

LAW FOR THE PROTECTION, HEALTH AND WELFARE OF ANIMALS

PART I: INTRODUCTORY PROVISIONS

1. Summary Title:

The present Law is to be referred to as the Law for the Protection, Health and Welfare of Animals of 1994.

2. Interpretation:

In this Law, unless otherwise defined, in the text:

'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.**

'stray animal' means a pet animal which is in privation of housing or is found outside the **boundaries of the residence of its master or owner or keeper and is not under the control or direct supervision of any master, owner or keeper.**

'captive or in captivity animal' means a wild animal which **does not live in its free state but is under human restriction and control.**

'competent authority' means the Director **of the Department of Veterinarian Services or any member of this Department acting on his behalf.**

'police authorities' means the Chief of Police and every member of the Police force of Cyprus **acting on his behalf.**

'committee' means the Committee for the Welfare of Animals which is established in each district **in accordance with article 19.**

'animal' means all **species of mammals, avians, reptiles, amphibians, insects, fish, mollusks or crustaceans.**

'equine' means horses, donkeys, mules and other **single-hoofed animal.**

'specify' means determine by regulations and 'specified' will have a similar meaning.

'regulations' means regulations made according to this Law.

'pet animal' means an animal which is kept or destined to be kept by man, **mainly in the house, for private enjoyment or company.**

'veterinarian' means a veterinarian registered according to the 1990 Law for **veterinary Practice and Registration of Veterinarians, as this Law may be at times modified or replaced.**

'Minister' means the Minister of Agriculture, Natural Resources and Environment.

3. Purpose and scope of law:

3. (1) This Law defines the general framework of the rules of behavior which must be followed during the handling of animals with the object of securing their health and welfare.

3. (2) This Law applies only to pets or captive animals, as well as to animals which in any way are under human supervision or control.

3. (3) This Law applies and binds every person, natural or legal within the dominion of the Republic, including the Government and authorities of the Republic.

PART II: GENERAL PROVISIONS

4. (1) The animals must always be handled in a way that suits best their physiological and ethological needs.

4. (2) A person, having under its mastery, ownership or keeping any animal, must ensure its health and welfare.

4. (3) It is prohibited for any person to expose or subject, without a reasonable cause, any animal to pain, distress, injury or fear.

4.(4) It is prohibited for any person willfully and without reasonable cause to administer or supply or being the owner or keeper to allow the administration or supply, or any poison or other harmful substance to any animal, or to provoke that such a substance is taken by any animal.

5. (1) Without prejudice to the general provisions of article 4, it is prohibited to subject animals to ill-treatment, neglect and unreasonable hardship.

5. (2) It is particularly prohibited –

(a) In any way, causing an animal to be subjected to inhumane death

(b) Killing an animal for purposes of amusement or other purposes and particularly the use of animals as targets for exercise, excepting justified cases, which are strictly defined.

(c) The organization of fights between animals or with animals during which the animals are ill-treated or killed.

- (d) The use of live animals for the training of dogs or for the control of dog's aggressiveness, except if the dogs are being trained or tested in an artificial nest and under conditions which shall be strictly specified.
- (e) The use of animals for exhibition, advertisement, film production or for similar purposes, if such a use entails the production of pain, distress or injury to the animals
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- (f) Setting free or abandonment of an animal whose survival depends upon human care with the object of getting rid of the animal.
- (g) Removal of nails, cutting of the ears or the removal of vocal cords, except if there are reasons of health or welfare which are determined beforehand by a veterinarian.
- (h) The administration of substances directed at stimulating the natural abilities of animals for the purpose of athletic events.
- (i) The hard work or training of the animal which hinge the boundaries of torture.
- (j) The tying or pulling of the animal by a vehicle in such a way which will probably cause distress, injury or fatigue.
- (k) The vehicles or other means of carriage for the transport and unloading of animals which are unsuitable for this purpose or are not in harmony with the kind or character of the animal to be transported.
- (l) The prolonged and under adverse conditions keeping of the animal in vehicles or other means of carriage or other premises which may produce distress or fatigue to the animal.
- (m) The crowding of animals in means of transport or other premises for waiting or stalling which may produce distress or fatigue to the animals.
- (n) The use of a training collar on a dog, not during the period of its intensive training.
- (o) The tying of an animal on a permanent basis in a way which it does not allow free movement or which exposes the animal to the danger of suffocation.
- (p) The attachment of eye spectacles or other means on avians for avoiding pecking.
- (q) The use of equine animals of advanced age, diseased, suffering, weakened or emaciated for any work, sport, show or other relevant purposes.

- (r) Keeping live fish on a thread or hook, which have pierced in any way the body of the fish or in a closed net which may produce injury.**

6. General Animal Care:

6.(1) Without prejudice to the provisions of article 4, any person having under its mastery, ownership or keeping of any animal, must provide it with feed, water and care, suitable for its species or category and, where necessary, shelter.

6.(2) The freedom of movement necessary for the animal must not be restricted permanently or without cause in any way which produces pain, distress or injury.

6.(3) Persons having under their mastery, ownership or keeping equine animals of advanced age, suffering, diseased, weakened or emaciated must protect and care for them until their death, or otherwise according to a Veterinarian's decision.

6.(4) Regulations may define general or specific needs for maintaining of the various species of animals with regard to such matters as are the minimum dimensions, design, lighting and ventilation, of the available feeding space or stocking density of animals housed in groups and the means of leashing of the animals.

7. Professional animal carers:

7.(1) Whenever it may become necessary for the purposes of protecting the health and welfare of animals of a certain species or category, the Minister may, with an Order published in the official Gazette of the Republic, request that, within a stated period, not less than 6 months, the professional animal carers and trainers, for the category of animals stated in the Order, secure a certificate of suitability for carrying out this profession, and the Minister may determine the procedure and conditions for the issue of this certificate.

7. (2) When the Order, according to paragraph 1, has been issued and is in force, it is prohibited for any person to engage in professional caring work for the stated category of animals in any way contrary to this Order.

8. Use of animals for Educational and Experimental Purposes:

8. (1) It is prohibited to use live animals for educational purposes, except after licence from the competent authorities which is issued only for cases which are considered necessary for professional training.

8.(2) The use of live animals for research and experimental purposes is prohibited, except if it is done within the framework of the Animals (Control of Experiments) Law, as it may be modified or amended at times.

9. Prohibition of certain methods of keeping, feeding and reproduction of animals:

9. (1) Irrespective of the provisions of the Improvements of Animals Law of 1991, regulations may govern reproduction matters which strictly affect the health and welfare of animals, and prohibit generally or specifically the use of certain biotechnological methods of reproduction and automated intensive methods of production and housing, as well as similar methods which are contrary to the principles of health and welfare of animals.

9. (2) These Regulations may allow for certain reproduction methods and housing under a previous conditions to continue under a previous licence and may provide for a transitory period so that existing establishments may be gradually harmonised with the new demands or prohibitions of these Regulations.

PART 111. MARKETING, TRANSPORT AND USE OF ANIMALS FOR ADVERTISEMENT AND OTHER PURPOSES

10. Marketing of Animals:

10. (1) Without prejudice to the other provisions of this Law Regulations may regulate, restrict or prohibit the professional marketing, letting or any other related act with regard to certain categories of animals with the ultimate object of assuring drastic protection of the health welfare of these animals.

10. (2) These Regulations may allow the marketing, letting or any other related act , to continue under a previous licence or approval granted to any interested person and may provide for such transitory periods that are existing at the start of the enforcement of the Regulations businesses or establishments dealing with the above-mentioned regulated acts, can comply with or gradually be harmonized with the new Regulations.

11. Exhibitions etc. of animals:

11. (1) Without the written permission of the competent authority, secured In advance, no person may organize public exhibitions or shows of animals or exhibit or display animals to the public for commercial, advertisement or decorative purposes. It is understood that the Competent Authority, before issuing the pertinent licence is satisfied that all indicated measures were taken both for the welfare and the correct treatment of animals as well as for the prevention of the

appearance and spread of infections or other diseases in animals and human beings who participate in these exhibitions.

11. (2) Applications for licence according to paragraph 1, must be submitted in writing to the competent authority and in the case of zoological or avian gardens or related activities, application must be accompanied by detailed plans of the entire exhibitory space and their management ways, as well as adequate information regarding the financing of the implementation of the specific programme or deed.

12. Transport of animals:

12. (1) Any transport of animals must be done under such conditions that the animals are protected from purposeless distress and injury.

12. (2) Regulation may govern more specifically the loading, transport, unloading, feeding, watering, feedstuffs and supervision of the animals transported as well as the arrangement and construction of the means of transport.

PART 1V. TREATMENT, KILLING AND SLAUGHTER OF ANIMALS

13. General:

13.(1) Irrespective of the provisions of the Law for Veterinary Practice, any intervention on an animal, which is reasonably expected to cause anxiety, agony or pain must exclusively be done only by a veterinarian.

13. (2) Surgical interventions on animals which are reasonably expected to cause pain, must be done under general or local anaesthesia, except if this is not indicated for therapeutic purposes.

13. (3) From the provisions of this article, the experimental procedures done under the Law for Animals (Control of Experiments) are exempted, as this Law may at times be modified or amended.

14. Regulations on Interventions upon Animals:

14. (1) Regulations may more specifically, govern, restrict or prohibit certain forms of intervention upon animals, with the object of further protecting the health and welfare of animals, and may provide for Justified exceptions from these prohibitions.

15. Slaughtering of Animals:

15. (1) Slaughtering of animals is prohibited, except if prior to initiating bleeding the animals are anaesthetized sufficiently using a procedure according to the provisions of paragraph 16.

15. (2) Regarding the slaughter of poultry, regulations may provide that anaesthesia is compulsory before the initiation of bleeding and may include regulatory or other provisions, as well as transitory periods with the object of securing a smooth and in-stages compliance with this obligation.

16. Methods of anaesthesia:

16. (1) If possible, the methods used for anaesthesia must produce an immediate effect. When this effect is not immediate, the method used must be painless.

16. (2) Specific anaesthesia methods may be specified for various species of mammals, poultry and fish.

17. Emergency killing or slaughter of animals:

17.(1) The emergency killing of slaughter of animals due to disease, injury, aging, aggressiveness and in other justified cases, must be done in a way that produces least possible distress or pain and considering the provisions of articles 15 and 16.

PART V. PROVISIONS FOR STRAY ANIMALS

18. Reduction of the number of stray animals:

18.(1) Irrespective of the provisions of any other relevant law, when the increase in the numbers of stray animals entails serious dangers to public health and safety, the competent authority may take the necessary measures for reducing these numbers to ecologically accepted levels, always within the framework of programmes which are approved by the competent authority.

18. (2) In case of immediate direct danger of spread of infectious diseases posing a threat either to man or other animals, it is allowed, as an exceptional case, for the competent authority to collect, hold, neuter or kill stray animals within the framework of the implementation of its programmes in accordance with the Contagious Diseases (Animals) Law of 1987.

18. (3) Collection, keeping, neutering or killing of stray animals is done according to the specified procedures set at various times.

PART V1. ESTABLISHMENT AND OPERATION OF DISTRICT COMMITTEES

19. Establishment of district Animal welfare committees:

19. (1) In each district of the Republic a Committee for Animal Welfare is established with the purpose of assisting the work of the police authorities and other competent agencies for the implementation of the provisions of this present Law and the Regulations and Orders issued based upon this Law.

19. (2) The members of each district Committee are nine and are appointed by the Minister from persons designated by the locally registered animal welfare societies, the agricultural organisations, the local administration boards and the Pan Cyprian Veterinary Association.

19. (3) Ex officio member of each district Committee is the District Veterinary officer designated by the Minister. Service of members.

20. Service of Members:

20. (1) The period of service of the members of each Committee is three years; members whose service has ended, may, having in mind adherence to the provisions of paragraph 2, of article 19, be re-appointed.

20. (2) If for any reason there are emptied positions, the Committee shall be completed with supplementary appointments for the remaining period of service of the Committee.

20. (3) Members of each District Committee serve and render their services on a non-profit, no-salary basis.

21. Ways of operation of the Committees:

21. (1) Members of each District Committee will elect a President, vice-president, Secretary and Treasurer.

21. (2) For the validity of the sessions of the Committee there should be quorum; the presence of at least half of the total number of members constitutes a quorum.

21. (3) During the proceedings of the committee minutes will be kept where the decision taken will be written including the reasoning behind these decisions as well as any statements or views by specialists asked at various times to assist the work of the Committees, the pertinent minutes book can, at any time, be inspected by the competent authority.

21. (4) The decisions of the Committees shall be taken by a majority vote of the members present and in case of a tie the President or, in his absence, the vice-president will cast the winning vote.

21. (5) Regarding other matters, the District Committee can determine by Its own decisions the ways of its operation and its internal procedures.

22. Source of funding and Committee Treasuries:

22.(1) Every District Committee, within the framework of the objective for covering the costs of its operation, shall make its own initiatives for establishing its own treasury the funds of which will arise exclusively from donations, contributions or inheritance as well as from the Government.

22. (2) Management of the treasury shall be done under the responsibility and control of the Committee and the bills of income and expenditures shall be subjected to an annual accounts control, in accordance with the established procedures of accounts control of books and bills of legally bound persons of public interest.

23. Competence:

23. (1) Each District Committee exercises its competencies and powers based upon this present law and the pertinent regulations within the administrative boundaries of each district for which it was established.

24. Jurisdiction of Committees:

24.(1) Each District Committee has jurisdiction, either on its own initiative or upon request, to advise the competent authority on matters of welfare of animals, to recommend to this authority the necessary measures, legal and administrative, with the object of the improvement of the protection and welfare of animals and, in general, to assist the competent authority in the effective implementation of the provisions of this Law and the Regulations and Orders issued based upon this Law and the Regulation and Orders issued based upon this Law, as well as, of any other animal welfare legislation.

24. (2) Each District Committee shall assist the police authorities in the investigation of cases of breaching of the protective provisions for animals of this Law and the Regulations derived from this Law.

25. Self-appointed investigation and report by the Committee:

25.(1) Without prejudice to the generality of the provision of article 24, whenever the Committee considers that there is reasonable cause to believe that any animal is subjected or is running a danger of being subjected to unnecessary distress, pain or injury in transgression of compulsory

or prohibitive provisions of this Law or the Regulations derived from this Law which refer to the protection or welfare of animals, the Committee is authorised to investigate the matter immediately.

25. (2) In the light of the above investigation the Committee, this being practically possible, advises the owner, keeper or the person responsible for looking after the specific animal or animals and recommends to him the undertaking of the necessary corrective or improvement measure for this situation.

25. (3) If the owner, keeper or responsible person for an animal or animals fails to conform, without a reasonable explanation, and implement the measures recommended within the time limits set by the Committee, then the Committee prepares a pertinent report for this situation and the measures which it recommended, and dispatches this report to the police authorities and, at the same time, to the competent authority.

26. Annual Report:

26. (1) Each District Committee prepares every year, before the end of March of the following year, a report of its activities for the previous year which it submits to the Minister.

V11. ADMINISTRATIVE AND PENAL PROVISIONS

27. Offences of the Law and Punishments:

27.(1) A person who breaches or tolerates, helps, advises or urges another to breach any of the compulsory or prohibitive provisions of this Law or of the Regulations or Orders derived from this Law which refer to the protection or welfare of animals or any provision of a licence or approval granted as a result of this Law, is guilty of an offence and, in case of a first sentence, is liable to imprisonment for a time period which does not exceed 6 months or to a payment which does not exceed CYP 500 or to both sentences, and in case of a second or other consequent sentence to imprisonment for a period which does not exceed 12 months or payment of a sum which does not exceed CYP 1000 or both. (there is a change such as 12 months, CYP 1000, exceed 24 months and CYP 2.000) respectively.

27. (2) Irrespective of the enforcement of the sentences provided in paragraph 1, the court can in addition withdraw, for as long a time period it considers necessary, from the person sentenced his right to maintain, look after, keep, own, use, trade, hunt or fish animals, as defined in this Law, in such a case, if the person sentenced has in his ownership, keeping or look after such animals, the court orders that they be slaughtered, sold or otherwise be dispensed within a set time period as the court will fix in its sentence.

27. (3) In case the person sentenced does not conform voluntarily with the sentence of the court, this is enforced by the Committee of the district where the animals are found and, if necessary, with the aid of the police authorities.

27. (4) The costs for carrying out the sentence of the court according to Paragraph (3), are borne by the person sentenced and are sought after as a public debt owed to the Republic.

27. (5) A court which has ordered withdrawal of any rights according to the provisions of paragraph (4), can postpone its implementation, if it considers it expedient, for as long as there is an appeal pending.

28. Responsibility of superintendents of legal persons:

28. (1) When an offence according to this Law, which was made by a legal person is proven that it has been made with the consent or tolerance or is due to negligence of any superintendent consultant, director, secretary or other similar officer superintendent of the legal person or of any person acting in this capacity, this person, as well as the legal person, are guilty of this offence and in case of conviction are liable to the sentences envisaged by this Law for the specific offence.

29. Penalties:

29. (1) Penal prosecution for an offence according to this Law cannot be made after the lapse of one year after the offence or six months from its coming into the awareness by the competent authority, whichever comes first. (This clause has been cancelled altogether and prosecution can be carried out even if months or years have passed since the cruelty case)

30. Defence:

30. (1) In a penal prosecution for an offence according to this Law, it is a defence for the accused if he proves that during the commitment of the offence that:

- (a) He was acting in an employee status under an employer, and**
- (b) He acted in good faith obeying directions or orders given to him on behalf of, or from the said employer.**

31. Powers of competent authority and police authorities:

31. (1) For the purpose of implementing and assuring the keeping of the provisions of this Law and the Regulations or Orders issued based upon this Law, the competent authority and police authorities, jointly or separately, have the power to take any of the following actions:

- (a) To enter any premises where there is reasonable cause to believe that any animals are kept, raised, slaughtered or treated in breach of the provisions of this Law and the Regulations and Orders issued according to this Law.**
- (b) Upon their entry into the premises, to be accompanied by specialists or other persons considered necessary for carrying out their duties.**
- (c) To inspect, examine and control any animals or any premises and equipment in the premises where they enter and to carry out such investigations or take pictures that are considered necessary for determining whether there is a breach of the Law.**
- (d) To request from the owner or keeper of the premises to present for inspection any books or documents for which there is reasonable cause to believe that they contain information relevant with the investigation carried out.**
- (e) To request from the owner or keeper of the premises, or from any person found in the premises upon their entry, or, from any person for whom there is reasonable cause to believe that he has worked in the premises or was related with the activities in the premises at any time during the previous three months, to give any information he may have or to which he has access which is related with the purpose of the investigation**
- (f) To take from the premises and transport any animal, article or sample from any substance which may be needed for the purpose of further investigation or testimony to be used in legal prosecutions.**
- (g) To carry out any other piece of work or activity which is deemed necessary or productive for fulfilling the objectives and purposes of this Law and the Regulations or Orders issued based upon this Law.**

31. (2) A person who –

- (a) Wilfully inhibits the competent authority or the police authorities in the exercise of their duties or powers vested in them by this Law or Regulations;**
- (b) Wilfully fails to confirm within a reasonable time period with any instruction or request given or made or imposed lawfully upon him by the competent authority or police authorities according to paragraph (1).**
- (c) Without reasonable cause fails to provide any other assistance or information which could be requested upon reasonable cause by the competent authority or police authorities in order to carry out their duties according to the Law and Regulations.**

Is violating the Law and in case of conviction is subject to imprisonment for a period which may not exceed 6 months or to a prime penalty which may not exceed CYP 500 or to both of these punishments simultaneously.

31. (3) No provision of this article can be construed as imposing upon a person the obligation to answer any question or give any information with which he could incriminate himself.

31. (4) For the purposes of this article, the term 'premises' means:

(a) A place where any business, marketing or profession is operating which is related with the keeping, raising, breeding, slaughter or treatment of animals

(b) A place where any books or other documents are kept which are related with the operation of a business, marketing or profession as mentioned in (a) above

(c) A place where any animals are kept, raised, bred, slaughtered or treated as a residence, once any of its part is used for the purpose of operating a business, marketing or profession as mentioned in (a) above or for the purposes of keeping or raising of any animal or animals and for the purposes of this Order 'place' includes a vehicle, ship or airplane.

V111. VARIOUS PROVISIONS

32. Regulations:

32. (1) The Council of Ministers may issue Regulations for the effective Implementation of the provisions of this Law, and also for specifying every matter which needs to be specified.

32. (2) Specifically, and without prejudice to the provisions of paragraph (1), these Regulations may include provisions for all or a number of the following matters i.e.:

(a) Defining conditions regarding the importation, raising, housing, maintenance, holding, training, permanent identification and use of animals of any species or category for commercial, entertainment or advertising purposes or for the purpose of sports;

(b) Defining conditions for the transport of animals within or outside the dominion of the Republic for any purpose or reason;

(c) Imposing obligatory registration of premises or places where animals are raised, housed, held or used for commercial, entertainment, advertisement purposes or for the purpose of sports;

(d) For the process of rendering unconscious, killing or slaughter of animals;

(e) For the collection, holding, neutering, killing or other disposition of stray, abandoned or starving animals and payment of pertinent expenses by their owners.

(f) For the necessary preconditions and qualifications of those intending to acquire or hold animals by purchase, donation, prize-winning or otherwise;

(g) Defining the conditions for the importation, exportation or marketing, as well as the preconditions for holding, raising of wild animals in captivity, including the precondition of securing a licence for owning such animals.

(h) For the inspection of animals and places of housing or keeping of these animals on a permanent or temporary basis.

33. Annulments and Reservations Cap. 47:

33. (1) The Protection of Animals Law is annulled from the date this Law is put into force.

33. (2) The Regulations of the Protection of Animals Law, which were issued based upon the above annulled Law will continue to be in force and after the date present Law is put into force, until the Regulations based upon this present Law come into force, whereupon the previous Regulations will be abolished.

34. Date of Enforcement:

This Law will come into force on the date set by the Council of Ministers and notice will be given in the official Gazette of the Republic