (15 from the EU), pet shops are not obliged to provide information on housing and care to the purchaser when selling exotic pets.

Finally the legislation of four countries does not cover the abandonment of animals at all, although only animal welfare legislation and related legislation was covered during the research.

The results of this research indicate that the negative list is the most commonly used system to regulate the keeping of exotic pets. Yet this approach is the least precautionary as by default any animal not on a negative list is allowed to be kept, requiring the list to be quite long to ensure that animals with welfare, health, invasive or conservation risks are not kept. In addition it might not be adequate to address emerging trends and threats from the keeping of new exotic animals. Indeed, the process to add new species on the list is often slow and burdensome and the content of the list will thus lag behind the latest trends in the trade and keeping of exotic pets.

The results also show that regulations often fail to encompass the animal kingdom, addressing mainly mammals while ignoring the large groups of birds, reptiles, amphibians, insects and ornamental fish, which are currently widely represented in the pet trade.

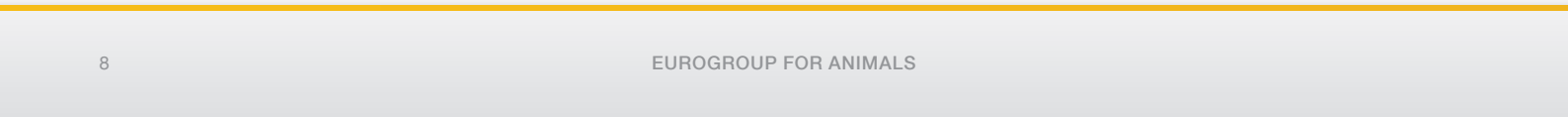
Finally, inconsistencies have been identified in national legislation for example with licencing systems covering dogs but not exotic species.

## *Recommendations*

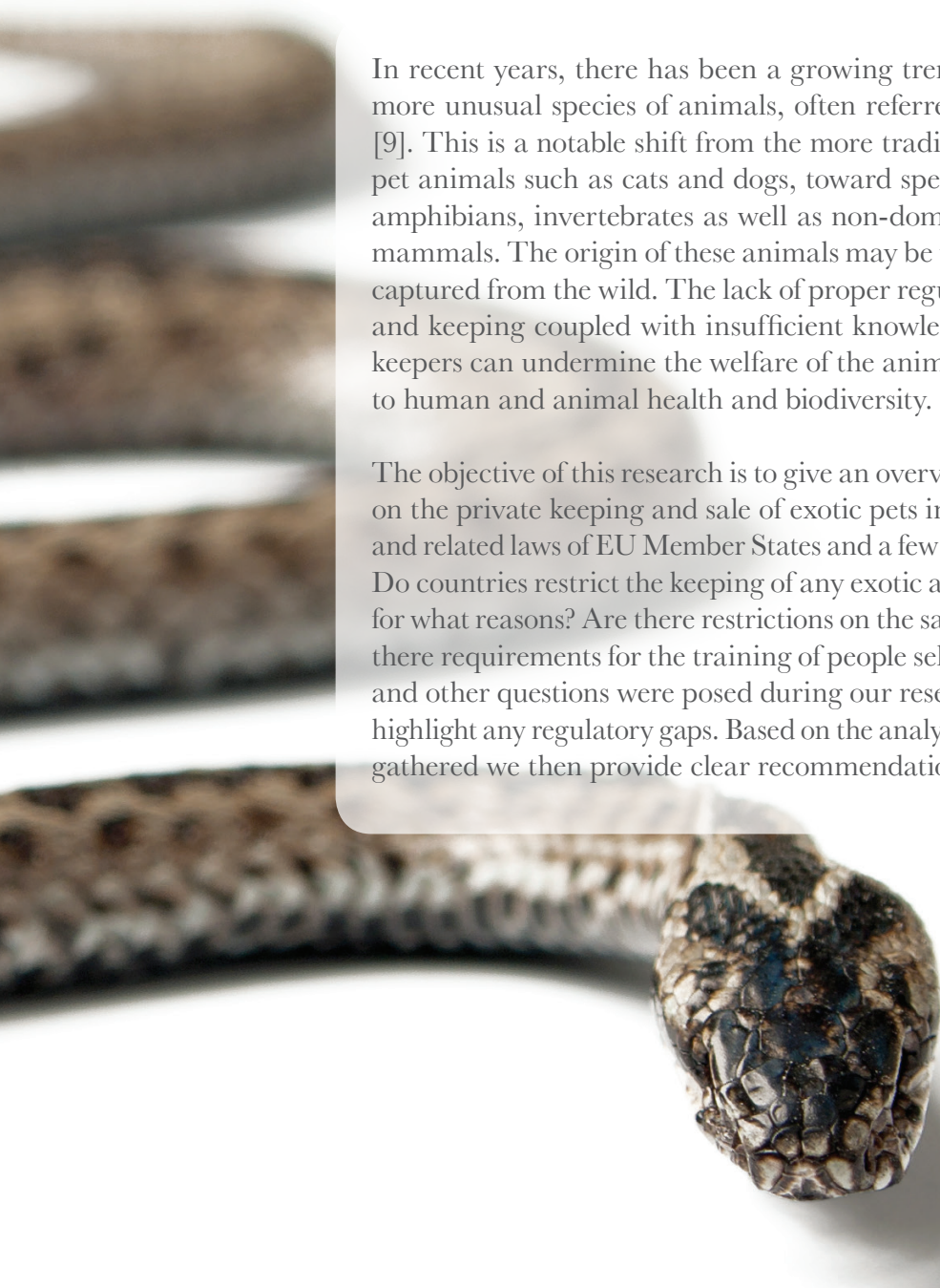
To address concerns related to animal welfare, animal and human health, species and biodiversity conservation, and invasiveness of alien species, the report recommends the following actions by national governments:

- Restrict the type of animals that may be kept as pets, preferably through the creation of a positive list (of animal species that are allowed to be kept) based on suitable criteria.
- Restrict the sale of pets to licenced pet shops and breeders and put in place strict inspection criteria.
- Make it compulsory for pet shops to provide prospective buyers with detailed information on the animals' physiological, ethological and environmental needs.
- Adopt rules for the compulsory training of pet shop staff.
- Establish a minimum legal age to purchase a pet animal.
- Include in the legislation detailed information on housing and care of exotic pets which are allowed to be kept
- Adopt provisions concerning the abandonment of animals and impose dissuasive penalties.
- Keep up-to-date records of exotic animal species currently kept by private individuals and improve the enforcement of existing legal provisions.

At EU level, the impact of keeping and trade in exotics pets on human and animal health, animal welfare, the environment and more specifically biodiversity should be taken into account through the adoption of strict rules in animal health, animal welfare, trade and environment policies.



# 1. INTRODUCTION



In recent years, there has been a growing trend in the keeping of more unusual species of animals, often referred to as ‘exotic pets’ [9]. This is a notable shift from the more traditional, domesticated pet animals such as cats and dogs, toward species such as reptiles, amphibians, invertebrates as well as non-domestic birds, fish and mammals. The origin of these animals may be uncertain with some captured from the wild. The lack of proper regulations on their sale and keeping coupled with insufficient knowledge of some private keepers can undermine the welfare of the animal and pose a threat to human and animal health and biodiversity.

The objective of this research is to give an overview of the provisions on the private keeping and sale of exotic pets in the animal welfare and related laws of EU Member States and a few additional countries. Do countries restrict the keeping of any exotic animals as pets? If so, for what reasons? Are there restrictions on the sale of exotic pets? Are there requirements for the training of people selling animals? These and other questions were posed during our research to identify and highlight any regulatory gaps. Based on the analysis of the information gathered we then provide clear recommendations for the future.





## 2. AREAS OF CONCERN RELATED TO EXOTIC PETS

### 2.1. What is an exotic pet?

As the types of animals being kept has changed over the years, so too has the terminology and debate over what constitutes a pet. Schuppli and Fraser (2000) define 'exotic animal' as an animal that is not native to the local area. This term is regularly used to describe non-traditional animals, such as snakes, iguanas, geckos, chameleons, frogs, spiders, parrots, bats, sugar gliders and Barbary macaques [10]. An overview of regularly used terms related to the bio-geographical context or domestic status of an animal is given below.

- **Native animal** [11]: Originating, growing or produced naturally in a certain place or region. Synonyms are **indigenous, endemic, autochthonous, and aboriginal**.
- **Non-native animal** [11]: Originating in a different region and acclimatised to a new environment. Synonyms are **alien, non-indigenous**.
- **Domestic animal** [12]: An animal that is not wild and is kept as a pet or to produce food.
- **Non-domestic animal** [13]: An animal considered to be wild or not adapted for domestic use.
- **Exotic animal** [14]: A species that is not native to the area in which it is found.
- **Invasive Alien Species (IAS)**: an alien species whose introduction and/or spread threatens biological diversity [5] [6]. 'Alien species' refers to a species, sub-species or lower taxon, introduced outside its natural past or present distribution and includes any part, gametes, seeds, eggs or propagules of such species that might survive and subsequently reproduce.

The terminology however may vary both in its use and meaning, internationally and at EU level [5]. At EU level exotic pets are virtually undefined. National legislation of EU Member States generally includes definitions for 'pets', 'companion animals', 'domesticated animals' or 'wild animals', but very few countries define 'exotic' animals. An overview of the available definitions of the different terms in the EU Member States and a few other European countries can be found in Annex 1.

For the purposes of this report we will use the term "**exotic pet**" to refer to all non-domesticated animals, both native and non-native, kept as pets.

### 2.2. Concerns about keeping exotic animals as pets

The keeping of exotic animals as pets raises concerns over animal welfare, human and animal health, invasive threats and conservation. Some species such as dogs and cats have been bred and domesticated for centuries and are widely kept as pets. These species may be well suited to life as a pet, especially if they have been bred and raised appropriately for this lifestyle. It could be argued that there is more scientific knowledge available on the husbandry of such species to safeguard their welfare. Over the twentieth century new species, primarily used as laboratory or production animals, such as guinea pigs, rats, gerbils and chinchillas became popular pets [15]. Today, the keeping of reptiles, amphibians, and invertebrates as well as non-domesticated species of mammals, birds and fish appears to be gaining popularity. This growing trend warrants further consideration.

#### 2.2.1. Animal health and welfare

Exotic animals have complex needs that are closely tied to their natural diet, environment and behaviour in the wild; these needs are not always known [15]. It can be difficult, if not impossible in some cases, for the average owner to provide for these needs. Examples exist of animals suffering as a result of poor husbandry, for instance inadequate nutrition, misuse of heating equipment and inappropriate or lack of medical care. Furthermore, even when scientific information on the species' needs is available, there can be a lack of knowledge of these requirements by the keepers, thus affecting the welfare and health of the animal. From an ethical point of view, it is questionable whether the keeping of such species should even be permitted if the health and welfare cannot be assured.

According to Schuppli and Fraser (2000) the welfare and health of many exotic species

cannot be guaranteed when they are kept in captivity as it might be difficult to provide for the 'Five Freedoms' described by the Farm Animal Welfare Council (1992). Although the **Five Freedoms** were originally defined for farm animals, they are applicable to other animals and have been used for assessing the welfare of pet and captive animals.

- First, **freedom from hunger, thirst and malnutrition** requires adequate knowledge of the species and its needs and availability of often specialised food to the owner.
- Second, **freedom of disease and injury** requires adequate veterinary knowledge and availability of, as well as access to, veterinarians with such expertise.
- Third, **freedom from physical and thermal discomfort** requires knowledge of the way in which a species lives in the wild and how this can be effectively translated into a captive setting.
- Fourth, **freedom from fear, distress and other negative psychological states** requires the ability to recognise positive, neutral and negative psychological states in the animal as well as an ability to act to counter negative and neutral states.
- Fifth, **freedom to carry out most normal forms of behaviour** requires insight on their natural behaviour in the wild and how this can be provided for in a captive environment (e.g. social groups, substrate for digging).

It is clear that a comprehensive knowledge of a species is a key component if one expects to fulfil its needs and ensure health and welfare. Understanding of housing requirements and environmental needs is important, but even when knowledge is available it is sometimes difficult to satisfy the specialised needs of some exotic species in a household environment. The knowledge and expertise of the average keeper may not be adequate; this, combined with the constraints of a household setting, can make it extremely difficult to meet the Five Freedoms for an exotic pet.



Not only can it be very difficult to ensure the welfare of an exotic pet, the owner might also lose commitment to the animal due to traits such as its long life expectancy, large adult size, complex housing requirements, aggressive nature or high costs [10].

### *2.2.2. Invasive threat*

When owners are no longer able or willing to care for their exotic pet, they may release them into the wild. Abandoning an animal can certainly impact the animal's welfare directly, but released animals may also present a threat to native wildlife and the local ecosystem and human and animal health (e.g. predation, hybridisation, competition, etc.). While not all non-native species introduced to a new area may become invasive those that do establish can have significant impacts on endangered native species and human livelihood [16].

Analysis of existing lists of Invasive Alien Species (IAS) in Europe found the main pathway for the introduction of IAS in the case of mammals, birds, fish, amphibians, reptiles and invertebrates was through import for the pet trade, angling, hunting and captive settings (e.g. fur farms, zoos) [17]. Animals subsequently became invasive either through deliberate introduction into the environment or as they escaped from keeping in captive situations [17].

Analyses of species invasions in Europe document a dramatic increase in invasions since the start of the twentieth century which is still on-going and the pet trade remains an important pathway [16]. The invasive potential of a species in a particular country is not always known; in these instances, the known degree of invasiveness of the species in another country with similar habitats can give a clue. Besides the fundamental ecological risk there is also a huge economic cost: Europe spends about 12 billion Euros each year to control and limit the damages caused by IAS [18].

Information on invasiveness of a certain species can be found on the IUCN/SSC 'Invasive Species Specialist Group (ISSG)' website [7], the 'Delivering Alien Invasive Species Inventories for Europe (DAISIE)'

website [6] or the 'European Network on Invasive Alien Species (NOBANIS)' website [8].

### *2.2.3. Species and habitat conservation*

The capture of animals in the wild for the exotic pet trade can contribute to the decline in wild populations and threaten biodiversity. Crude and non-species-specific methods may be used to catch wild animals, which can damage the ecosystem and result in injuries or death for both target and non-target animals. It has been estimated that for every chimpanzee kept as a pet or in a zoo, that another 10 animals died [19]. Although the focus is shifting towards captive-bred animals, founder stock (e.g. parents) are still collected in the wild and wild animals may still be just to diversify the gene pool or introduce desired characteristics.

Furthermore many species do not breed well in captivity and are still caught in the wild (e.g. slow lorises which are very popular in the exotic pet trade despite an international trade ban). In the United States detailed records are kept on all imported animals (including non-CITES species) and of the 1.48 billion live animals imported between 2000-2006 mostly for pet trade, 80% of shipments were from wild populations [20].

High mortality rates during capture, holding and transport further threaten the conservation of the species as more animals may need to be harvested to meet the pet trade demand. A study on the wild bird trade from Senegal estimated that 70% of birds died during capture, export and quarantine [21]. The harvesting of wild animals can deplete native populations up to 70% [22].

### *2.2.4. Health and safety risks*

Exotic species can also pose a potential health and safety risk for their keepers, other captive animals and native wildlife, particularly as a vector for zoonotic diseases [15]. Some animals, such as venomous reptiles, crocodiles, wolves, primates and large cats can pose a serious safety risk to humans and other animals; and in some

countries the keeping of such animals by private individuals is regulated or prohibited. Exotic animals can be carriers of diseases such as rabies, monkey pox and salmonella [15]. An estimated 71.8% of emerging zoonotic diseases originate in wild species (e.g. Nipah virus and SARS) [23]. "Zoonoses from wildlife represent the most significant, growing threat to global health of all EIDs [emerging infectious diseases]" [23].

There are many documented cases of exotic pets spreading diseases to other animals and even humans. The spread of chytridiomycosis, a fungal disease caused by *Batrachochytrium dendrobatidis*, has infected more than 500 species of amphibians through trade activities [24] [25]. Newcastle disease was transmitted from imported parrots to domesticated chickens, requiring the eradication of 12 million chickens and hundreds of non-domesticated birds in 1971 in California [26] and resulting in a huge economic loss. An Egyptian fruit bat infected with rabies sold in a pet shop in France led to the euthanasia of all animals which had contact with the bat and the vaccination of almost 130 people [27]. Infectious diseases transmitted by exotic animals can have devastating socioeconomic effects by directly affecting livestock, food security and food safety and livelihood of farmers [28] particularly in third world countries [29].

### 3. REGULATION - POSITIVE AND NEGATIVE LISTS OF SPECIES

It is very laborious to enact detailed legislation including housing and care requirements for each exotic animal species that may be kept as a pet, taking into account its specific needs; indeed the needs of some species cannot be met adequately in a captive household environment. Some countries such as Austria, Estonia and Slovenia have made great efforts in elaborating detailed housing requirements for groups of species such as minimum cage sizes, temperature, humidity, social structure and feeding. However, regulations based on science and expert opinion need to be fully implemented and enforced to make these requirements effective. This requires a considerable amount of resources such as inspectors and money.

An alternative and perhaps more efficient way to reduce the risks caused by exotic species being kept as pets is to introduce a negative or positive list. These lists restrict the types of species which are authorised to be kept as pets, generally excluding dangerous animals (e.g. large wild cats and venomous snakes), and protected species, while allowing more traditional, domesticated species e.g. cats, dogs, guinea pigs and rabbits.

#### 3.1. Positive list

A positive list contains species that are allowed to be kept, with or without the requirement of a permit or authorisation. A positive list tends to be a shorter, distinct list that is precautionary in nature and gives clarity about which species are allowed to be kept in a country, whether or not with a permit. It is also much easier to update compared to a negative list, as all species not on the list are a priori forbidden to be kept. A mechanism to amend the list is important.

Belgium is the only EU country with a positive list for mammals (Box 1). The list contains 42 species that are allowed to be kept by private individuals and 4 additional species that are allowed to be kept for production purposes (Royal Decree of 16 July 2009). The species must comply with certain criteria (see section 3.3.) in order to be added to the list. Any mammal species not included in this list is forbidden in private ownership. Exceptions can be made or specialised

keepers who prove they have the knowledge, housing and skills necessary to provide for keeping the animal. While requests for exceptions are possible, the general principle of a positive list is to restrict keeping of species of animals whose welfare cannot be assured in a household environment by the average owner. Currently the positive list only addresses mammals, but similar lists are being planned for reptiles and birds, although an official proposal has not yet been presented. In Belgium, a request form with detailed argumentation has to be sent to the competent authority to add a species to the positive list.

Other countries have created lists of species which are allowed to be kept conditional to an authorisation (permit, license, register). But unlike the Belgian positive list, species not on these lists are not a priori forbidden. Animals not included in the list of species requiring authorisation and not prohibited by a negative list can thus be kept by private keepers.

#### BOX 1: THE BELGIAN POSITIVE LIST

The Belgian positive list (mammals only) contains 42 species that are allowed to be kept, and any mammal not on this list is prohibited in private ownership (Royal Decree of 16 July 2009). The list contains cats, dogs, several mice species, ferrets, chinchillas, four deer species, hamsters, horses, rabbits, rats, degus, guinea pigs, gerbils, black-tailed prairie dogs, the red-necked wallaby, alpine ibex, llamas and the typical farm animals.

The regulation was first enacted in the Royal Decree of 7 December 2001. It was eventually contested in court by the pet trade industry in 2007 as prohibiting trade between Member States and ultimately referred to the European Court of Justice. The Court found the list not inconsistent with Council Regulation (EC) No. 338/97 on the protection of species of wild fauna and flora by regulating trade therein and left the issue to the Belgian court. This court had to determine if the list was based on objective and non-discriminatory

criteria and if a procedure was in place for parties to request the inclusion of species to the list. The latter was absent in the initial regulation and the list was cancelled by the Belgian Council of State after a complaint by the 'National Council of Animal Owners'. A revised regulation (without changing the species list) was promulgated 1 October 2009 along with a procedure to formally request amendments to the list of species. A second complaint on the revised version by the 'National Council of Animal Owners' was rejected and the positive list for mammals has been retained.

Some experts regret that species such as the chinchilla, the Eastern chipmunk and the black-tailed prairie dog are retained in the revised version of the positive list. These species require more professional care to meet the welfare needs and the Eastern chipmunk is even known as an invasive species, especially in the Brussels Sonian Forest. Still, the Belgian positive list is a role model for other European countries, as it reduces the private keeping of exotic animals not suitable to be kept as pets.

According to the Belgian Federal Public Service for Health, Food Chain Safety and Environment, a draft of a positive list for reptiles is already submitted to associations of animal traders, terrarium associations and animal welfare associations [30]. A definitive positive list will be created, based on their advice. A positive list for birds is expected to be developed after the reptile list is finalised, but this is not yet under discussion.

#### 3.2. Negative list

A negative list contains species that are prohibited from being kept by private owners. It is typically not possible to acquire a permit or authorisation for such species, but exceptions can be made for zoological gardens and research institutions. 22 EU Member States as well as Norway have adopted negative lists. A negative list is usually drafted for reasons of potential risk

(e.g. health, safety, ecological) posed by certain species, restrictions on international trade or for conservation purposes. While lists vary by country they often include species that may pose a health or safety risk such as primates, big cats, venomous reptiles, birds of prey and crocodiles. Some countries or regions have negative lists that include all exotic animals (Brussels region in Belgium) or invasive alien species (Andalusia and Valencia autonomous regions in Spain).

There are a number of potential drawbacks associated with this type of list. Species not mentioned are by default allowed to be kept - including hybrids, subspecies and species new to the trade. Reactive in nature, negative lists fail to employ a precautionary approach. The species in trade are ever-changing based on current trends (e.g. meerkats have become popular in the UK following a popular advert on these charismatic species in the wild); a negative list thus needs regular updating. Mechanisms for routine updating have not been seen in any country and the lists may thus quickly become out of date creating loopholes for the trade in new species which might pose serious welfare, health, invasive and conservation risk.

### 3.3. Assessing the suitability of species kept as pets

As Schuppli and Fraser (2000) state, ‘... keeping a companion animal should not jeopardize – and ideally should enhance – its welfare, as well as that of its owner; and that keeping a companion animal should not incur any appreciable harm or risk of harm to the community or the environment’. In order to assess the suitability of species as pets, Schuppli and Fraser (2000) developed a checklist (Annex 2) of questions related to the welfare of the animal, the welfare of others and the risk to the environment. A species can subsequently be classified in categories going from A (very suitable as a companion animal) to E (highly unsuitable as a companion animal).

The amended Belgian positive list (Royal Decree of 16 July 2009) includes similar criteria to the Schuppli and Fraser checklist. An animal can only be added to the positive list if it complies with the following:

- Animals must be easy to hold and keep in respect of their essential physiological, ethological and ecological needs.
- No species should be listed for which there are clear indications that, in case it escapes, it would be able to survive in nature and consequently represent a risk for the native environment.
- The species that are kept cannot be aggressive and/or dangerous or represent a particular danger for human health.
- Data and scientific information must be available concerning the keeping of these animals.
- In case of contradictory data or information on the keeping of an animal, the benefit of doubt should be in favour of the animal.

Applying the Schuppli and Fraser checklist or Belgian positive list criteria to determine which species are suitable to be kept as pets by a private owner is intended to enhance the welfare and health of the animals and humans while reducing the environmental risks.



## 4. RELEVANT LEGISLATION AT EUROPEAN LEVEL

### 4.1. Council of Europe

#### Convention for the Protection of Pet Animals

The European Convention for the Protection of Pet Animals aims at assuring the welfare of animals, especially animals kept privately in the European territory [31]. It has been open for signature since 1987 and entered into force in 1992. The Convention includes general provisions covering the care of pet animals of all kinds, the humane control of dog and cat populations and the control of trade in pet animals. Since 1995 it also includes a resolution discouraging the keeping of wild animals as pets (Council of Europe, 1995) [32].

So far the Convention has been ratified by 22 countries, including 17 EU Member States (Council of Europe, status as of 17/08/2012) [31]. Countries are legally and morally bound to incorporate the provisions of the Convention into their own national legislation six months after the ratification [33]. Unfortunately, due to the lack of an enforcement mechanism, some countries have only partially implemented the Convention or have made reservations. Some EU Member States have implemented the provisions in their national legislation without ratifying the Convention.

In 1995, the Council of Europe adopted a non-binding Resolution on the Keeping of Wild Animals as Pet Animals. It recalls the provision in the Convention stating that *'the keeping of specimens of wild fauna as pet animals should not be encouraged'*. The requirements of Article 4 of the Convention states that *'pet animals should be provided with accommodation, care and attention taking into account the ethological needs of the animal in accordance with its species and breed, and that an animal which cannot adapt itself to captivity in spite of these conditions being met, shall not be kept as a pet animal'* [31]. In order to control the keeping of exotic pets, criteria related to housing and care, knowledge of the keeper, escape prevention and human health and safety were incorporated in Resolution on the Keeping of Wild Animals as Pet Animals (Box 2) [32].

#### BOX 2: RESOLUTION ON THE KEEPING OF WILD ANIMALS AS PET ANIMALS

"Agreed to set up a system enabling the control of the keeping of animals of wild species as pet animals taking into account the following criteria:

1. An animal must be housed and cared according to its physiological and behavioural needs;
2. In particular, the following conditions must be met:
  - i. space allocation sufficient for the specific needs of the animal in particular for movements and exercise;
  - ii. appropriate enclosure enrichment with climbing material, digging possibilities, rest and hiding places as well as bathing, swimming or diving facilities;
  - iii. possibilities to fulfil the needs for social behaviour;
  - iv. appropriate climatic conditions.
3. The keeper must have appropriate knowledge to be able to satisfy the physiological and behavioural needs of the animal during its entire keeping;
4. The necessary conditions must be met to prevent the animal from escaping;
5. The aspects related to aggressiveness of the animal and to possible risk for human safety and health should be taken into account."

### 4.2. European Union

#### Council Regulation 338/97/EC & Commission Regulation (EC) No 865/2006 – CITES (Wildlife Trade Regulations)

At international level, the trade in wildlife is controlled by the Convention on International Trade in Endangered Species of Flora and Fauna (CITES) [1], which is applied in the European Union through Council Regulation 338/97/EC on the protection of species of wild fauna and flora by regulating trade therein (Basic Regulation) [34] and Commission Regulation (EC) No 865/2006 lays down detailed rules for the implementation of Council Regulation (EC) No 338/97 (Implementing Regulation) also known as the EU Wildlife Trade Regulations [35]. The aim of these Regulations is to conserve wild species by ensuring that international trade in these species does not threaten their survival.

The Regulations include four Annexes (A, B, C and D) that divide species according to their level of trade restrictions. The EU categorises animals and plants according to more stringent criteria than those of CITES, and includes species listed in the EU Birds and Habitats Directives as well as those that

if introduced to the EU natural habitat could pose a serious ecological threat to indigenous species. The commercial use of Annex A species is prohibited with exemptions possible for captive-bred specimens and species intended for breeding, education or research for conservation purposes. According to Article 8.2 of the Regulation "Member States may prohibit the holding of specimens, in particular live animals of the species listed in Annex A". In this report 'holding' of species is usually referred to as 'keeping' of animals or species.

Despite some provisions covering transport and housing, the primary purpose of CITES and the EU Wildlife Trade Regulations is species conservation through trade regulation – not the welfare of the traded animals. Over 5000 animal species are covered, yet many species kept as exotic pets do not fall under CITES or the EU Regulation. There is also a lack of data on the conservation status of many species, especially amphibians and reptiles, leading to species being potentially at risk of extinction while still traded without restriction for the pet business.



### **Council Directive 92/65/EEC – Balai Directive (Health)**

Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals [36] provides for specific health requirements for the movement of animals into, out of and within the Community. This framework Directive generally covers all animal species not already covered by specific EU rules and is the basis in case detailed rules need to be developed for specific groups of species (such as wild birds, see below).

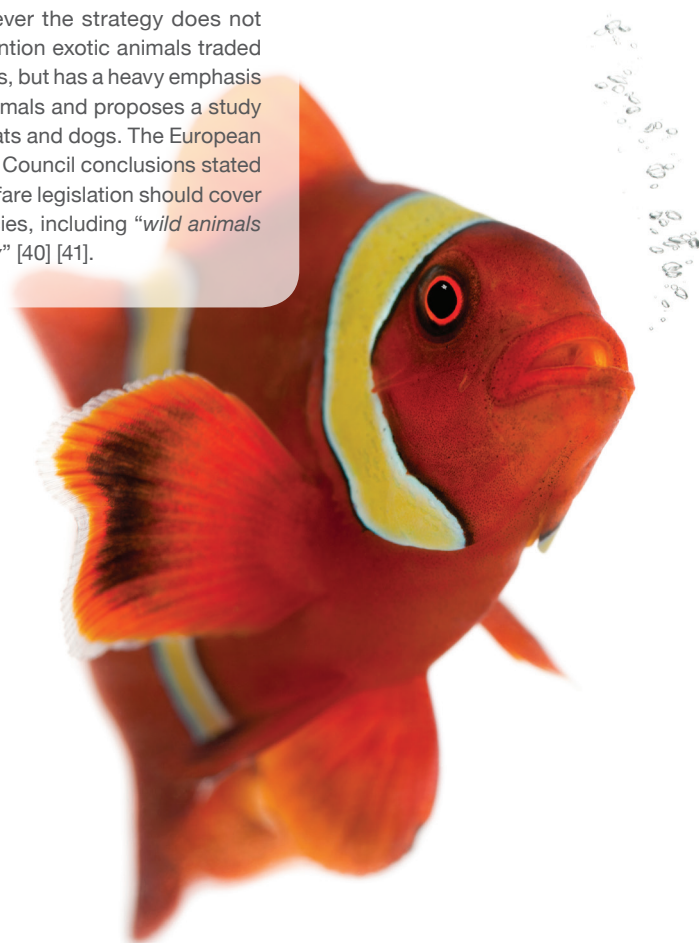
The Directive harmonises the rules for movements of live animals between EU Member States and imports into the EU from third countries, to prevent the entry of animals with infectious diseases. Imports are conditional on specific requirements, including a health certificate. Live animals entering the EU are inspected at authorised Border Inspection Posts. The Directive includes additional restrictions on the import of some groups of species such as apes which is authorised ‘solely to animals consigned from and to a body, institute or centre approved by the competent authorities of the Member States’.

### **Commission Implementing Regulation (EU) No 139/2013 (Wild-bird imports)**

Commission Implementing Regulation (EU) No 139/2013 of 7 January 2013 laying down animal health conditions for imports of certain birds into the Union and the quarantine conditions thereof [37] sets requirements for the import of bird species other than poultry. This regulation prohibits the import to the EU of birds caught in the wild for health reasons. The import of wild birds bred in captivity in approved establishments is currently [38] authorised from 10 establishments, in 5 countries. Only registered establishments are authorised to export and must comply with specific requirements laid down by the third country authorities. The imported birds are submitted to a range of tests and to quarantine in registered centres upon arrival in the EU. Birds imported for conservation programmes, pets accompanying their owners and animals intended for zoos, circuses, amusement parks or experiments are exempted.

### **Strategy for the Protection and Welfare of Animals 2012-2015**

The Commission put forward a new Animal Welfare Strategy [39] to improve the protection of animals in the EU. The main goals of the strategy are to improve the competence of personnel, improve enforcement of existing legislation, support international cooperation, educate and provide consumers and the general public with appropriate information, and set up a network of animal welfare centres. As part of the strategy, a simplified legislative framework is planned to be proposed by 2014, “with animal welfare principles for all animals kept in the context of an economic activity”. However the strategy does not specifically mention exotic animals traded and kept as pets, but has a heavy emphasis still on farm animals and proposes a study on welfare of cats and dogs. The European Parliament and Council conclusions stated that animal welfare legislation should cover additional species, including “wild animals kept in captivity” [40] [41].



## 5. PENDING LEGISLATION AT EUROPEAN LEVEL

### 5.1. EU Invasive Alien Species Strategy

The European Commission is developing a Strategy on Invasive Alien Species (IAS) [18] as part of the EU Biodiversity Action Plan, which could include trade restrictions on the importation of certain species. The EU Wildlife Trade Regulations restrict the import of ecologically threatening species (e.g. red-eared terrapin, American bullfrog, painted turtle, American ruddy duck, Eastern fox squirrel, Eastern grey squirrel and Pallas's squirrel), yet many other non-native species threaten habitats, native wildlife, human and animal health and the economy. At the Member States' level there is great variation in the restrictions and scope of IAS regulations.

To address this regulatory gap, the Commission will propose a legislative framework on IAS in 2013. The legislative IAS framework should give the highest priority to prevention as the most cost-effective and environmentally desirable measure with full consideration of humane management for already established invasive alien species. Import, trade, sale and keeping of IAS need to be regulated at the EU-level based on clear, scientific guidelines considering: relevance/abundance in trade, adaptability, previous invasion success, capacity for dispersal, potential impact, feasibility of eradication if established, etc. Any listing strategy of priority species should employ the precautionary principle supported by the Convention on Biological Diversity, as IAS may be detected after considerable lag time with their impact being cumulative and complex. Hence a "white" list approach (of acceptable species for import, similar to concept of "positive list" for private keeping) would be the most precautionary and effective.

### 5.2. Animal Health Law

The EU Animal Health Strategy provides a framework for animal health measures for the period of 2007 – 2013 [42]. It is focused on the prevention of disease with emphasis on precautionary measures, disease surveillance, controls and research. It provides for the adoption of a single and

clearer regulatory framework, the EU Animal Health Law, which was proposed on 6 May 2013 by the European Commission. Ideally, the legislative proposal should cover the health of all animals kept in the EU for food, farming, sport, companionship, entertainment and in zoos, as well as wild animals and animals used in research where there is a risk of them transmitting disease to other animals or to humans.

The animal health law will combine current EU animal health legislation into a single framework, including the health requirements for movements and trade principles currently covered by the directive 92/65/EEC (Balai Directive - see section 4.2. above). It will be the basis for implementing rules with detailed health provisions, which could restrict the import of specific categories of exotic species.

### 5.3. Framework Law on Animal Welfare

The EU Strategy for the Protection and Welfare of Animals 2012-2015 recognises that some current legislation contains provisions that are too general to have practical effects and that no specific legislation exists covering certain species. It provides for a feasibility study to examine the possibility to adopt an animal welfare framework law.

The report on the Evaluation of EU Policy and Animal Welfare (2010) [9] also highlighted the need to extend the scope of EU animal welfare legislation, one of the possibilities being "through a general EU animal welfare law", which "could contribute to a common understanding of the concept of animal welfare across Europe by imposing a clear 'duty of care' for users and keepers of animals". The report found that EU legislation on the protection of animals has contributed to the proper functioning of the internal market, but mainly in these areas where specific EU animal welfare legislation is in place (e.g. farm animals). It shows that much greater variations in standards exist for those animals outside the scope of current EU legislation, and that harmonisation is important in avoiding competitive distortions within the internal market.

*"For zoo animals, EU legislation aims at biodiversity conservation and does not specifically refer to animal welfare. Welfare could be improved by providing more detailed requirements for the needs of wild animals."* [9]

In 2013, the European Commission started to consult stakeholders in view of conducting the feasibility study provided for in the animal welfare strategy. If the outcome of the study is in favour of a general animal welfare framework law, we believe that wild animals traded and kept in the EU should be included in its scope as their welfare is currently not protected, despite the fact that they are the subject of commercial activities which go over national borders and national rules differ widely or are inexistent, as shown by the results of the present study. Harmonising the rules at EU level would thus also lead to reduced distortion of competition.

## 6. METHODOLOGY

While some provisions related to the welfare, private keeping and sale of exotic animals are included in the various EU legislation mentioned in the previous section, no detailed regulations exist at the EU level to cover the welfare of exotic pets. Instead, it has been left to the Member States to adopt animal welfare legislation that could address the keeping and sale of these animals.

To determine the regulatory gaps on the keeping and sale of exotic animals in EU Member States, a review of existing animal welfare and other relevant legislation (e.g. secondary legislation and nature laws) at the national level was conducted. Some countries have complementary legislation on the regional or local level, which was also included in the review. While every country has animal welfare legislation, a few countries do not have national legislation that addresses the keeping and sale of exotic pets but rather have regulations on a regional or local level.

The legislation of each Member State was analysed on specific topics in order to answer questions regarding the private keeping and sale of exotic pets. The analysis of the legislative review was subsequently sent to animal welfare organisations and some competent authorities in the corresponding Member States for comments or corrections.

### *6.1. List of questions used during the survey*

The following questions were used to gather information on the animal welfare laws and related regulations available on the national level:

1. Are there restrictions on the (private) keeping of certain exotic animals? What is the reason for such restrictions?
2. Is there a positive or a negative list?
3. Are there requirements for registration, authorisation or a licence for the (private) keeping of exotic animals?
4. Are there housing requirements? Are these requirements specific to exotic animals?
5. Is there legislation on the sale of exotic animals in pet shops?
6. Are there housing requirements for animals sold in pet shops? Are these requirements specific to exotic animals?
7. Are there age requirements for the purchase of animals? Are these requirements specific to exotic animals?
8. Is there legislation on the abandonment of animals? Are there penalties? Is there specific language on the abandonment/release of exotic animals kept in captivity?

A total of 31 countries were studied as part of this research, including all 27 EU Member States. The United Kingdom (UK) does not have an overarching federal animal welfare law and was divided into England, Wales, Scotland and Northern Ireland and represented as four separate 'entities'. Germany, Austria, Belgium and Spain have regional specific animal welfare legislation, but they also have a federal animal welfare law and were therefore not split up into different entities. This results in 27 EU countries: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Republic of Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and United Kingdom (England, Wales, Scotland, Northern Ireland). In addition to the EU Member States, four additional countries were studied: Croatia, Norway, Switzerland and Turkey.



## 7. ANALYSIS OF NATIONAL LEGISLATION

### 7.1. Private keeping of exotic pets

According to the Convention for the Protection of Pet Animals the keeping of wild animals as pets should not be encouraged. To control the keeping of wild animals as pets, the non-binding Resolution on the keeping of wild animals as pets was adopted in 1995. This Resolution includes some criteria to consider suitability: housing and care according to behavioural and physiological needs; space, enclosure enrichment (e.g. climbing material, digging possibilities, resting and hiding places, swimming, bathing and diving facilities); possibilities to fulfil the need for social behaviour; appropriate climatic conditions; appropriate knowledge for the keeper; preventing the animal from escaping; aggressiveness of the animal and possible risk for human safety should be taken into account.

However, it is up to the individual Member States to lay down more detailed legislation on the keeping and sale of exotic pets. An overview of the provisions included in the animal welfare law and related legislation of EU Member States and some other European countries can be found in Table 1.

The majority of EU countries have established negative lists while only Belgium has implemented a positive list, and this is only for mammals. Most countries have some restrictions on the private keeping of exotic pets, usually in the form of an authorisation. Only a third of the countries included (detailed) housing requirements for exotic pets in their national legislation, as proposed by the Resolution on the keeping of wild animals as pets. Detailed housing requirements may include information on cage sizes, temperature, humidity, enclosure enrichment, feedstuff, and more, specified for animal groups (e.g. rabbits, squirrels, tortoises, snakes, etc.) or even specific species. General housing requirements state that animals have to be cared for, housed according to “physiological needs”, fed and possibly inspected, but are not specified for certain groups of species.

- Out of the 31 countries, **22 (21 EU)** have a **negative list** (with the exception of Northern Ireland in the UK). Austria, Germany and Spain also have additional negative lists at a regional level. Belgium and Croatia have a negative list on regional level only (Brussels Region and City of Zagreb).
- **Belgium** is the only country with a **positive list** (currently only for mammals).
- **26 (24 EU)** countries have certain **restrictions on the private keeping** of exotic animals and in **19 (18 EU)** require some form of **authorisation**. Spain and Belgium have additional requirements for authorisation on the regional level. Germany has requirements for authorisation at a regional level only.
- **Five countries** (Croatia, Greece, Ireland, Malta and Turkey) have **no provisions on private keeping of exotic animals** in the national animal welfare law and related legislation; hence it can be assumed that any kind of animal can be kept as a pet.
- **11 countries (10 EU**, with the exception of Wales and Scotland in the UK) have specified **housing requirements** for exotic pets with very **detailed requirements in 10 (9 EU**, but only England in the UK) of them, including information on minimum cage sizes, temperature, social structure, accommodation, feeding and more (**Box 3**).

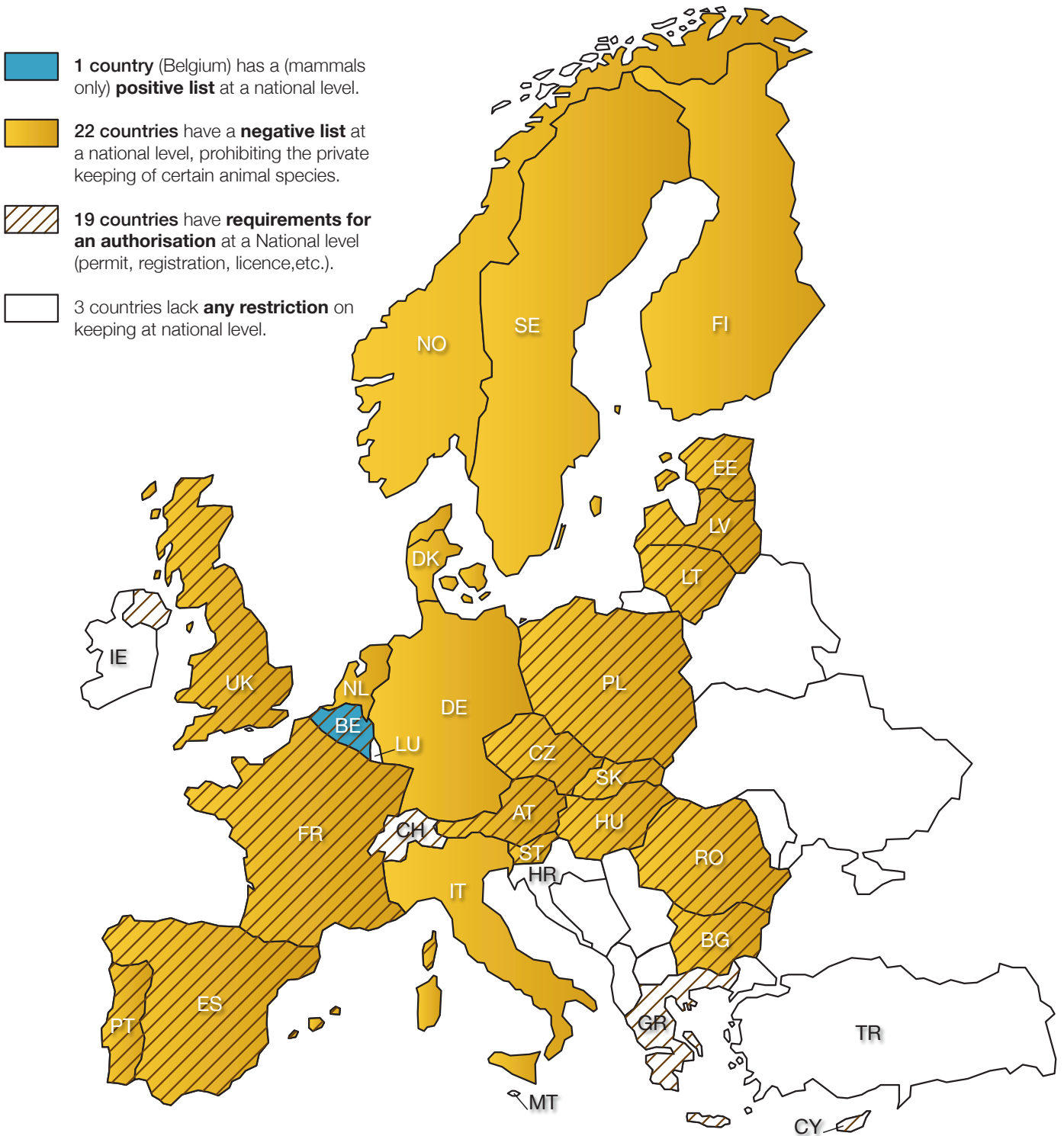
### BOX 3: HOUSING REQUIREMENTS FOR PETS IN AUSTRIA

The Austrian animal welfare law and secondary legislation includes restrictions on the private keeping of certain animal species for reasons of animal protection. In addition to these restrictions, Austria has adopted very detailed housing requirements for numerous animal species. Private persons keeping animals have to ensure that the space, freedom of movement, condition of the ground, structural equipment of buildings and facilities, environmental conditions (in particular light and temperature), care and food, the possibility for social contacts, adaptation and domestication of animals correspond to their physiological and ethological needs (Animal Protection Act 2005). It further states “no animal shall be kept unless it can reasonably be expected, on the basis of its genotype or phenotype, that it can be kept according to the state of the art of scientific knowledge without detrimental effect on its well-being” (Animal Protection Act 2005).

To comply with these requirements, the Austrian government adopted detailed minimum standards to keep exotic mammals, birds, amphibians, reptiles and fish (attachments of the 2nd Regulation on Livestock; BGB1 II No. 486/2004 as amended by BGB1 II 384/2007). Exact standards on cage sizes, structure of the accommodation, bedding material, temperature, humidity, nutrition and social requirements are given for specific species.



# MAP 1: OVERVIEW OF THE CURRENT LEGISLATION ON THE PRIVATE KEEPING OF EXOTIC PETS



<b>AT:</b> Austria	<b>DK:</b> Denmark	<b>HR:</b> Croatia	<b>NO:</b> Norway	<b>SK:</b> Slovakia
<b>BE:</b> Belgium	<b>EE:</b> Estonia	<b>IE:</b> Ireland	<b>NL:</b> Netherlands	<b>TR:</b> Turkey
<b>BG:</b> Bulgaria	<b>ES:</b> Spain	<b>IT:</b> Italy	<b>PO:</b> Poland	<b>UK:</b> United Kingdom
<b>CH:</b> Switzerland	<b>FI:</b> Finland	<b>LT:</b> Lithuania	<b>PT:</b> Portugal	
<b>CY:</b> Cyprus	<b>FR:</b> France	<b>LU:</b> Luxembourg	<b>RO:</b> Romania	
<b>CZ:</b> Czech Republic	<b>GR:</b> Greece	<b>LV:</b> Latvia	<b>SE:</b> Sweden	
<b>DE:</b> Germany	<b>HU:</b> Hungary	<b>MT:</b> Malta	<b>SI:</b> Slovenia	



**TABLE 1:****OVERVIEW OF THE CURRENT LEGISLATION ON THE PRIVATE KEEPING OF EXOTIC PETS**

COUNTRY	ANIMAL WELFARE LAW (TRANSLATED TITLE)	RELATED LEGISLATION	POSITIVE LIST	NEGATIVE LIST	RESTRICTIONS ON PRIVATE KEEPING OF EXOTIC ANIMALS
<b>Austria</b>	Animal Protection Act – TSchG 2004 (BGBl I No. 118/2004 amend. BGBl I No. 80/2013)	2nd Regulation on Livestock (BGBl II No. 486/2004 amend. BGBl II No. 384/2007)	Under discussion	Yes: prohibition to keep species of primate, large wild cat, bear, hyena and more. (2nd Regulation on Livestock). In 9 states ban on venomous and big snakes.	Yes
<b>Belgium</b>	Law of 14 august 1986 regarding the protection and the welfare of animals (last amend 19 May 2010).	Royal Decree of 16 July 2009 establishing the list of mammals which may be kept	Yes (list with 42 mammal species + 4 for production purposes)	Belgium: No Flanders and Walloon Region: No Brussels Region: Prohibition to keep exotic animals.	Yes
<b>Bulgaria</b>	Animal Protection Act 2008 SG No. 13 of 8 February 2008	Biological Diversity Act SG No. 77 of 9 August 2002 (latest amend. SG No. 94 of 16 November 2007); Law on Veterinary Activity	No	Yes: species of primate, wild cat, protected animal species (Biological Diversity Act)	Yes
<b>Croatia</b>	Animal Protection Act 2006	n/a	No	Croatia: No City of Zagreb: Yes, prohibition to keep dangerous and potentially dangerous animals.	No
<b>Cyprus</b>	Law for the Protection, Health and Welfare of Animals No. 46(I)/1994 (last amend. 15(I)/2011)	Law on the Protection and Management of Nature and Wildlife No. 153(I)/2003; Law on the Protection and Management of Game and Wild Birds 152(I)/2003	Under discussion	No	Yes
<b>Czech Republic</b>	Act of the Czech National Assembly on the Protection of Animals Against Cruelty No. 246/1992 (latest amendment No. 359/2012 - new version of Act will come into force 1st January 2013)	Act on Protection of Nature and the Landscape No. 114/1992; Decree 411/2008 Coll. On animal species requiring special care; Decree 346/2006 Coll. On detailed conditions of keeping and training of animals	No	Yes: list with specially protected species (Decree No. 395/1992 Coll.)	Yes
<b>Denmark</b>	Consolidated Notice of the Animal Welfare Act no. 1343, 2007	Notice of private holding of special animals; BEK Order no. 1021, 2002;	Under discussion	Yes: species Annex I of BEK No. 1021, 2002	Yes
<b>Estonia</b>	Animal Protection Act 2001 (amend. 6 December 2012)	Regulation of the Minister of Environment No. 29, 2007; Ministerial Decree on the conditions of keeping pet animals No. 76, 2008; Procedure for Registration of Keeping of Mammals, Birds and Reptiles specified in Annex A of Council Regulation (EC) No. 338/97 and prohibition on keeping of species belonging to the superfamily of Hominoidea	No	Yes: Hominoidea (Procedure for Registration of Keeping of Mammals, Birds and Reptiles specified in Annex A of Council Regulation (EC) No. 338/97)	Yes
<b>Finland</b>	Animal Welfare Act 247/2006 (amend. 843/2011)	Animal Welfare Decree 396/1996 (amend. 674/2010); Nature Conservation Decree 160/1997	Under discussion	Yes: wild mammals and birds + Annex IV(a) of Habitat Directive (Nature Conservation Decree 160/1997)	Yes
<b>France</b>	Decree No. 2003-768 of 1 August 2003 on the regulatory part of Book II of the Rural Code (= Animal welfare law)	Decree on general rules for the operation of livestock facilities and for registration of domestic animals, 10 August 2004 (Amend. 24 March 2005); Circular DNP / CFF rules specifying keeping animals of non-domestic species No. 2005-02 of 17 May 2005;	No	Yes: species of Annex 2 of Decree of 10 August 2004	Yes

REASONS FOR RESTRICTION	AUTHORISATION REQUIREMENTS (LICENCE, PERMIT, REGISTRATION, ETC.)	SPECIFIC REQUIREMENTS TO BE MET TO OBTAIN AN AUTHORISATION	HOUSING REQUIREMENTS GENERAL OR DETAILED	HOUSING REQUIREMENTS SPECIFIED FOR EXOTIC PETS
Animal protection	Yes	No	Detailed requirements (cage sizes, temperature, feeding, social context and more)	Yes
Animal protection, welfare, human health, ecological risks, availability of scientific knowledge (positive list criteria)	Belgium: Yes, authorisation required to keep mammals not listed in the positive list (rarely granted). Flanders Region: Yes (declaration) Walloon Region: Yes (permit) Brussels Region: No	Belgium: For mammals not on the positive list; proven knowledge and keeping in an appropriate way with regards to animal welfare. Flanders and Walloon region : environmental and safety conditions. Brussels Region: No	General requirements	No
Animal protection, human health, inappropriate for breeding, endangered species	Yes (registration)	No	General requirements	No
None given	No	No	General requirements	Minister shall prescribe requirements for keeping and raising wild animals.
Private keeping of species of Appendix I of CITES and vulnerable native animals species	Yes (licence for vulnerable native animals species)	No	General requirements	No
None given	Yes (authorisation)	No	Detailed requirements (cage sizes, temperature, and more) but only for trained wild animals (species of feline, bear, elephant and more)	Yes
Annex I: dangerous, difficult to retain, difficult to keep in an animal friendly manner. Annex II: not easy to keep.	No need for authorisation, but special animal species listed in Annex II of BEK No. 1021, 2002 are only authorized when kept under certain conditions.	No	General requirements	Yes
Protection of wild fauna	Yes (registration of sp. Belonging to Annex A of Council Regulation (EC) 338/97)	No	Detailed requirements (cage sizes, structures, feeding and more)	Yes
Animal protection	No	No	Detailed requirements (accommodation, cage sizes, feeding and more)	Yes
Biological conservation, protection of species, dangerous for human health, difficult to maintain, ecological risks	Yes (Authorisation for species of Annex 1 of Decree 10 August 2004)	No	General requirements	No

COUNTRY	ANIMAL WELFARE LAW (TRANSLATED TITLE)	RELATED LEGISLATION	POSITIVE LIST	NEGATIVE LIST	RESTRICTIONS ON PRIVATE KEEPING OF EXOTIC ANIMALS
Germany	Animal Welfare Act (TSchG) of 185 May 2006 (BGBl I p.1206, latest amend. 9 November 2010)	Ordinance of 16 February 2005 for the amendment of the Federal Ordinance on the Conservation of Species (BArtschV); Federal Nature Conservation Act (Bundesnaturschutzgesetz, BNatSchG, (25 March 2002)	No	Yes: American Beaver, grey squirrel, snapping turtle and alligator snapping turtle, wild or specially protected animals, birds of prey (Federal Ordinance on the Conservation of Species). 7 out of 16 Länder have list with prohibited species.	Yes
Greece	Law on domesticated and stray companion animals and the protection of animals from exploitation for profit, 4039/2012	Provisions of Law 604/1977; Presidential Decree 463/1978.	Under discussion	No	No
Hungary	Act XXVIII of 1998 on the Protection and Humanness towards animals (amend. Act LXVII, 2002)	Joint Decree No 8/1999 (VIII. 13.) on dangerous animals and on the detailed rules of their keeping; Decree on the keeping of pet animals and marketing 41/2010 (amend. Government Regulation 115/2012. (VI. 11), Annex 5)	No	Yes: sea snakes, species in Annex No. 1 of Decree 41/2010 and species in Annex 5 of Government Regulation 115/2012. (VI. 11)	Yes
Ireland	Animal Health and Welfare Bill 2012	SI 235 1979 Wildlife Act, 1979	No	No	No
Italy	Law No. 189 of 20 July 2004 on Provisions regarding the prohibition of mistreatment of animals and their use in clandestine animal fights or non – authorised competitions (OJ No. 178, 31 July 2004)	Decree of 19 April 1996: list of dangerous species for which possession is prohibited; Official No. 15, 2002 Order No. 8; Decree of the Ministry of Environment of 19 April 1996 (amended by the Decree of the Ministry of Environment of 26 April 2001); Act No. 150 (amended by Act 426 of 1998 and Decree No. 275 of 2001) on implementing CITES regulations	No	Yes: species of marsupial, primate, large wild cat, elephant, peccary, hippopotamus, elk, antelope, buffalo, rodent, turtle, crocodilian, varanid, boa, viper and more. (Annex A of the Decree of the Ministry of Environment of 19 April 1996, amended 2001).	Yes
Latvia	Animal Protection Law 2001 (amend. 08/03/2012)	Law on Conservation of Species and Biotopes 16 March 2000 (amend. 2011); Hunting Law (amend. 2012); The Cabinet of Ministers Regulations No.1139: Order on Storage, Registration, Keeping in Captivity, Labeling and Trade of the Endangered Species of Wild Fauna and Flora by International Trade and Order on Issuing Certificates (6 October 2009); The Cabinet of Ministers Regulations No.1146: Order on Registration of Places where Wild Animals are Kept (21 December 2010); The Regulation of Cabinet of Ministers No. 266: The welfare requirements of domestic (pet) animal housing, trade, transport and display at public exhibitions, as well as dog training (11 April 2006)	No	Yes, species of wild carnivore, crocodilian, primate, marine mammal, snake (Animal Protection Law 2001)	Yes
Lithuania	Law on the Care, Welfare and Use of animals of 6 November 1997 No. VIII-500 (amend. 2010 - waiting for approval)	Law on Wildlife (6 November 1997, No VIII-498); Law on the Protected Fauna, Flora and Fungi Species and Communities (6 November 1997, No VIII-499); Regulation on use of wild animals Ministry of Environment 2011-06-30 No. D1-533/B1-310; State veterinary service regulation on pet trade.	No	Yes: species of crocodile, monotreme, primates, canid, hyena, bear, cat, seal whale, rhinoceros, hippopotamus, giraffe and more. (Regulation on use of wild animals Ministry of Environment 2011-06-30 No. D1-533/B1-310)	Yes

REASONS FOR RESTRICTION	AUTHORISATION REQUIREMENTS (LICENCE, PERMIT, REGISTRATION, ETC.)	SPECIFIC REQUIREMENTS TO BE MET TO OBTAIN AN AUTHORISATION	HOUSING REQUIREMENTS GENERAL OR DETAILED	HOUSING REQUIREMENTS SPECIFIED FOR EXOTIC PETS
Conservation (national level) and dangerous/poisonous species (Länder level)	Yes (Permit or authorisation needed in 6 Länder)	Yes (requirements in 6 Länder)	General requirements	No (only not legally binding ones)
None given	Yes (registration of every pet)	No	General requirements	No
Conservation	Yes (licence)	Yes (experience, special qualifications)	Detailed requirements (cage sizes)	Yes
None given	No	No	General requirements	No
Danger to health and public safety, potentially hazardous, transmission of diseases to humans	No	No	General requirements	No
Animal protection, animal welfare, absence of documents of legal origin of animal	Yes	Yes, for species included in the Annex A and B of Council Regulation 338/97.	General requirements	No
None given	Yes (licence)	No	General requirements	No

COUNTRY	ANIMAL WELFARE LAW (TRANSLATED TITLE)	RELATED LEGISLATION	POSITIVE LIST	NEGATIVE LIST	RESTRICTIONS ON PRIVATE KEEPING OF EXOTIC ANIMALS
<b>Luxembourg</b>	Law of 15 March 1983 designed to protect the lives and well-being of animals	The Grand Ducal Regulation of 18 March 2000 on Conditions for the confinement of animals	No	No	Yes: non - domestic species are prohibited, but species are not defined (Law of 15 March 1983).
<b>Malta</b>	Animal Welfare Act XXV of 2001 (amend. 2010); Protection of Animals offered in Pet Shops (minimum standards) Regulations 2011	The Environment Protection Act (Act No. XX of 2001, Chapter 435); Code of Police Laws; Trade in Species of Fauna and Flora Regulation (Legal Notice 236 of 2004)	No	Under discussion	No
<b>Netherlands</b>	Law on Animals (adopted by 1st Chamber 2011)	Decree on business operations with companion animals: will replace the Decree on cats and dogs - DRAFT; Decree on the keeping of animals will be incorporated in the Law on Animals - DRAFT; Law on fauna and flora 125 May 1998	Under discussion	Yes: muntjacs, pallas squirrel, grey squirrel, American fox squirrel, primates, big cats and protected native species (Law on fauna and flora 25 May 1998)	Yes
<b>Norway</b>	Animal Welfare Act 2009	The Wildlife Act No. 38 of 29 May 1981; Act about Management of the Variety of Nature 19 June 2009 No. 100; Regulation prohibiting the exotic animal import, sale or keeping as livestock, pets or in captivity, FOR 1976, No. 3	Under discussion	Yes: species of mammal, reptile, amphibian, frog and newt (Regulation prohibiting the exotic animal import, sale or keeping as livestock, pets or in captivity).	Yes
<b>Poland</b>	Act on the Protection of Animals (amend. 16 November 2010, implemented 1 January 2012)	Act on the Protection of Nature 16 April 2004; Decree on Conservation of Animal Species 28 September 2004 on the species of wild animals under protection (Journal of Laws No. 220, pos. 2237);	No	Yes: predatory and poisonous animals, species of Annexes 1 - 3 of the Decree on Conservation 2004.	Yes
<b>Portugal</b>	Protection of Animals Law 92/95, Decree No. 211/2009	DL 211/2009, with its two related Ordinances No. 1226/2009 (amend. Ordinance No. 60/2012) prohibiting the possession of some species and Ordinance No. 07/2010, registration and marking schemes for CITES and indigenous specimens; List of prohibited species to detain according to DL 565/99; DL No. 276/2001, implementation of the EU Convention on the protection of companion animals	No	Yes: species of Annex I of Ordinance No. 1226/2009 and IAS and species with potencial ecological risk listed in annexes I and III of DL 565/99.	Yes
<b>Romania</b>	Law No. 205/2004 on the Protection of Animals (modified by Law 9/2008 and order 523/2008)	"Ministerial Order 647/2001 for approving the authorisation procedure of the harvesting, capture and/or acquisition activities and commercialization on internal market and export of wild specimens of flora and fauna, and also their import; Ministerial Order 1798/2007, language related to the keeping of exotic animals"	No	Yes: prohibition on private keeping of wild protected native animals and species of primate, wild feline, bird of prey, venomous reptile, species of Annex 4A and 4B of Ordinance No. 57/2007.	Yes

REASONS FOR RESTRICTION	AUTHORISATION REQUIREMENTS (LICENCE, PERMIT, REGISTRATION, ETC.)	SPECIFIC REQUIREMENTS TO BE MET TO OBTAIN AN AUTHORISATION	HOUSING REQUIREMENTS GENERAL OR DETAILED	HOUSING REQUIREMENTS SPECIFIED FOR EXOTIC PETS
None given	No	No	Detailed requirements (cage sizes, structures and more) but only for dogs, horses, rabbits and poultry.	No
None given	Under discussion	No	General requirements	No
health and welfare of the animal, adult size of the animal, danger for the environment, ability to transport the animal, availability of information on the animal (positive and negative list criteria)	No	No	General requirements	No
None given	No	No	General requirements	No
Danger to human and animal health (predatory or poisonous animals) or threat to health, life and economy	Yes, all species restricted by EU law (EU 338/97, amended 709/2010) have to be registered within 14 days.	No	General requirements	No
Conservation, welfare and health, safety of citizens	Yes (registration of species in Annex II of Ordinance No. 1226/2009, all CITES and indigenous species according to Ordinance No. 07/2010 and license to detain exotic species, according to DL 565/99)	Yes, according to Ordinance No. 07/2010, for CITES and indigenous specimens, required to prevent the escape to the wild of the exotic specimens.	Detailed requirements (temperature, humidity, cage sizes and more)	Yes (but but this does not include the vast majority of exotic species, only some birds, amphibians and reptiles and fish)
Conservation	Yes (authorisation)	No	General requirements	No



COUNTRY	ANIMAL WELFARE LAW (TRANSLATED TITLE)	RELATED LEGISLATION	POSITIVE LIST	NEGATIVE LIST	RESTRICTIONS ON PRIVATE KEEPING OF EXOTIC ANIMALS
<b>Slovakia</b>	Law 39/2007 on veterinary care and Decree No. 123/2008 on details for the protection of pets and requirements at quarantine stations and shelters	Ministerial Decree No. 110/2005 - Implementation of some Provisions of the Act on Protection of Species of Wild Fauna and Flora by Regulating Trade Therein	No	Yes: non - indigenous Falconiformes, Strigiformes and red - eared slider (Ministerial Decree No. 110/2005).	Yes, also every city/village has the right to set requirements on breeding of exotic pets for themselves.
<b>Slovenia</b>	Animal Protection Act 43/2007; Rules on the protection of pet animals 75/2005 (88/2005), 51/2009	The Nature Conservation Act 119/02, 22/03, 96/04; Order on the Living Conditions for and Care of Animals of Wild Species Kept in Captivity 90/01; Decree on protected wild animal species, 46/2004 (last amendment 102/2011)	No	Yes: live birds of prey or owls, species of Annex 1 of Decree 46/2004.	Yes
<b>Spain</b>	Animal Welfare Act 32/2007	RD 1628/2011 on invasive alien species; Regional Laws	No	Spain: Yes, list of invasive alien species of RD 1628/2011 (but so far only implemented in Madrid, Andalucía and Valencia)	Spain: Yes (but not yet implemented in all communities) Andalusia: Yes Navarra: Yes Valencia: Yes
<b>Sweden</b>	The Animal Welfare Act 1988/534 (as last amended by SFS 2009:303 of 1 January 2010) and the Animal Welfare Ordinance 1988/539 (as last amended by SFS 2008:1051 of 1 January 2009)	SJVFS 1997:61, Ref No. L80 - Swedish Regulation on Conditions relating to the Keeping, Breeding, Sale, etc. of Animals intended as Pets or for Hobby Purposes; amended L80, DFS 2005/8	Under discussion	Yes: animals caught in the wild (except fish and amphibians), native wild animals, species of monkey, carnivore, raptor and more. (SJVFS 1997:61, Ref No. L80)	Yes
<b>Switzerland</b>	Animal Welfare Act (TSchG) 455/2005	Animal Welfare Ordinance (TSchV) 455_1/2008	No	No	Yes
<b>Turkey</b>	Animal Protection Law No. 5199 (2004)	Application of the Law No. 5199 (2006).	No	No	No
<b>UK-England</b>	Animal Welfare Act 2006	Dangerous Wild Animals Act 1976; Pet Animal Act 1951 (amend. 1983); Wildlife and Countryside Act 1981; Control of Endangered Species (Enforcement) Regulations 1997 No. 1372 (amended in 2005 and 2007)	No	Yes, wild birds and species of schedule 1 and 5 of the Wildlife and Countryside Act 1981.	Yes
<b>UK-Northern Ireland</b>	Welfare of Animals Act (Northern Ireland) 2011	The Dangerous Wild Animals (Northern Ireland) Order 2004 (No. 1993 (N.I. 16)); Control of Endangered Species (Enforcement) Regulations 1997 No. 1372 (amended in 2005 and 2007)	No	No	Yes
<b>UK-Scotland</b>	Animal Health and Welfare Act 2006	Dangerous Wild Animals Act 1976 (Modified by Order 2008 No. 302; Nature Conservation Act (Scotland) 2004; Wildlife and Countryside Act 1981; Control of Endangered Species (Enforcement) Regulations 1997 No. 1372 (amended in 2005 and 2007)	No	Yes, wild birds and species of schedule 1 and 5 of the Wildlife and Countryside Act 1981.	Yes
<b>UK-Wales</b>	Animal Welfare Act 2006	Dangerous Wild Animals Act 1976; Pet Animal Act 1951 (amend. 1983); Wildlife and Countryside Act 1981; Control of Endangered Species (Enforcement) Regulations 1997 No. 1372 (amended in 2005 and 2007)	No	Yes, wild birds and species of schedule 1 and 5 of the Wildlife and Countryside Act 1981.	Yes

REASONS FOR RESTRICTION	AUTHORISATION REQUIREMENTS (LICENCE, PERMIT, REGISTRATION, ETC.)	SPECIFIC REQUIREMENTS TO BE MET TO OBTAIN AN AUTHORISATION	HOUSING REQUIREMENTS GENERAL OR DETAILED	HOUSING REQUIREMENTS SPECIFIED FOR EXOTIC PETS
None given	Yes (registration for protected species with registration number and request for breeding to Regional Veterinary Administration)	No	Detailed requirements (cage sizes, structures and more) but only for cats, dogs, ferrets and rodents in shelters.	No
None given	Yes (Notifying of the acquisition for species of Annex II of Order on the Living Conditions for and Care of Animals of Wild Species Kept in Captivity 90/01)	Yes (only under certain circumstances, Decree 46/2004)	Detailed requirement (temperature, cage sizes, feeding, social structure, enclosure setup and more)	Yes
Threat to native species and the ecosystem (RD 1628/2011). Danger to humans, animals and property, venomous, risk of disease transmission, ecological risks (Decree 42/2008 Andalucía)	Spain: Yes (certificate of physical and psychological fitness) Andalusia: Yes (authorisation)	Spain: Yes (physical and psychological fitness)	Spain: No Regional laws: General requirements	No
Threat to native biodiversity.	No	No	Detailed requirements (accommodation, climate, light and more)	Yes
None given	Yes (licence for species listed in the Animal Welfare Ordinance (TSchV) 455_1/2008)	Yes (training)	Detailed requirements (feeding, care, climate, noise and more)	Yes, exotic pet keepers have to fulfill the same minimal standards as zoos.
None given	No	No	General requirements	No
Dangerous animals	Yes (licence for species listed in the Dangerous Wild Animals Act 1976 and registration of birds in schedule 4 of the Wildlife and Countryside Act 1981).	No	Detailed requirements (Codes of Practice)	Yes (for non - human primates only)
Safety or nuisance to the public	Yes (licence for species listed in the Dangerous Wild Animals (Northern Ireland) Order 2004 (No. 1993 (N.I. 16))	No	General requirements	Yes
Dangerous animals	Yes (licence for species listed in the Dangerous Wild Animals Act 1976 and registration of birds in schedule 4 of the Wildlife and Countryside Act 1981).	No	Detailed requirements (Codes of Practice)	No
Dangerous animals	Yes (licence for species listed in the Dangerous Wild Animals Act 1976 and registration of birds in schedule 4 of the Wildlife and Countryside Act 1981).	No	Detailed requirements (Codes of Practice)	No

## 7.2. Sale of exotic pets

The Convention for the Protection of Pet Animals does not include requirements for the sale of exotic species. The Convention only stipulates that pet trading businesses be declared to the competent authority, that there be sufficient knowledge and experience of the trader, and for premises and equipment to comply with housing requirements for pets. Council Regulation 338/97/EC [34] prohibits the commercial trade and sale of endangered species (Annex A) and the import of some species posing an ecological threat. Trade of animals listed in the Annexes B to D is allowed after obtaining a permit. However, many species in the exotic pet trade are not included in this Regulation. It is up to the individual Member States to lay down more detailed legislation on the sale of exotic pets. An overview of the provisions included in the animal welfare laws and related legislation in the EU Member States and some other European countries can be found in Table 2.

Only a third of the examined countries have restrictions on the sale of exotic pets in pet shops. These restrictions generally either prohibit species from being sold as pets or require an authorisation to keep and sell certain species. Nearly half of the countries have training requirements for pet shop personnel. The training requirements differ substantially between countries. Some demand general knowledge on animal health and welfare, others such as Sweden (Box 4), Turkey and Switzerland have comprehensive training programmes for pet shop personnel. 11 countries require that information be given to potential customers but the level varies from detailed written information on the species' needs to general oral information. The majority of countries have put in place a minimum age for purchase, which could help to prevent impulsive purchases by minors. The minimum age is generally 16 years. The Czech Republic imposes a minimum age of 18 years for 'animals requiring special care'.

- **15 (14 EU)** out of 31 countries have regulations (prohibition, requirement for an authorisation) on the **sale of exotic pets**. Croatia, Italy and Spain have restrictions at a regional level only.
- The **staff** of a pet shop must be **trained in 18 (14 EU)** countries. Italy and Spain have training requirements at a regional level only.
- **15 (14 EU)** countries have **housing requirements** that must be adhered to in order to keep pets (domestic or exotic) in a **pet shop**. Italy and Spain have requirements on regional level only.
- There is an obligation to **inform the buyer** of the needs of the purchased species in **15 (12 EU)** countries. Italy and Spain have requirements to inform at a regional level only.
- **22 (18 EU)** countries impose a **minimum age for the purchase** of animals. Spain has minimum age requirements on regional level only.

## 7.3. Abandonment of exotic pets

Most national laws include restrictions on the release or abandonment of animals, complemented with penalties. However, these are usually not related to the invasive or health risks an exotic pet might pose when released into the environment but rather focus on the negligence of the owner to provide care to the animal. It is possible that restrictions on the abandonment of exotic pets are taken up in the penal law or biodiversity laws, but for this research the emphasis was on analysing the animal welfare laws or related legislation.

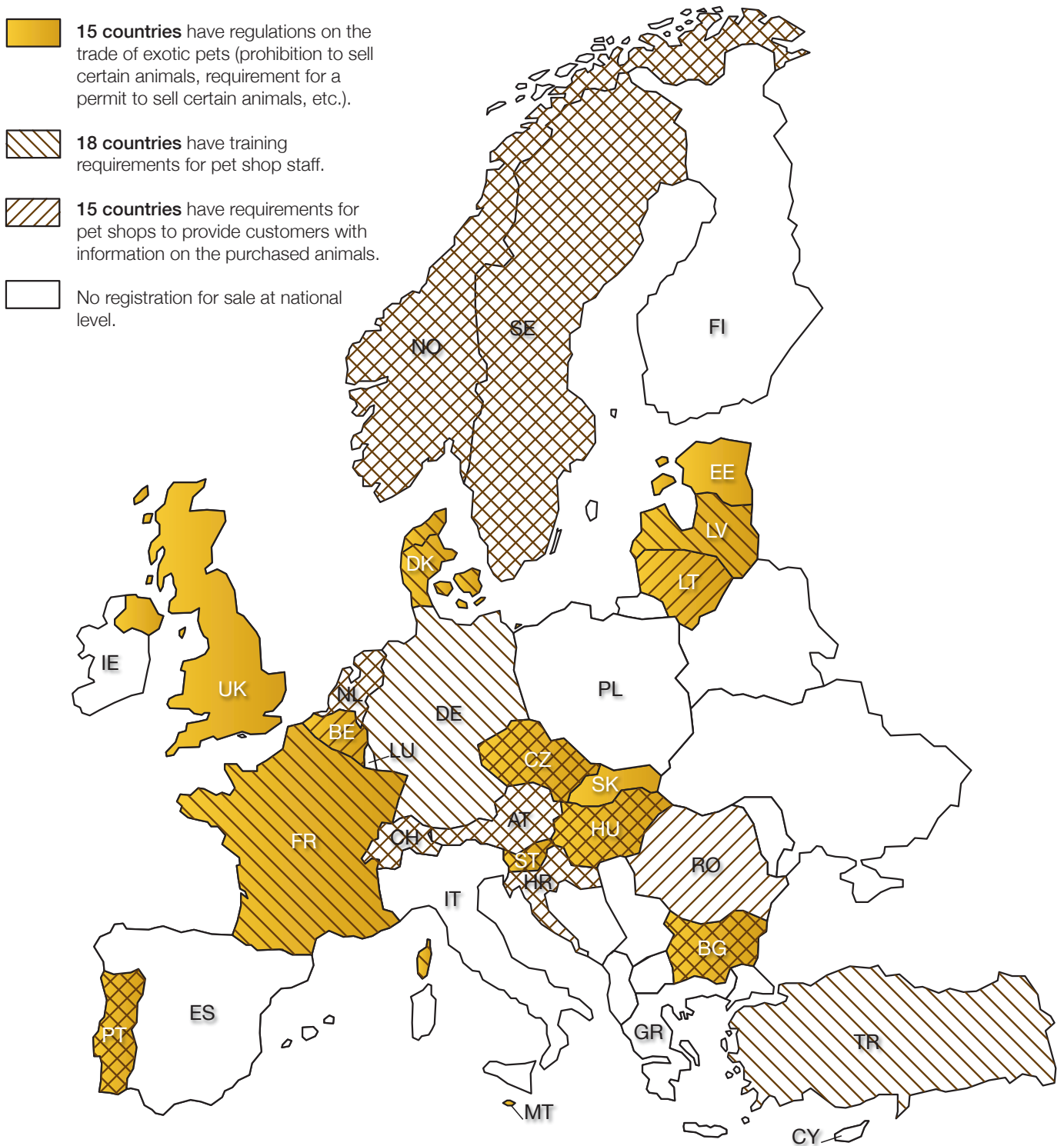
### BOX 4: TRAINING REQUIREMENTS FOR PET SHOP RETAILERS IN SWEDEN

Sweden enacted one of the most detailed sets of training requirements for pet shop retailers in the European Community (SJVFS 1997/61, No. L80, Regulation on Conditions relating to the Keeping, Breeding, Sale, etc. of Animals intended as Pets or for Hobby Purposes - amended L80, DFS 2005/8). Persons professionally trading in pets are obliged to take a basic training course, complemented by one or more specific training programmes focusing on the species covered by the trade. The basic training programme includes classes on current laws on animal welfare, disease control for animals and import of animals; environmental conditions in premises; hygiene, cleaning, disinfection and waste management; nutrition and feed management; handling of animal excreta, with reference to the infection control issues; and how animals are affected by environmental changes and stress.

Training focusing on specific species includes at least 16 class hours, with the exception for the specific training on ferrets, which includes at least 4 class hours. Species specific training is divided into several categories: cage birds, ferrets, rabbits and rodents, reptiles, fish and amphibians. For each category, training includes courses in taxonomy, anatomy and physiology, ecology, ethology, nutrition, reproduction, diseases and import regulations.

The content of each course is specified (e.g. the course of ethology should include the animals' social organisation, activity patterns, foraging behaviour and forbearance or intolerance for conspecifics and other animals). Participants are trained on the general knowledge of the listed species, and specialised knowledge on the most commonly traded.

## MAP 2: OVERVIEW OF THE CURRENT LEGISLATION ON THE SALE OF EXOTIC PETS.



<b>AT:</b> Austria	<b>DK:</b> Denmark	<b>HR:</b> Croatia	<b>NO:</b> Norway	<b>SK:</b> Slovakia
<b>BE:</b> Belgium	<b>EE:</b> Estonia	<b>IE:</b> Ireland	<b>NL:</b> Netherlands	<b>TR:</b> Turkey
<b>BG:</b> Bulgaria	<b>ES:</b> Spain	<b>IT:</b> Italy	<b>PO:</b> Poland	<b>UK:</b> United Kingdom
<b>CH:</b> Switzerland	<b>FI:</b> Finland	<b>LT:</b> Lithuania	<b>PT:</b> Portugal	
<b>CY:</b> Cyprus	<b>FR:</b> France	<b>LU:</b> Luxembourg	<b>RO:</b> Romania	
<b>CZ:</b> Czech Republic	<b>GR:</b> Greece	<b>LV:</b> Latvia	<b>SE:</b> Sweden	
<b>DE:</b> Germany	<b>HU:</b> Hungary	<b>MT:</b> Malta	<b>SI:</b> Slovenia	

**TABLE 2:**  
OVERVIEW OF THE CURRENT LEGISLATION ON THE SALE OF EXOTIC PETS

COUNTRY	LEGISLATION ON PET SHOPS	REQUIREMENTS FOR REGISTRATION OF PET SHOPS	SPECIFIC REGULATIONS ON SALE OF EXOTIC PETS	HOUSING REQUIREMENTS SPECIFIED FOR PETS IN PET SHOPS	REQUIREMENTS FOR TRAINING OF PET SHOP STAFF
<b>Austria</b>	Animal Protection Act – TSchG 2004 (BGBl I No. 118/2004 amend. BGBl I No. 80/2010); 2nd Regulation on Livestock BGBl II No. 486/2004 amend. BGBl II No. 384/2007; BGBlA II No. 487/2004 on Pet Shops,	Yes	No	Yes	Yes
<b>Belgium</b>	Law on the protection and welfare of animals, 14 August 1986 (last amendment 19 May 2010). Specific requirements (for commercial establishments) described in RD of 27 April 2007.	Yes	Yes, prohibited to advertise mammals not included in the positive list and prohibition on keeping non listed species in a pet shop unless the pet shop owner has a written order of someone who is allowed to keep the animal and the animal is only kept in the pet shop for a short time (time necessary for transit).	Yes	No
<b>Bulgaria</b>	Animal Protection Act 2008; Law of veterinary activity	Yes	Yes, prohibited to sell monkeys, apes, wild cats, etc. Other wild animals may only be sold when marked appropriately and data on buyer must be submitted.	No	Yes
<b>Croatia</b>	Animal Protection Act 2006	Yes	Croatia: No City of Zagreb: Yes, prohibited to sell dangerous and potentially dangerous animals.	No	Yes
<b>Cyprus</b>	Law for the Protection, Health and Welfare of Animals No. 46(I)/1994 (latest amend. 15(I)/2011); Specific regulations for pet shops have been drafted and are under discussion (expected voting in 2013).	Under discussion	Under discussion, only certain categories / species of animals will be allowed to be sold.	Under discussion	Under discussion
<b>Czech Republic</b>	Act of the Czech National Assembly on the Protection of Animals Against Cruelty Act. No. 246/1992 (latest amendment No. 359/2012 - new version of Act will come into force 1st January 2013); Decree 411/2008 Coll. Specifying animal species requiring special care.	Yes	Yes, application for approval for breeding animals requiring special care.	No	Yes
<b>Denmark</b>	Consolidated Notice of the Animal Welfare Act no. 1343, 2007; Notice of private holding of special animals, BEK no. 1021, 2002; Order on the commercial trade of animals (pet stores) BEK no. 1022, 2002 amend. Order No. 129, 2010.	Yes	Yes, species in Annex I of Order BEK no. 1022/2002 are not allowed to be sold.	Yes	Yes
<b>Estonia</b>	Animal Protection Act 2001 (amend. 6 December 2012)	Yes	Yes, only animals born under artificial conditions (no wild animals) shall be sold.	Yes	No
<b>Finland</b>	Act on the Protection of Animals 247/2006 (amend. 843/2011)	Yes	No	No	No
<b>France</b>	Environmental Code, Legislative Part, Book IV Natural Heritage, Title I Natural Heritage Protection; Circular DNP / CFF rules specifying keeping animals of non-domestic species No. 2005-02 of 17 May 2005	Yes	Yes, species of Annex II of Circular No. 2005-02 can not be held at retail establishments.	Yes	Yes
<b>Germany</b>	Animal Welfare Act 2006; Guidelines for alignment of markets from the viewpoint of animal welfare from 1 June 2006.	Yes	No	No	Yes
<b>Greece</b>	Law on domesticated and stray companion animals and the protection of animals from exploitation for profit, 4039/2012; Provisions of Law 604/1977; Presidential Decree 463/1978.	Yes	No	Under discussion	Under discussion

REQUIREMENTS FOR INSPECTION OF PET SHOPS	MINIMUM AGE FOR PURCHASE	REQUIREMENTS FOR PET SHOP TO PROVIDE CARE INFORMATION	RESTRICTIONS ON INTERNET SALE	RESTRICTIONS ON SALE AT MARKETS, FAIRS, ETC
No	14 years	Yes	Yes (similar to pet shop regulations)	Yes (similar to pet shop regulations)
Yes, regular inspections.	16 years	Yes	Yes, for dogs and cats: only licenced breeders can advertise on all websites. Non-licenced breeders can only advertise on specialised websites dealing only with animals. Advertising for the sale of or selling of animals not on the positive list is not allowed.	Yes forbidden to sell dogs or cats.
No	18 years	Yes	No	Yes (similar to pet shop regulations)
No	No sale to under - age persons	Yes	No	No
Yes	Under discussion, 16 years in draft regulations.	Under discussion	No	Yes, authorisation.
Yes, regular inspections by veterinary authority.	15 years. 18 years for animals requiring special care.	Yes	No	No
Yes, at least four times a year by a veterinarian.	16 years	No (written care sheets will have to be provided as from 1 January 2014)	No	No
No	16 years	No	No	Yes, authorisation.
Yes	No	No	No	Yes, itinerant trading forbidden.
No	16 years	No	No	Yes (similar to pet shop regulations)
No	16 years	No	No	Yes (guidelines for animal fairs)
No	No	No	No	No

COUNTRY	LEGISLATION ON PET SHOPS	REQUIREMENTS FOR REGISTRATION OF PET SHOPS	SPECIFIC REGULATIONS ON SALE OF EXOTIC PETS	HOUSING REQUIREMENTS SPECIFIED FOR PETS IN PET SHOPS	REQUIREMENTS FOR TRAINING OF PET SHOP STAFF
Hungary	Act XXVIII of 1998 on the Protection and Humaneness towards animals (amend. Act LXVII, 2002); Decree on the keeping of pet animals and marketing 41/2010 (amend. Government Regulation 115/2012. (VI. 11), Annex 5); Joint Decree No 8/1999 (VIII. 13) on dangerous animals and on the detailed rules of their keeping;	Yes	Yes, primates not allowed to be sold, dogs only allowed to be sold when micro chipped, dangerous animals only allowed to be sold when a licence is provided and when there is a specialized employee.	Yes	Yes (for keeping and selling dangerous animals)
Ireland	Animal Health and Welfare Bill 2012; Number 39 of 1976 Wildlife Act;	Yes, but only for wildlife dealers	No	Yes	No
Italy	Act No. 150 (amend. By Act 426, 1998 and Decree No. 275, 2001); Official No. 15, 2002 Order No. 8.	Yes	Italy: No Regional laws: Yes	Italy: No Regional laws: Yes	Italy: No Regional laws: Yes
Latvia	Animal Protection Law 2001 (amend. 08/03/2012); Veterinary Medicine Law (last amend. 2012); The Cabinet of Ministers Regulation 266: Welfare requirements for domestic (pet) animal housing, trade, transport and display at public exhibitions, and for dog training.	Yes	Yes, prohibition to...offer for sale wild carnivores, crocodiles, primates, marine mammals, snakes (Animal Protection Law 2001). Prohibition to use for commercial purposes (including trade) Annex A specimens of Council Regulation 338/97.	No	Yes
Lithuania	Law on the Care, Welfare and Use of animals (amend. 2010 - waiting for approval); Law on Wildlife (6 November 1997, No VIII-498); Regulation on use of wild animals Ministry of Environment 2011-06-30 No. D1-533/B1-310; Trade in domesticated animals regulation 2010-07-01 No. B1-253 State veterinary service	Yes	Yes, only allowed with a permit.	Yes	No
Luxembourg	Law of 15 March 1983 designed to protect the lives and well-being of animals; Act of 31 July 1991 approving the European Convention for the Protection of Pet Animals.	Yes	No	No	Yes
Malta	Animal Welfare Act XXV of 2001 (amended 2011); Protection of Animals offered in Pet shops (minimum standards) regulations, 2011 – amendment of Animal Welfare Act, Cap. 439	Yes	Yes, an additional specific licence is required (Annex A of Pet shop regulations) and minimum age requirement of 18 years for obtaining a licence. Prohibited to sell protected animals (eg. CITES) unless approved by authority. Records of sales.	Yes	Yes
Netherlands	Law on Animals (adopted by 1st Chamber 2011); Decree establishing rules relating to business activities with companion animals (draft)	Yes	No	Yes	Yes
Norway	Animal Welfare Act 2009; Regulations relating to the welfare of animals at commercial sales, FOR 1985-01-10-17, amend. 2010)	Yes	No	No	Yes (but no specific requirements and no control)
Poland	Act on the Protection of Animals (last amend. 2010, implemented 2012)	No	No	No	No
Portugal	Protection of Animals Law 92/95; DL No. 276/2001 (amended by DL 315/2003 and DL314/2003), implementation of the EU Convention on the protection of companion animals; DL 211/2009 (CITES legislation) with marking requirements and its Ordinances No. 1226/2009 (amend. Ordinance No. 60/2012) prohibiting the possession of some species and No. 07/2010, registration needed for owners and traders of CITES and indigenous specimens species. License scheme according to the IAS species (DL 565/99).	Yes	Yes, DL 565/99 Exotic specific legislation.	Yes	Yes



REQUIREMENTS FOR INSPECTION OF PET SHOPS	MINIMUM AGE FOR PURCHASE	REQUIREMENTS FOR PET SHOP TO PROVIDE CARE INFORMATION	RESTRICTIONS ON INTERNET SALE	RESTRICTIONS ON SALE AT MARKETS, FAIRS, ETC
Yes, at least once a year by district officer.	No	Yes	No	Yes (similar to pet shop regulations)
No	16 years	No	No	No
No	16 years	Italy: No Regional laws: Yes	No	Italy: No Regional laws: Yes
Yes	18 years	Yes	Yes	Yes
No	16 years	Yes	No	Under review.
No	16 years	No	No	No
Yes but very rare, only if someone report a particular case.	16 years	No	No	Yes, no sale in open markets or on the street, exception for birds listed in the Pet shop regulations.
Yes, by the NVWA (governmental inspection organisation), only on request for animal welfare	16 years	Yes	No, but question on sale of wild animals on internet of the 2nd Chamber to secretary of state of Economic Affairs.	Yes
Inspection by the Food Safety Authority (not regular).	16 years	Yes (but no specific requirements, no specific information, no control)	No	Yes (similar to pet shop regulations). New regulations are under preparation by the Food Safety Authority.
No	No	No	No	Yes, sale of domestic animals at markets is forbidden.
Yes, periodic inspections.	legal age (for species in Annex II of Ordinance No. 1226/2009)	Yes, about all movements of CITES and indigenous specimens.	Yes, only permitted when in accordance with DL 211/2009, Ordinance 1226/2009 and Ordinance 07/2010 (similar to pet shop regulations).	Yes, exceptionally permitted with a licence and when in accordance with DL 211/2009, Ordinance 1226/2009 and Ordinance 07/2010.



COUNTRY	LEGISLATION ON PET SHOPS	REQUIREMENTS FOR REGISTRATION OF PET SHOPS	SPECIFIC REGULATIONS ON SALE OF EXOTIC PETS	HOUSING REQUIREMENTS SPECIFIED FOR PETS IN PET SHOPS	REQUIREMENTS FOR TRAINING OF PET SHOP STAFF
Romania	Law No. 205/2004 on the Protection of Animals (modified by Law 9/2008 and order 523/2008)	No	No	No	No
Slovakia	Ministerial Decree No. 110/2005 - implementation of some Provisions of the Act on Protection of Species of Wild Fauna and Flora by Regulating Trade Therein; Act on Nature and Landscape protection 543/2002 coll.	No	Yes, species cards must be provided for birds, reptiles and mammals, with the word 'business' in the header.	No	No
Slovenia	Animal Protection Act 43/2007; Rules on the protection of pet animals 75/2005 (88/2005), 51/2009; Nature Conservation Act 96/2004; Order on the Living Conditions for and Care of Animals of Wild Species Kept in Captivity 90/01; Rules on record-keeping of trade in animals of wild species, 5/2010	Yes	Yes, obtain permit to hold wild animals in captivity and record-keeping of trade in animals of wild species.	Yes	Yes
Spain	Animal Welfare Act 32/2007; Law for the care of animals during their exploitation, transportation, testing and sacrifice 32/2007; Autonomous regions (AR) Laws	Spain: No Navarra: Yes Other AR: No	Spain: No Andalucia: yes, licence to possess potentially dangerous animals. Other AR: No	Spain: No Navarra: Yes Other AR: No	Spain: No Aragon: Yes Navarra: Yes Other AR: No
Sweden	The Animal Welfare Act 1988/534 (as last amended by SFS 2009:303 of 1 January 2010) and the Animal Welfare Ordinance 1988/539 (as last amended by SFS 2008:1051 of 1 January 2009) ; SJVFS 1997:61, Ref No. L80 - Swedish Regulation on Conditions relating to the Keeping, Breeding, Sale, etc. of Animals intended as Pets or for Hobby Purposes; amended L80, DFS 2005/8	Yes	No	Yes (very detailed housing requirements for domestic and exotic pets)	Yes
Switzerland	Animal Welfare Act (TSchG) 455/2005; Animal Welfare Ordinance (TSchV) 455_1/2008	Yes	Yes, 4-year apprenticeship as an animal handler, or a 3-year apprenticeship as a merchandiser with specialization on pet shops if more than one genus is being kept. (specialization includes a 40-hours theoretical and practical course and is usually confined to one animal genus)	Yes	Yes (certificate of proficiency to keep wild animals and registration as a commercial dealer)
Turkey	Animal Protection Law No. 5199 (2004)	No	No (to be determined by Minister)	No	Yes
UK-England	Animal Welfare Act 2006; Pet Animal Act 1951; Dangerous Wild Animals Act 1981; Control of Trade in Endangered Species (Enforcement) Regulations 1997 (COTES); Wildlife and Countryside Act 1981	Yes	Yes	Yes	No
UK-Northern Ireland	Welfare of Animals Act (Northern Ireland) 2011; Control of Trade in Endangered Species (Enforcement) Regulations 1997 (COTES)	Yes	Yes	No	No
UK-Scotland	Animal Health and Welfare Act 2006; Licensing of animal dealers (cats and dogs) (Scotland) No. 141/2009; Pet Animal Act 1951; Dangerous Wild Animals Act 1981; Control of Trade in Endangered Species (Enforcement) Regulations 1997 (COTES); Wildlife and Countryside Act 1981	Yes	Yes	Yes	No
UK-Wales	Animal Welfare Act 2006; Pet Animal Act 1951; Dangerous Wild Animals Act 1981; Control of Trade in Endangered Species (Enforcement) Regulations 1997 (COTES); Wildlife and Countryside Act 1981	Yes	Yes	Yes	No

REQUIREMENTS FOR INSPECTION OF PET SHOPS

MINIMUM AGE FOR PURCHASE

REQUIREMENTS FOR PET SHOP TO PROVIDE CARE INFORMATION

RESTRICTIONS ON INTERNET SALE

RESTRICTIONS ON SALE AT MARKETS, FAIRS, ETC

No	No	Yes	No	No
No	No	No	No	No
Yes, regular inspections.	16 years	Yes	No	Yes, certificate required.
No	Spain: No Andalusia: 16 years Aragon: minors Navarra: 14 years	Spain: Yes Other AR: No Aragon: Yes	No	No
No	No	Yes	No	No
Yes, yearly inspections by cantonal department.	16 years. Free to set higher age limits, f.e. 18 years for animals requiring a permit.	Yes	No	Yes, licence required.
No	16 years	No	No	No
Yes, by local authority officers or veterinary surgeon	16 years	No	Yes (similar to pet shop regulations, COTES)	Yes, prohibited to sell animals in markets, public place, street, etc.
No	16 years	No	Yes (similar to pet shop regulations, COTES)	Yes, prohibited to sell animals in markets, public place, street, ect.
Yes, by local authority officers or veterinary surgeon	16 years	No	Yes (similar to pet shop regulations, COTES)	Yes, prohibited to sell animals in markets, public place, street, ect.
Yes, by local authority officers or veterinary surgeon	16 years	No	Yes (similar to pet shop regulations, COTES)	Yes, prohibited to sell animals in markets, public place, street, etc.



## 8. PENDING LEGISLATION AT NATIONAL LEVEL

In some EU countries, legislation related to the private keeping or sale of exotic pets is still pending.

- **Positive list:** In Austria, Denmark, Finland, Greece, Netherlands (mammals only), and Norway (exotic mammals and birds) a positive list is under discussion. In Belgium, a provisional positive list for reptiles is being drafted.
- **Negative list:** In Malta, a negative list is under discussion, complemented by a compulsory registration of all exotic animals already kept as pets. In Cyprus, internal meetings and stakeholder consultations have taken place on possible regulations for dangerous and hazardous animals (prohibition on keeping certain species). Various regions (Länders) in Germany are discussing adoption of the Hesse Ordinance. The Hesse region has implemented the strictest rules in Germany as dangerous and exotic animals are prohibited to be kept by private persons.
- **Revision of current legislation:** Austria is currently evaluating the quality and enforcement of regulations on reptiles, fish and birds. In Finland there are plans to renew the existing Animal Welfare Act. A draft of this new act is expected to be proposed by a steering and working group in 2013-2014 so the draft can be presented to the parliament in 2014-2015. Poland is discussing a new, more restrictive Animal Protection Act, which would drastically increase the protection of animals. In the Netherlands, some legislative texts are to be replaced by new framework laws for animal welfare and nature. Drafts of secondary legislation for these framework laws are already in development. In Sweden, there is a draft for a new Animal Protection Law [43].
- **Pet shop regulations:** Internal meetings and stakeholder consultations have taken place in Cyprus on pet shop regulations, discussing a list of species allowed to be sold in pet shops, keeping conditions of animals in shops and inspection of the facilities. Greece is discussing housing requirements for animals in pet shops and training requirements for pet shop staff.

## 9. DISCUSSION AND CONCLUSION

The analysis of regulations on the private keeping and sale of exotic animals as pets in European countries indicates there is great variation across countries. In general if a country establishes a list of species it typically specifies certain animals that cannot be kept on the grounds of species being venomous or dangerous. Only one-third of the countries set regulations on the sale of exotic pets and half fail to require training of pet shop owners or staff. Most countries do not require information to be provided to customers on the animals' care and needs. There are also inconsistencies in regulations within countries. In Ireland for example, the owner of a dog is required to have a licence, but due to the absence of a regulation on exotic pets, a private person is free to keep a crocodile. A brief summary of the gaps in national regulations include:

- **8 countries (5 EU** as well as Northern Ireland, UK) **lack a positive or negative list** on national level.
- **5 (3 EU)** countries do not set any restriction on the private keeping of exotic pets on national level.
- In **12 (9 EU)** countries there is **no requirement for authorisation** on national level to keep certain animals.
- **20 (17 EU** as well as Scotland and Wales, UK) countries do **not specify housing requirements** for exotic pets.
- **16 (13 EU)** countries do not set restrictions or **regulations on the sale** of exotic pets in pet shops.
- **13 (13 EU)** countries do **not require training** for pet shop staff.
- **16 (15 EU)** countries do not require that specific **information be provided** to the buyer of the animal.
- **9 (9 EU)** countries have **no minimum age** for purchase.

Regulations vary from country to country and in some countries there are even differences between regional and local laws. While Austria and Germany have national negative lists, some regions have also adopted an additional negative list. Spain has a Royal Decree 1628/2011 on invasive alien species (including a negative list) which must directly be adopted by the regions, but only some regions (Madrid, Valencia, Andalucía) have adopted the decree so far. Valencia and Andalucía already had their own negative list, but this should now be replaced by the Royal Decree negative list.

The open internal market for EU countries lends an additional complexity. In the case of exotic pets, which represent an invasive species risk, if they are allowed to be kept in one country while being prohibited in a neighbouring country, the impact of stricter regulation is reduced. Species do not recognise borders and grey squirrels, ruddy ducks and parakeets are all examples of animals that have spread to other countries.

The inadequate legislation on the private keeping and sale of exotic pets in the majority of countries can result in sale by uninformed vendors, impulsive purchases by uninformed buyers and, consequently, bad housing and welfare conditions for the animals. Cases of households with young children becoming ill due to salmonella exposure from pet reptiles and amphibians have been reported [15] [22] [44]. As a result, health experts have advised households with young children not to keep such species in order to minimise potentially serious health risks [45].

The keeping of exotic pets, whether in a pet shop or household, requires specialised knowledge of the species to ensure the animal's health and welfare. Training should be compulsory to ensure that pet shop staff has the appropriate competence. The provision of detailed information on the needs of exotic pets to the potential buyer is essential to improve the knowledge and awareness of commitment by exotic pet owners and thus the health and welfare of these animals.



**TABLE 3:**  
SUMMARY OF PROVISIONS COVERING EXOTIC PETS INCLUDED IN NATIONAL LAWS

	POSITIVE LIST	NEGATIVE LIST/ LIST OF SPECIES PROHIBITED FOR PRIVATE KEEPING	RESTRICTIONS ON PRIVATE KEEPING OF EXOTIC PETS	AUTHORISATION REQUIREMENTS (PERMIT, LICENCE, REGISTRATION)	HOUSING REQUIREMENTS FOR EXOTIC PETS IN PRIVATE HOMES	REGULATIONS ON THE SALE OF EXOTIC PETS (IN PET SHOPS)	HOUSING REQUIREMENTS FOR PETS IN PET SHOPS	TRAINING REQUIREMENTS FOR PET SHOP STAFF	REQUIREMENTS TO GIVE INFORMATION TO THE BUYER IN PET SHOPS	MINIMUM AGE FOR THE PURCHASE OF ANIMALS	RESTRICTIONS/ PENALTIES ON THE RELEASE OF ANIMALS
Austria		x (x)	x (x)	x	x		x	x	x	x	x <sup>2</sup>
Belgium	x <sup>o</sup>	(x)	x	x (x)		x	x		x	x	x
Bulgaria		x	x	x		x		x	x	x	x <sup>2</sup>
Croatia		(x)	(x)			(x)		x	x	x	x <sup>2</sup>
Cyprus			x	x							x <sup>2</sup>
Czech Republic		x	x	x	x*	x		x	x	x	x
Denmark		x	x		x	x	x	x		x	x
Estonia		x	x	x	x	x	x			x	x
Finland		x	x		x						x
France		x	x	x		x	x	x		x	x <sup>2</sup>
Germany		x (x)	x (x)	(x)				x		x	x <sup>2</sup>
Greece				x							x
Hungary		x	x	x	x	x	x	x	x		x
Ireland							x			x	x
Italy		x	x			(x)	(x)	(x)	(x)	x	x
Latvia		x	x	x		x		x	x	x	
Lithuania		x	x	x		x	x		x	x	x
Luxembourg			x					x		x	x
Malta						x	x	x		x	x
Netherlands		x	x				x	x	x	x	x
Norway		x	x					x	x	x	x
Poland		x	x	x							x
Portugal		x	x	x	x	x	x	x	x	x	x
Romania		x	x	x					x		x
Slovakia		x	x	x		x					x <sup>2</sup>
Slovenia		x	x	x	x	x	x	x	x	x	x
Spain		x (x)	x (x)	x (x)		(x)	(x)	(x)	(x)	(x)	x (x <sup>2</sup> )
Sweden		x	x		x		x	x	x		
Switzerland			x	x	x	x	x	x	x	x	x
Turkey								x		x	x
UK-England		x	x	x	x	x	x			x	x
UK-Northern Ireland			x	x	x	x				x	x
UK-Scotland		x	x	x		x	x			x	x
UK-Wales		x	x	x		x	x			x	x

x = available on national level

(x) = available on regional level

x<sup>o</sup> = positive list currently only for mammals

x<sup>2</sup> = restrictions on the abandonment of exotic species, non - indigenous wild species, alien species

x\* = housing requirements only for trained wild animals (felines, bears, elephants, etc.)

### 9.1. Negative vs. positive lists

Based on our research, the negative list is the more commonly used system to regulate the keeping of exotic pets. Yet, this approach is the least precautionary and can be too slow and reactive to address emerging species trends and threats in the exotic pet trade. By default any animal not on a negative list is allowed to be kept; therefore the list must be quite long if it is to include all species with welfare, health, invasive or conservation risks. Some negative lists are also complemented by a list of species requiring authorisation which increases the regulatory bureaucracy for governments.

Especially in the case of a negative list, countries must have a mechanism in place to rapidly modify the list in the event of an emerging threat and new species in the trade. Additionally, lists should address the broad spectrum of the animal kingdom from mammals to birds, reptiles, amphibians, invertebrates and fish.

As the exotic pet trade is dynamic with the market shifting to new species regularly, a positive list is the most precautionary approach. Based on established scientific criteria considering welfare, health and safety, ecological threats, conservation of species and knowledge of care, a list of species suitable to be kept can be established. Any new species on the market can be assessed against these criteria and the positive list amended as warranted. This approach would prevent the keeping of a new species that may represent an as yet undocumented risk.

A straightforward positive list, such as Belgium's list for mammals, clearly indicates which species can be kept privately and therefore sold in pet shops. It also means that any species not listed is not allowed to be kept or sold. Such a positive list approach can allow governments to forgo a complicated permitting system for keeping certain dangerous animals as is often the case in countries with negative lists.

**TABLE 4:**  
BRIEF SUMMARY ON PROVISIONS COVERING EXOTIC PETS INCLUDED IN NATIONAL LAWS.

PROVISIONS	NUMBER OF COUNTRIES
Positive list	1
Negative list	22 (21 EU)
Requirements for an authorisation for private keeping	19 (18 EU)
Housing requirements for exotic pets in private homes	11 (10 EU)
Requirements for the sale of exotic pets in pet shops	15 (14 EU)
Housing requirements for pets in pet shops	15 (14 EU)
Training requirements for pet shop staff	18 (14 EU)
Requirement to inform the buyer on pets in pet shops	15 (12 EU)
Minimum age requirement for the purchase of (exotic) pets	22 (18 EU)

*A total of 31 countries were studied, including all 27 EU Member States (Croatia was not a Member State at the moment of the research). The United Kingdom (UK) does not have an overarching federal animal welfare law and was divided into England, Wales, Scotland and Northern Ireland and represented as four 'entities'. In addition to the EU Member States, four additional countries were studied: Croatia, Norway, Switzerland and Turkey.*



## 10. RECOMMENDATIONS

The existing state of regulations in EU Member States and four additional countries on the keeping of exotic animals as pets is insufficient for a few reasons. First, the majority of countries use the less precautionary and reactive negative list approach rather than the simplified positive list. Second, regulations often fail to encompass the animal kingdom simply addressing mammals while ignoring the large markets of the bird, reptile, amphibian, invertebrates and ornamental fish trade. Third, the scope of regulations is often inconsistent and illogical.

In order to address animal welfare, animal and human health, species and biodiversity conservation, and invasive alien species threats, **Eurogroup for Animals calls on countries to take the following actions:**

### **1) Establish restrictions on the types of animals that may be kept as pets.**

Preference should be given to the creation of a **positive list of animal species** that are allowed to be kept by private owners. A set of criteria, based on those used by Belgium in its positive list for mammals and criteria proposed by Schuppli and Fraser [10], can be used to determine which species are suitable as pets.

- Animals must be easy to handle and be kept in respect of their essential physiological, ethological and ecological needs.
- No species should be listed for which there are clear indications that, should it escape or be released into the wild, it would be able to survive and consequently represent a risk for the native ecosystem.
- The species that are kept cannot have an aggressive and/or dangerous nature or represent a particular danger for human health.
- Data and scientific information must be available concerning the keeping of these animals.
- In case of contradictory data or information on the keeping of an animal, the benefit of doubt should be in favour of the animal.
- Keeping of the animal should not jeopardise (ideally should enhance) the welfare of the animal and the owner.

**2) Restrict the sale of pets to licensed pet shops and breeders.** Countries should regulate the sale of pets only allowing licensed, knowledgeable pet shops and breeders to sell animals. Strict evidence-based licensing and inspection rules need to be adopted and enforced.

**3) Require shops to provide detailed information on the animals' needs to prospective buyers.** As part of the pet shop regulatory scheme, we recommend a mandatory requirement for breeders and pet shop owners to provide prospective owners with high quality, evidence-based detailed information on the physiological, ethological and ecological needs of the animals.

**4) Require mandatory training of pet shop personnel.** Training courses should be evidence-based and cover issues including animal welfare and husbandry, disease control, environmental and sanitary conditions.

**5) Establish a minimum age for someone purchasing a pet animal.** The majority of countries have set this age at 16 years old and this should be adopted in other countries to prevent impulsive and ill-informed purchases by younger people unable to offer the commitment required to properly care for the animals.

**6) Include information on housing requirements in legislation on the keeping and sale of exotic pets.** This information should be evidence-based and address the physiological, ethological and ecological needs of the animals including housing materials, temperature, humidity and lighting needs, enrichment, security and the appropriate social interactions for the animals.

**7) It should be illegal to abandon animals and higher penalties should be imposed on people who abandon animals.** This could be included in animal welfare legislation as well as legislation on invasive alien species.

**8) Improve enforcement of existing legal provisions and oversight of the exotic animal species currently being kept by private individuals** through strict recordkeeping and permitting by Competent Authorities.

**9) European policy cohesion is needed to integrate risks linked to exotic pets with policy areas covering trade, welfare, invasive alien species and human and animal health.** Specifically, exotic pet trade and keeping should be addressed within:

- the proposed **EU Animal Health Law** by including sanitary measures for wildlife imports and registration of facilities holding exotic animals;
- the possible **Animal Welfare Framework Law** by ensuring it extends coverage to wild animals kept in captivity;
- the pending **EU Invasive Alien Species Strategy** as a new legislative instrument represents an opportunity to address the trade in exotic species that could pose a significant threat to native wildlife and ecosystems by restricting the import, trade, sale and keeping of certain species. The highest priority should be given to prevention as the most cost-effective and environmentally desirable measure.
- **Trade policy** to ensure that exotic pet trade practices are not compromising the welfare of exotic animals or contributing to biodiversity loss. Sustainability impact assessments required under bilateral trade agreements should include examination of the exotic pet trade.

# 11. ANNEXES

## ANNEX 1: SUMMARY DEFINITIONS ON ANIMALS IN DIFFERENT MEMBER STATES

	PETS	COMPANION ANIMALS	DOMESTIC PETS
<b>Austria</b>	Pets: animals kept within a household as companions or because of interest in the animal, as far as domesticated animals of the orders of carnivores, rodents, lagomorphs, parrots, finches (fringillidae) and pigeon-like birds (columbiformes), as well as the class of fish are concerned;	x	Domestic animals: domesticated animals of the genera of cattle, pig, sheep, goat and horse, always with the exception of exotic species, as well as Old World and New World camels, water buffaloes, domestic rabbits, domestic dogs, domestic cats, domestic poultry and domesticated fish;
<b>Belgium</b>	x	x	x
<b>Bulgaria</b>	Pet animals: all animals kept within the household or kept out of interest towards the animal, as long as those are pets or domesticated animals of the carnivorous order, rodents, hares, parrots, finches, pigeons, and animals of the Fish class.	x	x
<b>Croatia</b>	x	Companion animals: any animal kept by man for companionship, protection, assistance or interest.	Domestic animals: animals tamed by man and used for the production of food, feed and animal by-products and for other economic purposes.
<b>Cyprus</b>	Pet animal: means an animal which is kept or intended to be kept by man, mainly in the house, for private enjoyment or company.	x	x
<b>Czech Republic</b>	x	Companion animal: means an animal whose economic profit is not the main purpose of keeping and which is kept in an area designated to the purpose or in the household and whose keeping serves above all as a free time human activity. Or it means an animal serving as a companion to the human.	x
<b>Denmark</b>	x	x	x
<b>Estonia</b>	A household pet: is an animal kept or intended for keeping with the objective of providing personal entertainment or company for humans. Provisions concerning household pets also apply to animals which are trained to perform special functions and are used, for example by blind persons, the police or rescue service.	x	x
<b>Finland</b>	x	Companion or hobby animals: Dogs, cats and other small-sized animal, which are considered as a companion or a hobby animal and are kept or handled for sale, provision, leasing, farming, coaching, training or other similar reasons, or dogs kept for duty in the armed forces or Border Guard, police dogs, guard dogs, herding dogs, sled dogs, guide or other assistance dog, and dogs used for other similar purposes and functions.	x
<b>France</b>	Pet: any animal kept or intended to be kept by man for his approval.	x	x
<b>Germany</b>	x	x	x

## EXOTIC PETS

## WILD ANIMALS

## SOURCE

x	Wild animals: all animals except domestic and pet animals;	Animal Protection Act 2004 - Austria
x	x	x
x	Wild animal: any living vertebrate creature, except humans, including those in the wild, excluding domesticated breeds of dogs, cats, horses, donkeys, cows, sheep, goats, pigs, geese, ducks, chicken, turkeys, and others.	Animal Protection Act, promulgated, SG No. 13 8 February 2008 – effective 31 January 2008
~Alien animal species: animal species which do not occur naturally within the territory of the Republic of Croatia.	Wild animals: all animals including alien animal species, with the exception of domestic animals, companion animals, working dogs and horses and service animals.	The Animal Protection Law, 7 December 2006
x	Wild animal: means an animal which due to its nature is destined to live in a free state without restriction or guidance imposed by man.	translation Law for the protection, health and welfare of animals, 1994, by Animal welfare organization 'CALF'
~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. NOTE: The term 'animal species requiring special care' replaces the term 'dangerous species' from the older Act.	Wild animal: means an animal belonging to a species whose wildlife population lives independently, including those kept in confinement.	Act on protection of Animals against cruelty, as amended by Act No 312/2008
x	x	x
x	Wild Fauna: (1) Wild fauna is a renewable natural resource protected in public interest. (2) Wild fauna shall not include domestic animals, animals that are kept in captivity or have escaped from captivity against the will of the owner, and animals that have been released into the wild by breach of law.	Animal Protection Act Estonia, as amended by RT I 2009, 62, 405, entered into force 1 January 2010 And the Law on the Protection and Use of Wild Fauna.
x	x	Statute on Animal Protection (Animal Welfare Decree), amendments up to 674/2010
x	~Non-domestic animals: animals that have not undergone any change by selection by the part of man.	Environmental Code, Legislative Part, Book IV Natural Heritage, Title I Natural Heritage Protection; Circular DNP / CFF rules specifying keeping animals of non-domestic species No. 2005-02 of 17 May 2005; Decree No. 2003-768 of 1 August 2003 on the regulatory part of Book II of the Rural Code (= Animal welfare law)
~Alien species: wild species of fauna and flora which do not occur in the wild in the affected area, or has not done so for more than 100 years.	x	Act on Nature Conservation and Landscape Management (Federal Nature Conservation Act – BNatSchG) of 29 July 2009



# ANNEX 1: SUMMARY DEFINITIONS ON ANIMALS IN DIFFERENT MEMBER STATES

	PETS	COMPANION ANIMALS	DOMESTIC PETS
<b>Greece</b>	Pet animal: animal that is kept or intended to be maintained by humans, mainly in the home. A small pet animal: pet animal, whose weight does not exceed ten (10) pounds.	x	Domestic pet: any not wild animal that is kept or intended to be maintained by humans, mainly in the home. A pet is under the direct supervision and care of the owner, attendant or guardian. Also regarded as pets are: dogs used for hunting, guarding flocks and storage spaces, assisting and protecting people with disabilities, as well as search and rescue dogs and dogs used by the armed forces and security forces.
<b>Hungary</b>	A pet animal: taxonomic classification, irrespective of the animal species, that is not limited to scientific research, animal production, nature conservation, genetic conservation and – excepted dogs and cats - public exhibitions, breeding, trade and other pets that are kept for feeding and breeding, and held for non-farming purposes and used to hunt animals.	x	x
<b>Ireland</b>	x	x	x
<b>Italy</b>	x	x	x
<b>Latvia</b>	Pet animal: an animal which is kept by a human being for his or her pleasure.	x	x
<b>Lithuania</b>	x	x	Domesticated Animals: all of the traditionally tamed (domesticated) animals.
<b>Luxembourg</b>	Pet: an animal kept or intended to be kept by man in his household for private enjoyment and companionship	x	x
<b>Malta</b>	Pet animal: any animal kept or intended to be kept in a household, for private enjoyment and companionship of the mammalian class as shown in Schedule B, E, F, G, and H; (rabbits, dwarf rabbits, guinea pigs, gerbils, hamsters, rats, mice, chinchillas, ferrets, squirrels, chipmunks, cats, dogs)	x	x
<b>Netherlands</b>	x	Companion animal: dog, cat, ferret, rabbit, small rodents, aviary or cage bird, fish, reptile, amphibian and arachnid, intended to be kept as a hobby or for companionship.	x
<b>Norway</b>	x	x	x
<b>Poland</b>	x	x	Domestic pets: animals, which traditionally have accompanied man in his home or any other appropriate premises, kept by man as his companions.
<b>Portugal</b>	x	Companion animal: any animal detained or destined to be detained by man in his home, for his pleasure and as company.	x
<b>Romania</b>	Pets: any animal kept or intended to be kept by man in his household for private enjoyment and companionship.	x	x

EXOTIC PETS

WILD ANIMALS

SOURCE

x	x	Law for domesticated and stray companion animals and the protection of animals from the exploitation for use or profit, Law 4039/2012
x	x	41/2010. II (26th) Government Decree, the keeping of pet animals and marketing
x	Wild bird: includes the unfledged young of a wild bird. Wild mammal: includes both aquatic and terrestrial wild mammals and their young.	Number 39 of 1976 Wildlife Act
x	x	x
x	Animal of wild species: an animal which has not been deliberately affected by a human in order to satisfy his or her needs.	(Animal Protection Law, as amended in 2010
x	Wild Animals: vertebrate and invertebrate animals and their populations living constantly and freely in their natural state. Wild Animals who Live in Captivity: animals for which artificial conditions are created, in order that man may affect them directly. Animals which are held in zoological gardens, aquariums, terrariums, and at home, or are linked with man due to injuries or other causes.	Law on the Care, Welfare and Use of Animals, amended 2001
x	x	The Grand Ducal Regulation of 18 March 2000 on Conditions for the confinement of animals
Exotic animal: any animal not native in Malta, including those animals bred in captivity in Malta, kept or intended to be kept in a household for private enjoyment and companionship of the avian, amphibian, reptilian and fish classes.	x	Protection of Animals offered in Pet shops (minimum standards) regulations, 2011 – amendment of Animal Welfare Act, Cap. 439
x	Wild animals: animals belonging to species occurring naturally in the wild, except animals belonging to species listed in Annex 1 of this Decree, and dogs and cats.	Decree establishing rules relating to business activities with companion animals; Decree companion animals – DRAFT; Decree on the keeping of animals – DRAFT
x	x	x
x	Free-living animals (wild animals): non-domesticated animals living in conditions which do not depend on man.	Act of 21 Aug. 1997 On the protection of animals, 97.111.724, as amended 28th of Aug. 2002, 02.135.1141
x	Wildlife: all specimens of species of native and exotic wildlife and their offspring bred in captivity.	Portugal Protection of Animal Law, 92/95) (DL. n°. 276/2001, Implementation of the European convention on the protection of companion animals
x	Wild animals: all animals, except domestic animals and companion animals.	Law no. 60/2004 on ratifying the European Convention for the protection of pets, signed in Strasbourg on June 23, 2003; Order no. 523/2008 approving the Methodological Norms for applying Law no. 205/2004 on animal welfare

# ANNEX 1:

## SUMMARY DEFINITIONS ON ANIMALS IN DIFFERENT MEMBER STATES

	PETS	COMPANION ANIMALS	DOMESTIC PETS
<b>Slovakia</b>	x	Individual domesticated companion animals: dog, cat, ferret, rabbit and rodents, bird species and ornamental fish, with the exception of wild animals and animals raised or kept for farming purposes, kept primarily at the home of the owner or holder to meet his hobbies, provide company or to protect homes and property.	x
<b>Slovenia</b>	x	Companion animals: dogs, domestic cats, cage birds, small rodents, terrarium animals, aquarium animals and other animals reared for human company, protection or assistance.	x
<b>Spain</b>	Pets: Animals sheltered by humans, usually at home, mainly for company, non-profit or commercial use, as well as guiding and helping people with visual dysfunction.	x	x
<b>Sweden</b>	x	x	x
<b>Switzerland</b>	Pets: animals that are kept out of interest in the animal or as a companion in the household or are intended for such use.	x	Domestic animals: domesticated animals of the equine, bovine, porcine, ovine and caprine species, excluding exotic species; domesticated yaks and water buffalo; llamas and alpacas; domestic rabbits, dogs and cats; domestic pigeons and domestic poultry, such as domestic hens, turkeys, guinea fowl, geese and ducks;
<b>Turkey</b>	Pet and ornamental animal: all kinds of animals kept or intended to be kept by humans especially in households, at work places or in estates for purposes of personal pleasure and companionship, where the care and responsibility of the animal in question lies with the owner.	x	Domestic animal: animals cultured and trained by mankind.
<b>UK - England</b>	x	x	x
<b>UK - Scotland</b>	x	x	x
<b>UK - Northern Ireland</b>	x	x	x
<b>UK - Wales</b>	x	x	x

## EXOTIC PETS

## WILD ANIMALS

## SOURCE

x	A wild animal: a specimen of an animal species with a naturally occurring living population; even in case of its possession including breeding in captivity.	Decree 123/2008 on details for the protection of pets and requirements at quarantine stations and shelters Act of June 25, 2002 on Nature and Landscape Protection, 543/2002 Coll.
x	Wild animals: animals which did not come into existence by artificial selection or biotechnological interference with their genes, and can live freely in the wild without depending on humans.	Animal Protection Act, consolidated text, 43/2007 of 18th May 2007
Exotic pet: Non - native wildlife depending on humans for their living and living in captivity.	Wild Animals: Those animals living essentially free, without having been tamed or domesticated, provide their own food, shelter and other needs in an environment that serves as an appropriate habitat.	Decree 42/2008, regulating the possession of potentially dangerous animals in the Autonomous Community of Andalusia; Royal Decree 1628/2011 on invasive alien species.
x	x	x
x	Wild animals: vertebrates, except domestic animals, and also cephalopods and decapods.	Animal Welfare Ordinance (TSchV) 455_1, 2008
x	Wild animal: vertebrate or invertebrate animals living independently in nature that are not cultured and domesticated.	Animal Protection Act, Law No. 5199, 24/06/2004
x	x	x
x	x	x
x	Dangerous wild animal: any animal of a species for the time being specified in the first column of the Schedule.	The Dangerous Wild Animal (Northern Ireland-Order 2004 No. 1993 (NI 16)
x	x	x

## ANNEX 2: SCHUPPLI AND FRASER CHECKLIST QUESTIONS TO ASSESS THE SUITABILITY OF SPECIES AS COMPANION ANIMALS

### Welfare of the animal

- 1 Is there adequate knowledge of the species with respect to:
  - 1.1 nutritional requirements?
  - 1.2 health care?
  - 1.3 environmental requirements for physical and thermal comfort?
  - 1.4 recognizing and preventing negative states such as fear, pain and distress?
  - 1.5 requirements for exercise, social interaction, and natural behaviour?If there is adequate knowledge of the species' requirements, might the owner still have practical difficulty in providing:
  - 1.6 suitable food?
  - 1.7 veterinary services?
  - 1.8 an environment that meets the animal's needs regarding comfort, psychological welfare, exercise, social interaction, and natural behaviour?
- 2 Is the animal's size:
  - 2.1 so large when mature that the owners may be unable to accommodate it?
  - 2.2 so small that the animal might easily be injured?
- 3 Is the animal's life expectancy so great that the owner may lose the commitment or ability to provide care throughout its life?
- 4 Is there any appreciable risk of suffering, injury, illness, or death arising from:
  - 4.1 procurement?
  - 4.2 transportation?

### Welfare of others

- 5 Is the animal poisonous or venomous?
- 6 Is there any appreciable risk of the animal attacking or injuring:
  - 6.1 humans?
  - 6.2 other animals?If a risk of injury exists, can it be made acceptably low by selecting safe individuals or by proper management?
- 7 Is there any appreciable risk of the animal transmitting disease to:
  - 7.1 humans?
  - 7.2 wild or domestic animals?If a risk of disease transmission exists, can it be made acceptably low by finding individuals free from the disease(s) or by proper management?

8 Does the animal have objectionable characteristics (e.g. noise, odour, uncleanliness, unruliness, destructive behaviour) that may prove unacceptable to:

- 8.1 the owner?
- 8.2 the community?

9 Does the animal have other characteristics (eg solitary, sedentary or nocturnal nature) that may cause the owner to lose interest and commitment?

### Risks to the environment

- 10 Is there any appreciable risk of the animal causing ecological damage if it escapes or is released?
  - 11 For species that exist in the wild, are trade and transportation subject to adequate regulation and enforcement?
  - 12 If there is ongoing wild capture, is there any appreciable risk that capture might have undesirable effects on native populations and ecosystems?
- If a risk exists, can it be avoided by use of captive-breeding that does not depend on continued wild capture?



**ANNEX 3:**  
**COUNTRY REPORTS**  
SUMMARY OF THE RELEVANT  
LEGISLATION ON EXOTIC PETS



# AUSTRIA

The Animal Protection Act 2004 (Tierschutzgesetz – BGBl I No. 118/2004, latest amendment BGBl I No. 80/2013) sets general provisions on the treatment and care of animals. The secondary legislation, 2nd Livestock Regulation (BGBl II No. 486/2004, amended BGBl II No. 384/2007) covers the prohibition on private keeping of certain species and housing requirements. Pet shops are regulated by BGBl II No. 487/2004 on Pet Shops. Some Federal States have their own legislation on the private keeping of animals.

Austria ratified the European Convention for the Protection of Pet Animals in 2000 (entered into force 1 March 2000).



- A negative list is included in the 2nd Livestock Regulation, prohibiting the private keeping of various animal species such as great ape, anteater, hyena, wild cat, cheetah, bear, seal, whale, rhinoceros, tapir, hippopotamus, giraffe and elephant. These animals might pose particular requirements for their keeping, are prohibited to be kept for reasons of animal protection. There is also a ban of selling certain species of animals for “security reasons” in some states, but it varies from state to state.
- A prior notice to the authorities is required for species having special demands on housing and care (2nd Livestock Regulation). These species include wild mammals, birds, reptiles, amphibians, fish that are larger than 1m at adult size, owl and raptors and non-domestic parrots that are not included in the negative list.
- The Animal Protection Act 2004 includes general housing requirements for the private keeping of pets on space, freedom of movement, condition of the ground, environmental conditions, care, food and the possibility of social contact. To comply with these requirements, detailed minimum standards to keep exotic or wild mammals, birds, amphibians, reptiles and fish are included in the annexes of the 2nd Livestock Regulation. Exact standards on cage sizes, structure of the accommodation, ground material, temperature, humidity, feeding and social requirements are given for specific species such as guinea pigs, degus, zebra finches, macaws, Egyptian tortoises, snapping turtles, Amur snakes, speckled pythons, etc.
- The Animal Protection Act 2004 lays down requirements for training of staff taking care of animals in pet shops. People looking after animals must possess appropriate ability, knowledge and professional skills. To comply with these requirements, detailed training provisions are drafted in BGBl II No. 487/2004 on Pet Shops.
- Pet shops are obliged to advise customers on adequate keeping of animals as well as vaccinations required. Minors younger than 14 years old are not allowed to obtain animals.

## FUTURE PLANS

- A positive list is under discussion.
- Simplification of the 2nd Livestock Regulation.
- Evaluation of the quality and enforcement of regulations for reptiles, fish and birds.

# BELGIUM

The Law on the Protection and Welfare of Animals of 14 August 1986 (Wet betreffende de Bescherming en het Welzijn der Dieren/Loi relative à la Protection et au Bien – être des Animaux, latest amendment May 6th 2009) is the main animal welfare law. It is complemented by the Royal Decree of 16 July 2009 establishing the list of mammals which may be held (Koninklijk besluit tot vaststelling van de lijst van niet voor productiedoeleinden gehouden zoogdieren die gehouden mogen worden/Arrêté royal fixant la liste des mammifères non détenus à des fins de production qui peuvent être détenus), which includes a positive list.

Pet shops are regulated by the Royal Decree of 27 April 2007 on the conditions of approval of the establishments for animals and the conditions of marketing of the animals (Koninklijk besluit van 27 april 2007 houdende erkenningsvoorwaarden voor inrichtingen voor dieren en de voorwaarden inzake de verhandeling van dieren/Arrêté royal du 27 avril 2007 portant les conditions d'agrément des établissements pour animaux et portant les conditions de commercialisation des animaux).

Belgium also ratified the European Convention for the Protection of Pet Animals in 1992 (entered into force 1 July 1992).



- Belgium is the only country with a positive list for mammals, which is included in the Royal Decree of 16 July 2009. The list includes 42 species allowed to be kept privately. Restrictions on the private keeping of mammal species are drafted for reasons of animal welfare, risks for human health and safety, environmental risks in case of escape and availability of data on the species' needs.
- Exotic animals are not allowed to be kept in the Brussels Region. Keeping exotic animals requires an authorisation in the Walloon and Flemish Regions. Also, an authorisation is required to keep mammals not listed in the positive list.
- General requirements on the housing of pets are described in the Law on the Protection and Welfare of Animals 1986. Detailed housing requirements for animals in pet shops are described in the Royal Decree of 27 April 2007. The decree includes detailed information on minimum cage sizes for various species and general information on species specific behaviour, temperature, humidity, outdoor accommodation, etc.
- The Royal Decree of 27 April 2007 demands adequate and competent personnel for the care of animals in establishments such as pet shops or shelter. Detailed training requirements are not drafted.
- Pet shops have to provide detailed guidelines regarding the feeding, keeping and taking care of the animals sold. In case of dogs, these guidelines have to be given on paper.
- Persons younger than 16 years of age are not allowed to buy an animal.

## FUTURE PLANS

- A provisional positive list for reptiles is already submitted to associations of animal traders, terrarium associations and animal welfare associations. A definitive positive list will be drafted, based on their advice.

# BULGARIA



The Animal Protection Act SG No. 13, 8 January 2008 covers the general aspects of the treatment, care and sale of animals. More detailed requirements on the private keeping of certain species and the sale of animals are laid down in the Law for the Biological Diversity SG No. 77, 9 August 2002 (latest amendment SG No. 94, 16 November 2007) and the Law of Veterinary Activity SG No. 87, 1 November 2005 (latest amendment SG No. 8, 25 January 2011).

Bulgaria ratified the European Convention for the Protection of Pet Animals in 2005 (entered into force 1 February 2005).

- The negative list of the Animal Protection Act 2008 prohibits the keeping, owning, selling or importing of primates and wild cats, as well as protected animal species under article 37 and 47 of the Law for the Biological Diversity 2002 by private individuals. Species are prohibited to be kept for reasons of animal protection, human health risks or unsuitability for breeding. Endangered species are also prohibited.
- Owners of household-kept wild animals, other than those on the negative list, require an authorisation.
- Article 12 of the Animal Protection Act 2008 refers to article 149 and 150 of the Law of Veterinary Activity 2005 for general conditions on animal keeping. Minimum requirements of protection and welfare for the sale of animals shall be arranged by ordinances by the Ministry of Agriculture and Food.
- The Animal Protection Act 2008 requires pet shop staff to have qualifications and experience in keeping the animal species. Employees also have to follow a course in animal protection and humane treatment. Details on the course are not provided.
- Pet shops have to provide information on animal keeping and humane treatment. Buyers have to be informed on animal keeping, proper care, required vaccination and registration. In case of the purchase of a wild animal, data containing the name and address of the buyer have to be submitted to the regional inspectorate. Selling an animal to persons younger than 18 years of age is prohibited (Animal Protection Act 2008).

## FUTURE PLANS

There is no information on future plans.

# CROATIA



The Animal Protection Law of 7 December 2006 is the only law related to animal welfare, husbandry and sale of animals.

Croatia has not ratified the European Convention for the Protection of Pet Animals.

- There is no positive or negative list or restrictions on the private keeping of exotic animals, with the exception of animal species that are protected under separate nature protection legislation. The City of Zagreb however has a ban on the sale of dangerous and potentially dangerous animals.
- There is no authorisation needed to keep wild animals. The competent Ministry shall prescribe requirements for keeping wild animals which, with respect to climate conditions, diet, need for movement and degree of adaptation, require special care.
- The Animal Protection Law 2006 includes some general requirements on the freedom of movement, space, microclimatic conditions, care, food and social behaviour. Animals must be kept in conditions appropriate to their needs.
- Pet shops must have staff trained in the care of animals and provide written information on the proper care of the animals they sell. Details on the training shall be determined by the Minister according to the Animal Protection Law 2006. The law also prohibits the sale of animals to under – age persons, but an exact age has not been determined.

## FUTURE PLANS

There is no information on future plans.



# CYPRUS



The Law for the Protection and Welfare of Animals 46(I)/1994 (latest amendment 15(I)/2011) is the main animal welfare law. The protection of endangered, vulnerable, and declining species and the protection of the local biodiversity are regulated by the Law on the Protection and Management of Nature and Wildlife 153(I)/2003 and the Law on the Protection and Management of Game and Wild Birds 152(I)/2003.

Cyprus ratified the European Convention for the Protection of Pet Animals in 1993 (entered into force 1 July 1994).

- There is a no positive or negative list available.
- There is an authorisation needed to privately keep vulnerable and declining native species, which are protected by the Law on the Protection and Management of Nature and Wildlife 153(I)/2003 and the Law on the Protection and Management of Game and Wild Birds 152(I)/2003.
- The Law for the Protection and Welfare of Animals 46(I)/1994 describes some general housing requirements on care, feeding, freedom of movement and protection.
- There is no requirement for training of pet shop staff in the Law for the Protection and Welfare of Animals 46(I)/1994. No minimum age is determined for the purchase of animals.

## FUTURE PLANS

- Internal meetings and stakeholder consultations have taken place concerning possible regulations on:
  - Dangerous and hazardous animals (prohibition to keep certain species and requirements for the keeping of the rest of the species mentioned in Annex).
  - Pet shop regulation (list of species allowed to be sold in pet shops, keeping conditions, inspection of facilities, record keeping, minimum age for the purchase of animals). Vote on pet shop regulations is expected in 2013.

# CZECH REPUBLIC



The main animal welfare law is the Act on the Protection of Animals Against Cruelty No. 246/1992 (latest amendment No. 359/2012). The new version of the Act on the Protection of Animals Against Cruelty No. 359/2012, will come into force 1st of January 2013. It is complemented by the Decree of 18 November 2008 No. 411/2008 specifying animal species requiring special care, including the animal species for which an authorisation is required.

The Czech Republic ratified the European Convention for the Protection of Pet Animals in 1999 (entered into force 24 March 1999).

- There is a negative list prohibiting the private keeping of animal species included in the Decree for implementation No. 395/1992, implementing provisions of Act No. 114/1992 on Nature and Landscape Protection, for reasons of species conservation.
- The Decree of 18 November 2008 No. 411/2008 specifying animal species requiring special care lists species for which an authorisation is required. Also, the owner must be older than 18 years of age. The list includes venomous reptiles, crocodiles, various bird species such as falcons and owls, primates, carnivores (including pinnipeds), elephants etc.
- The Act on the Protection of Animals Against Cruelty No. 246/1992 does not mention specific housing conditions. Animals must be kept in appropriate conditions to maintain their physiological functions and satisfy their biological needs. In the Decree of 22 June 2006 on laying down more detailed conditions of keeping and training of animals, detailed housing requirements are given for wild animals that are trained such as felines, bears, elephants, wild horses and dolphins.
- There are no training requirements for pet shop employees included in the Act on the Protection of Animals Against Cruelty No. 246/1992.
- Persons trading in animals have to provide the buyer with written information on breeding conditions and the care for health and welfare of the purchased animal. Animal are not allowed to be sold to persons under the age of 15 years. For animal species requiring special care, the person has to be older than 18 years of age.

## FUTURE PLANS

- A proposal is drafted for new regulations on the education of people against animal cruelty, adapting EU rules.

# DENMARK



The Notice of the Animal Welfare Act No. 1343 of 4 December 2007 (consolidated text) sets general provisions on the treatment and care of animals. The Order (BEK) No. 1021 of 12 December 2002 (amended BEK no. 720 of 24 June 2011 on the keeping of raccoon dogs) covers the prohibition on private keeping of certain animals and housing requirements. Pet shops and sale of pets are regulated by the Order (BEK) No. 1022 of 12 December 2002 (latest amendment Order No. 129 of 3 February 2010).

Denmark ratified the European Convention for the Protection of Pet Animals in 1993 (entered into force 1 May 1993).

- A negative list is included in the Annex I of the Order No. 1021 of 12 December 2002. The list includes marsupials, anteaters, kangaroos, bats, beavers, flying squirrels, seals, cetaceans, elephants, ungulates, primates, storks, sharks, turtles, crocodiles, vipers etc. The private keeping of these animals is forbidden as they might be dangerous or difficult to retain or difficult to keep in an animal friendly manner.
- Species listed in Annex II of the Order No. 1021 of 12 December 2002 do not require an authorisation but can only be kept when certain keeping conditions are met. Annex II includes insectivores, marsupials, carnivores (nose bears, raccoons, genets and more), badgers, primates (silk aber, squirrel monkeys), armadillos, birds, reptiles (all turtles, crocodiles, lizards and snakes not covered by Annex I), amphibians (almost all species) and fish (all species not covered by Annex I).
- The Animal Welfare Act No. 1343 of 4 December 2007 includes general housing requirements for any premises where animals are kept. Premises need to satisfy the needs of the animals, allow freedom of movement and protect against wind and weather. More specific housing conditions are given for species listed in Annex II of the Order No. 1021 of 12 December 2002. Requirements are given for access to daylight, escape – proof premises, safe conditions, availability of food and water, environmental conditions and daily inspection of the animals.
- The Order No. 1022 of 12 December 2002 lays down requirements for training of pet shop owners. Owners must follow appropriate courses or have adequate knowledge on the existing animal welfare legislation, animal behaviour and welfare, care and transport, hygiene, nutrition and food handling, infection, handling of animals and animal sensitivity to environmental impacts and stress.
- There is no requirement to provide information to the buyer for the moment. Official, written care sheets approved by the Danish Ministry of Food will have to be provided to the customer on how a certain animals should be kept and be cared for as from 1 January 2014. The Animals are not allowed to be sold to persons under the age of 16 years.

## FUTURE PLANS

- A positive list is under discussion to replace the existing negative list.

# ESTONIA



The main animal welfare law is the Animal Protection Act RT I 2001, 3, 4 (latest amendment 6 December 2012). It is complemented by the Procedure for Registration for the Keeping of Mammals, Birds and Reptiles specified in Annex A of Council Regulation (EC) No. 338/97 and Prohibition on Keeping of Species Belonging to the Superfamily of Hominoidea and the Regulation No. 76 Requirements for Keeping Pet Animals RT I 2008, 66, 938.

Estonia has not ratified the European Convention for the Protection of Pet Animals.

- According to the Procedure for Registration for the Keeping of Mammals, Birds and Reptiles specified in Annex A of Council Regulation (EC) No. 338/97 and Prohibition on Keeping of Species Belonging to the Superfamily of Hominoidea it is prohibited to keep species belonging to the superfamily of Hominoidea (orang-utans, gorillas, chimpanzees, bonobos, gibbons etc.) by private persons for reasons of animal protection.
- The Procedure for Registration for the Keeping of Mammals, Birds and Reptiles specified in Annex A of Council Regulation (EC) No. 338/97 and Prohibition on Keeping of Species Belonging to the Superfamily of Hominoidea regulates the procedure for authorisation to keep species listed in Annex A of Council Regulation (EC) No. 338/97.
- The Animal Protection Act 2001 includes general housing requirements for the private keeping of pets on care, feeding and water, environmental conditions, space and structure of the accommodation, possibility of social contact and regular inspection of the animal's well-being. Detailed minimum standards to keep dogs, cats, rodents, rabbits, ferrets, birds, reptiles, amphibians, aquarium fish and invertebrates are included in the Regulation No. 76 Requirements for Keeping Pet Animals 2008. Standards for cage sizes, structure of the accommodation etc. are given.
- There is no requirement for training of pet shop staff or requirement to provide information to the buyer in the Animal Protection Act 2001. Physical contact between a pet animal offered for sale and a visitor of the shop has to be supervised by a pet shop employee to ensure sufficient peaceful and quiet conditions for the animals. Persons younger than 16 years of age are not allowed to obtain animals.

## FUTURE PLANS

- There is no information on future plans.

# FINLAND



The Animal Welfare Act 247/1996 (latest amendment 843/2011) sets general provisions on the treatment and care of animals. The secondary legislation, the Animal Welfare Decree 396/1996 (latest amendment 674/2010) covers detailed housing requirements. The Nature Conservation Act 1096/1996 prohibits the keeping and sale of certain animals.

Finland ratified the European Convention for the Protection of Pet Animals in 1992 (entered into force 1 July 1992).

- Negative lists are included in Annex IV (a) of the Habitat Directive and Article 1 of the Birds Directive. According to the Nature Conservation Act 1096/1996 it is prohibited to keep, sale, transport or offer for sale animals included in these lists. Private keeping of these animals is forbidden for animal protection reasons. Also, capturing wild mammals and birds is prohibited, unless the animal is captured to be kept in a zoo (Animal Welfare Act 247/1996).
- No authorisation is required for the private keeping of animals other than those in the negative lists.
- The Animal Welfare Act 247/1996 includes general housing requirements on space and lighting, safety, feeding, drink and necessary care. Detailed minimum standards on accommodation structure, cage sizes, watering and feeding, space, hygiene, ventilation, noise, etc. are drafted in the Animal Welfare Decree 396/1996. Housing requirements are given for dogs, cats, rodents, rabbits, ferrets, cage birds, reptiles, amphibians, fish and invertebrates.
- There is no requirement for training of pet shop staff or requirement to provide information to the buyer in the Animal Welfare Act 247/1996. No minimum age is determined for the purchase of animals.

## FUTURE PLANS

- Plans to renew the existing Animal Welfare Act. Draft expected to be made by a steering and working group in 2013-2014.
- A positive list is under discussion.
- Animal welfare organisations created ISO – standards for pet shops (guidelines on keeping animals in pet shops, training of staff, and written information to consumers, etc.). The guidelines are a lot stricter than the current legislation. Pet shops that meet these standards are rewarded with an 'Ethical Animal Pet Shop' – sticker (more info [www.eesp.fi](http://www.eesp.fi)). Also consumers are informed about this program.

# FRANCE

The main animal welfare legislation is included in the Rural Code (Code Rural, partie législative), drafted in Decree No. 2003-768 of 01/08/2003 on the regulatory part of Book II of the Rural Code (Décret No. 2003-768 du 1er août 2003 relatif à la partie Réglementaire du livre II du Code Rural). It is complemented by the Decree of 10/08/2004 (amended 24/03/2005) on general rules for the operation of livestock facilities and for registration of non-domestic animals (Arrêté du 10 août 2004, fixant les règles générales de fonctionnement des installations d'élevage d'agrément d'animaux d'espèces non domestiques - JORF du 25/09/2004) and the Circular DNP/CFF No. 2005-02 of 17/05/2005 on rules specifying the keeping of non-domestic species (Circulaire DNP/CFF N° 2005-02 du 17 mai 2005; règles précisant la détention d'animaux d'espèces non domestiques).

Housing requirements are drafted in the Decree of 25/10/1982 on the farming, custody and detention of animals Appendix I (Arrêté du 25 octobre 1982 relatif à l'élevage, à la garde et à la détention des animaux, Annexe I).

France ratified the European Convention for the Protection of Pet Animals in 2004 (entered into force 1 May 2004).



- A negative list is included in the Annex 2 of the Decree of 10/08/2004 (amended 24/03/2005) on general rules for the operation of livestock facilities and for registration of non-domestic animals. The list includes anteaters, bats, civet cats, prairie dogs, agoutis, capybaras, kiwis, albatross, pelicans, eagles, buzzards, falcons, parrots, turtles, chameleons, lizards, snakes, and more.
- Authorisation is required for species listed in Annex 1 of Decree of 10/08/2004 (amended 24/03/2005) on general rules for the operation of livestock facilities and for registration of non-domestic animals. The list includes species of Bennet wallaby, capuchin monkey, weasel, marten, badger, swan, duck, buzzard, eagle, falcon, tortoise, and more.
- Annex 1 and 2 species are included for reasons of biological conservation, species protection, risks to human health, ecological risks or because they are difficult to maintain.
- The Decree of 25/10/1982 on the farming, custody and detention of animals Appendix I provides general housing requirements on food and water, environmental conditions, space and hygiene. Animals have to be kept according to their physiological needs. These requirements are also applicable in pet shops.
- According to Circular DNP/CFF No. 2005-02 of 17/05/2005 on rules specifying the keeping of non – domestic species, species of Annex 2 are no longer allowed to be sold in pet shops. Pet shop owners need a certificate of capacity for the animals kept in the shop (Code de l'environnement, Partie Législative, Livre IV, Titre I). To obtain this certificate, the pet shop owner must demonstrate knowledge or professional experience on maintaining animals. Animal are not allowed to be sold to persons under the age of 16 years.

## FUTURE PLANS

- There is no information on future plans.



# GERMANY



The Animal Welfare Act 2006 (TSchG – BGBl I p.1206 18/05/2006, latest amendment 09/12/2010) sets general provisions on the treatment and care of animals. It is complemented by the Ordinance of 16 February 2005 amending the Federal Ordinance on the Conservation of Species (BArtSchV) and the Federal Nature Conservation Act of 29 July 2009 (BNatSchG).

Germany ratified the European Convention for the Protection of Pet Animals in 1992 (entered into force 1 May 1992).

- A negative list is included in the Ordinance of 16 February 2005 amending the Federal Ordinance on the Conservation of Species, prohibiting the private keeping of the American Beaver, grey squirrel, snapping turtle and alligator snapping turtle as well as birds of prey. 7 Länder (Federal States) also drafted different negative lists including apes, large wild cats, bears, wolves, crocodiles, venomous snakes and others for reasons of public safety (in 6 Länder exceptions can be granted).
- An authorisation is needed for species listed in Council Directive 92/43/EEC and in Annex I of the Federal Ordinance on the Conservation of Species (§7 art.2). The Annex includes all native wild mammals, reptiles and amphibians (all European species) (exemptions for royal python, green iguana, boa constrictor, and others). Also, some Länder require authorisation to keep certain dangerous or venomous animal species. The owner generally has to prove expert knowledge.
- The Animal Welfare Act 2006 includes general housing requirements for the private keeping of pets on food, care, freedom of movement and housing, which must be appropriate to its species, behaviour and needs. The owner must also possess the knowledge and skills to meet the requirements.
- Persons responsible for the sale of animals have to acquire skills and expertise through training or previous experience (Animal Welfare Act 2006).
- Pet shop employees are not required to provide information on the animal's needs to the buyer. Persons younger than 16 years of age are not allowed to obtain animals.

## FUTURE PLANS

- Some Landes in Germany (North Rhine - Westphalia, Saarland, Hamburg, Mecklenburg-Vorpommern) are discussing enacting a negative list or about adopting the Hesse Ordinance (has the strictest rules: keeping dangerous animals by private individuals is prohibited since 2007).

# GREECE



The Law No. 4039/2012 for domesticated and stray companion animals and the protection of animals of exploitation for profit is the main law related to animal welfare in Greece. It is complemented by Law 604/1977, giving provisions on animal welfare, safety rules and proper veterinary practices in pet shops and Presidential Decree 463/1978 on the conditions to operate animal establishments.

Greece ratified the European Convention for the Protection of Pet Animals in 1992 (entered into force 1 November 1992).

- There is no positive or negative list or prohibition to privately keep certain animals.
- The new Law No. 4039/2012 requires registration of all pets and their owners.
- General housing requirements on space and structure of the establishments are included in Law 604/1977 and Presidential Decree 463/1978. The Law No. 4039/2012 allows 2 pets in each residence.
- The Law No. 4039/2012 does not specify any training requirements for pet shop staff.
- Upon sale of an animal in a pet shop, a 'declaration of animal ownership', included in Annex 5 of the Law No. 4039/2012 must be signed between the seller and the buyer. No minimum age is determined for the purchase of animals.

## FUTURE PLANS

- A Ministerial Decree including a positive list with species that are allowed to be kept and sold is being drafted (expected end of 2012). The Decree will also include housing requirements for pet shops, training requirements, etc.

# HUNGARY



The main regulations on animal welfare are included in the Act XXVIII of 1998 on the Protection of and Humaneness towards Animals (amended by Act LXVII of 2002). The Government Decree 41/2010 II (26) on the Keeping of Pet Animals and Marketing provides requirements on private keeping and sale of animals. The Joint Decree 8/1999 VIII (13) includes information on the private keeping of dangerous animals.

Hungary has not ratified the European Convention for the Protection of Pet Animals.

- A negative list is included in the Government Decree 41/2010 II (26) on the Keeping of Pet Animals and Marketing. It is prohibited to sell primates and species listed in Annex 1 of the Government Decree 41/2010 II (26) on the Keeping of Pet Animals and Marketing for reasons of ecological risks. The list includes fish (Chinese sleeper and snakehead fish), American bullfrog, eastern toad, snapping turtle, painted turtle, alligator snapping turtle, red eared slider, ruddy duck, American mink, North American raccoon, North American beaver, American red squirrel, striped skunk, Raccoon dog, coypu and grey squirrel. The list is amended by the 5th Annex of Government Regulation 115/2012. (VI. 11) and will include American fox squirrel, Pallas's squirrel and Japanese squirrel as from the 1st of January 2013. The Joint Decree 8/1999 VIII (13) prohibits the keeping of sea snakes.
- An authorisation is required for the private keeping of dangerous species listed in Annex I of the Joint Decree 8/1999 VIII (13). The list includes kangaroos, primates, wolves, bears, gluttons, hyenas, large wild cats, elephants, rhinoceroses, wild equids, hippopotami, buffalos, bison, ostriches, emus, new world vultures, eagles and hawks, owls, snapping turtles, crocodiles, venomous lizards, various snakes (including boidae) and spiders. The species that kill with their venom are only authorised when an effective serum is available. Also, special qualification and practical experience is required to obtain authorisation for species in Annex I of the Joint Decree 8/1999 VIII (13).
- The Act XXVIII of 1998 on the Protection of and Humaneness towards Animals (amended by Act LXVII of 2002) demands that animals are kept appropriate to its species, breed and physiological needs. Minimum cage sizes are given for dangerous animals listed in Annex I of the Joint Decree 8/1999 VIII (13).
- The Joint Decree 8/1999 VIII (13) demands special qualification and relevant practical experience for pet shop employees when dangerous animals are sold in the shop. The pet shop must also display information on the species (sex, age, price, necessary licences) sold in the shop (Government Decree 41/2010 II (26) on the Keeping of Pet Animals and Marketing).
- There is a requirement for pet shops to give customers written guideline on adequate keeping of animals. No minimum age is determined for the purchase of animals.

## FUTURE PLANS

- There is no information on future plans.

# IRELAND



The new Animal Health and Welfare Bill 2012 sets general provisions on the treatment and care of animals. It is complemented by the Wildlife Act 1976 No. 39, laying down requirements on wildlife.

Ireland has not ratified the European Convention for the Protection of Pet Animals.

- There is no positive or negative list drafted. The Wildlife Act 1976 includes restrictions on capturing or killing a protected wild animal, for which a licence is required. The protected wild animals refer to buzzards, eagles, harriers, hawks, kites, ospreys, owls, pine martens, red deer, seals, whales, badgers, bats, hares, hedgehogs, otters, red squirrels, dolphins, porpoises and Natterjack toads.
- General housing requirements for the private keeping of pets on accommodation structure, feeding and regular inspection are included in the Animal Health and Welfare Bill 2012. Animals have to be kept and fed in accordance with their type, species, breed, development, etc.
- According to the Wildlife Act 1976, only licenced dealers are allowed to sell wild animals. There are no training requirements for the pet shop staff and there is no obligation to inform the customers on adequate keeping of animals. Minors younger than 16 years of age are not allowed to obtain animals.

## FUTURE PLANS

- There is no information on future plans.

# ITALY



The Law No. 189 of 20 July 2004 on provisions regarding the prohibition of mistreatment of animals and their use in clandestine animal fights or non – authorised competitions (OJ No. 178, 31 July 2004) prohibits the mistreatment of animals but does not include provisions on the treatment and care of animals. Restrictions on the private keeping of animals are drafted in the Decree of the Ministry of Environment of 19 April 1996 (amended by the Decree of the Ministry of Environment of 26 April 2001). Act No. 150 (amended by Act 426 of 1998 and Decree No. 275 of 2001) regulates the crimes relating to the implementation of CITES.

Italy ratified the European Convention for the Protection of Pet Animals in 2011 (entered into force 1 November 2011).

- A negative list is included in Annex A of the Decree of the Ministry of Environment of 19 April 1996. The list includes marsupials, primates, large wild cats, elephants, peccaries, hippopotami, deer, elk, antelopes, buffaloes, various rodents, turtles, crocodiles, varanids, boas, vipers etc. These species are forbidden for private keeping for reasons of risks to the public health or because the species are endangered.
- Some wild species, included in Annex B of the Decree of the Ministry of Environment of 19 April 1996 are authorised to be kept for production purposes. The Annex includes red fox, wild boar, elk, deer, roe deer, fallow deer and mouflon.
- No housing requirements can be found in the Law No. 189 of 20 July 2004 on provisions regarding the prohibition of mistreatment of animals and their use in clandestine animal fights or non – authorised competitions.
- There is no national law that demand requirement for training of pet shop staff or requirement to provide information to the buyer, though these requirements are included in some regional laws. Pet animals cannot be sold to persons under the age of sixteen without the express consent of their parents or other persons exercising parental responsibilities.

## FUTURE PLANS

- There is no information on future plans.

# LATVIA



The main regulations on animal welfare are included in the Animal Protection Law 2000 (latest amendment 8 March 2012). It is complemented by the Law on the Conservation of Species and Biotopes 2000 (latest amendment 15 September 2005) and the Cabinet of Ministers Regulation No. 266: Welfare requirements for domestic (pet) animal housing, trade, transport and display at public exhibitions, and for dog training 2004 (latest amendment 24 April 2012). Wild animals are mainly regulated by the Cabinet of Ministers Regulations No. 1139: Order on Storage, Registration, Keeping in Captivity, Labelling and Trade of the Endangered Species of Wild Fauna and Flora by International Trade and Order on Issuing Certificates 2009 (in force from 1 April 2010) and the Cabinet of Ministers Regulations No. 1146: Order on Registration of Places where Wild Animals are Kept 2010 (in force from 1 January 2011).

Latvia ratified the European Convention for the Protection of Pet Animals in 2010 (entered into force 1 May 2011).

- A negative list is included in the Animal Protection Law 2000 and prohibits the private keeping of wild carnivores, wild birds, primates, sea mammals, crocodiles and snakes. Endangered, disappearing or rare species are under the special protection of the state and also prohibited to keep or sale (Law on the Conservation of Species and Biotopes 2000).
- An authorisation is required for species included in the Annex A and B of Council Regulation 338/97. The Cabinet of Ministers Regulations No. 1139: Order on Storage, Registration, Keeping in Captivity, Labelling and Trade of the Endangered Species of Wild Fauna and Flora by International Trade and Order on Issuing Certificates 2009 (in force from 1 April 2010) includes a list of species that do not require authorisation, but the owner has to prove the legal origin of the animal; in case of an endangered species, the animals has to be born and raised in captivity.
- The Animal Protection Law 2000 and Cabinet of Ministers Regulation No. 266 include general housing requirements on equipment, keeping conditions, food and water. Animals have to be kept according to their physiological and ethological needs.
- The Regulation of Cabinet of Ministers No. 266: The welfare requirements of domestic (pet) animal housing, trade, transport and display at public exhibitions, as well as dog training (entered into force on 11 April 2006) provides that at least one pet shop employee must be trained in animal welfare. The trader must provide written information to the buyer on feeding, watering and any required special care of animals.
- Persons younger than 18 years of age are not allowed to obtain animals according to the Civil Law.

## FUTURE PLANS

- There is no information on future plans.



# LITHUANIA



The main regulations on animal welfare are included in the Law on the Care, Welfare and Use of Animals of 6 November 1997 No. VIII 500 (latest amendment 2010). It is complemented by the Law on Wildlife of 6 November 1997 No. VIII 498 and the Regulation on use of wild animals Ministry of Environment 2011-06-30 No. D1-533/B1-310.

Lithuania ratified the European Convention for the Protection of Pet Animals in 2004 (entered into force 1 December 2004).

- A negative list is included in the Regulation on use of wild animals Ministry of Environment 2011-06-30 No. D1-533/B1-310 and prohibits the private keeping of species of crocodile, monotreme, primates, canid (with the exception of grey wolf, brown fox, racoon dog and plain jackal), hyena, bear, cat (except wild cat and lynx), seal whale, rhinoceros, hippopotamus, giraffe and more. Endangered, disappearing or rare species are under the special protection of the state and also prohibited to keep or sale (Law on the Conservation of Species and Biotopes 2000).
- An authorisation is required to privately catch, keep and tame wild animals (Law on the Care, Welfare and Use of Animals of 6 November 1997).
- Under the Law on the Care, Welfare and Use of Animals of 6 November 1997, animals have to be kept, fed and cared for under conditions in accordance with their kind, age, physiology and behaviour.
- There is no requirement for training of pet shop staff. Requirements to provide written information to the buyer are included in the State veterinary service regulation on pet trade. Minors younger than 16 years of age are not allowed to obtain animals.

## FUTURE PLANS

- There is no information on future plans.

# LUXEMBOURG



The Law of 15 March 1983 designed to protect the lives and well-being of animals (L. 15 mars 1983 ayant pour objet d'assurer la protection de la vie et de la bien – être des animaux) sets general provisions on the care of animals. It is complemented by the Grand Ducal Regulation of 18 March 2000 on conditions for the confinement of animals (Règlement grand – ducal du 18 mars 2000 déterminant les conditions de confort minima de détention et d'entretien des animaux de compagnie) and the Act of 31 July 1991 approving the European Convention for the Protection of Pet Animals.

Luxembourg ratified the European Convention for the Protection of Pet Animals in 1992 (entered into force 1 May 1992).

- According to the Law of 15 March 1983 designed to protect the lives and well-being of animals the possession of non-domestic animal species is not permitted by private individuals. The non-domestic animal species are not determined.
- General housing requirements on food, health care, diet, protection, hygiene, space and lighting are included in the Grand Ducal Regulation of 18 March 2000 on conditions for the confinement of animals. Detailed housing requirements including cage sizes and accommodation structures are given for dogs, horses, rabbits and domestic poultry.
- There are no training requirements for the pet shop staff and there is no obligation to inform the customers on adequate keeping of animals. Minors younger than 16 years of age are not allowed to obtain animals.

## FUTURE PLANS

- There is no information on future plans.



The Animal Welfare Act No. XXV Chapter 439 sets general provisions on the treatment and care of animals. Provisions for animals sold in pet shops are included in the secondary legislation, Protection of Animals Offered in Pet Shops (minimum standards) Regulations 2011.

Malta has not ratified the European Convention for the Protection of Pet Animals.

- There is no positive or negative list or requirement for authorisation to privately keep certain animals, except for the animal species protected by international laws or conventions (CITES, EU Bird Directive, and others).
- No housing requirements are drafted yet in the Animal Welfare Act No. XXV Chapter 439 but the Minister may make regulations prescribing the way animals should be cared for, fed, watered, treated and trained.
- The Protection of Animals Offered in Pet Shops (minimum standards) Regulations 2011 requires the pet shop manager to have relevant qualifications of level 3 as per the Malta Qualifications Council Regulations L.N 347 of 2005. The manager has to ensure that the pet shop staff has sufficient knowledge and experience on the animals in the pet shop. Persons younger than 16 years of age are not allowed to obtain animals.

## FUTURE PLANS

- In 2010, there were discussions about the adoption of restrictions on the import and keeping of dangerous and exotic animals and the registration of those animals already kept. But, no new information on this proposal is available

# NETHERLANDS

A new Law on Animals of 19 May 2011 (Wet van 19 mei 2011, houdende een integraal kader voor regels over gehouden dieren en daaraan gerelateerde onderwerpen – Wet Dieren) is recently adopted by the 1st Chamber in the Netherlands and will come into force in 2013. This law is a framework directive that replaced the Law on Health and Welfare of Animals, and sets up the major outlines for the secondary legislation related to animal health and welfare. Various drafts of secondary legislation are available: The Decree on the Keeping of Animals (Besluit houdende regels met betrekking tot houders van dieren) and the Decree establishing rules relating to business activities with companion animals of 22 December 2011 (Besluit houdende regels met betrekking tot bedrijfsmatige activiteiten met gezelschapsdieren van 22 december 2011), which will replace the Dogs and Cats Decree 1999. The Law on Animals is complemented by the Law on Fauna and Flora of 25 May 1998 (updated 1 April 2002), which will be replaced by the Law on Nature.

The Netherlands signed the European Convention for the Protection of Pet Animals on 13 November 1987 but has never ratified it.



- There is currently no positive list, but a positive list for mammals is expected. The criteria to prohibit certain animal species are: the health and welfare of the animals, the adult size of the animals, the risk of the animal for the environment, the possibility to move the animal and availability of information on the animal (Decree on the Keeping of Animals). A negative list is included in the Law on Fauna and Flora 1998, including muntjacs, Pallas squirrels, grey squirrels and fox squirrels. It is also prohibited to kill or capture protected native species (Law on Fauna and Flora 1998).
- General requirements on the keeping and housing are included in the Decree on the Keeping of Animals. The place where animals are kept must be according to their physiological and behavioral needs.
- The pet shop administrator is required to obtain a certificate of competence as drafted in the Decree establishing rules relating to business activities with companion animals of 22 December 2011.
- After the aforementioned decree will have come into force pet shop employees are obliged to provide sufficient written information on to the purchaser on the appropriate care of the purchased animals. Minors younger than 16 years of age are not allowed to obtain animals.

## FUTURE PLANS

- The Law on Animals is expected to come into force (partially) in 2013.
- The positive list for mammals (<http://www.rijksoverheid.nl>) is expected to come into force on 1 January 2014.
- Discussion on the sale of wild animals on the internet.
- The draft of Decree on sale of animals on markets, fairs and exhibitions is under discussion.
- The Law on Nature, which will replace the Law on Fauna and Flora 1998, is under construction

# NORWAY



The Animal Welfare Act 2009 is a framework directive which includes general principles on the care and treatment of animals. Detailed requirements for complying with the act will be drafted in secondary legislation. The Animal Welfare Act is complemented by the Regulation prohibiting exotic animal imports, sale or keeping as livestock, pets or in captivity in any way FOR 1976 No. 3 (FOR 1976-11-20 nr 03: Forskrifter om forbud mot at fremmedartede (eksotiske) dyr innføres, omsettes eller holdes som husdyr, selskapsdyr eller i fangenskap på annen måte), the Regulations relating to the welfare of animals at commercial sales FOR 1985 No. 17 (latest amendment 2010) (FOR 1985-01-10 nr 17: Forskrift om velferd for dyr ved ervervsmessig omsetning) and the Parliamentary report No. 12 regarding animal husbandry and animal welfare.

Norway ratified the European Convention for the Protection of Pet Animals in 1992 (entered into force 1 May 1992).

- The Regulation prohibiting the exotic animal import, sale or keeping as livestock, pets or in captivity in any way FOR 1976 No. 3 bans the import and private keeping of exotic mammals, reptiles, amphibians, frogs and newts. In case of doubt, the competent authority determines whether an animal species is covered by the ban or not. However, birds are not covered by the ban and neither are the majority of exotic animals that are common to keep such as hamsters, guinea pigs and more. A positive list is under discussion according to the Parliamentary report No. 12 regarding animal husbandry and animal welfare. The Food Safety Authority had considered developing a positive list for reptiles and amphibians but in April 2013 the Minister announced the ban on keeping these animals would be maintained.
- The Animal Welfare Act 2009 includes general housing requirements for the private keeping of pets on buildings, fences, accommodation, attention, care, feeding, protection and prevention of infectious diseases. Also, it requires that animals are suitably tame in order to be handled and cared for in an animal welfare friendly manner.
- Pet shop staff must have appropriate knowledge of animal behaviour and their mental and physical needs and the provisions laid down in the animal welfare regulations (Regulations relating to the welfare of animals at commercial sales FOR 1985 No. 17). However there are no specific requirements and no exams have to be passed.
- As mentioned in the Animal Welfare Act 2009, persons trading in animals have to provide the buyer with the necessary information on the conditions and the care for health and welfare of the purchased animal. There are no specific requirements on which information has to be given. Animals are not allowed to be sold to persons under the age of 16 years.

## FUTURE PLANS

- A positive list of species of exotic mammals and birds allowed to be kept by private individuals, is under discussion.

# POLAND



The main regulations on animal welfare are laid down in the Act of 21 August 1997 on the Protection of Animals 97.111.724 (latest amendment 16 September 2011, 11.230.1373). The conservation of protected species is regulated by the Decree on Conservation of Animal Species of 28 September 2004, 2004.220.2237.

Poland has not ratified the European Convention for the Protection of Pet Animals.

- The Decree on Conservation of Animal Species 2004 includes a negative list, spread over 3 annexes of species that are considered to be threatened and have to be conserved. Annex 1 lists the protected species, Annex 2 the partially protected species and Annex 3 protected species which may be collected from the wild. It is prohibited to kill, capture or keep the animal species included in Annex 1 – 3. Annex 1 includes various insects (e.g. dragonflies, cicadas, beetles, butterflies, bees, spiders), fish (sturgeon and shad), all amphibians, reptiles (vipers, turtles), birds (e.g. storks, auks, owls, waterfowl etc.) and mammals (e.g. hedgehogs, bats, some squirrels, cetaceans, wolves, wildcats, lynx, weasels). Annex 2 includes some insects (a few ant and bumblebee species), birds (e.g. gulls, cormorants) and mammals (moles, European beavers, harvest mice, grubber, mice, herb mice and otters). Annex 3 includes the edible snail, bumblebee species and some ant species. Furthermore it is prohibited to keep predatory or venomous animal species (Act of 21 August 1997 on the Protection of Animals 97.111.724).
- An authorisation is required for all species restricted by EU law (EU 709/2010), they have to be registered within 14 days.
- The Act of 21 August 1997 on the Protection of Animals 97.111.724 includes some general housing requirements on space, freedom of movement, access to daylight, protection against weather and access to food and water.
- There are no training requirements for the pet shop staff and there is no obligation to inform the customers on adequate keeping of animals. No minimum age is determined for the purchase of animals.

## FUTURE PLANS

- A new, more restrictive Animal Protection Act, which would drastically increase the protection of animals, is under discussion.



# PORTUGAL

The Protection of Animals Law 92/95 is the general legislation for the protection and regulation of animal welfare, but provisions are minimal. The Law mainly gives general information on the commercial sale of animals. More information on the treatment and care of animals can be found in the Implementation of the European Convention on the Protection of Companion Animals DL No. 276/2001. Restrictions on the private keeping of certain exotic species are drafted in DL 565/99 of 21 December 1999, Decree No. 211/2009 (Portuguese CITES Law update) and related Ordinances No. 1226/2009 of 12 October 2009 (amended No. 60/2012 of 19 March 2012) and No. 07/2010 of 5 of January 2010 with registration, marking schemes and conditions to keep all CITES and indigenous specimens.

Portugal ratified the European Convention for the Protection of Pet Animals in 1994 (entered into force 1 January 1994).



- The Decree No. 211/2009 prohibits the possession of any species listed in Annexes A, B, C and D of Regulation (EC) No. 338/97 without the proper certificates or licences. Ordinance No. 1226/2009 includes stricter conditions regarding the private keeping of animals and a negative list in Annex I. Annex I includes species of cetacean, primate, wolf, bear, wild cat, seal, walrus, sea lion, elephant, dugong, manatee, rhinoceros, hippopotamus, ostrich, rhea, emu, penguin, turtle, crocodile, varanids, snake, scorpions and centipedes. Another negative list is included in Annex I (species listed as IAS) and Annex III of DL 565/99.
- An authorisation is required for species listed in Annex 2 of Decree No. 211/2009 and the holder must be of legal age. Annex 2 includes varanids, boas, pythons and colubrids, frogs, spiders, scorpions and centipedes. According to Ordinance No. 07/2010, registration is needed for any person who keeps indigenous species (marked and from captive bred origin) and for anyone who keeps and transfers CITES specimens. A license scheme is needed to detain and trade exotic species, according to DL 565/99. DL 565/99 prohibits the possession of species listed as IAS in Annex I and of all species listed in Annex III (ecological risk).
- The Implementation of the European Convention on the Protection of Companion Animals DL No. 276/2001 includes general housing requirements for the private keeping of pets on the conditions of the accommodation, environmental conditions, food and drinking and the protection of people, animals and goods. It also includes detailed housing requirements and conditions for handling rodents and rabbits, dogs and cats, birds, reptiles, amphibians and fish. The Annexes I – VII of the DL No. 276/2001 provide detailed information on humidity, temperature and the minimum cage sizes for groups of animals (or specific species).
- The Implementation of the European Convention on the Protection of Companion Animals DL No. 276/2001 requires a specific theoretical and practical training for pet shop staff or supervision of pet shop employees by a competent person.
- There is no obligation to inform the customers on adequate keeping of animals but customers have to be informed on all movements of CITES or indigenous species. No minimum age is determined for the purchase of animals, other than those belonging to the Annex 2 of the Decree No. 211/2009 (legal age).

## FUTURE PLANS

- Changes in DL 565/99 and in some small items of DL 211/2009 are planned in 2013.

# ROMANIA



The Animal Welfare Law No. 205/2004 (amended by Law 9/2008) is a framework directive and includes general principles on the care and treatment of animals. The secondary legislation, Order No. 523/2008 Approving the Methodological Norms for Applying Law No. 205/2004 on Animal Welfare, covers housing requirements for the private keeping of animals. Exotic animal species are regulated by the Order No. 1798/2007, language related to the keeping of exotic animals.

Romania ratified the European Convention for the Protection of Pet Animals in 2005 (entered into force 1 March 2005), which is implemented by Law 60/2004.

- A negative list is included in Order No. 1798/2007, language related to the keeping of exotic animals, prohibiting primates, wild cats, birds of prey, venomous reptiles and animal species requiring strict protection listed in Annexes 4A and 4B of the Emergency Ordinance No. 57/2007 on the protection of natural areas, conservation of natural habitats, wild fauna and flora.
- According to the Animal Welfare Law No. 205/2004, private keeping of wild animals is possible upon authorisation.
- General housing requirements on food and water, movement, care, attention and medical assistance are included in the Animal Welfare Law No. 205/2004.
- There are no training requirements for pet shop staff drafted in the Animal Welfare Law No. 205/2004. The Order No. 523/2008 Approving the Methodological Norms for Applying Law No. 205/2004 on Animal Welfare requires pet shop staff to provide the buyer with written information on breeding conditions and care for health and welfare of the purchased animal. No minimum age is determined for the purchase of animals.

## FUTURE PLANS

- There is no information on future plans.

# SLOVAKIA



The main animal welfare regulations are drafted in the Law No. 39/2007 on Veterinary Care and the secondary legislation, Decree No. 123/2008 on details for the protection of pets and requirements at quarantine stations and shelters (Vyhláška 123/2008, O podrobnostiach o ochrane spoločenských zvierat a o požiadavkách na karanténne stanice a útulky pre zvieratá). The private keeping and sale of wild animal species is regulated by the Decree No. 110 of 14 February 2005 implementing some provisions of the Act on the protection of species of wild fauna and flora by regulating trade therein and the Act 543/2002 of 25 June 2002 on Nature and Landscape Protection.

Slovakia has not ratified the European Convention for the Protection of Pet Animals.

- A negative list prohibiting the private keeping of non – indigenous falcons, owls and red-eared sliders is included in the Decree No. 110 of 14 February 2005 implementing some provisions of the Act on the protection of species of wild fauna and flora by regulating trade therein. The Act 543/2002 of 25 June 2002 on Nature and Landscape Protection also prohibits the capture and killing of animals in places of their natural occurrence.
- There is no authorisation required to keep certain animal species, but protected animals which are not forbidden to be kept must be recorded (Act 543/2002 of 25 June 2002 on Nature and Landscape Protection). Other pet animals must be registered as well according to the Law No. 39/2007 on Veterinary Care.
- General housing requirements for pets in quarantine stations or shelters are included in the Decree No. 123/2008 on details for the protection of pets and requirements at quarantine stations and shelters. The Decree lays down provisions on daily inspection of the animals, appropriate treatment, appropriate diet, environmental conditions and the expression on natural behaviour. Detailed housing requirements on social structure, freedom of movement, hygiene, accommodation structure and bedding material are also given in the Decree No. 123/2008 on details for the protection of pets and requirements at quarantine stations and shelters. Minimum cage sizes are provided for cats, dogs, rodents and rabbits in Annexes.
- There are no training requirements for pet shop staff drafted in the Law No. 39/2007 on Veterinary Care or the Decree No. 123/2008 on details for the protection of pets and requirements at quarantine stations and shelters. Pet shop managers are required to provide species cards with information on the pets kept in the shop.
- There is no obligation to inform the customers on adequate keeping of animals. No minimum age is determined for the purchase of animals.

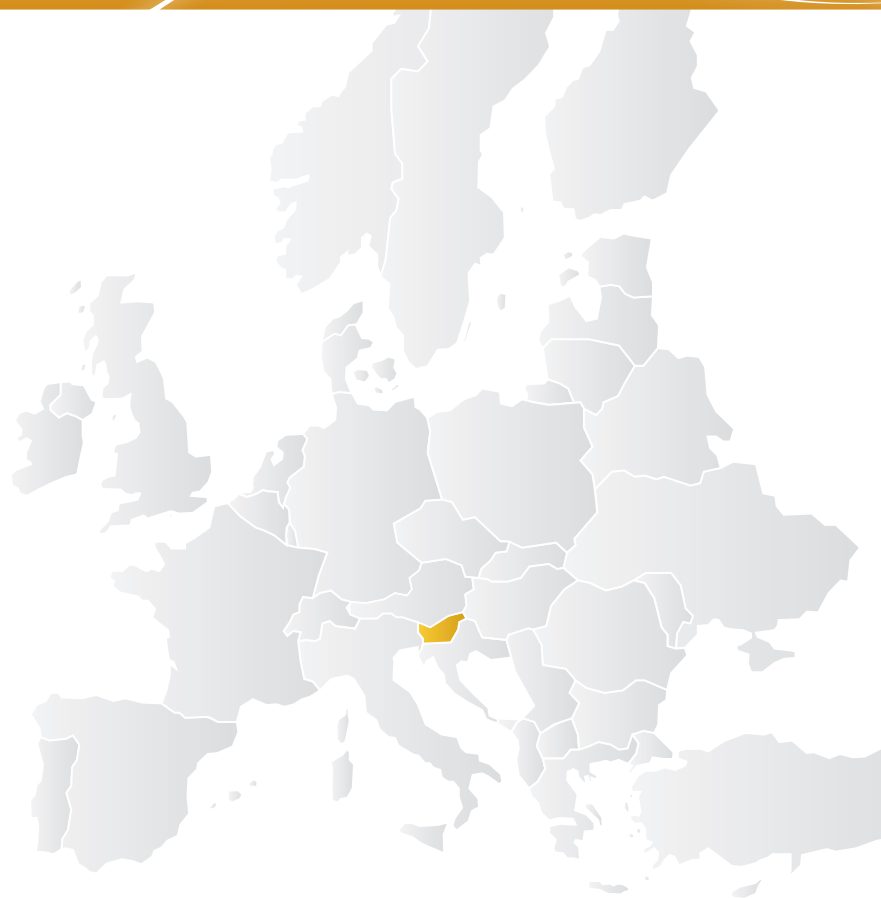
## FUTURE PLANS

- There is no information on future plans.

# SLOVENIA

The Animal Protection Act OG No. 43/2007 (Zakon o zaščiti živali) sets general provisions on the treatment and care of animals. Minimum standards for the protection of pet animals and specific requirements for their keeping are provided in the secondary legislation, Rules on Protection of Pet Animals OG No. 75/2005 (88/2005), 51/2009 (Pravilnik o zaščiti hišnih živali). Housing requirements for wild animals are described in the Order on the living conditions for and care of wild animals kept in captivity No. 90/2001 (Odredba o bivalnih razmerah in oskrbi živali prostoživečih vrst v ujetništvu). Restrictions on the private keeping of certain animals are regulated by the Decree on Protected Wild Animal Species OG No. 46/2004 (last amendment 102/2011) and the Nature Conservation Act OG No. 96/04 (Zakon o ohranjanju narave).

Slovenia has not ratified the European Convention for the Protection of Pet Animals.



- A negative list is included in the Decree on Protected Wild Animal Species OG 46/2004, prohibiting the private keeping of birds of prey, owls and species listed in Annex 1.
- An authorisation is required for species listed in Annex II of the Order on the living conditions for and care of wild animals kept in captivity OG 90/2001. The list includes species of insectivore, bat, primate, rodent, cetacean, bear, weasel, otter, hyena, wild cat, seal, walrus, elephant, horse, rhinoceros, camel, hippopotamus, deer, ostrich, rhea, penguin, pelican, stork, swan, hawk, vulture, pheasant, pigeon, parrot, hummingbird, swift, sea turtle, crocodilian, large lizard, snake, salamander, frog, lungfish, sturgeon and more.
- The Animal Protection Act OG 43/2007 includes general housing requirements for the private keeping of pets on shelter, food, water, freedom of movement, environmental conditions and daily inspection. To comply with the requirements for wild animals in captivity (Annex II), detailed minimum standards are drafted in Annex I of the Order on the living conditions for and care of wild animals kept in captivity OG 90/2001. Standards are given on cage sizes, food, social structure and enclosed setup for specific genera.
- The Rules on Protection of Pet Animals OG 75/2005 (88/2005), 51/2009 lays down detailed requirements for training of pet shop staff. People taking care of the animals in pet shops must have a valid certificate of practical training on nutrition, care, behaviour and health of animals. The training must include at least six hours of schooling and must also include information on the legislation and physiology, handling and care for animals.
- The Rules on Protection of Pet Animals OG 75/2005 (88/2005), 51/2009 requires pet shop employees to provide the buyer with written information on care, nutrition, proper treatment, potential hazard and more of the animal. Minors younger than 16 years of age are not allowed to obtain animals.

## FUTURE PLANS

- The Animal Protection Act is being amended. According to the proposed provisions, the age minimum for purchase will be 18 years and not 16, as it is now. The pet shop will also have the right to verify the age of the customer.

# SPAIN



The Animal Welfare Act 32/2007 is the general legislation for the regulation of animal welfare, but provisions are minimal. The act establishes a common policy under which the local autonomous communities may draft their own regulations. The Royal Decree 287/2002 for Keeping Animals Considered as Potentially Dangerous allows the autonomous communities to create negative lists. A negative list is also drafted by the federal government in Royal Decree 1628/2011 on Invasive Alien Species which must be implemented by the autonomous communities.

Spain has not ratified the European Convention for the Protection of Pet Animals.

- A negative list, including invasive alien species, is drafted in Annex I of the Royal Decree 1628/2011 on Invasive Alien Species. The list includes species of crustacean, bullfrog, African clawed frog, turtle, bird, Barbary sheep, American mink, raccoon dog, muskrat, grey squirrel, mouflon and more. Annex II of the Royal Decree 1628/2011 on Invasive Alien Species includes species with an invasive threat that may not be released into the wild. The Royal Decree 1628/2011 on Invasive Alien Species must be implemented by the autonomous communities, but currently only Andalucía, Valencia and Madrid have adopted to some extent the negative list. Andalucía prohibits the possession of dangerous and venomous animals by Decree 42/2008 Regulating the Possession of Potentially Dangerous Animals in the Autonomous Community of Andalucía.
- The Decree 42/2008 Regulating the Possession of Potentially Dangerous Animals in the Autonomous Community of Andalucía requires an authorisation for the possession of potentially dangerous animals.
- The Decree 42/2008 Regulating the Possession of Potentially Dangerous Animals in the Autonomous Community of Andalucía includes requirements for the private keeping of potentially dangerous animals. The Law 11/2003 on Animal Protection in the Autonomous Community of Andalucía includes general housing requirements on adequate housing in accordance with the species and protection of the animal. Aragon drafted general housing requirements on space, ventilation, lighting and protection against weather in the Law 11/2003 on Animal Protection in the Autonomous Community of Aragon. All regions however have drafted general conditions on proper husbandry, food, water, care and more.
- The Law 11/2003 on Animal Protection in the Autonomous Community of Aragon and the Law 7/1994 on Animal Protection in the Autonomous Community of Navarra require trained personnel in pet shops for the care of animals.
- In Aragon, pet shop employees have to provide information on the animal's needs to the buyer. Animals are not allowed to be sold to persons younger than 16 years of age in Andalucía and Aragon and younger than 14 years of age in Navarra.

## FUTURE PLANS

- They are currently discussing enforcement of a law on dangerous animals in Madrid, similar to the Decree 42/2008 in Andalucía.

# SWEDEN



The main animal welfare regulations are drafted in the Animal Welfare Act 1988/534 (last amended by SFS 2009:303 of 1 January 2010) and the Animal Welfare Ordinance 1998/539 (last amended by SFS 2008:1051 of 1 January 2009). It is complemented by the Regulation on Conditions relating to the Keeping, Breeding, Sale etc. of Animals Intended as Pets or for Hobby Purposes SJVFS 1997/61 No. L80 (amended DFS 2005/8 No. L80) (Statens jordbruksverks föreskrifter om villkor för hållande, uppfödning och försäljning m.m. av djur avsedda för sällskap och hobby SJVFS 1997:61, Saknr L 80).

Sweden ratified the European Convention for the Protection of Pet Animals in 1992 (entered into force 1 May 1992).

- The Regulation on Conditions Relating to the Keeping, Breeding, Sale etc. of Animals Intended as Pets or for Hobby Purposes DFS 2005:8 No. L80 contains a negative list, prohibiting the private keeping and sale of monkeys, wild carnivores (with the exception of ferrets and badgers), raptors and hybrids between wild cats and domestic cats or wild canids and domestic dogs. Animals caught in the wild are prohibited to be kept as well.
- The Animal Welfare Act 1988/534 includes some general housing requirements on feed, water, space and adequate care. Detailed housing requirements for the housing of pets in pet shops or shelters are drafted in the Regulation on Conditions relating to the Keeping, Breeding, Sale etc. of Animals Intended as Pets or for Hobby Purposes DFS 2005:8 No. L80. The Regulation includes special provisions for the keeping of birds, ferrets, rabbits and rodents, snakes and lizards, turtles and tortoises, spectacled caimans, amphibians, fish, pigeons and miniature swine on the construction of the accommodation, bedding material, furnishing, space, food and environmental conditions. The Annexes of the Regulation include detailed cage sizes and keeping requirements for the different groups.
- The Regulation on Conditions relating to the Keeping, Breeding, Sale etc. of Animals Intended as Pets or for Hobby Purposes DFS 2005:8 No. L80 include very detailed training requirements for pet shop staff. Persons professionally trading in pets are obliged to take a basic training course, complemented by one or more specific training programmes focusing on the species covered by the trade. Species-specific training is divided into several categories; cage birds, ferrets, rabbits and rodents, reptiles, fish and amphibians.
- There is no obligation to inform the customers on adequate keeping of animals. No minimum age is determined for the purchase of animals.

## FUTURE PLANS

- There is a draft to a new animal protection law, which considers replacing the negative list of species with a positive list, or possibly expanding the number of species not allowed.



# SWITZERLAND



The Animal Welfare Act (TSchG) 455 of 16 December 2005 sets general provisions on the treatment and care of animals. More detailed requirements are covered in the Animal Welfare Ordinance (TSchV) 455\_1 of 23 April 2008.

Switzerland ratified the European Convention for the Protection of Pet Animals in 1994 (entered into force 1 June 1994).

- There is no negative or positive list available, but an authorisation and an expertise is required for the private keeping of most wild animals such as marsupials, sloths, flamingos, ratites, kiwis, penguins, birds of prey, large parrots, fish (> 1m), sharks, rays, large turtles, crocodiles, large iguanas, chameleons, monitor lizards (> 1m), venomous snakes, boas (> 3m, except Boa constrictor), sea snakes, giant salamanders and more (Animal Welfare Ordinance 2008). Also an authorisation is required for wild animals with special needs in terms of husbandry and care. Authorisation shall only be issued after assessment of the enclosures by an independent expert. The list of wild animal species with special needs include cetaceans, sea otters, seals, primates (except marmosets), wolves, hyenas, bears, large wild cats, elephants, wild equids, rhinoceroses, wild pigs (except *Sus scrofa*), hippopotami, giraffes, various wild sheep and more. Authorisations are given cautiously and private persons are seldom allowed to keep wild animals. (Animal Welfare Ordinance 2008)
- The Animal Welfare Ordinance 2008 includes general housing requirements on proper husbandry, feeding, care, protection from weather, housing, enclosures and floors, tethering devices and group housing. Detailed housing requirements on environmental conditions and noise are also included in Annex I for bovines, pigs, sheep, goats, llamas and alpacas, horses, rabbits, poultry and pigeons, dogs and cats. Annex II of the Animal Welfare Ordinance 2008 includes minimum cage sizes for specific wild animal species, as well as general requirements on proper care and housing for the different groups of species (mammals, fish, birds, reptiles, amphibians and invertebrates).
- The Order on the keeping of animals and how to treat them 455\_109\_1 of 1 October 2008 lays down detailed training requirements for persons keeping wild animals. There are 3 different possibilities for training: a 3 to 4 year training course for employees of zoos or wildlife parks, a 40 hour training course for pet shop employees (does not allow the keeping of all kinds of wildlife – only snakes, turtles, fish and exotic birds) and a 5 hour course for private individuals allowing them to acquire a ‘certificate of proficiency’ to keep raccoons, wallabies, ferrets, large parrots, venomous snakes or llamas.
- The Animal Welfare Ordinance 2008 includes a duty to provide information in pet shops. Written information on proper husbandry and care of the species has to be provided to the buyer. Minors younger than 16 years of age are not allowed to obtain animals. Pet shops and breeders are free to set higher age limits (f.e. 18) for animals requiring authorisation.

## FUTURE PLANS

- There is no information on future plans.

# TURKEY



The Animal Protection Law No. 5199 of 24 April 2004 is a framework directive which includes general principles on the care and treatment of animals. The secondary legislation, Application of Law No. 5199 of 12 June 2006 (5199 sayılı yasanın uygulama yönetmeliği) covers housing requirements for the private keeping of animals and requirements for the sale of animals.

Turkey ratified the European Convention for the Protection of Pet Animals in 2004 (entered into force 1 June 2004).

- There is no positive or negative list or requirement for authorisation to privately keep certain animals drafted in the Animal Protection Law No. 5199 2004 or Application of Law No. 5199 2006.
- The drafted housing requirements are minimal. The Animal Protection Law No. 5199 2004 requires that the care, feeding, sheltering and transportation of animals are carried out under conditions appropriate to the species. The Application of Law No. 5199 2006 requires that animals are kept under optimum environmental conditions in accordance with the ethological needs and specifications of the species.
- The Application of Law No. 5199 2006 includes requirements for the training of people trading in pets. Traders should follow a training programme to obtain a certificate proving knowledge of the European Convention for the Protection of Pet Animals, CITES, the Animal Welfare Law No. 5199, sales of domestic and ornamental animals, establishments, licences, labour regulations, animal ecology, animal behaviour and animal care and nutrition.
- There is no obligation to inform the customers on adequate keeping of animals. Animals are not allowed to be sold to persons younger than 16 years of age.

## FUTURE PLANS

- There is no information on future plans.

# UK - ENGLAND

England and Wales use the same animal welfare legislation. The Animal Welfare Act 2006 and Pet Animals Act 1951 (amended 1983) set general provisions on the treatment and care of animals. Detailed requirements for the treatment, housing and care of dogs, cats, equids and non – human primates are included in Codes of Practice. The keeping and sale of some wild animals is regulated by the Dangerous Wild Animal Act 1976 (modification No. 2 Order 2007 No. 2465) and the Wildlife and Countryside Act 1981. Council Regulation (EC) No. 338/97 on the protection of wild species of fauna and flora by regulating trade therein is implemented in the UK by the Control of Endangered Species (Enforcement) Regulations 1997 No. 1372 (amended in 2005 and 2007), shortly COTES.

England has not ratified the European Convention for the Protection of Pet Animals.



- A negative list is included in Schedules 1 and 5 of the Wildlife and Countryside Act 1981. The lists include species of buzzard, eagle, falcon, harrier, owl, swan, tern, tit, warbler, adder, beetle, butterfly, dolphin, wild cat, lizard, moth, otter, turtle, snake, spider, toad and more.
- A list of species for which an authorisation is required is drafted in the Dangerous Wild Animal Act 1976. The list includes species of marsupial, primate, anteater, armadillo, wolf, wild dog, wild cat, hyena, badger, otter, bears, civet, fossa, walrus, seal, elephant, aardvark, ungulate (e.g. wild equids, rhinoceros, tapir, antelope, gazelle, wild sheep and goat, camel, elk, reindeer, giraffes, hippopotamus, wild pig), ostrich, cassowary, crocodilian, snake, lizard (gila monster and Mexican beaded lizard), spider, scorpion and certain mammalian hybrids. The Wildlife and Countryside Act 1981 requires registration of birds included in Schedule 4.
- General housing requirements are included in the Animal Welfare Act 2006 and the Pet Animals Act 1951 (amended 1983). An animal has to be provided with a suitable environment and diet, must be able to exhibit normal behaviour and must be protected from fear, suffering, injury and disease. Also, the accommodation has to be suitable as respects size, temperature, lighting, ventilation and cleanliness. Detailed requirements on care, housing, environmental conditions and diet are provided in the Codes of Practices for dogs, cats, horses, ponies, donkeys and their hybrids and privately kept non – human primates. Animals kept under a Dangerous Wild Animals Act licence must be held in accommodation which secures that the animal will not escape, which is suitable as regards construction, size, temperature, lighting, ventilation, and more and must be supplied with adequate and suitable food, drink and bedding material and be visited at suitable intervals (Dangerous Wild Animal Act 1976, modification No. 2 Order 2007 No. 2465).
- There are no training requirements for pet shop in any of the legislation mentioned above.
- There is no obligation to inform the customers on adequate keeping of animals. Animals are not allowed to be sold to persons younger than 16 years of age.

## FUTURE PLANS

- There is no information on future plans.

# UK - NORTHERN IRELAND



The main animal welfare regulations are drafted in the Welfare of Animals Act (Northern Ireland) 2011. It is complemented by the Dangerous Wild Animals (Northern Ireland) Order 2004 No. 1993 N.I. 16. Council Regulation (EC) No. 338/97 on the protection of wild species of fauna and flora by regulating trade therein is implemented in the UK by the Control of Endangered Species (Enforcement) Regulations 1997 No. 1372 (amended in 2005 and 2007), shortly COTES.

Northern Ireland has not ratified the European Convention for the Protection of Pet Animals.

- There is no negative or positive list available, but a list of species for which an authorisation is required is drafted in the Dangerous Wild Animals (Northern Ireland) Order 2004. The list includes species of marsupial, primate, sloth, anteater, porcupine, wolf, wild dog, wild cat, hyena, badger, otters, bear, civet, walrus, seal, elephant, ungulate (e.g. wild equids, rhinoceros, antelope, gazelle, wild sheep and goat, camel, elk, reindeer, giraffe, hippopotami, wild pig), ostrich, cassowary, emu, crocodilian, snake, gila monster and spider.
- General housing requirements on suitable environment and diet, the ability to exhibit normal behaviour and protection from fear, suffering, injury and disease are included in the Welfare of Animals Act (Northern Ireland) 2011. Animals kept under authority must be held in accommodations which are escape proof and suitable with regards to construction, size, temperature, lighting, ventilation, drainage and cleanliness. (Dangerous Wild Animals (Northern Ireland) Order 2004 No. 1993 N.I. 16)
- There are no training requirements for pet shop staff drafted in the Welfare of Animals Act (Northern Ireland) 2011.
- There is no obligation to inform the customers on adequate keeping of animals. Animals are not allowed to be sold to persons younger than 16 years of age.

## FUTURE PLANS

- There is no information on future plans.

# UK - SCOTLAND



The Animal Health and Welfare Act 2006 Scotland and the Pet Animals Act 1951 (amended 1983) set general provisions on the treatment and care of animals. The keeping and sale of some wild animals is regulated by the Dangerous Wild Animals Act 1976 Scotland (modified by Order 2008 No. 302) and the Wildlife and Countryside Act 1981. Council Regulation (EC) No. 338/97 on the protection of wild species of fauna and flora by regulating trade therein is implemented in the UK by the Control of Endangered Species (Enforcement) Regulations 1997 No. 1372 (amended in 2005 and 2007), shortly COTES.

Scotland has not ratified the European Convention for the Protection of Pet Animals.

- A negative list is included in Schedules 1 and 5 of the Wildlife and Countryside Act 1981. The lists include species of buzzard, eagle, falcon, harrier, owl, swan, tern, tit, warbler, adder, beetle, butterfly, dolphin, wild cat, lizard, moth, otter, turtle, snake, spider, toad and more.
- A list of species for which an authorisation is required is drafted in the Dangerous Wild Animal Act 1976. The list includes species of marsupial, primate, anteater, armadillo, wolf, wild dog, wild cat, hyena, badger, otter, bear, civet, fossa, walrus, seal, elephant, aardvark, ungulate (e.g. wild equids, rhinoceros, tapir, antelope, gazelle, wild sheep and goat, camel, elk, reindeer, giraffe, hippopotami, wild pig), ostrich, cassowary, crocodilian, snake, lizard (gila monster and Mexican beaded lizard), spider, scorpion and certain mammalian hybrids. The Wildlife and Countryside Act 1981 requires registration of birds included in Schedule 4.
- General housing requirements on suitable environment and diet, the ability to exhibit normal behaviour and protection from fear, suffering, injury and disease are included in the Animal Health and Welfare Act 2006 Scotland and the Pet Animals Act 1951 (amended 1983). Detailed requirements on care, housing, environmental conditions and diet are provided in Codes of Practices for dogs, cats, rabbits, equidae, cattle, laying hens, meat and breeding chicken, pigs, sheep and game birds.
- There are no training requirements for pet shop staff drafted in the Animal Health and Welfare Act 2006 Scotland or the Pet Animals Act 1951 (amended 1983).
- There is no obligation to inform the customers on adequate keeping of animals. Animals are not allowed to be sold to persons younger than 16 years of age.

## FUTURE PLANS

- There is no information on future plans.

# UK - WALES

England and Wales use the same animal welfare legislation. The Animal Welfare Act 2006 and Pet Animals Act 1951 (amended 1983) set general provisions on the treatment and care of animals. Detailed requirements for the treatment, housing and care of dogs, cats, equids and rabbits are included in the Codes of Practice. The keeping and sale of some wild animals is regulated by the Dangerous Wild Animal Act 1976 (modification No. 2 Order 2007 No. 2465) and the Wildlife and Countryside Act 1981. Council Regulation (EC) No. 338/97 on the protection of wild species of fauna and flora by regulating trade therein is implemented in the UK by the Control of Endangered Species (Enforcement) Regulations 1997 No. 1372 (amended in 2005 and 2007), shortly COTES.

Wales has not ratified the European Convention for the Protection of Pet Animals.



- A negative list is included in Schedules 1 and 5 of the Wildlife and Countryside Act 1981. The lists include species of buzzard, eagle, falcon, harrier, owl, swan, tern, tit, warbler, adder, beetle, butterfly, dolphin, wild cat, lizard, moth, otter, turtle, snake, spider, toad and more.
- A list of species for which an authorisation is required is drafted in the Dangerous Wild Animal Act 1976. The list includes species of marsupial, primate, anteater, armadillo, wolf, wild dog, wild cat, hyena, badger, otter, bear, civet, fossa, walrus, seal, elephant, aardvark, ungulate (e.g. wild equids, rhinoceros, tapir, antelope, gazelle, wild sheep and goat, camel, elk, reindeer, giraffe, hippopotami, wild pig), ostrich, cassowary, crocodian, gharial, false gharial, snake, lizard, spider, scorpion and certain mammalian hybrids. The Wildlife and Countryside Act 1981 requires registration of birds included in Schedule 4.
- General housing requirements are included in the Animal Welfare Act 2006 and the Pet Animals Act 1951 (amended 1983). An animal has to be provided with a suitable environment and diet, must be able to exhibit normal behaviour and must be protected from fear, suffering, injury and disease. Detailed requirements on care, housing, environmental conditions and diet are provided in the Codes of Practices for dogs, cats, rabbits as well as horses, ponies, donkeys and their hybrids. Animals kept under a Dangerous Wild Animals Act licence must be held in accommodation which secures that the animal will not escape, which is suitable as regards construction, size, temperature, lighting, ventilation, and more and must be supplied with adequate and suitable food, drink and bedding material and be visited at suitable intervals (Dangerous Wild Animal Act 1976, modification No. 2 Order 2007 No. 2465).
- There are no training requirements for pet shop staff drafted in any of the legislation mentioned above.
- There is no obligation to inform the customers on adequate keeping of animals. Animals are not allowed to be sold to persons younger than 16 years of age.

## FUTURE PLANS

- There is no information on future plans.



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