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**DECREE**

of 22 December 2008

**on the protection of animals at a public performance and in breeding**

The Ministry of Agriculture stipulates pursuant to section 29 para 1 for the implementation of section 7a para 7 of Act No 246/1992 Coll., on the protection of animals against cruelty, as amended by Act No 312/2008 Coll. (hereinafter referred to as the “Act”):

**PART ONE**

**SCOPE OF APPLICATION**

**§ 1**

This decree shall stipulate the specimen application for approval of the rules of animal protection at a public performance and the specimen application for approval of the rules of animal protection in breeding, the content of instructions that shall be given to persons concerning protection of animals at a public performance, the requisites of the rules of animal protection at a public performance and the rules of animal protection in breeding, and conditions for breeding cats and dogs in so far as it concerns the animals for breeding.

**PART TWO**

**PROTECTION OF ANIMALS AT A PUBLIC PERFORMANCE**

**§ 2**

**Application for approval of the rules of animal protection at a public performance**

Specimen application for the approval of the rules of animal protection at a public performance is presented in Annex No 1 to this Decree.

### § 3

#### **Requisites of the rules of animal protection at a public performance**

The rules of animal protection at a public performance shall include

- a) the title which shall contain the words “Rules of animal protection at a public performance“ and which shall clearly indicate the animal species to which the rules of animal protection at a public performance apply, and the organiser and the type of activities to be performed with the animals,
- b) the first name, or first names, surname, date of birth and permanent residence of the organiser, or the mailing address, unless identical with the permanent residence, in case of a natural person; the first name, or first names, surname, identification number, if applicable, the place of business of the organiser, in case of a natural person conducting business; the name or the company, identification number, if applicable, and the address of the organiser’s registered office, in case of a legal person,
- c) the purpose of the rules of animal protection at a public performance,
- d) the species, or expected number, sex and age category of animals participating in the public performance, restrictions for individual species, breeds or age categories of animals with regard to the performed activity, especially the restrictions for the participation of nursing females and females in the second half of pregnancy,
- e) the manner of handling the animals together with the description and characteristics of activities performed with animals at a public performance; description of individual acts and tricks and the environment in which they are performed, including the ways of protection of used animals against suffering and of prevention of animal escape,
- f) the description of the used facilities, equipment, aids for handling, displaying or other activities conducted with animals,
- g) the description of premises which are the venues of the public performance, and the protection of animals against injury; in case of a public performance lasting more than one day the description of housing facilities for animals, their size and equipment, method and frequency of feeding and watering, requirements for the provision of adequate feed, water and their necessary stock,
- h) the way of safeguarding animal welfare and protection when moving or transporting the animals to the venue of the public performance, the type and dimensions of the transport facilities and their equipment; the description of used facilities and equipment for loading and unloading of animals, unless stipulated by the Act or other legislation<sup>1)</sup>,
- i) arrangements for providing first aid and veterinary care,
- j) the way of informing persons who will take active part in the public performance with respect to the protection and welfare of animals,
- k) the conditions and circumstances under which the organiser is entitled to suspend the course of the public performance pending the remedy or to expel the person who violated the set conditions and to disqualify his animals from the public performance,
- l) the validity of the rules of animal protection at a public performance,

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

Decree No.../2008 Coll., on the protection of animals during transport.

- m) the signature of the applicant,
- n) the date of approval, the signature of the employee of the Ministry of Agriculture and the official stamp of the Ministry of Agriculture.

#### § 4

#### **Content of instructions of persons who take an active part in the public performance concerning the animal protection at a public performance**

The organiser shall instruct the persons who take an active part in the public performance of

- a) calm and resolute manner of handling the animals to ensure the animal welfare, to ensure that the animals are not provoked or abused and that the risk of their injury is minimised,
- b) the prohibition of access of unauthorised persons, who have not been entrusted with handling the animals to the premises, where the animals are taken care of or where the public performance is to be held,
- c) the need to always approach a sick or injured animal with utmost caution and to pay special care to it, the need to pay special attention when approaching the animals which appear to be dangerous, and the need to provide for the presence of other persons while handling them,
- d) the need to ensure that during services performed by a professionally competent person<sup>2)</sup>, e.g. veterinary interventions, there is the necessary number of other informed persons present at the place of the execution of the intervention to offer assistance where necessary, unless it is an emergency involving life-saving or health-saving intervention,
- e) the use of suitable means to restraint the animal when handling restless animals or of administering sedatives by a veterinarian,
- f) the increased attention to be paid to animals and their protection against suffering in situations involving noise or other negative stimuli, of the need to take into account the fact that the animals usually face an unknown environment, that they are from different groups, are not accustomed to one another, or can respond in a defensive manner,
- g) the measures in case of emergency situations, especially in case of an escape of an animal outside the reserved spaces or in case of a fire, and of obligations aiming at the prevention of such situations.

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<sup>2)</sup> Section 59 of Act No 166/1999 Coll., on veterinary care and amending certain related laws (Veterinary Act), as amended by Act No 131/2003 Coll., Act No 48/2006 Coll. and Act No 182/2008 Coll.

**PART THREE**  
**PROTECTION OF ANIMALS IN BREEDING**

**§ 5**

**Application for approval of the rules of animal protection in breeding**

Specimen application for approval of the rules of animal protection in breeding is presented in Annex No 2 to this Decree.

**§ 6**

**Requisites of the rules of animal protection in breeding**

- (1) The rules of animal protection in breeding shall include
- a) the title which shall contain the words “Rules of animal protection in breeding“ and which shall clearly indicate the animal species to which the rules of animal protection in breeding apply and the breeder keeping the animals,
  - b) in case of an association of legal or natural persons involved in animal breeding, or an entrepreneur, who within his business activities is involved in animal breeding, the first name, or first names, surname, identification number, if applicable, and the place of business, in case of a natural person; the name or the company, identification number, if applicable, and the address of the registered office, in case of a legal person,
  - c) the purpose and objectives of the rules of animal protection in breeding with respect to the protection of animals and ensurance of their welfare,
  - d) species and expected number of kept animals,
  - e) basic biological characteristics, generally known physiological and ethological requirements of the given animal species, conditions for breeding animals, particularly the ensurance of care for females in heat, pregnant females and females and their young after parturition,
  - f) the description of premises, facilities and equipment for breeding of the given animal species and care of them, or the characteristics or description of breeding technologies meeting the defined conditions, in pet animals the recommended systems and basic equipment for taking care of animals and ensuring their welfare,
  - g) the interventions defined with respect to the protection of the respective animal species, safeguarding their health and welfare, principles of monitoring health inheritance and monitored genetic traits,
  - h) the allowed methods of killing the animals or the intervention to control the population, where necessary,
  - i) the conditions for the protection of the respective animal species and their welfare during transport, description of the mode of transport and defined transport facilities with the definition of space allowance for the respective animal species, unless stipulated by the Act or other legislation<sup>1)</sup>,
  - j) the validity of the rules of animal protection in breeding,
  - k) the signature of the applicant,

- l) the date of approval, the signature of the employee of the Ministry of Agriculture and the official stamp of the Ministry of Agriculture.

(2) The rules of animal protection in breeding are typically reviewed within five years period and amended to reflect the latest scientific knowledge, practical experience or recommendations of international breeders associations and international animal welfare organisations.

## § 7

### **Conditions of dog and cat breeding**

(1) The associations of natural or legal persons, which are involved in animal breeding, and keepers, who are their members, or entrepreneurs, who within their business activities are involved in animal breeding, shall keep dogs in compliance with the following conditions:

- a) age limits for the reproduction of breeding animals:
  1. in small dog breeds under 50 cm height at the withers after from the day of completion of the 14<sup>th</sup> month of age to the day of completion of the 8<sup>th</sup> year of age in female dogs, from the day of completion of the 14<sup>th</sup> month of age on without any limit in male dogs,
  2. in large dog breeds over 50 cm height at the withers from the day of completion of the 17<sup>th</sup> month of age to the day of completion of the 8<sup>th</sup> year of age in female dogs, from the day of completion of the 17<sup>th</sup> month on without any limits in male dogs,
- b) in female dogs older than 8 years of age the conception is permitted only as long as the breeder submits a certificate of examination of the animal issued by a veterinarian at the beginning of the heat, together with the advisory opinion stating that the state of health of the animal allows for pregnancy without posing any excessive risks to the animal,
- c) artificial insemination may be conducted only by a professionally competent person<sup>3)</sup>,
- d) a female dog shall nurse only such a number of puppies which is adequate to the state of its health as assessed by a veterinarian, the other viable puppies have to be provided with a substitute nutrition by the keeper,
- e) the maximum number of litters in a breeding female dog shall be 3 over the period of 24 months, including the litters of a single puppy, the ideal number is one litter per year,
- f) puppies shall not be weaned before they have reached the age of 50 days.

(2) The associations of natural or legal persons, which are involved in animal breeding, and keepers, who are their members, or entrepreneurs, who within their business activities are involved in animal breeding, shall keep cats in compliance with the following conditions:

- a) the age limit for the reproduction of female cats is from the day of completion of the 1<sup>st</sup> year of age to the day of completion of the 9<sup>th</sup> year of age, in male cats from the day of completion of the 1<sup>st</sup> year of age on without any limit; in exceptional cases mating of cats from the day of completion of the 9<sup>th</sup> month of age may be permitted only upon the

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<sup>3)</sup> Act No 166/1999 Coll., on veterinary care and amending certain related laws (Veterinary Act), as amended.

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

- submission of a certificate on the general state of health and overall somatic maturity of the respective animal issued by a veterinarian,
- b) in female cats older than 9 years of age a conception may be permitted only upon the submission of a certificate of examination of the animal issued by a veterinarian at the beginning of its heat together with an advisory opinion stating that the state of health of the animal allows for pregnancy without posing any excessive risks to the animal,
  - c) the maximum number of litters in a breeding female cat shall be 3 over the period of 24 months, including litters of a single kitten,
  - d) a female cat may nurse only such a number of kittens which is adequate to the state of its health, as assessed by a veterinarian, the other viable kittens shall be provided with a substitute nutrition by the keeper,
  - e) kittens shall not be weaned before they have reached the age of 84 days.

PART FOUR  
**FINAL PROVISIONS**

§ 8

The Decree No 192/2004 Coll., on the protection of animals in breeding, at public performances and animal gatherings is repealed.

§ 9

This decree comes into effect on the day of its promulgation.

Minister:

Mgr. Gandalovič m. p.

**Annex No 1 to Decree No 5/2009 Coll.**  
Specimen application for approval of the rules of animal protection  
at a public performance

| <b>APPLICATION FOR APPROVAL OF THE RULES OF ANIMAL PROTECTION AT A<br/>PUBLIC PERFORMANCE</b><br><b>pursuant to section 7a of Act No 246/1992 Coll., on the protection of animals against cruelty,<br/>as amended</b>              |                                                                                                                   |                                       |                                                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|---------------------------------------|----------------------------------------------------------|
| <b>1.</b>                                                                                                                                                                                                                          | <b>IDENTIFICATION OF APPLICANT – ORGANISER</b>                                                                    |                                       |                                                          |
| <i>Applicant – the name or the company of a legal person; the first name or first names and surname or additional data of a natural person conducting business; the first name or first names and surname of a natural person:</i> |                                                                                                                   |                                       |                                                          |
|                                                                                                                                                                                                                                    |                                                                                                                   |                                       |                                                          |
| Identification No – where the applicant is a legal person or a natural person conducting business, if applicable:                                                                                                                  |                                                                                                                   |                                       | Date of birth – where the applicant is a natural person: |
| E-mail:                                                                                                                                                                                                                            |                                                                                                                   |                                       | Telephone:                                               |
| Registered office, place of business or permanent residence of the applicant, or also the mailing address, unless identical with the permanent residence:                                                                          |                                                                                                                   |                                       |                                                          |
|                                                                                                                                                                                                                                    |                                                                                                                   |                                       |                                                          |
| <b>Authorized representative of the applicant – first name or first names, surname of the person authorised to represent the applicant:</b>                                                                                        |                                                                                                                   |                                       |                                                          |
|                                                                                                                                                                                                                                    |                                                                                                                   |                                       |                                                          |
| <b>Person authorized to act as a proxy in administrative procedure - the name or the company of a legal person, the first name or first names and surname of a natural person:</b>                                                 |                                                                                                                   |                                       | E-mail:                                                  |
|                                                                                                                                                                                                                                    |                                                                                                                   |                                       |                                                          |
| Address of the person authorized to act as a proxy in administrative procedure (mailing address):                                                                                                                                  |                                                                                                                   |                                       | Telephone:                                               |
|                                                                                                                                                                                                                                    |                                                                                                                   |                                       |                                                          |
| <b>2.</b>                                                                                                                                                                                                                          | <b>THE APPLICANT SHALL SUBMIT FOR APPROVAL – title of the rules of animal protection at a public performance:</b> |                                       |                                                          |
|                                                                                                                                                                                                                                    |                                                                                                                   |                                       |                                                          |
| Date of posting the application:                                                                                                                                                                                                   |                                                                                                                   | Stamp and signature of the applicant: |                                                          |
|                                                                                                                                                                                                                                    |                                                                                                                   |                                       |                                                          |

**The application shall comprise the following attachments:**

- 1/ the rules submitted for approval, in two identical copies in writing,
- 2/ the rules submitted for approval on a data carrier (CD, disc or e-mail),
- 3/ the power of attorney granted to the person authorized to act as a proxy in administrative procedure (it is not necessary where the applicant, a natural person, or the authorised representative acts in the administrative procedure in person),
- 4/ the declaration of consent to the use of provided data for the purposes of the State Veterinary Administration and animal welfare authorities' information system.



| DATA TO BE COMPLETED BY THE MINISTRY OF AGRICULTURE |                   |                          |
|-----------------------------------------------------|-------------------|--------------------------|
| Reference number:                                   | Date of delivery: | Received by (signature): |
|                                                     |                   |                          |

**Annex No 2 to Decree No. 5/2009 Coll.**

Specimen application for approval of the rules of animal protection in breeding

| <b>APPLICATION FOR APPROVAL OF THE RULES OF ANIMAL PROTECTION<br/>IN BREEDING</b><br><b>pursuant to section 7a of Act No 246/1992 Coll., on the protection of animals against cruelty,<br/>as amended</b> |                                                                                                                                                                                    |                                       |            |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|------------|
| <b>1.</b>                                                                                                                                                                                                 | <b>IDENTIFICATION OF APPLICANT</b>                                                                                                                                                 |                                       |            |
|                                                                                                                                                                                                           | <i>Applicant – the name or the company of a legal person; the first name or first names and surname or additional data of a natural person conducting business:</i>                |                                       |            |
|                                                                                                                                                                                                           |                                                                                                                                                                                    |                                       |            |
|                                                                                                                                                                                                           | Identification No – <i>where the applicant is a legal person or a natural person conducting business, if applicable:</i>                                                           |                                       | E-mail:    |
|                                                                                                                                                                                                           |                                                                                                                                                                                    |                                       | Telephone: |
|                                                                                                                                                                                                           | Registered office, place of business or permanent residence of the applicant, or also the mailing address, unless identical with the permanent residence:                          |                                       |            |
|                                                                                                                                                                                                           |                                                                                                                                                                                    |                                       |            |
|                                                                                                                                                                                                           | <b>Authorized representative of the applicant – first name or first names, surname of the person authorised to represent the applicant:</b>                                        |                                       |            |
|                                                                                                                                                                                                           |                                                                                                                                                                                    |                                       |            |
|                                                                                                                                                                                                           | <b>Person authorized to act as a proxy in administrative procedure - the name or the company of a legal person, the first name or first names and surname of a natural person:</b> |                                       | E-mail:    |
|                                                                                                                                                                                                           |                                                                                                                                                                                    |                                       |            |
| <b>Address of the person authorized to act as a proxy in administrative procedure (mailing address):</b>                                                                                                  |                                                                                                                                                                                    | Telephone:                            |            |
|                                                                                                                                                                                                           |                                                                                                                                                                                    |                                       |            |
| <b>2.</b>                                                                                                                                                                                                 | <b>THE APPLICANT SHALL SUBMIT FOR APPROVAL – title of the rules of animal protection in breeding:</b>                                                                              |                                       |            |
|                                                                                                                                                                                                           |                                                                                                                                                                                    |                                       |            |
|                                                                                                                                                                                                           | Date of posting the application:                                                                                                                                                   | Stamp and signature of the applicant: |            |
|                                                                                                                                                                                                           |                                                                                                                                                                                    |                                       |            |

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| DATA TO BE COMPLETED BY THE MINISTRY OF AGRICULTURE |                   |                          |
|-----------------------------------------------------|-------------------|--------------------------|
| Reference number:                                   | Date of delivery: | Received by (signature): |
|                                                     |                   |                          |