

LAW OF UKRAINE No. 3447 – IV

On the Protection of Animals from Cruelty

The present Law aims to protect animals from suffering and death as a consequence of being cruelly treated, to protect their natural rights, and to reinforce morality and compassionate behaviour in society.

PART I

GENERAL REMARKS

Article I. Definition of terms

In the present Law terms have the following meanings:

- animals – biological entities belonging to the following types of fauna: agricultural (farm animals), domestic, wild including domestic and wild birds, fur-bearing, laboratory and animals in zoos and circuses;
- wild animals – animals whose natural habitat is in the wild, including those in captivity and semi-captivity;
- domestic animals – dogs, cats and other animals which by long tradition are kept and bred by man , and also animals belonging to species or breeds artificially raised by man for fulfilment of his aesthetic or companionship needs, of which as a rule there is no corresponding viable wild population with similar morphological characteristics living in the wild;
- agricultural animals – animals kept and bred by man in order to obtain products and raw materials of animal origin;
- homeless animals – domestic animals abandoned by humans or living in semi-free groups, able to reproduce outside man’s control;
- experimental animals – animals used in the conduct of scientific experiments;
- euthanasia – humane methods of killing animals , without death agony;
- cruel killing of animals – killing animals without analgesics capable of precluding sensations of pain and fear;
- biosterilisation – the use of surgery to deprive animals of the ability to reproduce;
- cruel treatment of animals [cruelty to animals] – taunting animals when this is accompanied by cruelty or with hooligan intentions, also inciting animals to fight one another, whether for reasons of hooliganism or for monetary profit;
- humane treatment of animals – actions to protect animals from cruelty and benevolent intentions towards animals intended to bring about benefit to or improve the quality of their lives, etc;
- quarantine area – specifically equipped premises or parts of premises meant for the temporary keeping of domestic animals which have been caught or to isolate them as a temporary measure;
- keeping animals in domestic circumstances – limiting the natural freedom of domestic animals, restricting their freedom of movement out with a flat [or house] or the courtyard [garden] of a house;
- animal shelters – non-profit-making establishments specially intended and arranged to keep homeless animals.

Article 2. The legislative regulation of animal protection

Regulation [control] of the protection of animals from cruelty is implemented by the present Law and the laws of Ukraine, “On the Animal World”, “On Protection of the Natural Environment”, “On Veterinary Medicine”, “On Ensuring the Health and Epidemiological Well-being of the Population”, “On the Protection

of the Population from Infectious Diseases” and other normative-legislative Acts passed in accordance with them.

If Ukraine binds itself by international treaty to other regulations concerning animal protection, differing from those envisaged by the present Law, then the regulations of the international treaty [signed by] Ukraine take precedence.

Article 3. Sphere of competence of the present Law

The provisions of the present Law cover conduct involving the keeping of animals and the treatment of these animals by individuals and legal entities. The provisions of the present Law do not extend to the institutions of the Ministry of Defence of Ukraine, the Ministry of Internal Affairs of Ukraine and the Security Services of Ukraine, the central organ of executive power responsible for the security of the boundaries of the State or the central organ of executive power of the Customs authorities.

The provisions of the present Law cover the following types of activity:

- the rearing of farm animals, including pedigree animals;
- the treatment of animals on the territory of State nature reserves and other natural areas under special protection;
- hunting, the hunting industry, fishing; ownership of domestic animals and breeding of pedigree animals [pets];
- the use of animals in circuses and zoos, at exhibitions and other spectacles;
- the use of animals for sport, leisure and entertainment;
- the use of animals for the purposes of scientific research, education and testing;
- the use of animals in production, including the production of biological preparations;
- other kinds of activity which might affect animals.

The provisions of the present Law cover the treatment of animals whatever the form of ownership and the rights [of people] over animals as property.

Article 4. Basic principles of protecting animals from cruelty

The treatment of animals is to be based on the following principles:

- cruelty to animals is incompatible with the requirements of morality and compassion and causes moral harm to mankind;
- ensuring that the necessary conditions for animals are met, in accordance with their biological, species-specific and individual needs;
- the right to ownership and associated property rights over animals may be removed in the case of cruel treatment of animals, in accordance with the present Law;
- a ban on the cruel killing of animals;
- responsibility for cruelty to animals;
- animals to be kept and treated in such a way as to avoid harm to other persons or the animal itself.

Article 5. Ban on propagating cruelty to animals

Propagating cruelty to animals is forbidden, as is incitement to cruelty, and also the propagation of hunting in kindergartens, schools, vocational and technical colleges and higher-education establishments.

It is forbidden to use material showing cruelty to animals for the purposes of entertainment or commerce.

Article 6. Teaching compassionate attitudes to animals

The teaching of compassionate attitudes to animals is an important component in the ethical, cultural and ecological education of citizens.

The teaching of humane attitudes to animals envisages the formation of a high level of ecological and ethical consciousness and civilisation among citizens.

The inculcation of humane attitudes to animals may be brought about by teaching courses in ecological ethics and compassion to animals in kindergartens, schools, colleges and higher education.

PART II

REGULATIONS FOR KEEPING ANIMALS WITHOUT CRUELTY

Article 7. General regulations for keeping animals without cruelty

The conditions in which animals are kept should be appropriate for their biological, species-specific and individual needs.

The conditions in which animals are kept should satisfy their natural needs with regard to food, water, sleep, movement, contact with animals of the same species, natural habits and other requirements.

The number of animals kept is limited by the ability to ensure the conditions in which they are kept correspond to the requirements of the present Law.

The place where animals are kept must be so equipped and arranged as to ensure the necessary space, levels of temperature and humidity, natural light, ventilation and an environment suitable for the species of animal.

Keeping animals in schools and other children's institutions is permitted if the animals are constantly looked after in accordance with the requirements of the present Law.

Article 8. Special requirements for keeping wild animals in captivity

It is permitted to keep wild animals in captivity if they can be kept in conditions corresponding to their biological, species-specific and individual needs. It is forbidden to keep wild animals in conditions that do not meet these requirements.

Wild animals may be kept in captivity if a permit has been obtained from the central organ of executive power responsible for nature conservation [Ministry for the Environment].

Wild animals may be kept in temporary captivity without a permit when they have been rescued following injury.

Small wild animals which have traditionally been kept in captivity as pets may be kept by owners who can ensure conditions for the animals corresponding to the requirements of the present Law.

Article 9. Special requirements for the keeping of domestic animals [pets]

Any person who keeps a pet is obliged:

- to ensure for the animal the conditions essential for its biological, species-specific and individual needs, in accordance with the requirements of the present Law;
- to observe health and hygiene standards in the accommodation where the pet is kept (where it permanently resides) and the sanitary and hygiene norms of communal living.

Regulations regarding the keeping of pets are to be laid down by local government authorities.

Persons keeping pets have the right to be with their pet outside the place where they are normally kept (to accompany them or walk them).

A person must be over the age of 14 years to accompany or walk a pet.

Persons accompanying or walking a pet are obliged to ensure:

- the safety of other people and animals and also of property from harm that could be caused by the animal they are accompanying;
- the safety of the animal they are accompanying;

- the safety of traffic when walking animals near or crossing roads open to traffic, by keeping the animal under strict control.

When accompanying or walking pets it is forbidden to leave them unattended.

It is permitted to keep:

- pets in communal [multi-occupied] flats only with the written consent of all the tenants of the flat. In these circumstances pets may not be kept in those parts of the flat which are for common use;
- pets in the “zoo corner” of kindergartens, schools, scientific establishments, sanatoria and health-care establishments if the appropriate authorities give permission and this has been agreed with the authorities of the State health and epidemiology service and veterinary service;
- free-roaming domesticated animals on isolated, well-fenced territory or in isolated buildings, either tied up or not;
- domestic animals kept by legal entities as guards, whether in appropriately equipped accommodation or tied up; for [scientific] research purposes in enclosures, animal houses (vivaria) or breeding centers;
- dogs without a leash or muzzle when accompanying officers of law-enforcement agencies on operations; also working dogs and [working] dogs during drill/training, when hunting and on animal-training grounds.

Individuals and legal entities who keep domestic animals are obliged to observe the requirements of normative-legislative acts as indicated in Article 2 of the present Law, health and hygiene and veterinary standards and regulations, also to ensure there is no infringement of the rights and legitimate interests of other individuals and legal entities and that they do not endanger the safety of other people or animals.

Article 10. Veterinary service to animals

A person keeping an animal is obliged to provide it with prompt veterinary attention when required.

If it is suspected that an animal has developed a disease, the owner is obliged immediately to isolate the animal and summon a veterinarian.

Veterinary procedures may be carried out on animals only by persons with the appropriate specialist training.

Veterinary service must include the provision of euthanasia for animals or the new-born offspring of animals.

Article 11. Transport of animals

When animals are being transported their needs for food and water must be satisfied and they must be protected from harmful external influences.

The vehicles in which animals are to be moved must be specially designed and equipped so as to exclude possible harm to or death of the animals. During loading and unloading of animals it is necessary to use special equipment and methods so as to preclude injury to or death of animals.

Different species of animals should be transported separately, apart from those species which are normally in contact with each other or have no hostility towards each other.

Dead animals and animals not fit for further transportation should be removed from the vehicle at the first transport stop.

Regulations on the transport of animals are confirmed by the Cabinet of Ministers of Ukraine.

The movement of animals by public transport may be undertaken in accordance with the regulations on the carriage of animals by public transport.

Article 12. Aspects of ownership rights and other property rights over animals

Ownership rights and other property rights of a person keeping an animal are limited by the obligation to observe the norms and requirements of the present Law.

Ownership rights and other property rights over animals may be withdrawn in cases of cruelty to animals where the court decides on confiscation, with or without reimbursement of the cost of the animal.

Agreements concluded by a minor [under 18 years of age] to acquire or to give to another person ownership rights and other property rights over an animal may be declared invalid at the decision of the court if the said agreement is concluded without the consent of the parents or guardians of the minor.

Any harm caused to an individual or the property of an individual and also any harm caused to the property of a legal entity by an animal is subject to payment of full compensation by the keeper of the animal.

Article 13. Conditions of contracts relating to the sale/purchase of an animal

The sale and any preceding exhibition of animals to prospective buyers is permitted if the requirements of the present Law are observed.

The vendor of an animal is obliged to provide the purchaser with factually correct information about the appearance, breed, state of health and other specifications of the animal and about the conditions in which it is kept.

If a wild animal for sale belongs to a species named in *The Red Book [of endangered species] of Ukraine* or is a wild animal which must be protected under international agreements in force which have been signed by Ukraine, the vendor of the animal is obliged to show the purchaser a document confirming that the animal has been legally acquired.

Giving animals as presents is permitted if the prospective owner agrees in advance [to accept the animal].

Article 14. Licensing business activities relating to the use or keeping of pets

The following types of business activity must be licensed in accordance with the law:

- the breeding of pets (dogs, cats, exotic and decorative animals) in pedigree breeding establishments;
- dog training;
- training specialists in the areas mentioned immediately above.

Article 15. Animal shelters

Shelters are to be set up for the care of homeless animals. Animal shelters may be set up by departments of executive power, organs of local authorities, enterprises, establishments and organizations irrespective of the form of ownership, voluntary and charitable organizations and individuals.

Animal shelters may conduct their activities at the expense of the proprietors and through any other legal source [of funding]. Local government budgets may apportion funds for the creation of animal shelters and the reimbursement of expenditure to animal shelters, independent of the form of ownership.

The status of an animal shelter is to be confirmed by the central organ of executive power responsible for veterinary medicine.

Article 16. Controlling the population of wild animals and animals not kept by man but existing in conditions wholly or partly caused by human activity

Control of the population of wild animals and animals not kept by man but existing in conditions wholly or partly caused by human activity is carried out by surgical sterilisation or biologically based methods and, where these cannot be used, by euthanasia.

Article 17. Destruction of animals

The killing of animals is permitted:

- in order to obtain economically useful products;
- to end animal suffering if it cannot be ended in any other way;
- when it is necessary to kill new-born animals;

- to control the population of wild animals and animals not kept by man but existing in conditions wholly or partly caused by human activity;
- when it is necessary to kill individual animals who are rabid or suffering from some other especially dangerous disease or are carriers of an especially dangerous disease;
- when it is necessary as a defence against attack by an animal and the life or health of people is at risk.

When killing animals the following requirements must be observed:

- the killing must be carried out by methods that preclude death agony for the animal;
- the premises where the killing takes place must be separate from premises where other animals are kept;
- it is forbidden to use inhumane methods of killing animals which lead to death by suffocation, or by electric shock, painful injections, poisoning, curare-type drugs, overheating and other painful methods;
- utilisation of animals [animals' remains] is permitted only after their death;
- the killing of suffering animals must be carried out immediately if it is impossible to end their suffering in some other way.

SECTION III

REGULATIONS TO EXCLUDE CRUELTY IN THE TREATMENT OF ANIMALS

Article 18. General regulations to exclude cruelty in the treatment of animals

- When handling animals the use of equipment or implements which could injure them is not permitted;
- forcing animals to carry out actions which are unnatural for them and could lead to their injury is not permitted;
- beating or injuring an animal in order to force it to carry out any act is not permitted;
- using animals in such a way as to put excessive physical strain on them, and so forth, is not permitted.

When carrying out painful procedures on an animal it is obligatory to apply analgesics.

It is forbidden:

- to breed animals with expressed [?] genetic alterations that lead to their suffering;
- to breed animals so as to reinforce hereditary aggressive tendencies;
- to force animals to attack each other except in the case of hunting dogs or other hunting animals or birds used for hunting;
- to alter animals genetically;
- to apply pharmacological and mechanical [?] means of doping to animals;
- other actions or failure to act which contradict the principles of protecting animals from cruel treatment.

Article 19. The treatment of wild animals living in the wild

The regulations for the treatment of wild animals living in the wild are defined by the legislation on the animal world and the present Law.

Article 20. Rules for the treatment of hunted animals when hunting

When a hunting permit is granted the method of hunting is laid down, as is its accordance with the requirements of the present Law.

The equipment used in hunting wild animals must bring about a quick death which precludes suffering.

In hunting animals which are permitted to be hunted it is forbidden to use:

- equipment which does not ensure a quick death and absence of suffering for the animals;
- vehicles and other technical means and equipment, and poisons or explosive substances the use of which causes mass destruction of animals.

It is forbidden to hunt or capture or otherwise take hunted animals:

- which have young incapable of living independently;
- during the mating season and when animals are bringing up their young and, in the case of migratory animals, during the period when they are returning to their mating grounds;
- pregnant females;
- young animals unable to lead an independent existence;
- when land animals are crossing water reservoirs;
- in nature reserves, national nature parks and regional parklands for scientific, ecological research or educational purposes without advice from appropriate ethical experts.

It is forbidden to conduct hunting as entertainment which involves the pursuit, killing or death agony of animals, and the use of other animals to kill [prey] wild animals.

It is forbidden to cause suffering to animals by using them as live bait when hunting, capturing or in any other manner taking wild animals.

Article 21. Regulations for the treatment of animals in agriculture, livestock-rearing, the fishing industry and in obtaining products of animal origin

Requirements relating to the use of animals in agriculture, in accordance with the requirements of the present Law, are set down by the central organ of executive power on matters of agricultural policy [i.e., the Ministry of Agriculture Policy].

Regarding the equipment used to obtain animal products (for milking, shearing, feeding, etc) the use of painful or injurious methods is not permitted.

When breeding animals using biotechnological and genetic-engineering methods, altering the breed and the external appearance of animals is not permitted if this could lead to suffering for the animals.

Article 22. Regulations for precluding cruelty in the treatment of domestic animals

Any person keeping a domestic animal [pet] is obliged:

- to care for the animal, ensure it adequate amounts of food and constant access to water;
- to give the animal the possibility to carry out all necessary movement and have contact with other animals of the same species;
- to ensure the availability of a muzzle and leash, necessary for taking the animal for walks outside the place where it is normally kept;
- to ensure the animal is wearing a collar with identity tags;
- to ensure the animal is given prompt veterinary care as needed (examination, treatment, vaccinations, etc);
- immediately to inform medical or veterinary authorities of incidents where harm has been caused by a domestic animal to the health of a person or to another animal;

- immediately to deliver up the domestic animal which caused the incident referred to in the seventh clause of this Article to the veterinary authorities for examination;
- to prevent the uncontrolled breeding of pets.

Article 23. Regulations for the treatment of animals not kept by man but existing in conditions wholly or partly created by human activity

Control of the population of animals not kept by man but existing in conditions wholly or partly created by human activity is to be carried out in accordance with the requirements of the present Law.

The aim of capturing homeless animals (lost, abandoned, left without an owner, strays) is:

- to return them to their owners;
- to control their population in accordance with the requirements of the present Law.

It is forbidden to use catching methods, equipment and drugs which could injure animals or put their health or lives at risk.

In the event of epizootic diseases or risk of such, or in other dangerous situations, measures essential to reduce the numbers of the animals causing the danger are to be undertaken in line with procedures set out by the central organ of executive power responsible for protection of the natural environment.

Article 24. Capture and temporary isolation of domestic animals

Dogs, irrespective of their breed, ownership or use, including dogs with collars bearing a number-disc and muzzled, but found on the street, square, market-place, public gardens, gardens, boulevards, beaches, on public transport, in courtyards and other public places without an owner, are considered homeless and liable to capture.

Dogs, cats and other domestic animals are liable to temporary isolation by decision of the following authorities: health and epidemiological services, veterinary medical service; this also applies to those animals which have caused physical harm to a person or to another domestic animal.

The temporary isolation of a domestic animal may be carried out by force if the domestic animal is a danger to those in the vicinity.

An animal temporarily isolated is to be kept under observation for seven days from the day of capture and, following the conclusion of the State institute of veterinary medicine about the health of the animal, will either be returned to the owner (after payment of the cost of keeping it under observation) or, in the event of its representing a threat to the life or health of others, handed over to specialist organizations for further veterinary treatment or to be destroyed.

In order to ensure the capability to capture and isolate temporarily dogs, cats and other domestic animals, organs of local government may set up communal services or enterprises specializing in keeping and dealing with animals in populated areas, in accordance with local programmes for the control of the number of animals in populated areas.

The capture of dogs, cats and other domestic animals by individual citizens is forbidden except in cases where such animals are a danger to those in the vicinity and display aggression which renders them a threat to people.

The capture of dogs, cats and other domestic animals is to be carried out as a rule in the absence of bystanders between 5.00 and 7.00 a.m. or after 20.00 (in summer after 22.00).

Captured homeless domestic animals must be kept in quarantine on the territory of the service or enterprise which effected the capture for seven days from the date of capture, and may be returned to owners with the permission of the veterinary department after the owner has presented the registration document [of the animal] and paid the cost of catching and keeping the animal.

Captured stray animals are to be quarantined on the territory of the service or enterprise which effected the capture for five days from the date of capture and may be handed over to specialist organizations, if they so request, for homing in shelters [for strays].

If in the period of two months following the date when a stray animal is taken into custody the animal's owner is not discovered or he does not affirm his ownership rights over the animal, ownership of the animal is transferred to the person [or legal entity] who has been maintaining and using *[sic]* it.

If the person who had been maintaining and using the homeless animal refuses to accept ownership of it, the animal is to be transferred to the care of the community [local authority] where it was originally found.

Animals returned to their owners are to be vaccinated against rabies. The owners are obliged to keep such animals isolated for thirty days and, if the veterinary department has so ordered, present them again for examination.

Article 25. Regulations for the treatment of animals used in entertainment, sport and leisure

The use of animals in entertainment, sport and leisure activities for the purpose of gaining profit is permitted if a license for such activity has been granted by the central organ of executive power responsible for veterinary medicine.

Demonstration of animals at exhibitions and zoos is permitted on condition that animal-health and veterinary standards and regulations for the keeping of animals are observed.

A zoo may be set up on the basis of a license granted by the central organ of executive power responsible for conservation of the natural environment.

When working with animals during the conduct of sporting and entertainment activities, video- and photo-shoots, animals must not be caused injury, pain, mutilation or death.

It is forbidden to set up travelling menageries.

When training animals it is not permitted:

- to beat or frighten animals, to remove teeth, claws, etc.;
- to force animals to carry out acts which could cause them injury.

It is forbidden to use animals in entertainment, sport or leisure which suffer badly from captivity, enclosed spaces or training.

A person keeping an animal which is unable to participate in circus acts, sport or other entertainment is obliged to ensure the said animal is provided with care in accordance with the requirements of the present Law.

Conducting fights between animals is forbidden, as is the conduct of sporting or entertainment activities involving the hunting down, death or watching the death agony of an animal; it is forbidden to use animals to kill each other.

Article 26. Regulations for the treatment of animals used in scientific experiments, testing, education or the production of biological preparations

The use of animals in scientific experiments, biological testing and education is permitted only if there is no possible replacement for animals by alternative methods and objects.

A list of alternative methods and objects to use instead of animals is to be developed and confirmed by the central organ of executive power responsible for science and education.

Work with experimental animals may be carried out if a license to do so has been granted by the Committee on ethical questions (bioethics) of the central organ of executive power responsible for science and education.

The Committee on questions of ethics (bioethics) functions on the basis of a statute affirmed by the central organ of executive power responsible for science and education.

The right to conduct experiments on animals is permitted to persons who have graduated with degrees in medical, veterinary, bio-engineering, biological or pharmaceutical science from higher-education institutions of levels III-IV of accreditation.

Procedures on experimental animals, irrespective of the aim, which risk causing injury to animals or extreme or prolonged pain are to be conducted using analgesics.

An experimental animal which has already been used in a procedure may be used in a subsequent procedure only after it has been restored to normal health and on condition that :

- during the new procedure the animal is put under general anaesthetic;
- the subsequent procedure involves only an insignificant level of invasiveness.

It is forbidden to use animals in scientific experiments, testing and education which suffer in captivity, enclosed spaces or training.

It is forbidden to apply:

- devocalization (surgical removal of the vocal cords, so that the animal cannot make a sound);
- causing injury when removing an animal from a cage.

It is forbidden to use animals for demonstrations in education if the phenomenon to be demonstrated can be shown in inanimate objects; this includes the demonstration of the reflex actions of an organism.

During practical work in education it is forbidden to require students to carry out procedures leading to the injury or death of an animal if this goes against the students' moral or religious principles. In such cases alternative tasks must replace the said procedure [using animals].

Experiments on animals involving surgical or other harmful procedures cannot be conducted in the presence of or with the participation of children of school age.

Animals used in scientific experiments, testing and education must be cared for by qualified staff.

An experimental animal which is not going to live should be euthanased the moment the animal begins to suffer. The euthanasia method for experimental animals is an overdose of anaesthetic drugs.

The corpse of an animal may be disposed of only after death has been confirmed by a person responsible for working with animals.

PART IV. STATE CONTROL OF RELATIONS IN THE SPHERE OF ANIMAL PROTECTION

Article 27. State policy in the sphere of animal protection

State policy in the sphere of animal protection relates to the following basic areas:

- checking that legislation on the protection of animals from cruelty is observed;
- laying down national norms in the sphere of animal protection;
- propagating humane treatment of animals, developing and inculcating educational programmes on conservation and the protection of animals from cruelty;
- deciding responsibility for infringement of laws on animal protection.

Article 28. State regulation in the sphere of animal protection

The Cabinet of Ministers of Ukraine, with the assistance of the organs of executive power, ensures the fulfilment of State policy in the sphere of animal protection.

Regulating in the sphere of animal protection within the limits of their competence is carried out by:

- the central organ of executive power responsible for the protection of the natural environment;
- the central organ of executive power responsible for agricultural policy and veterinary medicine;
- the central organ of executive power responsible for science and education;
- other central and local executive powers and local authorities.

The jurisdiction of the organs of executive power and local authorities in the sphere of animal protection is defined by the present Law and other laws of Ukraine.

Article 29. Jurisdiction of the central organ of executive power responsible for the protection of the natural environment as it affects animal protection

The jurisdiction of the central organ of executive power responsible for the natural environment as it touches on animal protection encompasses:

- coordination of other organs of executive power in the sphere of animal protection;
- fulfilling state policy in the sphere of protection of wild, domestic and homeless animals from cruelty;
- confirmation of procedures for keeping and breeding wild animals in a state of captivity or semi-captivity;
- granting licenses for setting up zoos;
- facilitating the work of voluntary organizations in the sphere of protecting animals from cruelty;
- fulfilling other powers in the sphere of protecting animals from cruelty, in accordance with its competence.

Article 30. Jurisdiction of the central organ of executive power responsible for agricultural policy and veterinary medicine in the sphere of protection of animals from cruelty

The jurisdiction of the central organ of executive power responsible for agricultural policy and veterinary medicine as it relates to protection of animals from cruelty encompasses;

- fulfilling state policy in the sphere of protecting farm animals from cruelty;
- implementing control of the breeding and keeping of farm animals so as to exclude cruel treatment of them;
- granting licenses for the use of animals in sport, entertainment and photographing and video-filming them during leisure pursuits;
- developing and confirming veterinary and sanitary requirements for the keeping of animals in shelters, also the keeping and breeding of farm animals and wild animals and the conditions in which they are transported;
- developing and confirming regulations for the use of animals in entertainment;
- implementing other powers in the sphere of protection of animals from cruelty, within the limits of its competence.

Article 31. Jurisdiction of the central organ of executive power responsible for science and education with relevance to the protection of animals from cruelty

Jurisdiction of the central organ of executive power responsible for science and education as it affects animal protection encompasses:

- checking that the requirements of the present Law are observed when scientific experiments are conducted [on animals];
- confirming the list of scientific establishments having the right to conduct experiments on animals;
- granting licenses to conduct scientific experiments on animals;
- establishing procedures for carrying out experiments on animals;
- approving alternative methods and objects to replace the use of animals for obtaining scientific data;
- implementing other powers relevant to the protection of animals from cruelty, within its competence.

Article 32. Supervision by organs of [the Ministry of] internal affairs of observance of the present Law

Organs of [the Ministry of] internal affairs (traffic-police service and district police inspectors) implement supervision of the observance of procedures for walking domestic animals (dogs) in public places and take

appropriate measures if there is an infringement of the law on procedures for the treatment and keeping of domestic animals.

The police, under the procedures set forth in the Law of Ukraine “On the police”, have the right to shoot a domestic animal in cases where its behaviour constitutes a threat to the health of a person.

PART V. CONTROL BY THE PUBLIC [voluntary sector?] IN THE SPHERE OF ANIMAL PROTECTION

Article 33. Control by the public [voluntary sector?] in the sphere of animal protection

Control by the public in the sphere of animal protection is implemented by voluntary inspectors for conservation of the natural environment.

Voluntary inspectors for conservation of the natural environment have the right to compile reports on the facts of cases of cruelty to animals. These reports are to be examined by appropriate organs of executive authority responsible for environmental protection.

Voluntary inspectors for conservation of the natural environment as it relates to animal protection:

- take part, together with employees of state institutions of veterinary medicine, in carrying out raids and checks on observation of legislation on animal protection by businesses, institutions, organizations and [private] citizens;
- offer assistance to organs of state control which regulate matters of animal protection in their actions to prevent infringement of laws relating to animal protection.

Article 34. Control by voluntary organizations in matters of animal protection

Control [inspection] in matters concerning animal protection may be implemented by voluntary organizations which by virtue of their Constitution aim to protect animals from cruelty.

Voluntary animal protection organizations:

- take part together with state organs which regulate animal protection in conducting checks to see that businesses, institutions and organizations have in place and are carrying out programmes and measures to protect animals from cruelty;
- raise with the appropriate organs of state authority questions of confiscating animals and the responsibility of the individuals who keep them, in accordance with legislation in force, where cases of cruelty to animals come to their knowledge;
- pursue legal action to claim compensation for harm caused as a consequence of infringement of legislation on animal protection, including harm caused to the health of citizens and the property of voluntary organizations.

Voluntary organizations which by virtue of their Constitution aim to protect animals from cruelty have the right to obtain information essential for the fulfilment of their Constitutional aims and tasks from organs of state or local authority.

The activities of voluntary organizations relating to animal protection are carried out in accordance with Ukrainian legislation on the basis of their Constitutions.

Article 35. Culpability for infringement of the requirements of the present Law

Any person guilty of infringing the requirements of the present Law bears criminal, administrative and civil legal responsibility in accordance with the law.

PART VI. CONCLUDING CLAUSES

2. The present Law comes into force from the date of its publication.
3. Introduce into article 9 of the Ukrainian law, “On the licensing of certain types of business activity” (Information [bulletin] of the Supreme Parliament of Ukraine, 2000, No. 36, art. 299, No. 45, art. 377; 2001, No. 11, art. 45, No. 16, art. 76, No. 22, art. 105; 2002, No. 6, art. 39, No. 7, art. 50, No.

17, art. 121, No. 20, art. 134, No. C, art. 207, No. 31, art. 214; 2003, No. 13, art. 92, No. 23, art. 145, No. 36, art. 276; 2004, No. 12, art. 155, no. 13, art. 180, No. 15, art. 228, No. 38, art. 468, No. 50, art. 537; 2005, No. 4, art. 106, No. 5, art. 114, No. 6, art. 138, No. 9, art. 183, Nos. 17-19, art. 267, No. 28, art. 373, No 32, art. 421, No. 33, art. 432) the following amendments:

- i) point 72, inserted into article 39 of the Law of Ukraine of 13 January 2005 No. 2340-IV (Information [bulletin] of the Supreme Parliament of Ukraine, 2005, No. 9, art. 183) to become point 721;
- ii) add to point 76 the following content: “76) breeding domestic animals (dogs, cats, exotic and decorative animals) in pedigree breeding establishments, training dogs, the training of specialists in these areas”;
- iii) within three months from the date when the present Law comes into force the Cabinet of Ministers of Ukraine is to
 - give the Supreme Parliament of Ukraine proposals on the introduction of any alterations to the laws of Ukraine made necessary by the present Law;
 - approve any normative-legal acts essential for the implementation of the present Law;
 - bring its normative-legal acts into conformity with the present Law;
 - ensure that Ministers and other central organs of executive power align their normative-legal acts with the present Law.

President of Ukraine Viktor Yushchenko

21 February 2006