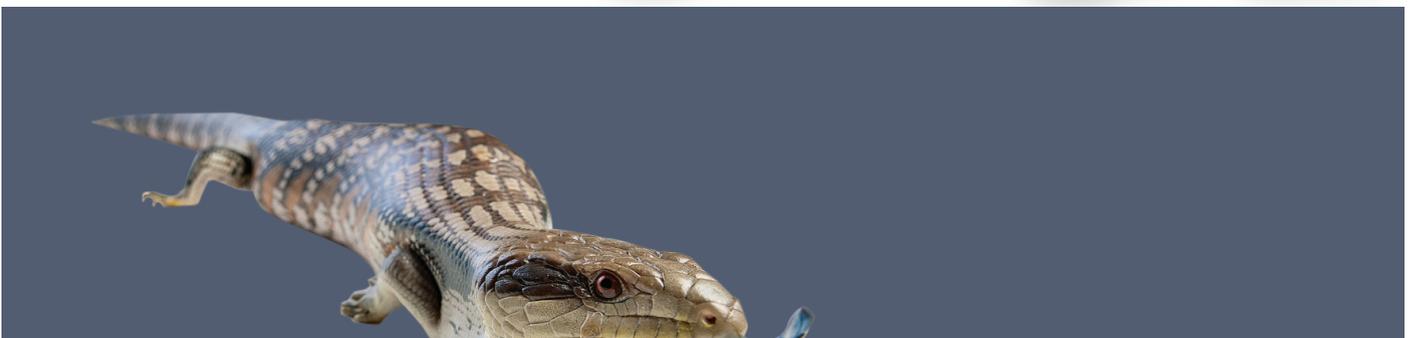


Analysis of national legislation  
related to the keeping and sale  
of exotic pets in Europe

JUNE 2020

# EUROGROUP FOR ANIMALS



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## Acknowledgements

Eurogroup for Animals takes this opportunity to thank our Member Organisations and national competent authorities who provided their input and feedback on our analysis.

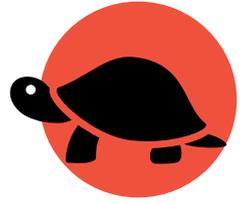
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Every effort has been made to ensure the information in this analysis is accurate and up-to-date. It should be noted, however, that this information is subject to change without notice and Eurogroup for Animals can accept no liability for the accuracy of all the information presented at any given time.

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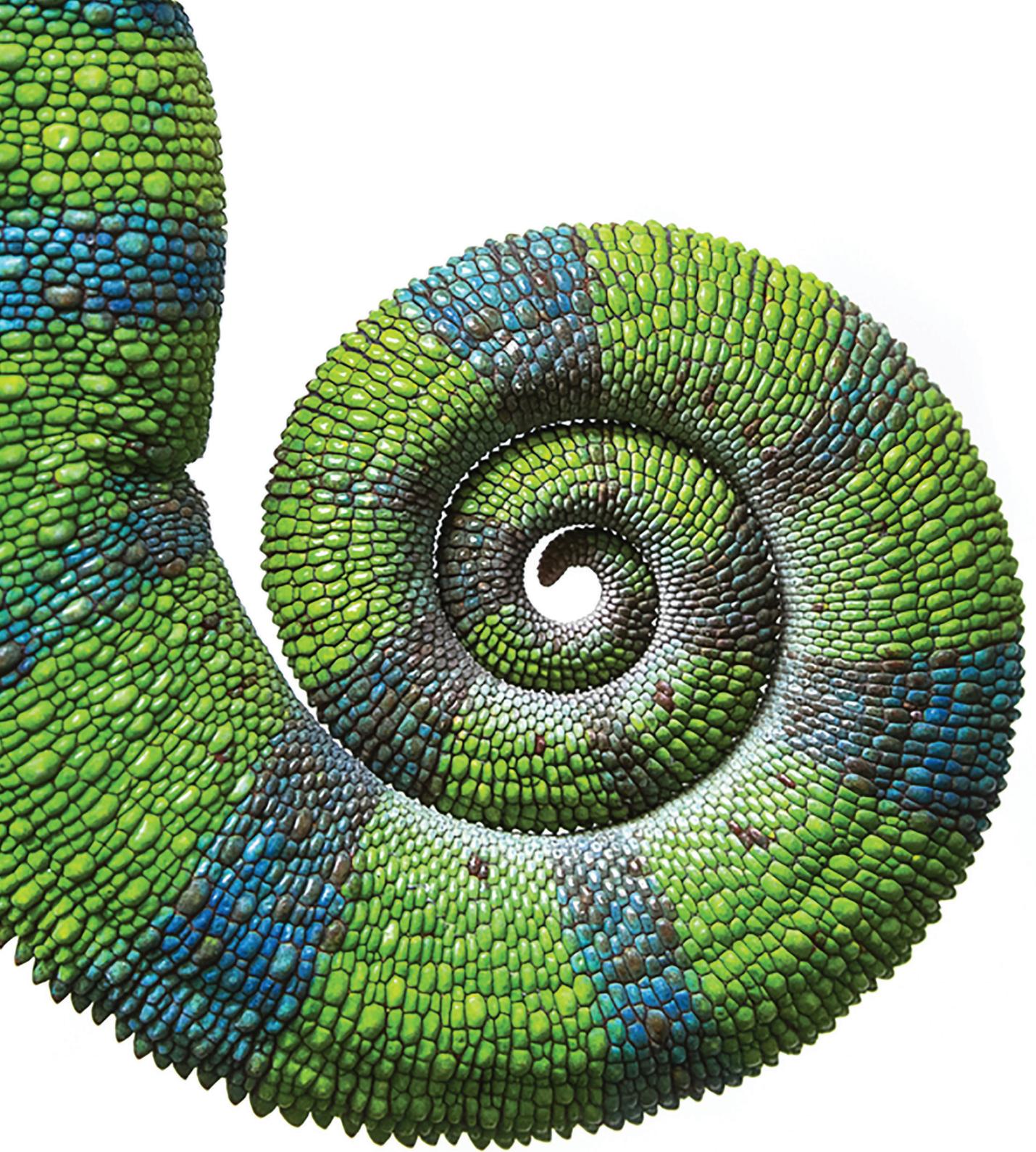


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# Glossary

## CBD [1]:

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

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

The Convention was first introduced by the United Nations Environment Programme (UNEP) in 1988 as a response to the growing recognition that biological diversity is a global asset of tremendous value. To date, when the threat to species and ecosystems is so great, 196 Parties adopted the Convention of Biological Diversity.

## CITES [2]:

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) is an international agreement between governments established in 1975. CITES is a legally-binding treaty to which states or countries (referred to as 'Parties') adhere voluntarily and aims to protect wild animals and plants from over-exploitation by international trade. The Convention provides a framework that must be implemented in the national legislation of the Parties that have adopted the CITES treaty. CITES has been signed by 183 Parties and warrants the protection to more than 35.000 species of animals and plants.

## DAISIE [3]:

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

## Exotic pet:

For the purposes of this report we use the term "exotic pet" to refer to all non-domesticated animals, both native and non-native, kept as pets (see paragraph 2.1 What is an exotic pet?).

## Five Freedoms [4]:

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

## IAS:

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

## ISSG [7]:

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

## NOBANIS [8]:

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

## OIE:

The World Organisation for Animal Health is the intergovernmental organisation responsible for improving animal health worldwide. It is recognised as a reference organisation by the World Trade Organization (WTO) and in 2019 had a total of 182 Member Countries.

## Zoonotic disease:

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

# Executive Summary

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

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

To determine the regulatory gaps on the keeping and sale of exotic animals in EU Member States, a review of existing animal welfare and other relevant legislation at national level was conducted. The countries covered by the study are the 28 EU Member States, with the UK further split in four 'entities', as well as Norway and Switzerland. The main examined aspects include the following: restrictions on the private keeping of exotic animals; registration and authorisation; housing and other requirements; rules for pet shops including training of staff; and abandonment and release of exotic pets. The report also briefly reviews relevant existing and pending legislation at European level (Council of Europe and European Union).

“The study demonstrates the heterogeneity and the gaps in current national legislations related to exotic pets.”



## Results

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

The study demonstrates the heterogeneity and the gaps in current national legislations related to exotic pets.

Out of the 30 countries studied, only Greece did not have any restriction on the private keeping of exotic pets. Switzerland does not have a list of species that may or may not be kept by private persons. In addition, lists may only cover some animal groups such as mammals, or are based on criteria such as dangerous animals or invasiveness and not on animal welfare criteria.

Concerning housing requirements for exotic pets, 20 countries (of which 19 are EU Member States) as well as Scotland and Wales have no rules for private keeping. 12 countries (all EU Member States) as well as Northern Ireland do not have any requirements for the sale of exotic animals in pet shops, although in Italy and Spain regional laws may stipulate provisions. The training of pet shop staff is not compulsory in 14 countries as well as Northern Ireland and in 11 countries as well as Northern Ireland, Scotland and Wales pet shops are not obliged to provide information on housing and care of the animals to the purchaser (all countries being EU Member States; and with the exception that both requirements apply in some regions of Italy and Spain).

Finally the legislation of all countries, except for one, covers the abandonment of animals. In 6 countries, abandonment is only punishable in the case of non-endemic animals. However, only animal welfare, environmental protection and related legislation was covered during the research.

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

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

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

## Recommendations

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

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

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





# 1. Introduction

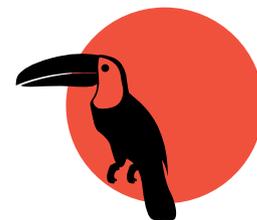


In recent years, there has been a growing trend in the keeping of more unusual species of animals, often referred to as 'exotic pets' [9]. This is a notable shift from the more traditional, domesticated pet animals such as cats and dogs, toward species such as reptiles, amphibians, invertebrates as well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

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



# 2. Areas of concern related to exotic pets



## 2.1. What is an exotic pet?

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

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

The terminology however may vary both in its use and meaning, internationally and at EU level [5]. At EU level exotic pets are virtually undefined. National legislation of EU Member States generally includes definitions for 'pets', 'companion animals', 'domesticated animals' or 'wild animals', but very few countries define 'exotic' animals. An

overview of the available definitions of the different terms in the EU Member States and a few other European countries can be found in Annex 1.

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

## 2.2. Concerns about keeping exotic animals as pets

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

### 2.2.1. Animal health and welfare

Exotic animals have complex needs that are closely tied to their natural diet, the environment and species-specific behaviour in the wild. These needs are not always well studied [15]. It can be difficult, if not impossible in some cases, for private owners to provide for these needs. Examples exist of animals suffering as a result of poor husbandry, for instance inadequate nutrition, misuse of heating equipment and inappropriate or lack of medical care. Furthermore, even when scientific information on the species' needs

is available, keepers may lack knowledge of these requirements, thus affecting the welfare and health of the animal. From an ethical point of view, it is questionable whether the keeping of such species should even be permitted if the health and welfare cannot be assured.

According to Schuppli and Fraser (2000) the welfare and health of many exotic species cannot be guaranteed when they are kept in captivity as it might be difficult to provide for the 'Five Freedoms' described by the Farm Animal Welfare Council (1992). Although the **Five Freedoms** were originally defined for farm animals, they are applicable to other animals and have been used for assessing the welfare of pet and captive animals.

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

It is clear that comprehensive knowledge of a species is a key component if one expects to fulfil its needs and ensure good health and welfare. Understanding housing requirements and environmental needs is important, but even when knowledge is

## 2. Areas of concern related to exotic pets

available it can be difficult to satisfy the specialised needs of some exotic species in a household environment. Potentially inadequate knowledge and expertise of the average keeper, combined with the constraints of a household setting, can make it extremely difficult to meet the Five Freedoms for an exotic pet.

Apart from the difficulties in ensuring good welfare of exotic pets, owners may struggle to keep up their commitment in taking care of the animal, due to traits such as long life expectancy, large adult size, complex housing requirements, aggressive nature or high costs [10].

### 2.2.2. Invasiveness threat

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

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

An analysis of species invasions in Europe documents a dramatic increase in invasions since the start of the twentieth century, which is still on-going, and the pet trade remains an important pathway [16]. The invasive potential of a species in a particular country is not always known; in these instances, the known degree of invasiveness of the species in another country with similar habitats can give an indication. Besides the fundamental ecological risk, significant economic costs are also at stake: Europe spends about 12

billion Euros each year to control and limit the damages caused by IAS [18].

Information on invasiveness of a certain species can be found on the IUCN/SSC 'Invasive Species Specialist Group (ISSG)' website [7], the 'Delivering Alien Invasive Species Inventories for Europe (DAISIE)' website [6] or the 'European Network on Invasive Alien Species (NOBANIS)' website [8]. The EU has also introduced EU Regulation 1143/2014 on invasive alien species, stipulating the adoption of a list of IAS that are not to be intentionally kept, bred, traded, allowed to reproduce or released into the environment.

### 2.2.3. Species and habitat conservation

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

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

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

### 2.2.4. Health and safety risks

Exotic species can also pose a potential health and safety risk for their keepers, other captive animals and native wildlife, particularly as a vector for zoonotic diseases [15]. Some animals, such as venomous reptiles, crocodiles, wolves, primates and large cats can pose a serious safety risk to humans and other animals; and in some countries the keeping of such animals by private individuals is regulated or prohibited. Exotic animals can be carriers of diseases such as rabies, monkeypox and salmonella [15]. An estimated 71.8% of emerging zoonotic diseases originate in wild species (e.g. Nipah virus and SARS) [23]. "Zoonoses from wildlife represent the most significant, growing threat to global health of all EIDs [emerging infectious diseases]" [23].

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

# 3. Regulation - positive and negative lists of species



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

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

## 3.1. Positive list

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

Belgium was the first EU country with a positive list for mammals (Box 1). The list contains 42 species that are allowed to be

### BOX 1:

#### THE BELGIAN POSITIVE LIST



The Belgian (regional) positive lists (mammals only) contain 43 species that are allowed to be kept, and any mammal not on these lists is prohibited in private ownership (Royal Decree of 16 July 2009 for Brussels and Flanders, as well as the Decision of the Flemish Government of 13 July 2018 on amending the Royal Decree of 16 July 2009; and the Decree of the Walloon Government of 24 July 2018). The lists contain cats, dogs, several mice species, ferrets, chinchillas, four deer species, hamsters, horses, rabbits, rats, degus, guinea pigs, gerbils, black-tailed prairie dogs, the red necked-wallaby, alpine ibex, llamas and the typical farm animals.

The regulation was first enacted nation-wide in the Royal Decree of 7 December 2001. It was eventually contested in court by the pet trade industry in 2007 as prohibiting trade between Member States and ultimately referred to the European Court of Justice. The Court found the list not inconsistent with Council Regulation (EC) No. 338/97 on the protection of species of wild fauna and flora by regulating trade therein and left the issue to the Belgian court. This court had to determine if the list was based on objective and non-discriminatory criteria and if a procedure was in place for parties to request the inclusion of species to the list. The latter was absent in the initial regulation and the list was cancelled by the Belgian Council of State after a complaint by the 'National Council of Animal Owners'. A revised regulation (without changing the species list) was promulgated 1 October 2009 along with a procedure to formally request amendments to the list of species (Royal Decree of 16 July 2009). A second complaint on the revised version by the 'National Council of Animal Owners' was rejected and the positive list for mammals has been retained.

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

Competencies for the positive list have since then been transferred to the regions. Each of the three Belgian regions is currently preparing positive lists for non-mammals and the Flemish region has adopted a positive list for reptiles in 2018.

kept by private individuals and 4 additional species that are allowed to be kept for production purposes (Royal Decree of 16 July 2009). The species must comply with certain criteria (see section 3.3.) in order to be added to the list. Any mammal species not included in this list is forbidden in private ownership. Exceptions can be made for specialised keepers who prove they have the necessary knowledge and skills, and can provide appropriate housing for the animal. While requests for exceptions are possible, the general principle of a positive list is to restrict keeping of species of animals whose welfare cannot be assured in a household environment by the average owner. Currently the positive list only addresses mammals, but similar regional lists are under preparation for non-mammals. In order to add a species to the positive list in Belgium, a request form with detailed argumentation has to be sent to the competent authority.

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

#### 3.2. Negative list

A negative list contains species that are prohibited from being kept by private owners. It is typically not possible to acquire a permit or authorisation for such species, but exceptions can be made for zoological gardens and research institutions. 25 EU Member States have adopted negative lists. A negative list is usually drafted for reasons of potential risk (e.g. health, safety, ecological) posed by certain species, restrictions on international trade or for conservation purposes. While lists vary by country, they often include species that may pose a health or safety risk such as primates, big cats, venomous reptiles, birds of prey and crocodiles. Some countries or regions have negative lists that include all exotic animals (Brussels region in Belgium) or invasive alien species (Andalusia and Valencia autonomous regions in Spain).

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

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

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

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

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

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



# 4. Relevant legislation at European level



## 4.1. Council of Europe

### Convention for the Protection of Pet Animals

The European Convention for the Protection of Pet Animals aims at assuring the welfare of animals, especially animals kept privately in the European territory [30]. It has been open for signature since 1987 and entered into force in 1992. The Convention includes general provisions covering the care of pet animals of all kinds, the humane control of dog and cat populations and the control of trade in pet animals. Since 1995 it also includes a resolution discouraging the keeping of wild animals as pets (Council of Europe, 1995) [31].

So far the Convention has been ratified by 24 countries, including 18 EU Member States (Council of Europe, status as of 25/06/2019) [301]. Countries are legally and morally bound to incorporate the provisions of the Convention into their own national legislation six months after the ratification [32].

Unfortunately, due to the lack of an enforcement mechanism, some countries have only partially implemented the Convention or have made reservations. Some EU Member States have implemented the provisions in their national legislation without ratifying the Convention.

In 1995, the Council of Europe adopted a non-binding Resolution on the Keeping of Wild Animals as Pet Animals. It recalls the provision in the Convention stating that *'the keeping of specimens of wild fauna as pet animals should not be encouraged'*. The requirements of Article 4 of the Convention states that *'pet animals should be provided with accommodation, care and attention taking into account the ethological needs of the animal in accordance with its species and breed, and that an animal which cannot adapt itself to captivity in spite of these conditions being met, shall not be kept as a pet animal'* [30]. In order to control the keeping of exotic pets, criteria related to housing and care, knowledge of the keeper, escape prevention and human health and safety were incorporated in Resolution on the Keeping of Wild Animals as Pet Animals (Box 2) [31].

## 4.2. European Union

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

At the international level, the trade in wildlife is controlled by the Convention on International Trade in Endangered Species

of Flora and Fauna (CITES) [1], which is applied in the European Union through Council Regulation 338/97/EC on the protection of species of wild fauna and flora by regulating trade therein (Basic Regulation) [33] and Commission Regulation (EC) No 865/2006 lays down detailed rules for the implementation of Council Regulation (EC) No 338/97 (Implementing Regulation) also known as the EU Wildlife Trade Regulations [34]. The aim of these Regulations is to conserve wild species by ensuring that international trade in these species does not threaten their survival.

The Regulations include four Annexes (A, B, C and D) that divide species according to their level of trade restrictions. The EU categorises animals and plants according to more stringent criteria than those of CITES, and includes species listed in the EU Birds and Habitats Directives, as well as those that - if introduced to the EU natural habitat - could pose a serious ecological threat to indigenous species. The commercial use of Annex A species is prohibited with exemptions possible for captive-bred specimens and species intended for breeding, education or research for conservation purposes. According to Article 8.2 of the Regulation "Member States may prohibit the holding of specimens, in particular live animals of

#### BOX 2:

#### RESOLUTION ON THE KEEPING OF WILD ANIMALS AS PET ANIMALS



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

1. An animal must be housed and cared according to its physiological and behavioural needs;
2. In particular, the following conditions must be met:
  - i. space allocation sufficient for the specific needs of the animal in particular for movements and exercise;
  - ii. appropriate enclosure enrichment with climbing material, digging possibilities, rest and hiding places as well as bathing, swimming or diving facilities;

- iii. possibilities to fulfil the needs for social behaviour;
- iv. appropriate climatic conditions.

3. The keeper must have appropriate knowledge to be able to satisfy the physiological and behavioural needs of the animal during its entire keeping;
4. The necessary conditions must be met to prevent the animal from escaping;
5. The aspects related to aggressiveness of the animal and to possible risk for human safety and health should be taken into account."

## 4. Relevant legislation at European level

the species listed in Annex A". In this report 'holding' of species is usually referred to as 'keeping' of animals or species.

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

### **Council Directive 92/65/EEC and Regulation (EU) 2016/429 (Animal Health Law)**

*Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals* [356] will be repealed and replaced by Regulation (EU) 2016/429 on transmissible animal diseases on 20 April 2021. Its implementing and delegated acts will be finalised by 2021. The Directive and then subsequently the new regulation and the related delegated and implementing acts provide for specific health requirements for the movement of animals into, out of and within the Community. All animal species that are not already covered by specific EU rules are included.

The legislation harmonises the rules for movements of live animals between EU Member States and imports into the EU from third countries, to prevent the entry of animals with infectious diseases. Imports are conditional on specific requirements, including a health certificate. Live animals entering the EU are inspected at authorised Border Inspection Posts.

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

*Commission Implementing Regulation (EU) No 139/2013 of 7 January 2013 laying down animal health conditions for imports of certain birds into the Union and the quarantine conditions thereof* [36] sets requirements for the import of bird species other than poultry. This regulation prohibits the import to the EU of birds caught in the wild for health reasons.

The import of wild birds bred in captivity in approved establishments is currently [37] authorised from 15 establishments, in 5 countries. Only registered establishments are authorised to export and must comply with specific requirements laid down by the third country authorities. The imported birds are submitted to a range of tests and to quarantine in registered centres upon arrival in the EU. Birds imported for conservation programmes, pets accompanying their owners and animals intended for zoos, circuses, amusement parks or experiments are exempted.

### **Regulation (EU) 1143/2014 on Invasive Alien Species**

As part of the EU 2020 Biodiversity Strategy (adopted in May 2011), the European Commission introduced Regulation (EU) 1143/2014 on invasive alien species, which entered into force on 1 January 2015 (thereafter referred to as IAS regulation).

The IAS regulation stipulates the adoption of a list of invasive alien species of Union concern (thereafter referred to as the Union list). Species listed on the Union list are prohibited from being intentionally imported (including transit), kept, bred, traded, allowed to reproduce or released into the environment. Derogations can, however, be granted. The regulation is evaluated every six years, while the Union list is updated every year. The European Commission or the Member States can propose additional species to be included in the Union list, based on a risk assessment. The Scientific Forum, consisting of representatives of the scientific community in the Member States, reviews these risk assessments. Other stakeholders are also invited to submit additional evidence. If the Scientific Forum issues a positive opinion, the risk assessment is passed on to the IAS Committee (representatives of all Member States), which examines the compliance of the proposed species with the criteria for listing. Also here, stakeholders are invited to provide feedback on the draft implementing regulation.

In addition, the IAS regulation provides for a set of measures to be applied in the EU in relation to IAS, which include prevention, early detection and rapid eradication, and management.

### **Animal Health Law**

The EU Animal Health Strategy provides a framework for animal health measures for the period of 2007 – 2013 [3841]. It is focused on the prevention of disease with emphasis on precautionary measures, disease surveillance, controls and research. It provides for the adoption of a single and clearer regulatory framework, the EU Animal Health Law, which was proposed on 6 May 2013 by the European Commission. Ideally, the legislative proposal should cover the health of all animals kept in the EU for food, farming, sport, companionship, entertainment and in zoos, as well as wild animals and animals used in research where there is a risk of them transmitting disease to other animals or to humans.

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

# 5. Methodology



While some provisions related to the welfare, private keeping and sale of exotic animals are included in the various EU legislations mentioned in the previous section, no general regulations exist at the EU level to cover the overall welfare of exotic pets. So far, it is up to the Member States to adopt animal welfare legislation addressing the keeping and sale of these animals.

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

The legislation of each Member State was analysed in relation to specific aspects (see 5.1) in order to answer questions regarding the private keeping and sale of exotic pets. The analysis of the legislative review was subsequently sent to animal welfare organisations and some competent authorities in the corresponding Member States for comments or corrections.

## 5.1. List of questions used during the survey

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

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

The initial report from 2013 studied a total of 31 countries, including all – at the time – 27 EU Member States, and Croatia, Norway, Switzerland and Turkey.

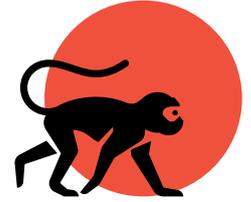
As the United Kingdom (UK) does not have an overarching federal animal welfare law, it was divided into England, Wales, Scotland and Northern Ireland and represented as four separate 'entities'. Germany, Austria, Belgium and Spain have regional specific animal welfare Legislation, as well as federal animal welfare law and were therefore not split up into different entities.

Thus, the 2019 update included 28 EU countries Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Republic of Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and United Kingdom (England, Wales, Scotland, Northern Ireland).

In addition to the EU Member States, two additional countries were studied: Norway and Switzerland.



# 6. Analysis of national legislation



## 6.1. Private keeping of exotic pets

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

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

countries can be found in Table 1.

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

When no restrictions are established on the types of animals that may be kept and housing conditions are not specified, animals can be found in abhorrent conditions.

- Out of the 30 countries, **25 (all EU Member States) have a type of negative list**. Austria, Croatia, Germany and Spain also have additional negative lists at a regional level.
- Six countries have **positive lists**: Belgium (currently only for mammals), Croatia (only for exotic birds, fish and molluscs), Luxembourg (dogs, cats, ferrets and other commonly kept pets; ornamental fish and birds; domestic bees; certain species of non-venomous arthropods, mollusks, amphibians and reptiles), Malta (only for pet shops), the Netherlands (only for mammals, currently under revision and not in force yet) and Norway (for mammals and reptiles).
- All countries, except for Greece, have certain **restrictions on the private keeping** of exotic animals and **24**



(Caption) Donkey was a chimpanzee rescued by Eurogroup's member Stichting AAP from a life tied to a dog house in Portugal.

**countries (23 EU)** require some form of **authorisation**. In case of regional negative lists or legislation, authorisation on regional level may be required in certain countries.

- **9 countries (8 EU)** as well as Northern Ireland and England have specified housing requirements for exotic pets with very **detailed requirements in 9 (8 EU)** of them as well as England, including information on minimum cage sizes, temperature, social structure, accommodation, feeding and more (**Box 3**)



### Box 3 HOUSING REQUIREMENTS FOR PETS IN AUSTRIA



The Austrian animal welfare law and secondary legislation includes restrictions on the private keeping of certain animal species for reasons of animal protection. In addition to these restrictions, Austria has adopted very detailed housing requirements for numerous animal species. Private persons keeping animals have to ensure that the space, freedom of movement, condition of the ground, structural equipment of buildings and facilities, environmental conditions (in particular light and temperature), care and food, the possibility for social contacts, adaptation and domestication of animals correspond to their physiological and ethological needs (Animal Protection Act 2004). It further states “no animal shall be kept unless it can reasonably be expected, on the

basis of its genotype or phenotype, that it can be kept according to the state of the art of scientific knowledge without detrimental effect on its well-being” (Animal Protection Act 2004).

To comply with these requirements, the Austrian government adopted detailed minimum standards to keep exotic mammals, birds, amphibians, reptiles and fish (attachments of the 2nd Regulation on Livestock; BGB1 II No. 486/2004, last amend. by BGB1 II 341/2018). Exact standards on cage sizes, structure of the accommodation, bedding material, temperature, humidity, nutrition and social requirements are given for specific species.

# Map 1

## Overview of the current legislation on the private keeping of exotic pets



**6 countries (5 EU)** have a **positive list** at a national level.



**22 countries (all EU)** have a **negative list** at a national level, prohibiting the private keeping of certain animal species.



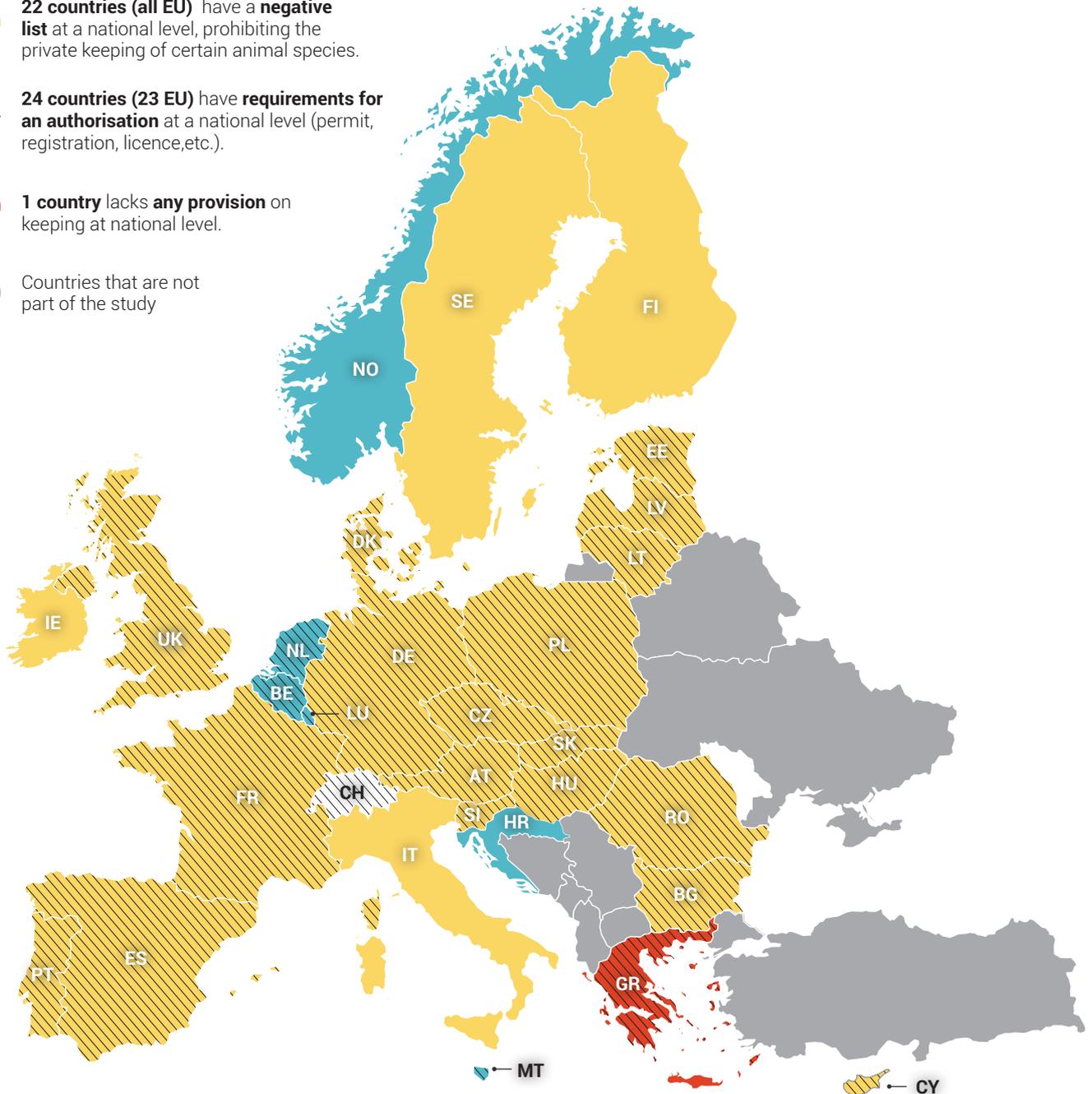
**24 countries (23 EU)** have **requirements for an authorisation** at a national level (permit, registration, licence, etc.).



**1 country** lacks **any provision** on keeping at national level.



Countries that are not part of the study



### COUNTRIES COVERED BY THE STUDY

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



**TABLE 1:**

## Overview of the current legislation on the private keeping of exotic pets

COUNTRY	ANIMAL WELFARE LAW (TRANSLATED TITLE)	RELATED LEGISLATION	POSITIVE LIST	NEGATIVE LIST	RESTRICTIONS ON PRIVATE KEEPING OF EXOTIC ANIMALS
<b>Austria</b>	Animal Protection Act - TSchG 2004 (BGBl I No. 118/2004, last amend. BGBl I No. 86/2018)	2nd Regulation on Livestock (BGBl II No. 486/2004, last amend. BGBl II No. 341/2018)	No	Yes	Yes
<b>Belgium</b>	Law of 14 august 1986 regarding the protection and the welfare of animals (last amend. April 2019)	Royal Decree of 16 July 2009 establishing the list of mammals which may be kept (last amend. September 2018)	Yes	No	Yes
<b>Bulgaria</b>	Animal Protection Act SG No. 13 of 8 February 2008 (last amend. 2011)	Biological Diversity Act SG No. 77 of 7 September 2008 (latest amend. June 2018)	No	Yes	Yes
<b>Croatia</b>	Animal Protection Act 2017	Rulebook on conditions for breeding pets intended for sale, 2009; Rulebook for pet shops and wholesale (coming into force in 2019); Regulation NN 17/2017-404 on species that may be placed on the market and invasive alien species.	Yes	Yes	Yes
<b>Cyprus</b>	Law for the Protection, Health and Welfare of Animals No. 46(I)/1994 (last amend. 55(I)/2013)	Law on the Protection and Management of Nature and Wildlife No. 153(I)/2003; Law on the Protection and Management of Game and Wild Birds 152(I)/2003; Ministerial Decree (221/2017) listing animal species which cannot be imported, traded, sold or advertised	No	Yes	Yes
<b>Czech Republic</b>	Act of the Czech National Council on the Protection of Animals Against Cruelty No. 246/1992 (last amend. 2017)	Act on Protection of Nature and the Landscape No. 114/1992 (last amend. 2017); Decree No. 395/1992 Coll. implementing provisions of the Act on Protection of Nature and the Landscape (last amend. 2018); Decree 411/2008 Coll. on animal species requiring special care (last amend. 2011); Decree 346/2006 Coll. on detailed conditions of keeping and training of animals	No	Yes	Yes
<b>Denmark</b>	Animal Welfare Act No. 20 of 11 January 2018	BEK No. 1261 of 17 November 2015 prohibiting the keeping of certain animals; Act on the Keeping of Animals No. 1 of 2 January 2019	No	Yes	Yes
<b>Estonia</b>	Animal Protection Act of 13 December 2000 (last amend. RT I, 13 March 2019, 16)	Nature Conservation Act of 21 April 2004 (last amend. November 2018); Regulation 29 of 12 April 2007 on the Registration of the Keeping of Wild Mammals, Birds, Reptiles in Annex A to Council Regulation (EC) No 338/97 on the Protection of Species of Wild Fauna and Flora by Regulating Trade therein and the Prohibition on Keeping of Hominoidea; Regulation 76 of 24 July 2008 on Pet Keeping Requirements (last amend. June 2009)	No	Yes	Yes

REASONS FOR RESTRICTIONS	AUTORISATION REQUIREMENTS (LICENSE, PERMIT, REGISTRATION, etc.)	SPECIFIC REQUIREMENTS TO BE MET TO OBTAIN AN AUTHORISATION	HOUSING REQUIREMENTS GENERAL OR DETAILED	HOUSING REQUIREMENTS SPECIFIED FOR EXOTIC PETS
Animal protection and welfare	Yes	No	Detailed requirements (cage sizes, temperature, feeding, social context and more)	Yes
Animal protection and welfare; human health and safety; protection of biodiversity and ecological risks	Yes (exceptional permits for keeping of animals not in positive list)	Yes (sufficient expertise and appropriate environment to ensure good animal welfare)	General requirements	No
Animal protection and welfare; human health and safety; protection of biodiversity and ecological risks	Yes (registration)	No	General requirements	No
Human health and safety; protection of biodiversity and ecological risks	No	No	General requirements	No
Protection of biodiversity and ecological risks	Yes (licence for vulnerable native animal species)	No	General requirements	No
Animal protection and welfare; human health and safety; protection of biological diversity and ecological risks	Yes (authorisation)	No	General requirements (for certain trained wild animal also detailed requirements on cage sizes, temperature, and more)	Yes
Animal protection and welfare; human health and safety	Yes (for animals in Annex 1 to BEK No. 1261)	Yes (animal was obtained before 2016, is clearly labelled, and cannot reproduce)	General requirements	No
Protection of biodiversity and ecological risks	Yes (registration of protected species in category I and for species in Annex IV to the Council Directive 92/43/EEC)	No	Detailed requirements (cage sizes, structures, feeding and more)	Yes

**TABLE 1: Continued**

Overview of the current legislation on the private keeping of exotic pets

COUNTRY	ANIMAL WELFARE LAW (TRANSLATED TITLE)	RELATED LEGISLATION	POSITIVE LIST	NEGATIVE LIST	RESTRICTIONS ON PRIVATE KEEPING OF EXOTIC ANIMALS
<b>Finland</b>	Animal Welfare Act 247/2006 (last amend. 2018)	Animal Welfare Decree 396/1996 (last amend. 674/2010); Nature Conservation Act 1096/1996 (last amend. 2019); Nature Conservation Decree 160/1997 (last amend. 2015)	No	Yes	Yes
<b>France</b>	Chapter IV (on Animal Protection) of the Rural and the Maritime Fisheries Code (last modified 22 May 2019); article 1 of Order of 8 October 2018 laying down general rules for the keeping of non-domestic animals; article R. 214-17 of the Rural Code and article R. 654-1 of the Criminal Code	Order of 8 October 2018; articles L. 413-1 and seq., L. 413-3 and seq., R. 413-1 and seq. and R. 413-1 and seq. of the Environmental Code; section No. 2140 of the regulation on classified installations for the protection of the environment; Decree No. 2017-230 of 23 February 2017 on the conditions for the identification and transfer of non-domestic animals held in captivity	No	Yes	Yes
<b>Germany</b>	Animal Welfare Act (TSchG) of 18 May 2006 (BGBl I p.1206, last amend. 17 December 2018)	Federal Ordinance on the Conservation of Species (BArtschV 2005, last amend. 21 January 2013); Act on Nature Conservation and Landscape Management (Bundesnaturschutzgesetz, BNatSchG 2009, last amend. 13 May 2019)	No	Yes	Yes
<b>Greece</b>	Law on domesticated and stray companion animals and the protection of animals from exploitation for profit, 4039/2012 (last amend. 4235/2014)	Provisions of Law 604/1977; Presidential Decree 463/1978	No	No	No
<b>Hungary</b>	Act XXVIII of 1998 on the Protection and Humanness towards animals (amend. Act LXVII, 2002)	Joint Decree No 85/2015 (XII. 17.) on dangerous animals and on the rules of their keeping; Decree on the keeping of pet animals and marketing 41/2010 (amend. Government Regulation 115/2012. (VI. 11), Annex 5)	No	Yes	Yes
<b>Ireland</b>	Animal Health and Welfare Bill 2013(last amend. May 2019)	Number 39 of 1976 Wildlife Act (last amend. December 2018)	No	Yes	Yes
<b>Italy</b>	Law No. 189 of 20 July 2004 (last amend. Decree n.75 2010 and Law 96 2010) on provisions regarding the prohibition of mistreatment of animals and their use in clandestine animal fights or non – authorised competitions (OJ No. 178, 31 July 2004); Law of 11 February 1992, n. 157 Rules for the protection of warm-blooded wildlife and for hunting	Official No. 15, 2002 Order No. 8; Decree of the Ministry of Environment of 19 April 1996 (amended by the Decree of the Ministry of Environment of 26 April 2001); Act No. 150 (amended by Act 426 of 1998 and Decree No. 275 of 2001) on implementing the CITES regulations	No	Yes	Yes

REASONS FOR RESTRICTIONS	AUTORISATION REQUIREMENTS (LICENSE, PERMIT, REGISTRATION, etc.)	SPECIFIC REQUIREMENTS TO BE MET TO OBTAIN AN AUTHORISATION	HOUSING REQUIREMENTS GENERAL OR DETAILED	HOUSING REQUIREMENTS SPECIFIED FOR EXOTIC PETS
Animal protection and welfare; protection of biodiversity and ecological risks	No	No	Detailed requirements (accommodation, cage sizes, feeding and more)	Yes
Animal protection and welfare; human health and safety; protection of biological diversity and ecological risks	Yes (declaration for species as defined in column (b) and authorisation for species in column (c) of Annex 2 of the 2018 Order)	Yes (for species as defined in column (c) of Annex 2 of the 2018 Order, e.g. competency certificate is required)	General requirements	No
Animal protection and welfare; protection of biodiversity and ecological risks (national level) and human health and safety (Länder level)	Yes (a permit or authorisation is needed in 9 Länder for certain dangerous animals; exceptional permits are also possible for IAS in the Union list)	Yes (requirements in 9 Länder for dangerous animals)	General requirements	No (only not legally binding ones)
Non given	Yes (registration of every pet)	No	General requirements	No
Human health and safety; protection of biodiversity and ecological risks	Yes (licence)	Yes (experience, special qualifications)	Detailed requirements (cage sizes)	Yes
None given	No	No	General requirements	No
Human health and safety; protection of biodiversity and ecological risks	No	No	General requirements	No

**TABLE 1: Continued**

Overview of the current legislation on the private keeping of exotic pets

COUNTRY	ANIMAL WELFARE LAW (TRANSLATED TITLE)	RELATED LEGISLATION	POSITIVE LIST	NEGATIVE LIST	RESTRICTIONS ON PRIVATE KEEPING OF EXOTIC ANIMALS
<b>Latvia</b>	Animal Protection Law 1999 (last amend. June 2017)	Species and Habitats Protection Law 2000 (last amend. September 2017); Cabinet Regulation No. 1055, 2009 on Rules on the List of Animal and Plant Species of Community Interest in Need of Protection and the List of Species of Animals and Plants Subject to Restricted Use in the Wild; Cabinet Regulation No. 396, 2000 on Provisions Concerning the List of Specially Protected Species and Restricted Species (last amend. July 2004); Cabinet Regulation No. 1165, 2010 on Procedures for Issuing Permits to Acquire Non-Hunted Species, Introduce Wild Species Untypical to Latvian Nature (Introduction) and Restore Species Populations (Reintroduction) (last amend. June 2017); Cabinet Regulation No. 1139, 2009 on Procedures for the Storage, Registration, Capture, Marking, Trade and Certification of Endangered Species in International Trade (last amend. September 2012); Cabinet Regulation No. 1146, 2010 on Registration Procedures for Keeping Wildlife Species	No	Yes	Yes
<b>Lithuania</b>	Law on Animal Welfare and Protection of 6 November 1997 No. VIII-500 (last amend. 2016)	Law on Wildlife (6 November 1997, No VIII-498) (last amend. 2017); Law on the Protected Fauna, Flora, Fungi, and Communities (6 November 1997, No VIII-499) (last amend. 2017); Regulation on use of wild animals - Ministry of Environment 2011-06-30 No. D1-533/B1-310 (last amend. 2018); State Veterinary Service Regulation on pet trade.	No	Yes	Yes
<b>Luxembourg</b>	Animal Protection Act of 27 June 2018	The Grand Ducal Regulation of 18 March 2000 on Conditions for the keeping and maintenance of pets (last amend. December 2018); the Grand Ducal Regulation of 16 November 2018 establishing the lists of authorised animals and the requirements to apply for keeping authorisation	Yes	No	Yes
<b>Malta</b>	Animal Welfare Act XXV of 2001 (last amend. 2014)	Protection of Animals Offered in Pet Shops (Minimum Standards) Regulations 2013; Owning and Keeping of Dangerous Animals Regulations (Legal Notice 46 of 2016); The Environment Protection Act (Act I of 2016, Chapter 549) (last amend. 2018); Code of Police Laws; Trade in Species of Fauna and Flora Regulation (Legal Notice 236 of 2004; last amend. 2007); Control of Invasive Alien Species of European Union Concern Regulations (Legal Notice 337 of 2017)	Yes	Yes	Yes (for dangerous animals)

REASONS FOR RESTRICTIONS	AUTORISATION REQUIREMENTS (LICENSE, PERMIT, REGISTRATION, etc.)	SPECIFIC REQUIREMENTS TO BE MET TO OBTAIN AN AUTHORISATION	HOUSING REQUIREMENTS GENERAL OR DETAILED	HOUSING REQUIREMENTS SPECIFIED FOR EXOTIC PETS
Animal protection and welfare, protection of biodiversity and ecological risks	Yes	Yes (for wild, non-native, specially protected and CITES animals)	General requirements	No
Animal protection and welfare, protection of biodiversity and ecological risks	Yes (licence)	No	General requirements	No
Animal protection and welfare; human health and safety; protection of biodiversity and ecological risks	Yes (authorisation)	Yes (sufficient expertise and appropriate environment for the animal)	General requirements (and some detailed requirements for dogs, horses, rabbits and poultry)	No
Animal protection and welfare; human health and safety; protection of biodiversity and ecological risks	Yes (permit)	Yes (sufficient expertise and appropriate environment, from which animal cannot escape in case of dangerous animals)	General requirements	No

**TABLE 1: Continued**

Overview of the current legislation on the private keeping of exotic pets

COUNTRY	ANIMAL WELFARE LAW (TRANSLATED TITLE)	RELATED LEGISLATION	POSITIVE LIST	NEGATIVE LIST	RESTRICTIONS ON PRIVATE KEEPING OF EXOTIC ANIMALS
<b>Netherlands</b>	Animals Act of 19 May 2011 (last amend. April 2019)	Decree of 5 June 2014 containing rules for keepers of animals; Regulation of 23 June 2014 containing rules for keepers of animals; Nature Conservation Act of 16 December 2015; Nature Conservation Decree of 11 October 2016; Nature Conservation Regulation of 16 October 2016	Yes	Yes	Yes
<b>Norway</b>	Animal Welfare Act 2009 (last amend. June 2018)	The Wildlife Act No. 38 of 29 May 1981 (last amend. October 2016); Nature Diversity Act No 100 of 19 June 2009 (last amend. June 2019); Regulation on foreign organisms - FOR 2015 No 716 (last amend. October 2018); Regulation prohibiting the import, trading and keeping of exotic animals - FOR 2017 No 597	Yes	No	Yes
<b>Poland</b>	Act on the Protection of Animals (last amend. June 2019)	Act on the Protection of Nature 16 April 2004 (last amend. January 2019); Ordinance from August 3, 2011 on species of animals that are dangerous to human life and health; Regulation of the Minister of the Environment of October 12, 2011 on the protection of animal species	No	Yes	Yes
<b>Portugal</b>	Protection of Animals Law 92/95 (last amend. August 2014)	Decree No. 121/2017 ensuring the implementation of CITES and Regulations (EC) No. 338/97 and No. 865/2006; related Ordinances No. 86/2018 prohibiting the keeping of certain species, and Ordinance No. 85/2018 on registration and marking schemes for CITES and species listed in Decree No. 140/99 on the implementation of the EU's Habitats and Birds Directives (last amend. November 2013); DL 565/99 regulating the introduction of non-indigenous species (last amend. April 2017); DL No. 276/2001 on the implementation of the EU Convention on the Protection of Companion Animals and Regulations on Potentially Dangerous Animals (last amend. January 2019)	No	Yes	Yes
<b>Romania</b>	Law No. 205/2004 on the Protection of Animals (modified by Law 9/2008)	Order No. 523/2008 (also 31/2008) on the Approval of the Methodological Norms for applying Law No. 205/2004 on the Protection of Animals; Order No. 1798/2007 for the Approval of the Procedure for Issuing the Environmental Authorization; Order No. 57/2007 on the protection of natural areas, the conservation of natural habitats, and of wild fauna and flora	No	Yes	Yes

REASONS FOR RESTRICTIONS	AUTORISATION REQUIREMENTS (LICENSE, PERMIT, REGISTRATION, etc.)	SPECIFIC REQUIREMENTS TO BE MET TO OBTAIN AN AUTHORISATION	HOUSING REQUIREMENTS GENERAL OR DETAILED	HOUSING REQUIREMENTS SPECIFIED FOR EXOTIC PETS
Animal protection and welfare; human health and safety; protection of biodiversity and ecological risks	Yes (until the new positive lists comes into force, animal species not kept in the Netherlands before February 2015 need to be reported to the authorities within 14 days; once the positive list comes into force, exemptions for the keeping of animals not in the list can be requested)	No (once positive list comes into force, those requesting an exemption need to specify the reason for their request and describe the housing and care for the animal, which should ensure good health and wellbeing)	General requirements	No
Animal protection and welfare; human health and safety; protection of biodiversity and ecological risks	No	No	General requirements	No
Human health and safety; protection of biodiversity and ecological risks	Yes (species in Annex 2 to the Ordinance on dangerous species)	Yes (fulfilling safety requirements)	General requirements	No
Animal protection and welfare; human health and safety; protection of biodiversity and ecological risks	Yes (permit for wild and potentially dangerous animals as per 276/2001; exceptional permits also possible for all other species on the negative lists)	Yes (permit for wild and dangerous animals requires being of legal age, not convicted of a crime, and proof of insurance; similar requirements for all other species on negative lists plus being able to prevent animals from escaping and keeping the animals for a clear objective, e.g. research and education)	Detailed requirements (temperature, humidity, cage sizes and more)	Yes (but this does not include the vast majority of exotic species, only some birds, amphibians and reptiles and fish)
Animal protection and welfare; human health and safety; protection of biodiversity and ecological risks	Yes (authorisation for wild animals; for endemic wild animals only temporary authorisation until reintroduction into nature)	No	General requirements (detailed requirements for zoo animals also apply to companion animals kept indoors)	No

**TABLE 1: Continued**

Overview of the current legislation on the private keeping of exotic pets

COUNTRY	ANIMAL WELFARE LAW (TRANSLATED TITLE)	RELATED LEGISLATION	POSITIVE LIST	NEGATIVE LIST	RESTRICTIONS ON PRIVATE KEEPING OF EXOTIC ANIMALS
<b>Slovakia</b>	Veterinary Care Act No. 39/2007 Coll. (last amend. by No. 91/2019 Coll.); Decree No. 123/2008 Coll. on Details on the Protection of Companion Animals and Requirements for Quarantine Stations and Animal Shelters	Decree No. 143/2012 Coll. on the Breeding of Dangerous Animals (last amend. by Decree No. 417/2019); Nature and Landscape Protection Act No. 543/2002 Coll. (last amend. by 221/2019 Coll.); Decree No. 110/2005 Coll. - Implementing Certain Provisions on the Protection of Species of Wild Fauna and Flora by Regulating Trade Therein (last amend. by 387/2018 Coll.)	No	Yes	Yes
<b>Slovenia</b>	Animal Protection Act 43/2007 (last amend. 2013); Rules on the protection of pet animals 75/2005 (88/2005), 51/2009	The Nature Conservation Act 119/02/, 22/03, 96/04; Order on the Living Conditions for and Care of Animals of Wild Species Kept in Captivity 90/01; Decree on Protected Wild Animal Species, 46/2004 (last amend. 102/2011)	No	Yes	Yes
<b>Spain</b>	Animal Welfare Act 32/2007 (last amend. June 2017)	Natural Heritage and Biodiversity Act 42/2007 (last amend. July 2018); RD 630/2013 on invasive alien species; Ownership of Potentially Dangerous Animals Act 50/1999 (last amend. November 2001); Autonomous Regions (AR) Laws	No	Yes	Yes
<b>Sweden</b>	The Animal Welfare Act (2018: 1192) and the Animal Welfare Regulation (2019: 66)	SJVFS 2019:15, Ref No. L80 - The National Agricultural Administration's Regulation and General Advice on Conditions for the Keeping, Rearing, Selling, etc. of Animals Intended as Pets or for Hobby Purposes	No	Yes	Yes
<b>Switzerland</b>	Animal Welfare Act (TSchG) 455/2005 (last amend. 2014)	Animal Welfare Ordinance (TSchV) 455_1/2008 (last amend. 2018)	No	No	Yes
<b>UK - England</b>	Animal Welfare Act 2006	Dangerous Wild Animals Act 1976 (last amend. October 2018); Pet Animal Act 1951 (last amend. October 2018); Wildlife and Countryside Act 1981 (last amend. March 2019); The Control of Trade in Endangered Species Regulations 2018; The Invasive Alien Species (Enforcement and Permitting) Order 2019	No	Yes	Yes

REASONS FOR RESTRICTIONS	AUTORISATION REQUIREMENTS (LICENSE, PERMIT, REGISTRATION, etc.)	SPECIFIC REQUIREMENTS TO BE MET TO OBTAIN AN AUTHORISATION	HOUSING REQUIREMENTS GENERAL OR DETAILED	HOUSING REQUIREMENTS SPECIFIED FOR EXOTIC PETS
Animal protection and welfare; human health and safety; protection of biodiversity and ecological risks	Yes (authorisation for dangerous animals; permit for protected species)	Yes (for dangerous animals: animal cannot escape, housing meets requirements laid down in legislation, and regular inspections)	Detailed requirements (cage sizes, structures and more - for dogs, cats, ferrets, rodents, rabbits, and aquarium fish; and for dangerous animals)	Yes (for dangerous animals)
Protection of biodiversity and ecological risks	Yes (notifying of the acquisition for species of Annex 2 of Order on the Living Conditions for and Care of Animals of Wild Species Kept in Captivity 90/01)	Yes (only under certain circumstances, Decree 46/2004)	Detailed requirements (cage sizes, structures and more) but only for cats, dogs, ferrets and rodents in shelters	No
Animal protection and welfare; human health and safety; protection of biodiversity and ecological risks	Yes (licence for dangerous animals)	Yes (certificate of psychological fitness and insurance)	Spain: No Regional laws: General requirements	No
Animal protection and welfare	No	No	Detailed requirements (accommodation, climate, light and more)	Yes
Animal protection and welfare; human health and safety	Yes (licence for species listed in the Animal Welfare Ordinance (TSchV) 455_1/2008)	Yes (training and other requirements, e.g. housing)	Detailed requirements (feeding, care, climate, noise and more)	Yes (exotic pet keepers have to fulfill the same minimal standards as zoos)
Animal protection and welfare; human health and safety; protection of biodiversity and ecological risks	Yes (licence for species listed in the Dangerous Wild Animals Act 1976 and registration of birds in schedule 4 of the Wildlife and Countryside Act 1981).	No	Detailed requirements (Codes of Practice)	Yes (for non - human primates only)

**TABLE 1: Continued**

Overview of the current legislation on the private keeping of exotic pets

COUNTRY	ANIMAL WELFARE LAW (TRANSLATED TITLE)	RELATED LEGISLATION	POSITIVE LIST	NEGATIVE LIST	RESTRICTIONS ON PRIVATE KEEPING OF EXOTIC ANIMALS
<b>UK - Northern Ireland</b>	Welfare of Animals Act (Northern Ireland) 2011	The Dangerous Wild Animals (Northern Ireland) Order 2004; The Control of Trade in Endangered Species Regulations 2018	No	Yes	Yes
<b>UK - Scotland</b>	Animal Health and Welfare (Scotland) Act 2006	Dangerous Wild Animals Act 1976 (as modified in 2008 by No. 302); Nature Conservation Act (Scotland) 2004; Wildlife and Countryside Act 1981 (last amend. March 2019); The Control of Trade in Endangered Species Regulations 2018	No	Yes	Yes
<b>UK - Wales</b>	Animal Welfare Act 2006	Dangerous Wild Animals Act 1976 (last amend. October 2018); Pet Animal Act 1951 (last amend. October 2018); Wildlife and Countryside Act 1981 (last amend. March 2019); The Control of Trade in Endangered Species Regulations 2018; The Invasive Alien Species (Enforcement and Permitting) Order 2019	No	Yes	Yes



REASONS FOR RESTRICTIONS	AUTORISATION REQUIREMENTS (LICENSE, PERMIT, REGISTRATION, etc.)	SPECIFIC REQUIREMENTS TO BE MET TO OBTAIN AN AUTHORISATION	HOUSING REQUIREMENTS GENERAL OR DETAILED	HOUSING REQUIREMENTS SPECIFIED FOR EXOTIC PETS
Human health and safety	Yes (licence for species listed in the Dangerous Wild Animals (Northern Ireland) Order 2004 (No. 1993 (N.I. 16))	No	General requirements	Yes
Animal protection and welfare; human health and safety; protection of biodiversity and ecological risks	Yes (licence for species listed in the Dangerous Wild Animals Act 1976 and registration of birds in schedule 4 of the Wildlife and Countryside Act 1981).	No	Detailed requirements (Codes of Practice)	No
Animal Protection and welfare; human health and safety; protection of biodiversity and ecological risks	Yes (licence for species listed in the Dangerous Wild Animals Act 1976 and registration of birds in schedule 4 of the Wildlife and Countryside Act 1981).	No	Detailed requirements (Codes of Practice)	No



## 6.2. Sale of exotic pets

The Convention for the Protection of Pet Animals does not include requirements for the sale of exotic species. The Convention only stipulates that pet trading businesses be declared to the competent authority, that there be sufficient knowledge and experience of the trader, and for premises and equipment to comply with housing requirements for pets. Council Regulation 338/97/EC [34] prohibits the commercial trade and sale of endangered species (Annex A) and the import of some species posing an ecological threat. Trade of animals listed in the Annexes B to D is allowed after obtaining a permit. Furthermore, the Regulation (EU) 1143/2014 on invasive alien species (IAS regulation) stipulates that species listed on the Union list cannot be imported, kept, bred, traded or released. Derogations can, however, be granted.

However, many species in the exotic pet trade are not included in these regulations. It is up to the individual Member States to lay down more detailed legislation on the sale of exotic pets. An overview of the provisions included in the animal welfare laws and related legislation in the EU Member States and some other European countries can be found in Table 2.

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

- **17 (15 EU)** as well as England, Scotland and Wales have regulations (prohibition, requirement for an authorisation) on the sale of exotic pets. Italy and Spain have restrictions at a regional level only.
- The **staff** of a pet shop must be **trained in 15 (13 EU)** countries as well as England, Scotland and Wales. Italy and Spain have training requirements at a regional level only.
- **17 (15 EU)** as well as England, Scotland and Wales have **housing requirements** that must be adhered to in order to keep pets (domestic or exotic) in a **pet shop**. Italy and Spain have requirements on regional level only.
- There is an obligation to **inform the buyer** of the needs of the purchased species in **18 countries (16 EU) as well as England**. Italy and Spain have only regional requirements to inform.
- **20 (18 EU)** countries impose a **minimum age for the purchase** of animals. Spain has minimum age requirements on regional level only.

## 6.3. Abandonment of exotic pets

Most national laws include restrictions on the release or abandonment of animals, complemented with penalties. However, these are usually not related to the invasive or health risks an exotic pet might pose when released into the environment but rather focus on the negligence of the owner to provide care to the animal (except for species in the list of Species of Union Concern, which, according to EU Regulation 1143/2014, are prohibited to be released EU-wide due to their invasiveness threat). It is possible that restrictions on the abandonment of exotic pets are taken up in the penal law or biodiversity laws, but for this research the emphasis was on analysing the animal welfare laws or related legislation.

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



Sweden enacted one of the most detailed sets of training requirements for pet shop retailers in the European Community (SJVFS 2019:15, Ref No. L80 - The National Agricultural Administration's Regulations and General Advice on Conditions for Keeping, Rearing, Selling, etc. of Animals intended as Pets or for Hobby Purposes). Professional traders of pets are obliged to take a basic training course, complemented by one or more specific training programmes focusing on the species covered by the trade. The basic training programme includes classes on current laws on animal welfare, disease control for animals and import of animals; environmental conditions in premises; hygiene, cleaning, disinfection and waste management; nutrition and feed management; handling of animal excreta, with reference to the infection control issues; and how animals are affected by environmental changes and stress.

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

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

## Map 2

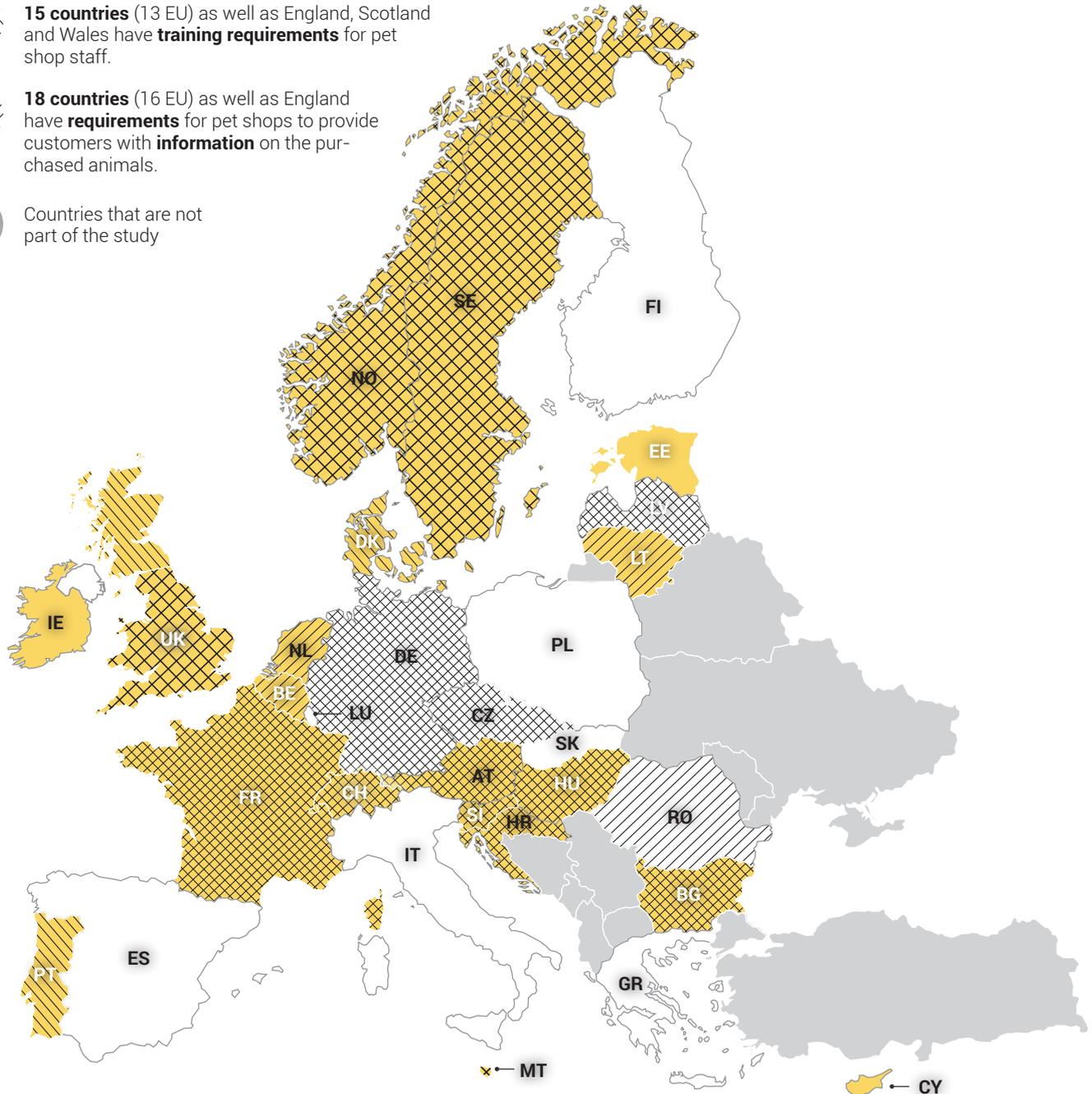
### Overview of the current legislation on the sale of exotic pets

**17 countries (15 EU)** as well as England, Scotland and Wales have **regulations** on the sale of exotic pets (prohibition to sell certain animals, requirements for a permit to sell)

**15 countries (13 EU)** as well as England, Scotland and Wales have **training requirements** for pet shop staff.

**18 countries (16 EU)** as well as England have **requirements** for pet shops to provide customers with **information** on the purchased animals.

Countries that are not part of the study



#### COUNTRIES COVERED BY THE STUDY

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

**TABLE 2:**

## Overview of the current legislation on the sale of exotic pets

COUNTRY	LEGISLATION ON PET SHOPS	REQUIREMENTS FOR REGISTRATION OF PET SHOPS	SPECIFIC REGULATIONS ON SALE OF EXOTIC PETS	HOUSING REQUIREMENTS SPECIFIED FOR PETS IN PET SHOPS
<b>Austria</b>	Animal Protection Act – TSchG 2004 (BGBl I No. 118/2004, last amend. BGBl I No. 86/2018; last amend BGBl. I No. 61/2017); 2nd Regulation on Livestock (BGBl II No. 486/2004, last amend. BGBl II No. 341/2018); Animal Protection - Special Keeping Regulation (BGBl. II No. 139/2018); Animal Protection Event Regulation (BGBl. II No. 493/2004, last amend. BGBl. II No. 69/2016)	Yes	No (but wild-caught animals, apart from fish, cannot be sold)	Yes
<b>Belgium</b>	Law of 14 august 1986 regarding the protection and the welfare of animals (last amend. April 2019); Royal Decree of 27 April 2007 laying down the conditions for approval of establishments for animals and laying down the conditions for the marketing of animals (last amend. April 2019 - some provisions will only come into force in January 2021)	Yes	Yes (prohibited to advertise and sell mammals not in the positive list, unless the pet shop owner has a written order of authorized keeper and animal is only in the pet shop for transit)	Yes
<b>Bulgaria</b>	Animal Protection Act SG No. 13 of 8 February 2008 (last amend. 2011); Biological Diversity Act SG No. 77 of 7 September 2008 (latest amend. June 2018); Ordinance No. 41 of 10 December 2008 on the Requirements for Animals Being Kept, Bred and Sold in Wholesale, Pensions and Animal Shelters (last amend. 2016)	Yes	Yes (prohibited to sell primates, wild cats and protected animals; other wild animals may only be sold when marked appropriately and data on buyer must be submitted)	Yes
<b>Croatia</b>	Animal Protection Act 2017; Rulebook on conditions for breeding pets intended for sale, 2009; Rulebook for pet shops and wholesale (coming into force end of 2019); Regulation NN 17/2017-404 on species that may be placed on the market and invasive alien species.	Yes	Yes (no Ursidae, Cetaceans, and animals protected under nature protection legislation; for City of Zagreb: dangerous and potentially dangerous animals)	Yes (coming into force at the end of 2019)
<b>Cyprus</b>	Law for the Protection, Health and Welfare of Animals No. 46(I)/1994 (latest amend. 55(I)/2013); Ministerial Decree (221/2017) listing animal species which cannot be imported, traded, sold or advertised; A regulation has been drafted introducing a positive list and specific requirements for pet shops.	No	Yes (certain species cannot be imported, traded, sold or advertised)	No
<b>Czech Republic</b>	Act of the Czech National Assembly on the Protection of Animals Against Cruelty Act. No 246/1992 (last amend. 2017); Decree 411/2008 Coll. specifying animal species requiring special care (last amend. 2011)	Yes	Yes (application for approval for breeding animals requiring special care)	No
<b>Denmark</b>		Yes	Yes (species in Annex I of BEK No. 1366 cannot be sold)	Yes

REQUIREMENTS FOR TRAINING OF PET SHOP STAFF	REQUIREMENTS FOR INSPECTION OF PET SHOPS	MINIMUM AGE FOR PURCHASE	REQUIREMENTS FOR PET SHOP TO PROVIDE CARE INFORMATION	RESTRICTIONS ON INTERNET SALE	RESTRICTIONS ON SALE AT MARKETS, FAIRS, ETC.
Yes	Yes	16 years	Yes	Yes (only in the framework of authorised keeping)	Yes (wild animals cannot be traded, except for on exchange sites)
No	Yes (regular inspections)	16 years	Yes	Yes (only species on the positive list; only licenced breeders can advertise on all websites; non-licenced breeders can only advertise on specialised websites)	Yes (forbidden to sell dogs or cats, unless specific animal market)
Yes	Yes	18 years	Yes	No	Yes (similar to pet shop regulations)
Yes	Yes (coming into force at the end of 2019)	No sale to minors	Yes	No	No (only sale of dogs, cats and rabbits is prohibited)
No	Yes	No (but 16 years in draft regulation)	No (but in draft regulation)	No	Yes (authorisation required)
Yes	Yes (regular inspections by veterinary authority)	15 years (18 years for animals requiring special care)	Yes	No	No
Yes	Yes (at least 4 times a year by a veterinarian)	16 years	Yes	No	Yes (prohibited to sell dogs in markets)

**TABLE 2: Continued**

Overview of the current legislation on the sale of exotic pets

COUNTRY	LEGISLATION ON PET SHOPS	REQUIREMENTS FOR REGISTRATION OF PET SHOPS	SPECIFIC REGULATIONS ON SALE OF EXOTIC PETS	HOUSING REQUIREMENTS SPECIFIED FOR PETS IN PET SHOPS
<b>Estonia</b>	Animal Protection Act of 13 December 2000 (last amend. RT I, 13. March 2019, 16); Regulation No. 36 of 31 May 2018 - List of animal species and subspecies which are authorised to be used at an animal exhibition, competition, fair, auction or other public event associated with displaying animals; Nature Conservation Act of 21 April 2004 (last amend. November 2018);	Yes	Yes (only captive born protected species of category I, II and III, and species in Annex IV to Council Directive 92/43/EEC)	Yes
<b>Finland</b>	Animal Welfare Act 247/2006 (last amend. 2018)	Yes	No	No
<b>France</b>	chapter IV (Animal protection) of the Rural and the Maritime Fisheries Code (last amend. 22 May 2019); the Environmental Code (last amend. 16 May 2019); Order of 8 October 2018 laying down general rules for the keeping of non-domestic animals; Order of 25 October 1982 on the breeding and keeping of animals; Order of 21 November 1997 defining two categories of establishments (...), keeping animals of non-domestic species	Yes	Yes (species as defined in column (c) of Annex 2 of the 2018 Order cannot be held and sold at retail establishments)	Yes
<b>Germany</b>	Animal Welfare Act 2006 (BGBI I p.1206, last amend. 17 December 2018); Guidelines for alignment of markets from the viewpoint of animal welfare from 1 June 2006.	Yes	No (only restrictions on the sale of invasive alien species belonging to the Union list)	No
<b>Greece</b>	Law on domesticated and stray companion animals and the protection of animals from exploitation for profit, 4039/2012 (last amend. 4235/2014); Provisions of Law 604/1977; Presidential Decree 463/1978.	Yes	No	No
<b>Hungary</b>	Act XXVIII of 1998 on the Protection and Humaneness towards animals (amend. Act LXVII, 2002); Decree on the keeping of pet animals and marketing 41/2010 (amend. Government Regulation 115/2012. (VI. 11), Annex 5); Joint Decree No 85/2015 (XII. 17.) on dangerous animals and on the rules of their keeping	Yes	Yes (primates not allowed to be sold, dogs only allowed to be sold when microchipped, dangerous animals only allowed to be sold when a licence is provided and when there is a specialized employee)	Yes
<b>Ireland</b>	Animal Health and Welfare Bill 2013; Number 39 of 1976 Wildlife Act;	Yes (only for wildlife dealers)	No	Yes

REQUIREMENTS FOR TRAINING OF PET SHOP STAFF	REQUIREMENTS FOR INSPECTION OF PET SHOPS	MINIMUM AGE FOR PURCHASE	REQUIREMENTS FOR PET SHOP TO PROVIDE CARE INFORMATION	RESTRICTIONS ON INTERNET SALE	RESTRICTIONS ON SALE AT MARKETS, FAIRS, ETC.
Yes	Yes	16 years	No	No	Yes (authorisation and only animals listed in legislation)
No	Yes	No	No	No	Yes (itinerant trading forbidden)
Yes	Yes	16 years (R. 214-20 of the Rural Code)	Yes (article 11 of the 2018 Order and L. 413-8 of the Environmental Code)	No	Yes (sale of pets is prohibited, exceptions can be applied)
Yes	No	16 years	Yes	No	Yes (guidelines for animal fairs)
No	No	No	No	No	No
Yes (for keeping and selling dangerous animals)	Yes (at least once a year by district officer)	No	Yes	No	Yes (similar to pet shop regulations)
No	No	16 years	No	No	Yes

**TABLE 2: Continued**

Overview of the current legislation on the sale of exotic pets

COUNTRY	LEGISLATION ON PET SHOPS	REQUIREMENTS FOR REGISTRATION OF PET SHOPS	SPECIFIC REGULATIONS ON SALE OF EXOTIC PETS	HOUSING REQUIREMENTS SPECIFIED FOR PETS IN PET SHOPS
<b>Italy</b>	Act No. 150, 7 Feb 1992 (last amend. Act 68 of 22nd May 2015); Official No. 15, 2002 Order No. 8.	Yes	Italy: No Regional laws: Yes	Italy: No Regional laws: Yes
<b>Latvia</b>	Animal Protection Law 1999 (last amend. June 2017); Veterinary Medicine Law 2001 (last amend. April 2017); Cabinet Regulation No. 266, 2006 on Welfare Requirements for Keeping, Selling and Displaying Domestic (Pet) Animals at Public Shows and Dog Training (last amend. April 2012); Cabinet Regulation No. 895, 2004 on Arrangements for Animal Competitions, Markets, Auctions, Exhibitions and Other Events with Animal Participation (last amend. January 2019); Cabinet Regulation No. 1055, 2009 on Rules on the List of Animal and Plant Species of Community Interest in Need of Protection and the List of Species of Animals and Plants Subject to Restricted Use in the Wild; Cabinet Regulation No. 396, 2000 on Provisions Concerning the List of Specially Protected Species and Restricted Species (last amend. July 2004); Cabinet Regulation No. 1139, 2009 on Procedures for the Storage, Registration, Capture, Marking, Trade and Certification of Endangered Species in International Trade (last amend. September 2012)	Yes	Yes (prohibition to sell animals on negative list and specially protected animals; permit required for CITES species)	No
<b>Lithuania</b>	Law on Animal Welfare and Protection of 6 November 1997 No. VIII-500 (last amend. 2016); Law on Wildlife (6 November 1997, No VIII-498) (last amend. 2017); Regulation on use of wild animals - Ministry of Environment 2011-06-30 No. D1-533/B1-310 (last amend. 2018); Trade in domesticated animals regulation 2010-07-12 No. B1-253 (last amend. 2013); Law on the Conservation of Species and Biotopes 2000 (last amend. 2018)	Yes	Yes (only allowed with a permit)	Yes
<b>Luxembourg</b>	Animal Protection Act of 27 June 2018; Act of 31 July 1991 approving the European Convention for the Protection of Pet Animals.	Yes	No	No
<b>Malta</b>	Animal Welfare Act XXV of 2001 (last amend. 2014); Protection of Animals Offered in Pet Shops (Minimum Standards) Regulations 2013	Yes	Yes (additional specific licence is required; prohibited to sell protected animals (e.g. CITES) unless approved by authority)	Yes
<b>Netherlands</b>	Animals Act of 19 May 2011; Decree of 5 June 2014 containing rules for keepers of animals	Yes	No	Yes

REQUIREMENTS FOR TRAINING OF PET SHOP STAFF	REQUIREMENTS FOR INSPECTION OF PET SHOPS	MINIMUM AGE FOR PURCHASE	REQUIREMENTS FOR PET SHOP TO PROVIDE CARE INFORMATION	RESTRICTIONS ON INTERNET SALE	RESTRICTIONS ON SALE AT MARKETS, FAIRS, ETC.
Italy: No Regional laws: Yes	No	16 years	Italy: No Regional laws: Yes	No	Italy: No Regional laws: Yes
Yes	Yes	18 years	Yes	Yes	Yes
No	No	16 years	Yes	No	Under review
No	No	16 years	No	No	No (prohibition to sell cats and dogs on markets and in streets)
Yes	Yes	16 years	Yes	Yes (positive list also applies on internet sales)	Yes (no sale in open markets or on the street, except for birds listed in the Pet shop regulation)
No (only manager needs to provide proof of professional competence)	Yes (by the Netherlands Food and Consumer Product Safety Authority and the National Inspection Agency for Animal Protection)	16 years	Yes	No (but general requirements also apply for internet sales)	Yes

**TABLE 2: Continued**

Overview of the current legislation on the sale of exotic pets

COUNTRY	LEGISLATION ON PET SHOPS	REQUIREMENTS FOR REGISTRATION OF PET SHOPS	SPECIFIC REGULATIONS ON SALE OF EXOTIC PETS	HOUSING REQUIREMENTS SPECIFIED FOR PETS IN PET SHOPS
Norway	Animal Welfare Act 2009 (last amend. June 2018); Regulations on trade and temporary keeping of animals, FOR 2015 No 958	Yes	No	Yes (general)
Poland	Act on the Protection of Animals (last amend. June 2019)	No	No	No
Portugal	Protection of Animals Law 92/95 (last amend. August 2014); Decree No. 121/2017 ensuring the implementation of CITES and Regulations (EC) No. 338/97 and No. 865/2006; related Ordinances No. 86/2018 prohibiting the keeping of certain species, and Ordinance No. 85/2018 on registration and marking schemes for CITES and species listed in Decree-Law no. 140/99 on the implementation of the EU's Habitats and Birds Directives (last amend. November 2013); DL 565/99 regulating the introduction of non-indigenous species (last amend. April 2017); DL No. 276/2001 on the implementation of the EU Convention on the protection of companion animals and regulations on potentially dangerous animals (last amend. January 2019); Law No. 95/2017 regulating the purchase and sale of pets in commercial establishments and through the internet	Yes	Yes (DL 565/99 exotic specific legislation)	Yes
Romania	Law No. 205/2004 on the Protection of Animals (modified by Law 9/2008 and order 523/2008); Order No. 523/2008 (also 31/2008) on the Approval of the Methodological Norms for applying Law No. 205/2004 on the Protection of Animals; Order No. 1798/2007 for the Approval of the Procedure for Issuing the Environmental Authorization; Order No. 57/2007 on the protection of natural areas, the conservation of natural habitats, and of wild fauna and flora	No	No (except no endemic wild animals)	No
Slovakia	Nature and Landscape Protection Act No. 543/2002 Coll. (last amend. by 221/2019 Coll.); Decree No. 110/2005 Coll. - Implementing Certain Provisions on the Protection of Species of Wild Fauna and Flora by Regulating Trade Therein (last amend. by 387/2018 Coll.)	Yes	Yes (protected animals cannot be traded, unless they stem from captivity as per Nature and Landscape Protection Act; permit for protected animals as per Decree No. 110/2005)	No
Slovenia	Animal Protection Act 43/2007; Rules on the protection of pet animals 75/2005 (88/2005), 51/2009; Nature Conservation Act 96/2004; Order on the Living Conditions for and Care of Animals of Wild Species Kept in Captivity 90/01; Rules on record-keeping of trade in animals of wild species, 5/2010	Yes	Yes (permits to hold wild animals in captivity and record-keeping of trade in wild animal species)	Yes

REQUIREMENTS FOR TRAINING OF PET SHOP STAFF	REQUIREMENTS FOR INSPECTION OF PET SHOPS	MINIMUM AGE FOR PURCHASE	REQUIREMENTS FOR PET SHOP TO PROVIDE CARE INFORMATION	RESTRICTIONS ON INTERNET SALE	RESTRICTIONS ON SALE AT MARKETS, FAIRS, ETC.
Yes	Yes	16 years	Yes	No	Yes (no dogs, cats or ferrets)
No	No	No	No	No	Yes (sale of domestic animals at markets is prohibited)
Yes	Yes (periodically)	No (except for legal age for species for which a permit is required)	No	Yes (sale of wildlife is prohibited)	Yes (exceptionally permitted with a licence and when in accordance with DL 211/2009, Ordinance 1226/2009 and Ordinance 07/2010; prohibited on streets)
No	No	No	Yes	No (except no endemic wild animals)	No (except no endemic wild animals)
No	Yes	No	No	Yes (protected animals cannot be traded, unless they stem from captivity, and permit for certain endangered animals)	Yes (permit for operation and in case of certain endangered animals; and protected animals cannot be traded, unless they stem from captivity)
Yes	Yes (regular inspections)	18 years	Yes	No	Yes (certificate required)

**TABLE 2: Continued**

Overview of the current legislation on the sale of exotic pets

COUNTRY	LEGISLATION ON PET SHOPS	REQUIREMENTS FOR REGISTRATION OF PET SHOPS	SPECIFIC REGULATIONS ON SALE OF EXOTIC PETS	HOUSING REQUIREMENTS SPECIFIED FOR PETS IN PET SHOPS
<b>Spain</b>	Animal Welfare Act 32/2007 (last amend. June 2017); Animal Health Act 8/2003 (last amend. July 2015); Autonomous Regions (AR) legislation	Yes	No AR: varies	No AR: varies
<b>Sweden</b>	The Animal Welfare Act (2018: 1192); the Animal Welfare Regulation (2019: 66); SJVFS 2019:15, Ref No. L80 - The National Agricultural Administration's Regulations and General Advice on Conditions for Keeping, Rearing, Selling, etc. of Animals intended as Pets or for Hobby Purposes	Yes	No	Yes (very detailed housing requirements for domestic and exotic pets)
<b>Switzerland</b>	Animal Welfare Act (TSchG) 455/2005 (last amend. 2014); Animal Welfare Ordinance (TSchV) 455_1/2008 (last amend. 2018)	Yes	Yes (apprenticeship required if more than one genus is being kept; specialisation courses for particular animal genus possible)	Yes
<b>UK - England</b>	Animal Welfare Act 2006; Pet Animal Act 1951 (last amend. October 2018); Dangerous Wild Animals Act 1981 (last amend. October 2018); Wildlife and Countryside Act 1981 (last amend. March 2019); The Control of Trade in Endangered Species Regulations 2018; The Invasive Alien Species (Enforcement and Permitting) Order 2019; The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018	Yes	Yes	Yes
<b>UK - Northern Ireland</b>	Welfare of Animals Act (Northern Ireland) 2011; The Control of Trade in Endangered Species Regulations 2018	Yes	Yes	No
<b>UK - Scotland</b>	Animal Health and Welfare Act 2006; Licensing of animal dealers (cats and dogs) (Scotland) No. 141/2009; Pet Animal Act 1951 (last amend. October 2018); Dangerous Wild Animals Act 1981 (last amend. October 2018); Wildlife and Countryside Act 1981 (last amend. March 2019); The Control of Trade in Endangered Species Regulations 2018	Yes	Yes	Yes
<b>UK - Wales</b>	Animal Welfare Act 2006; Pet Animal Act 1951 (last amend. October 2018); Dangerous Wild Animals Act 1981 (last amend. October 2018); Wildlife and Countryside Act 1981 (last amend. March 2019); The Control of Trade in Endangered Species Regulations 2018; The Invasive Alien Species (Enforcement and Permitting) Order 2019	Yes	Yes	Yes

REQUIREMENTS FOR TRAINING OF PET SHOP STAFF	REQUIREMENTS FOR INSPECTION OF PET SHOPS	MINIMUM AGE FOR PURCHASE	REQUIREMENTS FOR PET SHOP TO PROVIDE CARE INFORMATION	RESTRICTIONS ON INTERNET SALE	RESTRICTIONS ON SALE AT MARKETS, FAIRS, ETC.
Spain: No AR: varies	Spain: No AR: varies	Spain: No AR: varies	Spain: No AR: varies	Yes (no IAS)	Yes (no IAS)
Yes	Yes	No	Yes	No	No
Yes (certificate of proficiency to keep wild animals and registration as a commercial dealer)	Yes (yearly inspections by cantonal department)	16 years	Yes (Art. 111, Para 1 - on needs and minimum requirements)	Yes (vertebrates cannot be sent via parcels, and dogs cannot be sold via the internet)	Yes (licence required, housing requirements are to be followed if animals are exhibited for more than four days)
Yes	Yes (by local authority officers or veterinary surgeon)	16 years	Yes	Yes (similar to pet shop regulations, COTES)	Yes (prohibited to sell animals in markets, public place, street, etc.)
No	No	16 years	No	Yes (similar to pet shop regulations, COTES)	Yes (prohibited to sell animals in markets, public place, street, etc.)
No	Yes (by local authority officers or veterinary surgeon)	16 years	No	Yes (similar to pet shop regulations, COTES)	Yes (prohibited to sell animals in markets, public place, street, etc.)
No	Yes (by local authority officers or veterinary surgeon)	16 years	No	Yes (similar to pet shop regulations, COTES)	Yes (prohibited to sell animals in markets, public place, street, etc.)



# 7. Pending legislation at national level



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

- **Positive list:** In the **Netherlands**, the new Positive List for mammals, based on the new scientific methodology, is expected to be enacted in 2020. In **Belgium**, the positive list is now under regional competence. Thus, three positive lists for non-mammals are currently being drafted by each region (Brussels, Walloon, Flanders). Flanders has been the first region to publish a positive list for reptiles. In **Cyprus**, a Pet shop regulation is currently pending review. The draft regulation would introduce a positive list of species allowed to be sold in pet shops. In **Lithuania**, the positive list is under discussion at a working group set up at the Ministry of Environment (with a view to changing legislation). In **Finland**, the positive list is being discussed (as part of discussion around wider changes to animal welfare laws). In **Ireland**, the Irish Society for the Protection of Animals (ISPCA) submitted a proposal to a consultation in 2018 on the sale of pets, calling for the introduction of the positive list. In **Austria**, the positive list is frequently mentioned in discussions of the Council for Animal Protection.
- **Negative list:** In **Belgium**, the Brussels region has approved the first reading for a draft Decree prohibiting the keeping of cat hybrids, such as Bengals and Scottish Folds, due to welfare concerns. In **Poland**, new legislation on invasive alien species was due in 2018 but has been delayed.
- **Revision of current legislation:** In the **Czech Republic**, an amendment of the Act of the Czech National Assembly on the Protection of Animals Against Cruelty No. 246/1992 was approved on May 2019 and will enter into force on 9th Dec. 2019. The amendment concerns circus performances and breeding, licences for performances with animals, petting zoos, breeding and private owning of big carnivores, a definition of puppy mills and authority of municipalities concerning

animals. Another change of the law is planned for the 1st of January 2020 on Act No 166/1999 Coll. on veterinary care and amending certain related laws (Veterinary Act). In **Finland**, the Animal Welfare Act and Decree are currently being reviewed. In **Greece**, new animal welfare legislation is currently being developed. A draft will be presented to stakeholders in the near future. The positive list, housing requirements for pets in pet shops and requirements for training of pet shop staff have been previously discussed. It remains to be seen whether related provisions will be proposed. In **Lithuania**, a working group has been set up at the Ministry of Environment to review the national Regulation on the Use of Wild Animals (Ministry of Environment, 2011-06-30 No. D1-533/B1-310) with a view to changing the minimum standards for the keeping of wild animals in captivity and introducing a Positive List. In the **Netherlands**, the Animals Act of 19 May 2011 and related decrees and regulations will be evaluated in 2020. Based on the outcomes of the evaluation, the Minister will decide whether amendments to the law, decrees and/or regulations are needed. In **Slovenia**, an update of legislation is under discussion, mostly concerning animal shelters and in relation to an EU directive.

- **Pet shop regulations:** In **Cyprus**, a Pet shop regulation is currently pending review at the Attorney's General Office. If the regulation receives approval, it will be passed to the Parliament for a vote. The draft regulation would introduce a positive list of species allowed to be sold in pet shops, keeping conditions, registration and inspection of facilities, record keeping, minimum age for the purchase of animals set at 16 years, and a requirement to provide care information). In **Ireland**, a consultation on the sale of pets took place in 2018.



# 8. Discussion and conclusion

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

## Box opposite

Regulations vary from country to country and in some countries there are even differences between regional and local laws. Some regions in Austria and Germany have adopted negative lists in addition to the existing national ones. Spain has a Royal Decree 1628/2011 on invasive alien species (including a negative list) which must directly be adopted by the regions. The regions Andalucía, Comunidad de Madrid, Navarra and Región de Murcia have separate restrictions on the private keeping of primates and wild species over 10 kg adult size, and 5 kg for carnivores. The open internal market for EU countries lends an additional complexity. Exotic pets, which represent an invasion species risk. If they are allowed to be kept in one country while being prohibited in a neighbouring country, the impact of strictest regulations is reduced. Species do not recognise borders and grey squirrels, ruddy ducks and parakeets are examples of animals that have spread to other countries (with the former three now being banned from trade and keeping through the EU IAS regulation).

The inadequate legislation on the private keeping and sale of exotic pets in the majority of countries can result in sale by uninformed vendors, impulsive purchases by uninformed buyers and, consequently, bad housing and welfare conditions for the animals. Cases of households with young children becoming ill due to salmonella exposure from pet reptiles and amphibians have been reported [15] [22] [39]. As a result, health experts have advised households with young children not to keep such species in order to minimise potentially serious health risks [40].

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

A brief summary of the gaps in national regulations include:

## 2

countries (1 EU as well as Switzerland) lack a positive or negative list on national level.

## Greece

Only Greece does not set any restriction on the private keeping of exotic pets on national level.

## 6

In 6 (5 EU) countries, there is no requirement for authorisation on national level to keep certain animals.

## 20

(19 EU as well as Scotland and Wales) countries do not specify housing requirements for exotic pets.

## 12

(EU) countries as well as Northern Ireland do not set restrictions or regulations on the sale of exotic pets in pet shops.

## 14

(EU) countries as well as Northern Ireland do not require training for pet shop staff.

## 11

(EU) countries as well as Scotland, Northern Ireland and Wales do not require that specific information be provided to the buyer of the animal.

## 10

(EU) countries have no minimum age for purchase.

**TABLE 3:**

## Summary of provisions covering exotic pets included in national laws

x = available on national level

(x) = available on regional level

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

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

## 8.1. Negative vs. positive lists

Based on our research, the negative list is the more commonly used system to regulate the keeping of exotic pets. Yet, this approach is the least precautionary and can be too slow and reactive to address emerging species trends and threats in the exotic pet trade.

By default any animal not on a negative list is allowed to be kept; therefore the list must be quite long if it is to include all species with welfare, health, invasive or conservation risks. Some negative lists are also complemented by a list of species requiring authorisation which increases the regulatory bureaucracy for governments.

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

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

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

**TABLE 4:**  
Brief summary on provisions covering exotic pets included in national laws

PROVISIONS	NUMBER OF COUNTRIES
<b>Positive list</b>	6 (5 EU)
<b>Negative list</b>	22 (EU)
<b>Requirements for an authorisation for private keeping</b>	24 (23 EU)
<b>Housing requirements for exotic pets in private homes</b>	9 (8 EU) + Northern Ireland and England
<b>Requirements for the sale of exotic pets in pet shops</b>	17 (15 EU) + England, Scotland and Wales
<b>Housing requirements for pets in pet shops</b>	17 (15 EU) + England, Scotland and Wales
<b>Training requirements for pet shop staff</b>	15 (13 EU) + England, Scotland and Wales
<b>Requirement to inform the buyer on pets in pet shops</b>	18 (16 EU) + England
<b>Minimum age requirement for the purchase of (exotic) pets</b>	20 (18 EU)

*A total of 30 countries were studied, including all 28 EU Member States. The United Kingdom (UK) does not have an overarching federal animal welfare law and was divided into England, Wales, Scotland and Northern Ireland and represented as four 'entities'. In addition to the EU Member States, two additional countries were studied: Norway and Switzerland.*

# 9. Recommendations



The existing state of regulations in EU Member States and two additional countries on the keeping of exotic animals as pets is insufficient for several reasons. First, the majority of countries use the less precautionary and reactive negative list approach rather than the simplified positive list. Second, regulations often fail to encompass the whole animal kingdom, as they address only mammals, or only reptiles, etc. Third, the scope of regulations is often inconsistent and illogical.

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

- 1) Establish further restrictions on the types of animals that may be kept as pets. Preference should be given to the creation of a positive list of animal species** that are allowed to be kept by private owners. A set of criteria, based on those used by Belgium in its positive list for mammals and criteria proposed by Schuppli and Fraser [10], can be used to determine which species are suitable as pets.
  - Animals must be easy to handle and be kept in respect of their essential physiological, ethological and ecological needs.
  - No species should be listed for which there are clear indications that, should it escape or be released into the wild, it would be able to survive and consequently represent a risk for the native ecosystem.
  - The species that are kept cannot have an aggressive and/or dangerous nature or represent a particular danger for human health.
  - Data and scientific information must be available concerning the keeping of these animals.
  - In case of contradictory data or information on the keeping of an animal, the benefit of doubt should be in favour of the animal.

- Keeping of the animal should not jeopardise (ideally should enhance) the welfare of the animal and the owner.
  - **Restrict the sale of pets to licensed pet shops and breeders.** Countries should regulate the sale of pets only allowing licensed, knowledgeable pet shops and breeders to sell animals. Strict evidence-based licensing and inspection rules need to be adopted and enforced.
- 2) Require shops to provide detailed information on the animals' needs to prospective buyers.** As part of the pet shop regulatory scheme, we recommend a mandatory requirement for breeders and pet shop owners to provide prospective owners with high quality, evidence-based detailed information on the physiological, ethological and ecological needs of the animals.
  - 3) Require mandatory training of pet shop personnel.** Training courses should be evidence-based and cover issues including animal welfare and husbandry, disease control, environmental and sanitary conditions.
  - 4) Establish a minimum age for someone purchasing a pet animal.** The majority of countries have set this age at 16 years old and this should be adopted in other countries to prevent impulsive and ill-informed purchases by younger people unable to offer the commitment required to properly care for the animals.
  - 5) Include information on housing requirements in legislation on the keeping and sale of exotic pets.** This information should be evidence-based and address the physiological, ethological and ecological needs of the animals including housing materials, temperature, humidity and lighting needs, enrichment, security and the appropriate social interactions for the animals.

- 6) It should be illegal to abandon animals and higher penalties should be imposed on people who abandon animals.** This could be included in animal welfare legislation as well as legislation on invasive alien species.
- 7) Improve enforcement of existing legal provisions and oversight of the exotic animal species currently being kept by private individuals** through strict recordkeeping and permitting by Competent Authorities.
- 9) European policy cohesion is needed to integrate risks linked to exotic pets with policy areas covering trade, welfare, invasive alien species and human and animal health.** Specifically, exotic pet trade and keeping should be addressed within:
  - the proposed **EU Animal Health Law** by including sanitary measures for wildlife imports and registration of facilities holding exotic animals;
  - the possible **Animal Welfare Framework Law** by ensuring it extends coverage to wild animals kept in captivity;
  - the pending **EU Invasive Alien Species Strategy** as a new legislative instrument represents an opportunity to address the trade in exotic species that could pose a significant threat to native wildlife and ecosystems by restricting the import, trade, sale and keeping of certain species. The highest priority should be given to prevention as the most cost-effective humane and environmentally desirable measure.
  - **Trade policy** to ensure that exotic pet trade practices are not compromising the welfare of exotic animals or contributing to biodiversity loss. Sustainability impact assessments required under bilateral trade agreements should include examination of the exotic pet trade.

# 10. Annexes

## ANNEX 1: Summary definitions on animals in different member states

	PETS	COMPANION ANIMALS	DOMESTIC PETS
<b>Austria</b>	Pets: animals kept within a household as companions or because of interest in the animal, as far as domesticated animals of the orders of carnivores, rodents, lagomorphs, parrots, finches (fringillidae) and pigeon-like birds (columbiformes), as well as the class of fish are concerned.	x	Domestic animals: domesticated animals of the genres cattle, pig, sheep, goat and horse, always with the exception of exotic species, as well as Old World and New World camels, water buffaloes, domestic rabbits, domestic dogs, domestic cats, domestic poultry and domesticated fish;
<b>Belgium</b>	x	x	x
<b>Bulgaria</b>	x	Animals kept in a household and/or out of interest in the animals, including domestic animals or domesticated animals of the order of carnivores, rodents, rabbits, parrots, finches, pigeons and fish.	x
<b>Croatia</b>	x	Animals kept by humans for companionship, protection and assistance or for their interest in those animals.	Animals tamed by man and used for the production of food, feed and by-products of animal origin that are not for human consumption and for other economic purposes
<b>Cyprus</b>	Pet animal: means an animal which is kept or intended to be kept by man, mainly in the house, for private enjoyment or company.	x	x
<b>Czech Republic</b>	x	Any animal kept not primarily for farming purposes, namely kept in premises designated for that purpose or in households above all for leisure time activities, or any animal kept for companionship.	x
<b>Denmark</b>	x	x	x
<b>Estonia</b>	An animal which is kept or intended for keeping for personal entertainment or companionship. Provisions concerning a pet also apply to trained animals used for special services, such as for blind persons, the police or rescue services.	x	x
<b>Finland</b>	x	Companion or hobby animals: Dogs, cats and other small-sized animal, which are considered as a companion or a hobby animal and are kept or handled for sale, provision, leasing, farming, coaching, training or other similar reasons, or dogs kept for duty in the armed forces or Border Guard, police dogs, guard dogs, herding dogs, sled dogs, guide or other assistance dog, and dogs used for other similar purposes and functions.	x
<b>France</b>	Any animal held or intended to be held by humans for pleasure.	x	x

	EXOTIC PETS	WILD ANIMALS	SOURCE
<b>Austria</b>	x	Wild animals: all animals except domestic and pet animals;	Animal Protection Act 2004 - Austria
<b>Belgium</b>	x	X	x
<b>Bulgaria</b>	x	Any living vertebrate creature other than man, including free-living animals, except for domestic breeds of dogs, cats, horses, donkeys, cows, sheep, goats, pigs, geese, ducks, chickens, turkeys and others.	Animal Protection Act SG No. 13 of 8 February 2008 (last amend. 2011)
<b>Croatia</b>	x	All animals, with the exception of domestic animals, pet animals, service animals and working animals.	The Animal Protection Act 2017
<b>Cyprus</b>	x	Wild animal: means an animal which, due to its nature, is destined to live in a free state without restriction or guidance imposed by man.	Law for the Protection, Health and Welfare of Animals, 1994
<b>Czech Republic</b>	~Animal species requiring special care: an animal species kept as companion animal, which because of its biological characteristics has special requirements as concerns its handling, housing, feeding, watering or treatment.	Any animal of a species whose wildlife population lives independently, including those kept in captivity.	Act on protection of Animals against cruelty 246/1992 Coll. (last amend. 2017)
<b>Denmark</b>	x	x	x
<b>Estonia</b>	x	x	Animal Protection Act of 13 December 2000 (last amend. RT I, 13. March 2019, 16)
<b>Finland</b>	x	x	Animal Welfare Decree 674/2010
<b>France</b>	x	~Non-domestic animals: animals that have not undergone any modifications through selection by man.	Environmental Code, Legislative Part, Book IV Natural Heritage, Title I Natural Heritage Protection; Circular DNP / CFF rules specifying keeping animals of non-domestic species No. 2005-02 of 17 May 2005; Decree No. 2003-768 of 1 August 2003 on the regulatory part of Book II of the Rural Code (= Animal welfare law)

## ANNEX 1: Continued

### Summary definitions on animals in different member states

	PETS	COMPANION ANIMALS	DOMESTIC PETS
<b>Germany</b>	Pet animal: that is kept or intended to be maintained by humans, mainly in the home. A small pet animal: is a pet animal, whose weight does not exceed ten (10) pounds.	x	Domesticated pet: is any not wild animal that is kept or intended to be maintained by humans, mainly in the home. A pet is under the direct supervision and care of the owner, attendant or guardian. Also regarded as pets are: dogs used for hunting, guarding flocks and storage spaces, assisting and protecting people with disabilities, as well as search and rescue dogs and dogs used by the armed forces and security forces.
<b>Greece</b>	Any animal, irrespective of its taxonomic status, which is not exclusively kept, bred and marketed for the purpose of scientific research, animal production, draught, nature conservation, genetic conservation and public display (other than dogs and cats), and those animals that are kept and bred for the feeding of other pets, livestock kept for non-economic purposes, and game animals.	x	x
<b>Hungary</b>	x	x	x
<b>Ireland</b>	x	x	x
<b>Italy</b>	An animal which is kept by a human being for his or her pleasure.	x	x
<b>Latvia</b>	An animal kept to meet aesthetic and social needs.	x	Domesticated Animals: all of the traditionally tamed (domesticated) animals.
<b>Lithuania</b>	Any animal that is kept or intended to be kept by humans, including in a home, for pleasure and as a companion.	x	x
<b>Luxembourg</b>	Any animal kept or intended to be kept in a household, for private enjoyment and companionship of the classes as shown in Schedules B to H (of the Protection of Animals Offered in Pet Shops (Minimum Standards) Regulations 2013)	x	x
<b>Malta</b>	x	Mammal, bird, fish, reptile or amphibian, apparently intended for hobby or companion purposes, with the exception of animals belonging to a species or category listed in Annex II to the Decree laying down rules with regard to animal keepers 2014, not belonging to rabbits, brown rats, tame mice, guinea pigs, golden hamsters and gerbils.	x
<b>Netherlands</b>	x	x	x

	EXOTIC PETS	WILD ANIMALS	SOURCE
<b>Germany</b>	Invasive species: an invasive species, foreign to the area as per Article 3 No. 2 of Regulation (EU) No. 1143/2014, implemented in Act on Nature Conservation and Landscape Management (Bundesnaturschutzgesetz, BNatSchG 2009, last amend. 13 May 2019)	x	Act on Nature Conservation and Landscape Management (Bundesnaturschutzgesetz, BNatSchG 2009, last amend. 13 May 2019)
<b>Greece</b>	x	x	Law for domesticated and stray companion animals and the protection of animals from the exploitation for use or profit, Law 4039/2012 (last amend. 4235/2014)
<b>Hungary</b>	x	x	41/2010. II (26th) Government Decree, the keeping of pet animals and marketing
<b>Ireland</b>	x	Wild bird: includes the unflown young of a wild bird.	
<b>Wild mammal: includes both aquatic and terrestrial wild mammals and their young.</b>	Number 39 of 1976 Wildlife Act		
<b>Italy</b>	x	x	x
<b>Latvia</b>	x	An animal which has not been deliberately affected by a human in order to satisfy his or her needs.	Animal Protection Law 1999 (last amend. June 2017)
<b>Lithuania</b>	x	An animal which is a member of a wild species living in natural conditions or in captivity at any stage of its biological development	Law on Animal Welfare and Protection 6 November 1997 No. VIII-500 (last amendment 3 October 2012 No. XI-2271)
<b>Luxembourg</b>	x	x	The Grand Ducal Regulation of 18 March 2000 on Conditions for the Keeping and Maintenance of Pets; Animal Protection Act of 27 June 2018
<b>Malta</b>	Exotic animal: any animal not indigenous in Malta, including those animals bred in captivity in Malta	x	Protection of Animals Offered in Pet Shops (Minimum Standards) Regulations 2013
<b>Netherlands</b>	Invasive exotics: exotics that when established or settled in Dutch nature (a) endanger the survival of animal or plant species that occur naturally in the Netherlands or elsewhere, or (b) can cause a significant deterioration of the environment, threatening the survival of species.	Animal species or animal categories which live naturally in the wild, with the exception of animal species and animal categories listed in Annex II to the Decree of 5 June 2014 containing rules for keepers of animals; Exotics: animals or plants of species that do not or did not occur in the Netherlands and that ended up in Dutch nature due to human activity or that are likely to end up there in the near future.	Decree of 5 June 2014 containing rules for keepers of animals; Nature Conservation Act of 16 December 2015)

## ANNEX 1: Continued

### Summary definitions on animals in different member states

	PETS	COMPANION ANIMALS	DOMESTIC PETS
<b>Norway</b>	Animals traditionally staying with man in their home or another suitable indoors environment, maintained by man as companion	x	x
<b>Poland</b>	Any animal kept or intended to be kept by man, in particular in his home, for his pleasure and as a companion.	x	x
<b>Portugal</b>	Any animal kept or intended to be kept by man, in particular in his home, for his pleasure and as a companion.	x	x
<b>Romania</b>	Any animal kept or intended to be kept by man in particular in his household for private enjoyment and companionship.	x	x
<b>Slovakia</b>	x	Animal of a domesticated species of dog, cat, ferret, rabbit and a species of rodent and ornamental fish, with the exception of wild animals and animals kept for farming purposes, kept mainly in the home of the owner or in protected housing provided by the owner.	x
<b>Slovenia</b>	x	Companion animals (hisne zivali): dogs, domesticated cats, cage birds, small rodents, terrarium animals, aquarium animals and other animals reared for human company, protection or assistance.	x
<b>Spain</b>	Domestic animals that people usually keep at home for companionship, as they belong to a species that is traditionally and commonly bred and possessed by man, in order to live in a domestic environment; this includes service animals.	x	Domestic animals: species that are commonly bred, reproduced and live with people that do not belong to wild fauna, but including production animals (for meat, skin and other products), draught animals and others involved in agriculture.

	EXOTIC PETS	WILD ANIMALS	SOURCE
<b>Norway</b>	Exotic animals: exotic species that do not live wild in Norway, and which are not traditional production animals, sports animals or family animals in Norway.	All wild living mammals and birds, amphibians and reptiles// terrestrial mammals, birds, reptiles and amphibians that occur naturally in the wild	Wildlife Act (No. 38 of 1981)//Nature Diversity Act of 19 June 2009 No. 100 Regulation prohibiting the import, trading and keeping of exotic animals - FOR 2017 No 597
<b>Poland</b>	x	Non-domesticated, living in conditions independent of man	Act of 21 Aug. 1997 On the protection of animals (last amend. June 2019)
<b>Portugal</b>	x	All specimens of native and exotic wildlife species and their offspring bred in captivity.	Protection of Animal Law, 92/95 (last amend. August 2014); DL. n°. 276/2001 on the Implementation of the European Convention on the Protection of Companion Animals (last amend. January 2019)
<b>Romania</b>	x	All animals, except domestic animals and companion animals.	Law no. 60/2004 on ratifying the European Convention for the protection of pets, signed in Strasbourg on June 23, 2003; Order No. 31/2008 on the Approval of the Methodological Norms for applying Law No. 205/2004 on the Protection of Animals;
<b>Slovakia</b>	x	An individual of an animal species whose population is maintained spontaneously, even if it is kept (including in human custody).	Decree No. 123/2008 Coll. on Details on the Protection of Companion Animals and Requirements for Quarantine Stations and Animal Shelters; Nature and Landscape Protection Act No. 543/2002 Coll. (last amend. by 221/2019 Coll.)
<b>Slovenia</b>	x	Wild animals (prostoživece zivali): are animals which did not come into existence by artificial selection or biotechnological interference with their genes, and can live freely in the wild without depending on humans.	Animal Protection Act, consolidated text, 43/2007 of 18th May 2007
<b>Spain</b>	Animals that belong to non-native wild fauna, but depend and live with humans, having been accustomed to captivity.	Set of species, subspecies, population and individuals that live and reproduce naturally in the wild in national territory, including those that are wintering or passing through, regardless of indigenous or allochthon character, and the possibility of being hunted; and excluding domestic species, used for productive purposes, in experimentation and for scientific purposes.	RD 630/2013 on invasive alien species; Animal Health Act 8/2003

## ANNEX 1: Continued

### Summary definitions on animals in different member states

	PETS	COMPANION ANIMALS	DOMESTIC PETS
Sweden	X	X	X
Switzerland	Pets: animals that are kept out of interest in the animal or as a companion in the household or are intended for such use.	X	Domestic animals: domesticated animals of the equine, bovine, porcine, ovine and caprine species, excluding exotic species; domesticated yaks and water buffalo; llamas and alpacas; domestic rabbits, dogs and cats; domestic pigeons and domestic poultry, such as domestic hens, turkeys, guinea fowl, geese and ducks;
UK – England	X	X	X
UK – Scotland	X	X	X
UK – Northern Ireland	X	X	X
UK - Wales	X	X	X

	EXOTIC PETS	WILD ANIMALS	SOURCE
<b>Sweden</b>	x	Wild animals: vertebrates, except domestic animals, and also cephalopods and decapods.	Animal Welfare Ordinance (TSchV) 455_1, 2008 (last amend. 2018)
<b>Switzerland</b>	x	x	Animal Welfare Act 2006
<b>UK - England</b>	x	x	Animal Health and Welfare (Scotland) Act 2006
<b>UK - Scotland</b>	x	Dangerous wild animal: any animal of a species for the time being specified in the first column of the Schedule.	Welfare of Animals Act (Northern Ireland) 2011; The Dangerous Wild Animal (Northern Ireland- Order 2004 No. 1993 (NI 16)
<b>UK - Northern Ireland</b>	Exotic animals: exotic species that do not live wild in Northern Ireland, and which are not traditional production animals, sports animals or family animals in Northern Ireland.	All wild living mammals and birds, amphibians and reptiles// terrestrial mammals, birds, reptiles and amphibians that occur naturally in the wild	Wildlife Act (No. 38 of 1981)//Nature Diversity Act of 19 June 2009 No. 100 Regulation prohibiting the import, trading and keeping of exotic animals - FOR 2017 No 597
<b>UK - Wales</b>	x	Non-domesticated, living in conditions independent of man	Act of 21 Aug. 1997 On the protection of animals (last amend. June 2019)

## ANNEX 2: Schuppli and Fraser checklist

### Questions to assess the suitability of species as companion animals

#### Welfare of the animal

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

#### Welfare of others

- 5** Is the animal poisonous or venomous?
- 6** Is there any appreciable risk of the animal attacking or injuring:
  - 6.1** humans?
  - 6.2** other animals?If a risk of injury exists, can it be made acceptably low by selecting safe individuals or by proper management?
- 7** Is there any appreciable risk of the animal transmitting disease to:
  - 7.1** humans?
  - 7.2** wild or domestic animals?If a risk of disease transmission exists, can it be made acceptably low by finding individuals free from the disease(s) or by proper management?
- 8** Does the animal have objectionable characteristics (e.g. noise, odour, uncleanliness, unruliness, destructive behaviour) that may prove unacceptable to:
  - 8.1** the owner?
  - 8.2** the community?
- 9** Does the animal have other characteristics (eg solitary, sedentary or nocturnal nature) that may cause the owner to lose interest and commitment?

#### Risks to the environment

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

**ANNEX 3:**

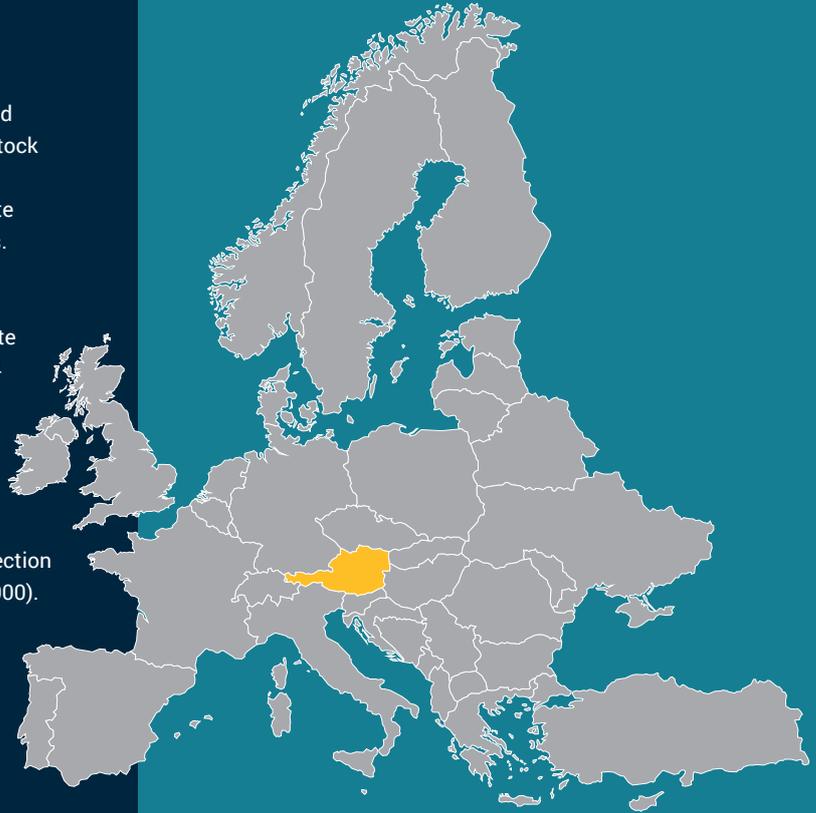
Summary of the relevant legislation on exotic pets

# COUNTRY REPORTS



The Animal Protection Act 2004 (Tierschutzgesetz – BGBl I No. 118/2004, latest amendment BGBl I No. 86/2018) sets general provisions on the treatment and care of animals. The secondary legislation, 2nd Livestock Regulation (BGBl II No. 486/2004, last amended by BGBl II No. 341/2018) covers the prohibition on private keeping of certain species, and housing requirements. Pet shops are regulated by BGBl II No. 139/2018 on the Animal Protection – Keeping Regulation. Some Federal States have their own legislation on the private keeping of animals. In addition, BGBl II No. 493/2004 (last amendment BGBl II No. 69/2016) on the Animal Protection – Event Regulation prohibits the trade of wild animals at markets and fairs, apart from exchange sites.

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



- > A negative list is included in the 2nd Livestock Regulation, prohibiting the private keeping of various animal species such as great ape, anteater, hyena, wild cat, cheetah, bear, seal, whale, rhinoceros, tapir, hippopotamus, giraffe and elephant. These animals might pose particular requirements for their keeping and thus, are prohibited to be kept privately for reasons of animal protection. Depending on the state, bans might also apply on the keeping of certain dangerous animals (e.g. poisonous species).
- > A prior notice to the authorities is required for species having special demands on housing and care (2nd Livestock Regulation). These species include wild mammals and birds (with some exceptions), reptiles, amphibians, fish that are larger than 1m at adult size, owl and raptors, and certain non-domestic parrots.
- > The Animal Protection Act 2004 includes general housing requirements for the private keeping of pets in relation to space, freedom of movement, floor material/bedding, environmental conditions, care, food and the possibility of social contact. Detailed minimum standards to keep exotic or wild mammals, birds, amphibians, reptiles and fish are included in the annexes of the 2nd Livestock Regulation. Exact standards on cage sizes, structure of the accommodation, floor material/bedding, temperature, humidity, feeding and social requirements are given for specific species such as guinea pigs, degus, zebra finches, macaws, Egyptian tortoises, snapping turtles, Amur snakes, speckled pythons, etc.
- > The Animal Protection Act 2004, with further specifications in the 2018 Keeping Regulation, lays down requirements for training of staff taking care of animals in pet shops. People looking after animals must possess appropriate ability, knowledge and professional skills.
- > Pet shops are obliged to advise customers on adequate keeping of animals as well as required vaccinations. Minors younger than 16 years old are not allowed to obtain animals without consent from a guardian.

## FUTURE PLANS

- The positive list is frequently mentioned in discussion of the Council for Animal Protection.

The Law on the Protection and Welfare of Animals of 14 August 1986 (Wet betreffende de Bescherming en het Welzijn der Dieren/Loi relative à la Protection et au Bien – être des Animaux, last amend. April 2019) is the main animal welfare law. It is complemented by the Royal Decree of 16 July 2009 (last amend. September 2018) establishing the list of mammals which may be held (Koninklijk besluit tot vaststelling van de lijst van niet voor productiedoeleinden gehouden zoogdieren die gehouden mogen worden/Arrêté royal fixant la liste des mammifères non détenus à des fins de production qui peuvent être détenus), which includes a positive list.

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

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



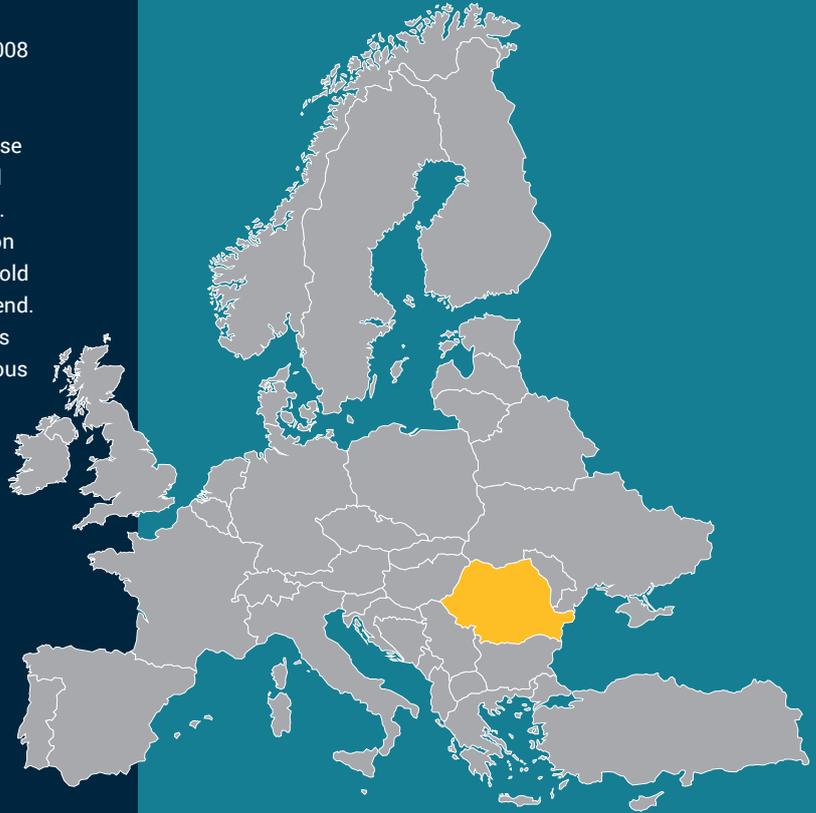
- > Belgium was the first country with a positive list for mammals, which is included in the Royal Decree of 16 July 2009. The list includes 43 species allowed to be kept privately. Restrictions on the private keeping of mammal species are drafted for reasons of animal welfare, risks for human health and safety, environmental risks in case of escape and availability of data on the species' needs. The competence for the positive list has now been moved to regional authorities. Each region is developing their own lists for non-mammals. Flanders introduced a positive list for mammals in 2018.
- > Exceptional permits can be granted for the keeping of animals not included in the list, if sufficient expertise can be demonstrated, and if an appropriate environment, ensuring good animal welfare, can be provided. Requests to include further species in the list can also be submitted.
- > General requirements on the housing of pets are described in the Law on the Protection and Welfare of Animals 1986. Detailed housing requirements for animals in pet shops are described in the Royal Decree of 27 April 2007. The decree includes detailed information on minimum cage sizes for various species and general information on species specific behaviour, temperature, humidity, outdoor accommodation, etc.
- > The Royal Decree of 27 April 2007 demands adequate and competent personnel for the care of animals in establishments such as pet shops or shelters. Detailed training requirements are not drafted.
- > Pet shops have to provide detailed guidelines regarding the feeding, keeping and taking care of the animals sold.
- > Persons younger than 16 years of age are not allowed to buy an animal.

## FUTURE PLANS

- As the positive list is now under regional competence, positive lists for non-mammals are currently being drafted by the regions.
- The Brussels region has approved the first reading for a draft Decree prohibiting the keeping of cat hybrids, such as Bengals and Scottish Folds, due to welfare concerns.

The Animal Protection Act SG No. 13 of 8 February 2008 (last amend. 2011) covers the general aspects of the treatment, care and sale of animals. More provisions and restrictions concerning the private keeping and use of wild animals are laid down in the Law on Biological Diversity SG No. 77 of 7 September 2008 (last amend. June 2018). Ordinance No. 41 of 10 December 2008 on the Requirements for Animals Being Kept, Bred and Sold in Wholesale, Pensions and Animal Shelters (last amend. 2016) stipulates - as the title suggests – requirements for the keeping, breeding and trade of animals in various settings.

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



- > A negative list is included in the Animal Protection Act 2008, which prohibits the keeping, owning, selling or importing of primates and wild cats. In addition, animals listed in Annex 3 to the Biological Diversity Act 2008 fall under protected species, meaning their keeping and commercial use is also forbidden. Species in Annex 4 to the same Act can only be kept and traded under certain conditions. Species are prohibited to be kept for reasons of animal protection, and human and environmental health risks.
- > Owners of household-kept wild animals, other than those on the negative list, require an authorisation.
- > The Animal Protection Act 2008 sets out general housing requirements for companion animals. Ordinance No. 41 of 10 December 2008 on the Requirements for Animals Being Kept, Bred and Sold in Wholesale, Pensions and Animal Shelters (last amend. 2016) contains general housing conditions in pet shops.
- > Pet shop staff have to have qualifications and experience in keeping the animal species. Employees also have to follow a course in animal protection and humane treatment, providing a basic knowledge of taxonomy, anatomy, physiology, ecology, ethology, feeding and reproduction, diseases, conditions for import, legislative requirements, climate control, food and storage of food, and impact of environmental changes and stress on the animals. In addition, specialized knowledge needs to be obtained on commonly traded species, including arthropods, fish and amphibians, reptiles, cage birds, rabbits and rodents, dogs, cats and ferrets.
- > Pet shops have to provide information on animal keeping and humane treatment. Buyers have to be informed on animal keeping, proper care, required vaccination and registration. Further information that is to be provided for different types of animals is also specified by the law. In case of the purchase of a wild animal, data containing the name and address of the buyer have to be submitted to the regional inspectorate. Selling an animal to persons younger than 18 years of age is prohibited.

## FUTURE PLANS

- There is no information on future plans.

The Animal Protection Act of October 2017 is the only law related to animal welfare, husbandry and sale of animals. Other legislation includes the Rulebook on conditions that should be fulfilled when breeding pets intended for sale from 2009 and the Rulebook on conditions that should be fulfilled by pet shops and wholesale, coming into force by the end of 2019.

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



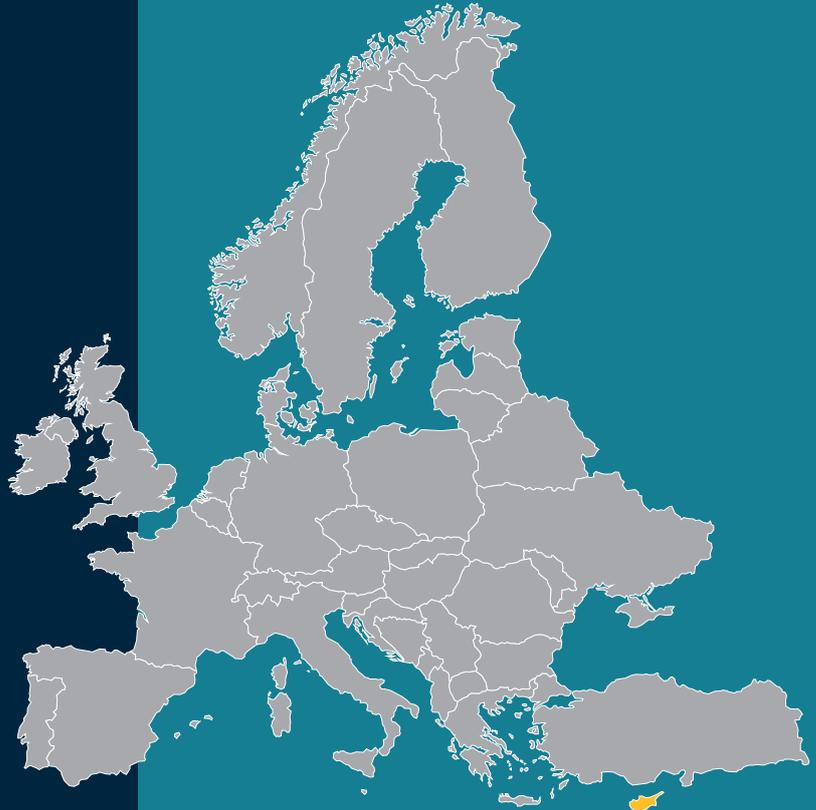
- > Croatia has introduced a positive list for exotic birds, fish, molluscs and plants through Regulation NN 17/2017-404 on species that may be placed on the market and invasive alien species. Species in this regulation may be traded without further restrictions. Inclusion in the list is determined by the invasiveness risk of the species.
- > In relation to a negative list, the private keeping of bears (al Ursidae), dolphins and other marine mammals of the family Cetacea is prohibited. While bears can, nevertheless, be kept in zoos and shelters, members of the family Cetacea are not allowed to be kept in captivity at all, except for medical treatment, recovery and care, and as service animals. Further restrictions on the private keeping of exotic animals apply only to animal species that are protected under separate nature protection legislation. In addition, the City of Zagreb has a ban on the sale of dangerous and potentially dangerous animals.
- > For all other wild animals, no authorisation is required for their keeping.
- > The Animal Protection Act 2017 includes some general requirements on the freedom of movement, space, microclimatic conditions, care, food and social behaviour.
- > The Animal Protection Act 2017 also requires pet shops employ staff trained in the care of animals, and for pet shops to provide written information on the proper care of the animals they sell. Details on training of pet shop staff should be determined by the Minister according to the Animal Protection Act 2017, but no rulebook has been adopted on this matter so far. The law also prohibits the sale of animals to minors.

## FUTURE PLANS

- There is no information on future plans.

The Law for the Protection and Welfare of Animals 46(I)/1994 (latest amendment 55(I)/2013) is the main animal welfare law. The protection of endangered, vulnerable, and declining species and the protection of the local biodiversity are regulated by the Law on the Protection and Management of Nature and Wildlife 153(I)/2003 and the Law on the Protection and Management of Game and Wild Birds 152(I)/2003. In addition, a Ministerial Decree (221/2017) lists animal species which are prohibited from being imported, traded, sold or advertised.

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



- > There is no positive list but a negative list has been established through the Ministerial Decree 221/2017. Species prohibited from being imported, traded, sold or advertised included animals from the orders of Crocodylia, Diprotodontia and Carnivora (except for dogs, cats and ferrets), as well as animals belonging to the families of Antilocapridae, Bovidae, Camelidae, Cervidae, Suidae, Tayassuidae and Equidae (except for horses, donkeys, mules and hinnies).
- > An authorisation is required to privately keep vulnerable and declining native species, which are protected by the Law on the Protection and Management of Nature and Wildlife 153(I)/2003 and the Law on the Protection and Management of Game and Wild Birds 152(I)/2003.
- > The Law for the Protection and Welfare of Animals 46(I)/1994 describes some general housing requirements on care, feeding, freedom of movement and protection.
- > There is no requirement for training of pet shop staff in the Law for the Protection and Welfare of Animals 46(I)/1994. No minimum age is determined for the purchase of animals.

## FUTURE PLANS

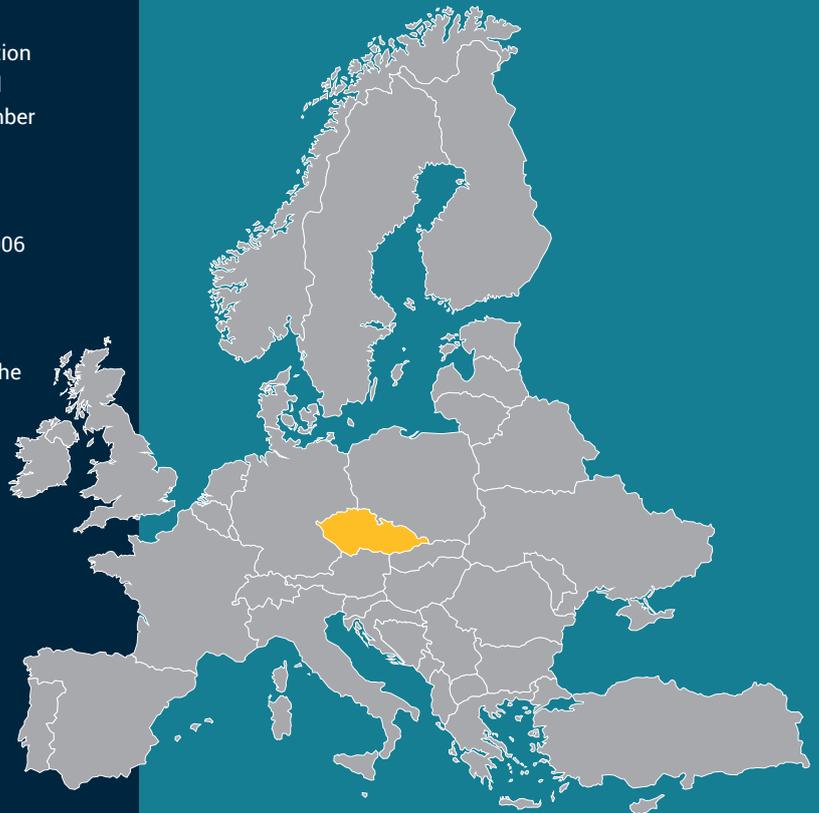
- A Pet shop regulation is currently pending review at the Attorney's General Office. If the regulation receives approval, it will be passed to the Parliament for a vote. The draft regulation would introduce a positive list of species allowed to be sold in pet shops, keeping conditions, registration and inspection of facilities, record keeping, minimum age for the purchase of animals set at 16 years, and a requirement to provide care information).

# Czech Republic

Summary of the relevant legislation on exotic pets

The main animal welfare law is the Act on the Protection of Animals Against Cruelty No. 246/1992 (last amend 2017). It is complemented by the Decree of 18 November 2008 No. 411/2008 (last amend. 2011) specifying animal species requiring special care, for which an authorisation is required according to the Act on the Protection of Animals Against Cruelty. Decree 346/2006 stipulates detailed conditions of keeping and training of animals. The Act on Protection of Nature and the Landscape 114/1992 (last amend. 2017) contains provisions on the protection of wild animals, and on the implementation of CITES.

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



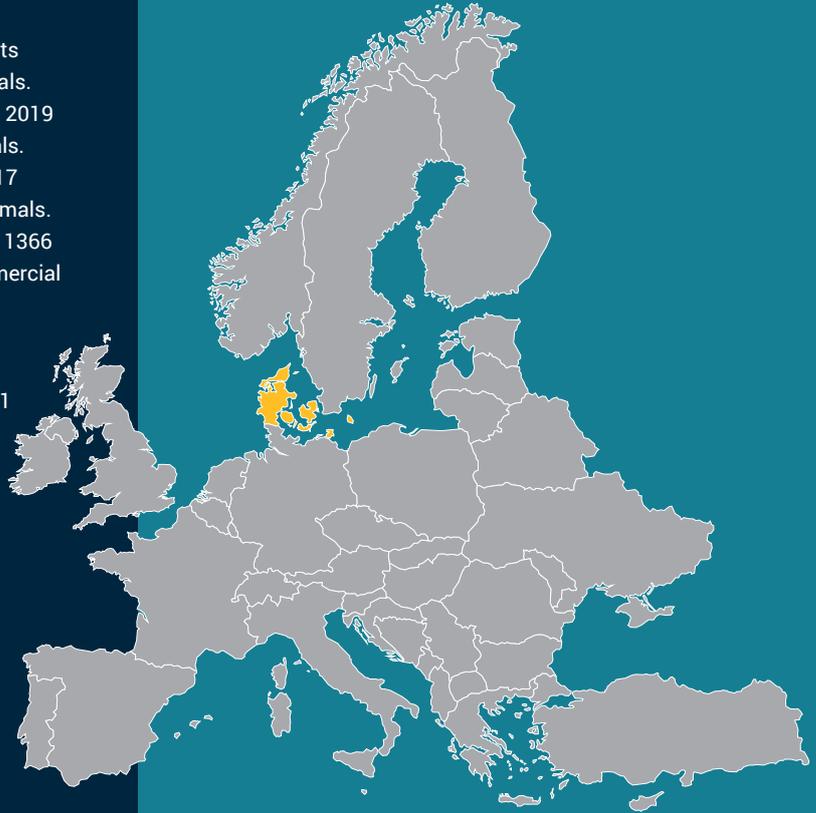
- > A negative list prohibiting the private keeping of animal species is included in Decree No. 395/1992 (last amend. 2018) implementing provisions of the Act on Protection of Nature and the Landscape No. 114/1992, for reasons of species conservation. In addition, the Act on the Protection of Animals Against Cruelty prohibits the catching of indigenous wild animals for the purposes of farm breeding, keeping as companion animals or keeping for the purpose of domestication (including training).
- > The Decree of 18 November 2008 No. 411/2008 specifying animal species requiring special care lists species for which an authorisation is required. The list includes venomous reptiles, crocodiles, various bird species such as falcons and owls, primates, carnivores (including pinnipeds), elephants etc.
- > The Act on the Protection of Animals Against Cruelty No. 246/1992 does not mention specific housing conditions. Animals must be kept in appropriate conditions to maintain their physiological functions and satisfy their biological needs. In the Decree of 22 June 2006 on laying down more detailed conditions of keeping and training of animals, detailed housing requirements are given for wild animals that are trained, including felines, bears, elephants, wild equidae, llamas and camels, bovidae and delphinidae.
- > There are no training requirements for pet shop employees included in the Act on the Protection of Animals Against Cruelty No. 246/1992. However, persons trading in animals have to provide the buyer with written information on breeding conditions and the care for health and welfare of the purchased animal. Animals are not allowed to be sold to persons under the age of 15 years. For animal species requiring special care, the person has to be older than 18 years of age.

## FUTURE PLANS

- An amendment of the Act of the Czech National Assembly on the Protection of Animals Against Cruelty No. 246/1992 was approved in May 2019 and will enter into force on 9th Dec. 2019. The amendment concerns circus performances and breeding, licences for performances with animals, petting zoos, breeding and private owning of big carnivores, a definition of puppy mills and authority of municipalities concerning animals.
- Another change of the law is planned for the 1st of January 2020 on Act No 166/1999 Coll. on veterinary care and amending certain related laws (Veterinary Act).

The Animal Welfare Act No. 20 of 11 January 2018 sets general provisions on the treatment and care of animals. The Act on the Keeping of animals No. 1 of 2 January 2019 stipulates general provisions on the keeping of animals. The two acts are complemented by BEK No. 1261 of 17 November 2015 prohibiting the keeping of certain animals. Pet shops and sales of pets are regulated by BEK No. 1366 of 1 December 2017 the Executive Order on the Commercial Trade in Animals.

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



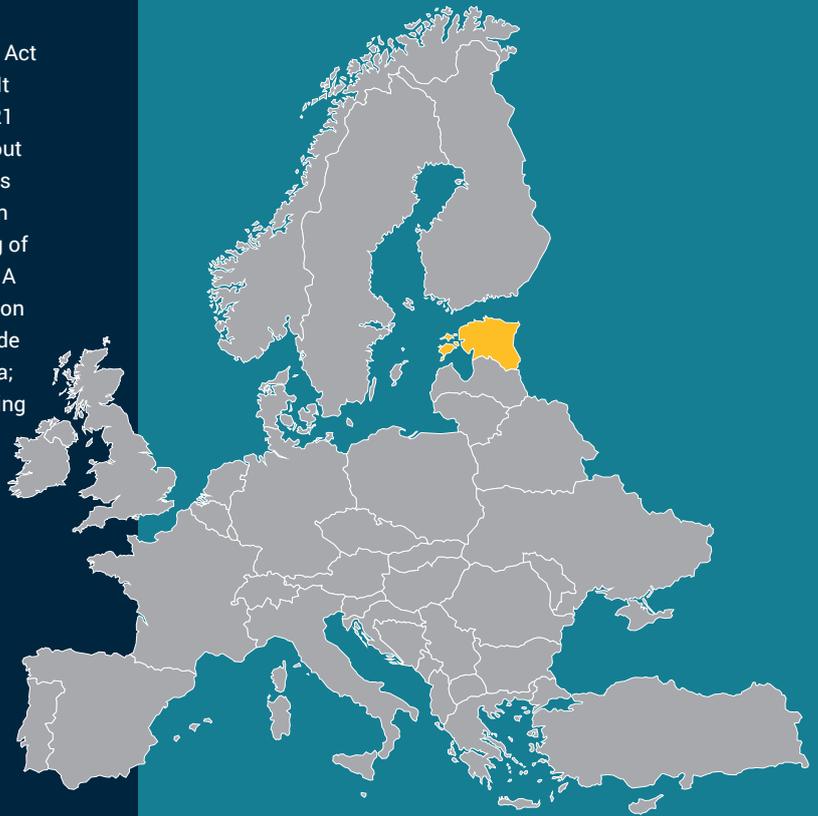
- > A negative list is included in the Annex I to Order No. 1261 of 17 November 2015. The list includes marsupials, anteaters, kangaroos, bats, beavers, flying squirrels, seals, cetaceans, elephants, ungulates, primates, storks, sharks, turtles, crocodiles, vipers etc. The private keeping of these animals is forbidden as they might be dangerous or difficult to retain or difficult to keep in an animal friendly manner.
- > An authorisation to keep animals in the negative list can be obtained if the animal was acquired before the law came into force in 2016, if the animal is clearly labelled and if it cannot or is not allowed to reproduce.
- > The Animal Welfare Act 20/2018 includes general housing requirements for any premises where animals are kept. Premises need to satisfy the needs of the animals, and protect against wind and weather.
- > The Executive Order 1366/2017 on Commercial Trade of Animals lays down requirements for training of pet shop staff. Those with day-to-day responsibility of the animals must have completed a vocational training, or an education on the management of animals.
- > The Order on Commercial Trade also contains a provision requiring the seller to provide the buyer with written care instructions concerning the proper care of the animal. This should include information on the full grown size of the animal, life expectancy, recommended size and layout of cages or other housing, specific needs, stimulation and need for exercise, feeding, social needs, and sign of illness and reduced well-being. Animals are not allowed to be sold to persons under the age of 16 years.

## FUTURE PLANS

- There is no information on future plans.

The main animal welfare law is the Animal Protection Act RT I 2001, 3, 4 (last amend. RT I, 13 March 2019, 16). It is complemented by the Nature Conservation Act of 21 April 2004 (last amend. November 2018) which sets out provisions protecting wild fauna. Further requirements for the keeping of animals are stipulated in Regulation 29 of 12 April 2007 on the Registration of the Keeping of Wild Mammals, Birds and Reptiles specified in Annex A of Council Regulation (EC) No. 338/97 on the Protection of Species of Wild Fauna and Flora by Regulating Trade Therein and the Prohibition on Keeping of Hominoidea; as well as Regulation 76 of 24 July 2008 on Pet Keeping Requirement (last amend. June 2009).

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



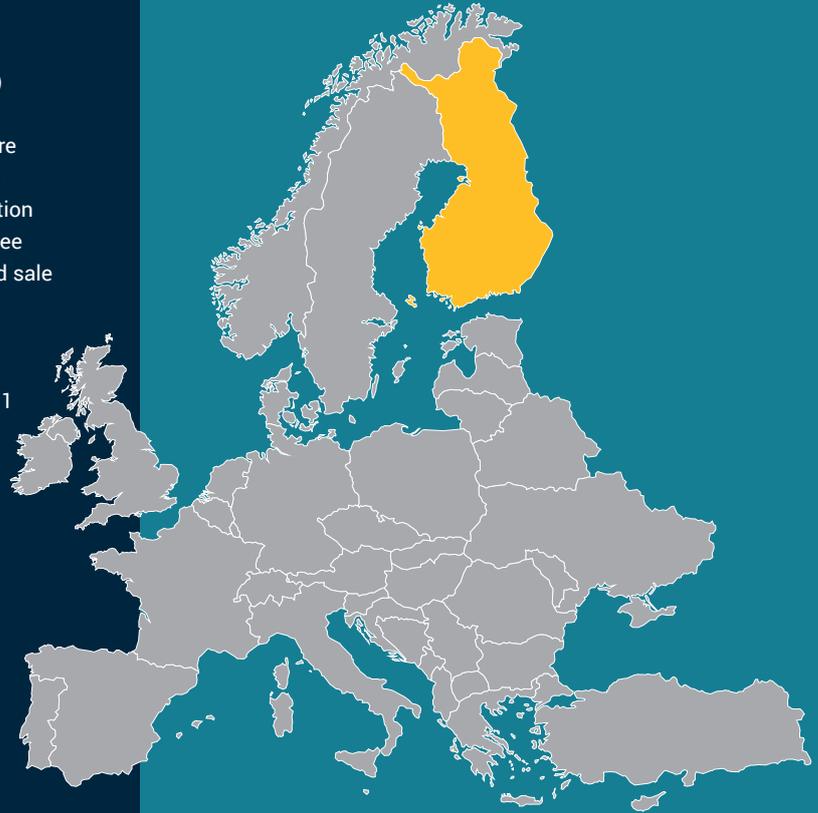
- > A negative list does exist in the form of a prohibition to keep Great Apes (as per Regulation 29 of 2004) and a prohibition to use protected species of category I, II and III and listed in Annex IV to Council Directive 92/43/EEC for commercial or any other purposes (as per the Nature Conservation Act 2004). The restrictions are imposed in order to protect wild fauna and biodiversity. However, it only applies to wild living species - captive born protected species may be kept and traded.
- > Regulation 29 of 2004 also regulates the registration for the keeping of protected species in category I and listed in Annex IV to the Council Directive. This regulation thus implements the EU CITES trade regulations. The Nature Conservation Act implements the EU Habitats and Birds Directives and the IAS regulation.
- > The Animal Protection Act 2001 includes general housing requirements for the private keeping of pets on care, feeding and water, environmental conditions, space and structure of the accommodation, possibility of social contact and regular inspection of the animal's well-being. Detailed minimum standards to keep dogs, cats, rodents, rabbits, ferrets, birds, reptiles, amphibians, aquarium fish and invertebrates are included in Regulation 76 of 2008 on Pet Keeping Requirements. Standards for cage sizes, structure of the accommodation etc. are given.
- > There is no requirement for training of pet shop staff or requirement to provide information to the buyer in the Animal Protection Act 2001. Persons younger than 16 years of age are not allowed to obtain animals.
- > In addition, Regulation 36 of 2018 determines a list of species and subspecies which may be used at an animal exhibition, competition, fair, auction or other public event associated with displaying animals.

## FUTURE PLANS

- There is no information on future plans.

The Animal Welfare Act 247/1996 (last Amend. 2018) sets general provisions on the treatment and care of animals. The secondary legislation, the Animal Welfare Decree 396/1996 (last amendment 674/2010) covers detailed housing requirements. The Nature Conservation Act 1096/1996 and related Nature Conservation Decree 160/1997 (last maned. 2015) prohibit the keeping and sale of certain animals.

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



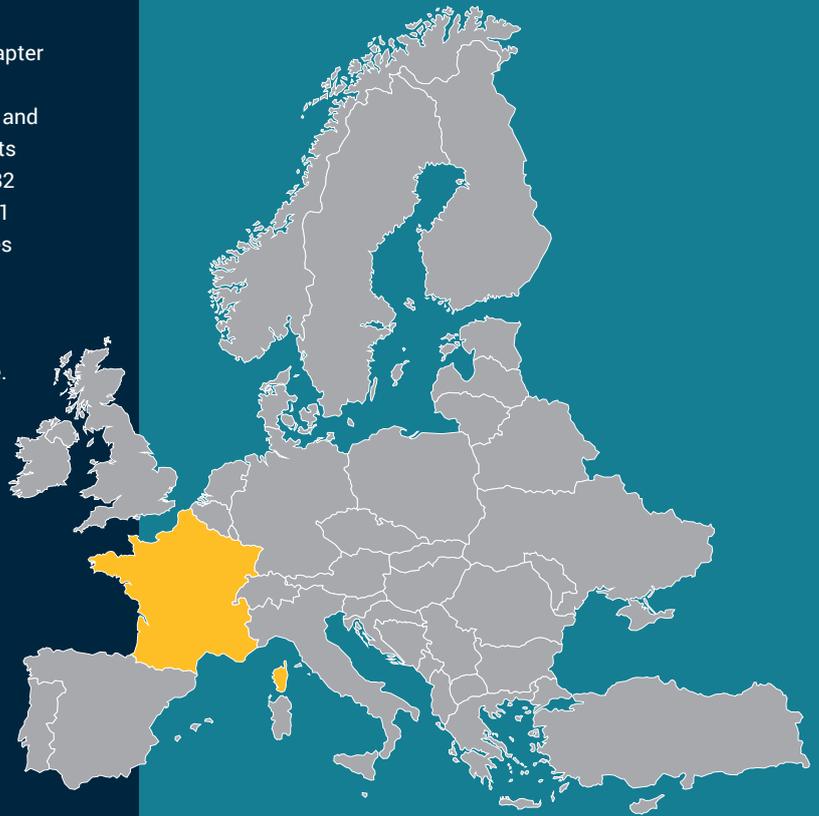
- > There is no positive list in Finland. However, the Nature Conservation Act 1096/1996 and the related Nature Conservation Decree 160/1997 implement the EU's habitat Directive and Article 1 of the Birds Directive. Thus, they introduce a negative list, including the species included in Annex IV (a) of the Habitat Directive and Article 1 of the Birds Directive. According to the Nature Conservation Act 1096/1996 it is prohibited to keep, sell, transport or offer for sale animals included in these lists. Private keeping of these animals is forbidden for animal protection reasons. In addition, capturing wild mammals and birds is prohibited, unless the animal is captured to be kept in a zoo (Animal Welfare Act 247/1996).
- > No authorisation is required for the private keeping of animals other than those in the negative lists.
- > The Animal Welfare Act 247/1996 includes general housing requirements on space and lighting, safety, feeding, drink and necessary care. Detailed minimum standards on accommodation structure, cage sizes, watering and feeding, space, hygiene, ventilation, noise, etc. are drafted in the Animal Welfare Decree 396/1996 (see the amendment 647/2010). Housing requirements are given for dogs, cats, rodents, rabbits, ferrets, cage birds, reptiles, amphibians, fish and invertebrates.
- > There is no requirement for training of pet shop staff or requirement to provide information to the buyer in the Animal Welfare Act 247/1996. No minimum age is determined for the purchase of animals.
- > Animal welfare organisations created ISO – standards for pet shops (guidelines on keeping animals in pet shops, training of staff, and written information to consumers, etc.). The guidelines are a lot stricter than the current legislation. Pet shops that meet these standards are rewarded with an 'Ethical Animal Pet Shop' – sticker (more info [www.eesp.fi](http://www.eesp.fi)). Also consumers are informed about this program.

## FUTURE PLANS

- The Animal Welfare Act and Decree are currently being reviewed. The inclusion of a positive list is being discussed.

The main animal welfare legislation is included in Chapter IV (on Animal Protection, R. 214-7) of the Rural and Maritime Fisheries Code (last modified 22 May 2019) and in R. 654-1 of the Criminal Code. Housing requirements for pets can be found in the Decree of 25 October 1982 on the breeding and keeping of animals, while article 1 of the Order of 8 October 2018 lays down general rules for the keeping of non-domestic animals. Provisions on establishments holding non-domestic animals are laid down in articles L. 413-1 and seq., L. 413-3 and seq., and R 413-1 and seq. of the Environmental Code. Further provisions are included in section No. 2140 of the regulation on classified installations for the protection of the environment, and in Decree No. 2017-230 of 23 February 2017 on the conditions for the identification and transfer of non-domestic animals held in captivity.

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



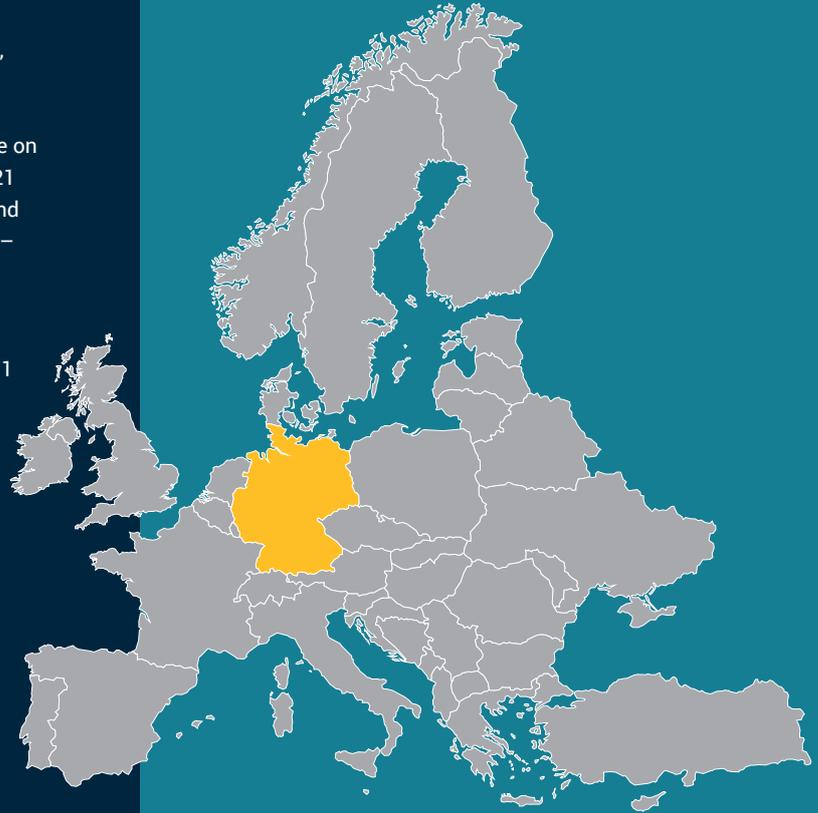
- > A negative list is included in the Annex 2 of the 2018 Order (species with an asterisk are prohibited from being kept). Among the prohibited species are those species included in the Union list, which are prohibited due to their invasiveness risk.
- > Annex 2 of the 2018 Order also includes an overview of the requirements to keep different species, which can be related to the number of individuals kept. Some species or a certain number of kept individuals of a species do not need further formalities, while others either require a declaration of keeping, or authorisation. Authorisation is compulsory for various protected species as per specific orders (listed in the Annex) and various species of mammals, birds, reptiles, amphibians, fish, crustaceans and insects (including spiders, scorpions and Acari). A competency certificate needs to be supplied in order to be granted authorisation.
- > These restrictions are imposed for biological conservation, species protection, risks to human and animal health, animal welfare, ecological risks, and in order to promote good quality shops and breeders.
- > The Decree of 25 October 1982 on the breeding and keeping of animals Appendix I provides general housing requirements on food and water, environmental conditions, space and hygiene. Animals have to be kept according to their physiological needs. These requirements are also applicable in pet shops.
- > Species - as defined in column (c) of Annex 2 of the 2018 Order cannot be held and sold at retail establishments.
- > According to Circular DNP/CFF No. 2005-02 of 17/05/2005 on rules specifying the keeping of non – domestic species, species of Annex 2 are no longer allowed to be sold in pet shops. Pet shops need to be registered, they need to comply with certain housing standards, and are to be inspected, staff needs to undergo training, and information on the care of the animals needs to be provided to buyers . In addition, pets may not be sold to persons under the age of 16 years, and are not to be sold at markets, fairs and the like.

## FUTURE PLANS

- There is no information on future plans.

The Animal Welfare Act 2006 (TSchG of 18 May 2006, BGBl I p.1206, last amendment 17 December 2018) sets general provisions on the treatment and care of animals. It is complemented by the Federal Ordinance on the Conservation of Species (BArtSchV, last amend. 21 January 2013) and the Act on Nature Conservation and Landscape Management (Bundesnaturschutzgesetz – BnatSchG 2009, last amend. 13 May 2019).

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



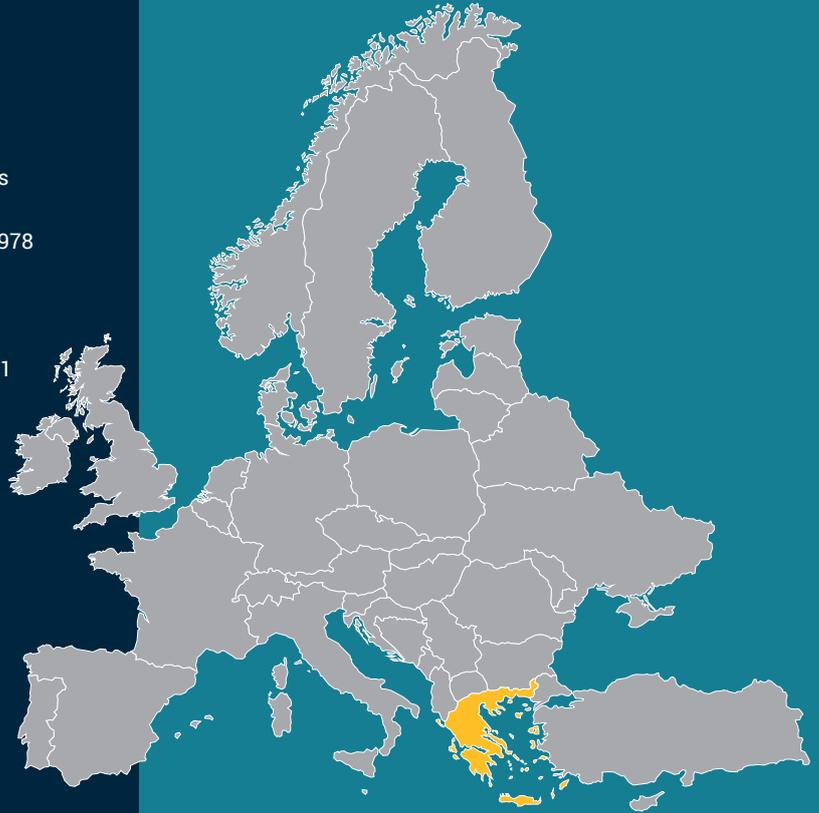
- > A negative list is included in the Federal Ordinance on the Conservation of Species 2005 of 16 February 2005, prohibiting the private keeping of the American Beaver, grey squirrel, snapping turtle and alligator snapping turtle as well as birds of prey. 9 Länder (Federal States) also drafted different negative lists including apes, large wild cats, bears, wolves, crocodiles, venomous snakes and others for reasons of public safety (Länder exceptions can be granted).
- > Registration is needed for species listed in Annex I of the Federal Ordinance on the Conservation of Species (§7). The keeper is required to have sufficient knowledge and skills for the care of the animals, and needs to be able to ensure that the animals cannot escape and that animal welfare requirements are met. The Annex includes all native wild mammals, reptiles and amphibians (all European species) (exemptions for royal python, green iguana, boa constrictor, and others). In addition, 9 Länder require authorisation to keep certain dangerous or venomous animal species. The owner generally has to prove expert knowledge. Exceptional permits are also possible for species on the Union list.
- > The Animal Welfare Act 2006 includes general housing requirements for the private keeping of pets on food, care, freedom of movement and housing, which must be appropriate to its species, behaviour and needs. The owner must also possess the knowledge and skills to meet the requirements.
- > Persons responsible for the sale of animals have to acquire skills and expertise through training or previous experience (Animal Welfare Act 2006). Pet shop employees are also required to provide information on the animal's needs to the buyer. Persons younger than 16 years of age are not allowed to obtain animals.

## FUTURE PLANS

- The coalition agreement of the governing parties from 2018 states: „we have to face several challenges in animal welfare (for example keeping of wild and exotic pets, internet trade, animal fairs etc.). The competent ministry for animal welfare issues will prepare proposals for specific measures possibly even bans to improve animal welfare in these areas.“ Up to now, no proposals have been prepared by the ministry.

The Law No. 4039/2012 (last amend. 4235/2014) for domesticated and stray companion animals and the protection of animals of exploitation for profit is the main law related to animal welfare in Greece. It is complemented by Law 604/1977, providing provisions on animal welfare, safety rules and proper veterinary practices in pet shops and Presidential Decree 463/1978 on the conditions to operate animal establishments.

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



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

## FUTURE PLANS

- New animal welfare legislation is currently being developed in Greece. A draft will be presented to stakeholders in the near future. The positive list, housing requirements for pets in pet shops and requirements for training of pet shop staff have been previously discussed. It remains to be seen whether related provisions will be proposed.

The main regulations on animal welfare are included in the Act XXVIII of 1998 on the Protection of and Humaneness towards Animals (amended by Act LXVII of 2002). The Government Decree 41/2010 II (26) on the Keeping of Pet Animals and Marketing provides requirements on private keeping and sale of animals. The Joint Decree No 85/2015 (XII. 17.) includes information on the private keeping of dangerous animals.

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



> A negative list is included in the Government Decree 41/2010 II (26) on the Keeping of Pet Animals and Marketing. It is prohibited to sell primates and species for reasons of ecological risks. The list also includes invasive animal species. The Joint Decree No 85/2015 (XII. 17.) prohibits the keeping of sea snakes.

> An authorisation is required for the private keeping of dangerous species listed in Annex I of the Joint Decree No 85/2015 (XII. 17.). The list includes kangaroos, primates, wolves, bears, gluttons, hyenas, large wild cats, elephants, rhinoceroses, wild equids, hippopotami, buffalos, bison, ostriches, emus, new world vultures, eagles and hawks, owls, snapping turtles, crocodiles, venomous lizards, various

snakes (including boidae) and spiders. The species that kill with their venom are only authorised when an effective serum is available. Also, special qualification and practical experience is required to obtain authorisation for species in Annex I of the Joint Decree No 85/2015 (XII. 17.)

> The Act XXVIII of 1998 on the Protection of and Humaneness towards Animals (amended by Act LXVII of 2002) demands that animals are kept appropriate to its species, breed and physiological needs. Minimum cage sizes are given for dangerous animals listed in Annex I of the Joint Decree No 85/2015 (XII. 17.)

> The Joint Decree No 85/2015 (XII. 17.) demands special qualification and relevant practical experience for pet shop employees when dangerous animals are sold in the shop. The pet shop must also display information on the species (sex, age, price, necessary licences) sold in the shop (Government Decree 41/2010 II (26) on the Keeping of Pet Animals and Marketing).

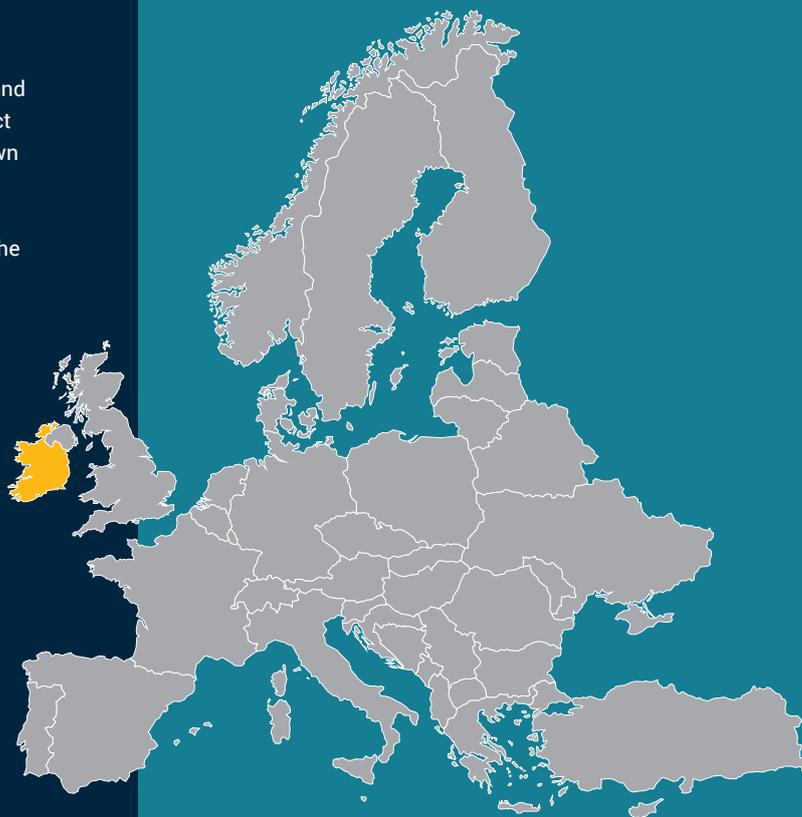
> Pet shops are required to give customers written guidelines on adequate keeping of animals. No minimum age is determined for the purchase of animals.

## FUTURE PLANS

- There is no information on future plans.

The Animal Health and Welfare Bill 2013 (last amend. May 2019) sets general provisions on the treatment and care of animals. It is complemented by the Wildlife Act 1976 No. 39 (last amend. December 2018), laying down requirements on wildlife.

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



- > There is no positive list, but a negative list has been established by a prohibition on the keeping of certain species of perching birds (except for closed-ringed specimens bred in captivity). The Wildlife Act 1976 includes restrictions on capturing or killing a protected wild animal, for which a licence is required. The protected wild animals refer to buzzards, eagles, harriers, hawks, kites, ospreys, owls, pine martens, red deer, seals, whales, badgers, bats, hares, hedgehogs, otters, red squirrels, dolphins, porpoises and Natterjack toads.
- > General housing requirements for the private keeping of pets on accommodation structure, feeding and regular inspection are included in the Animal Health and Welfare Bill 2013. Animals have to be kept and fed in accordance with their type, species, breed, development, etc.
- > According to the Wildlife Act 1976, only licenced wildlife dealers are allowed to sell wild animals. There are no training requirements for pet shop staff and there is no obligation to inform the customers on adequate keeping of animals. Minors younger than 16 years of age are not allowed to obtain animals.

## FUTURE PLANS

- In 2018, a consultation on the sale of pets took place in Ireland. The Irish Society for the Protection of Animals (ISPCA) submitted a contribution calling for the introduction of the positive list.

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

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



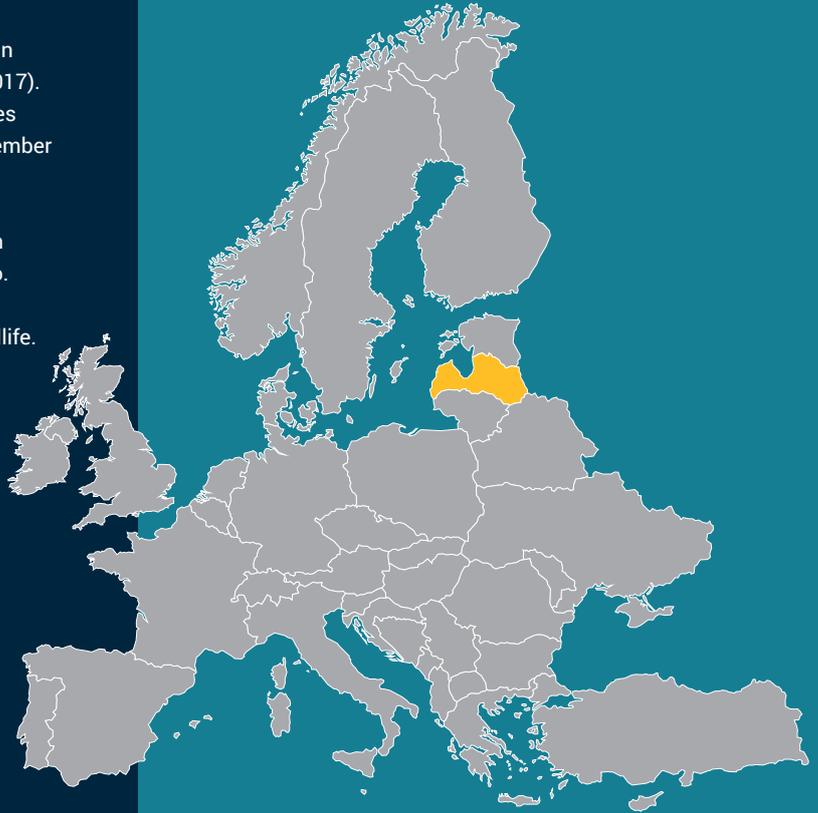
- > A negative list is included in Annex A of the Decree of the Ministry of Environment of 19 April 1996. The list includes marsupials, primates, large wild cats, elephants, peccaries, hippopotami, deer, elk, antelopes, buffaloes, various rodents, turtles, crocodiles, varanids, boas, vipers etc. These species are forbidden for private keeping for reasons of risks to public health and safety, including potential hazards like transmission of diseases to humans, or because the species are endangered. In addition, law N157/1992 declares all endemic wildlife as state property, which therefore, cannot be traded or privately kept.
- > Some wild species, included in Annex B of the Decree of the Ministry of Environment of 19 April 1996 are authorised to be kept for production purposes. The Annex includes red fox, wild boar, elk, deer, roe deer, fallow deer and mouflon.
- > There is no national law that demands requirements for training of pet shop staff or requirement to provide information to the buyer, though these requirements are included in some regional laws. Pet animals cannot be sold to persons under the age of sixteen without the consent of a guardian.

## FUTURE PLANS

- There is no information on future plans.

The main regulations on animal welfare are included in the Animal Protection Law 1999 (last amend. June 2017). Regulations on wildlife are also included in the Species and Habitats Protection Law 2000 (last amend. September 2017). Further provisions following from the Species and Habitats Protection Law are laid down in Cabinet Regulations No. 1055 of 2009 and No. 396 of 2000 on specially protected species, and No. 1165 of 2010, No. 1139 of 2009 and No. 1146 of 2010 on procedures to acquire and/or trade (endangered and protected) wildlife.

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



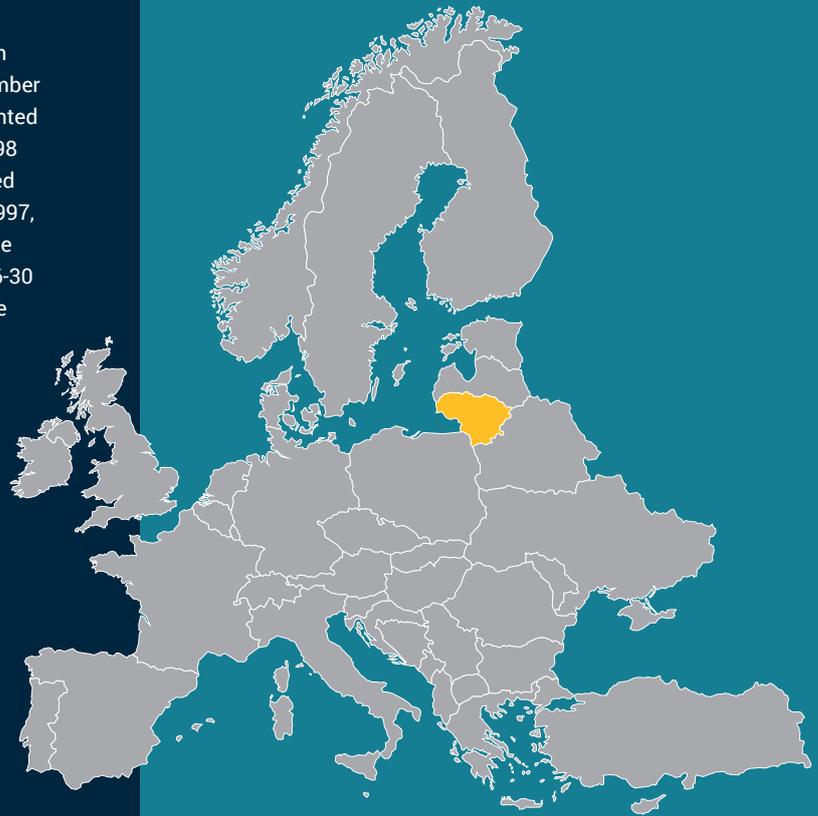
- > A negative list is included in the Animal Protection Law 2000 and prohibits the private keeping of carnivorous animals, primates, marine mammals, crocodiles and snake-like animals. Endangered, disappearing or rare species are under the special protection of the state and are also prohibited from keeping or selling, as per the Species and Habitats Protection Law 2000. The list of specially protected species is laid down in Cabinet Regulation No. 396 of 2000.
- > An authorisation is required for the keeping of wild, non-native, specially protected and CITES species (the latter as included in Annex A and B of Council Regulation 338/97). Cabinet Regulation No. 1139 of 2009 on Procedures for the Storage, Registration, Capture, Marking, Trade and Certification of Endangered Species in International Trade includes a list of species that do not require authorisation, but the owner has to prove the legal origin of the animal and in case of an endangered species, the animals has to be born and raised in captivity.
- > The Animal Protection Law 1999 and Cabinet Regulation No. 266 of 2006 include general housing requirements on equipment, keeping conditions, food and water (the latter for pet shops). Animals have to be kept according to their physiological and ethological needs.
- > Cabinet Regulation No. 266 of 2006 on Welfare Requirements for Keeping, Selling and Displaying Domestic (Pet) Animals at Public Shows and Dog Training stipulates a requirement for staff to have received training. The trader must provide written information to the buyer on feeding, watering and any required special care of animals.
- > Persons younger than 18 years of age are not allowed to obtain animals according to the Civil Law.

## FUTURE PLANS

- There is no information on future plans.

The main provisions on animal welfare are included in the Law on Animal Welfare and Protection of 6 November 1997 No. VIII 500 (last amend. 2016). It is complemented by the Law on Wildlife of 6 November 1997 No. VIII 498 (last amend. 2017), the Law on Protected on Protected Fauna, Flora, Fungi and Communities (6 November 1997, No. VIII-499) (last amend. 2017), the Regulation on the use of wild animals (Ministry of Environment 2011-06-30 No. D1-533/ B1-310) (last amend. 2018) and the State Veterinary Service Regulation on pet trade.

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



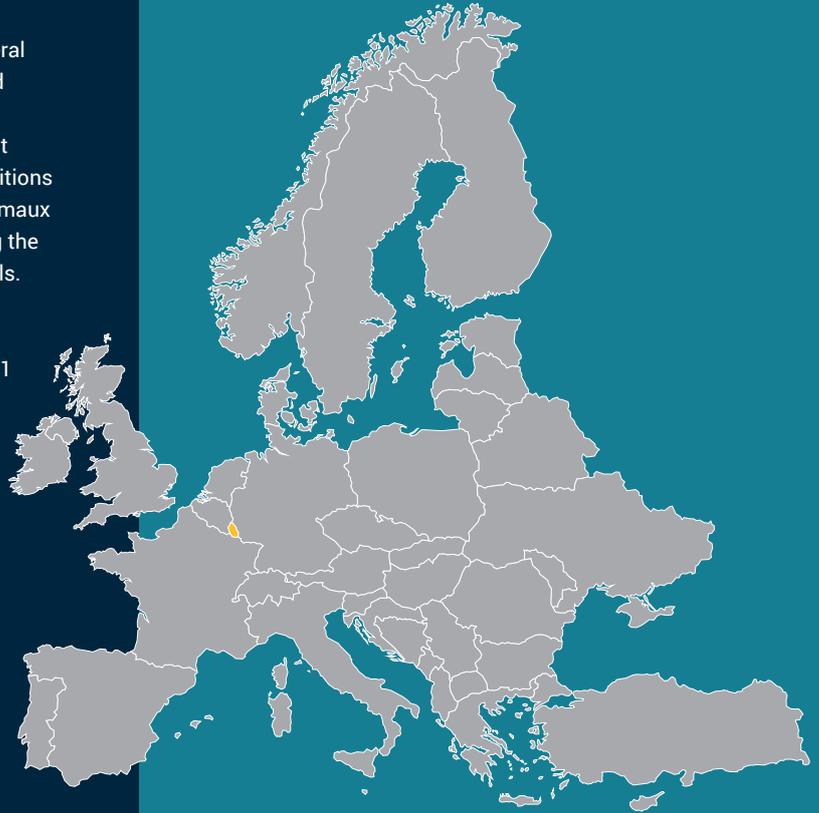
- > A negative list is included in the Regulation on the use of wild animals (Ministry of Environment 2011-06-30 No. D1-533/B1-310). It prohibits the private keeping of species of crocodile, monotreme, primates, canid (with the exception of grey wolf, brown fox, racoon dog and plain jackal), hyena, bear,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

## FUTURE PLANS

- A working group has been set up at the Ministry of Environment to review the national Regulation on the Use of Wild Animals (Ministry of Environment, 2011-06-30 No. D1-533/B1-310) with a view to changing the minimum standards for the keeping of wild animals in captivity and introducing a Positive List.

The Animal Protection Act of 27 June 2018 sets general provisions on the care of animals. It is complemented by the Grand Ducal Regulation of 18 March 2000 on conditions for the confinement of animals (Règlement grand – ducal du 18 mars 2000 déterminant les conditions de confort minima de détention et d'entretien des animaux de compagnie) and the Act of 31 July 1991 approving the European Convention for the Protection of Pet Animals.

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



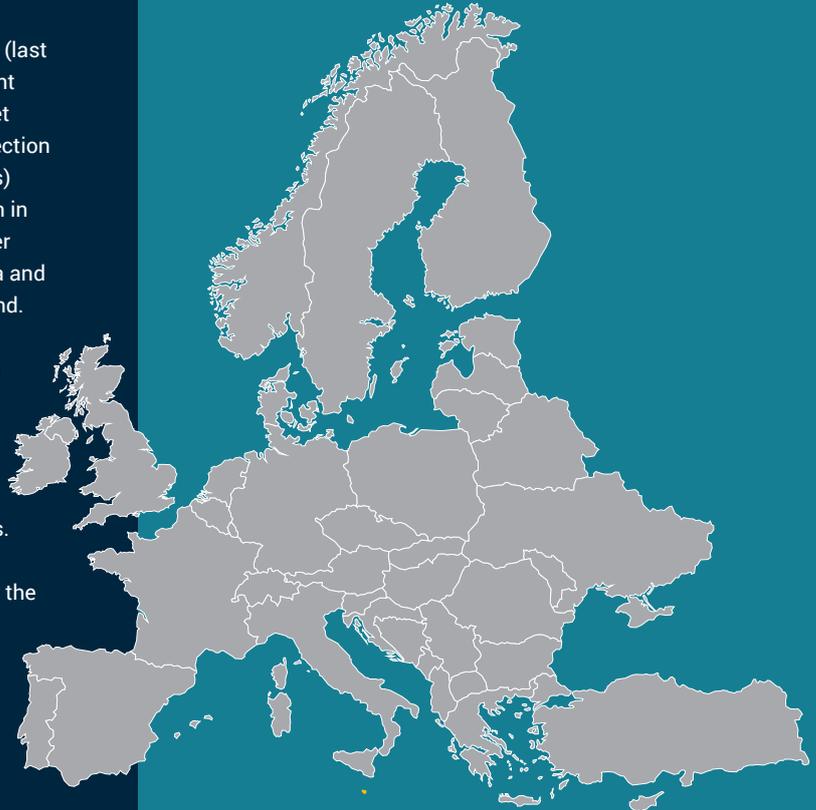
- > As per the Animal Protection Act, the Grand Ducal Regulation of 16 November 2018 establishing the lists of authorised animals and the requirements to apply for keeping authorisation sets out a list of species authorized for keeping. These species include dogs, cats, ferrets and several other commonly kept pets, as well as ornamental fish and birds, domestic bees, and certain species of non-venomous arthropods, mollusks, amphibians and reptiles.
- > Authorisation can be acquired for other animal species, but this requires an application that demonstrates sufficient expertise on behalf of the keeper, as well as being able to provide an appropriate environment (i.e. housing conditions) for the animals.
- > General housing requirements on food, health care, diet, protection, hygiene, space and lighting are included in the Grand Ducal
  - > Regulation of 18 March 2000 on conditions for the confinement of animals. Detailed housing requirements including cage sizes and accommodation structures are given for dogs, horses, rabbits and domestic poultry.
- > Establishments keeping animals for commercial purposes need to be registered. However, there are no training requirements for the pet shop staff and there is no obligation to inform the customers on adequate keeping of animals. As concerns the selling of animals at markets and fairs, it is prohibited to sell dogs and cats on markets and on streets.

## FUTURE PLANS

- There is no information on future plans.

The Animal Welfare Act No. XXV Chapter 439 of 2001 (last amend. 2014) sets general provisions on the treatment and care of animals. Provisions for animals sold in pet shops are included in the secondary legislation, Protection of Animals Offered in Pet Shops (Minimum Standards) Regulations 2013. Additional provisions are laid down in the Environment Protection Act (Act I of 2016, Chapter 549; last amend. 2018), the Trade in Species of Fauna and Flora Regulation (Legal Notice 236 of 2004; last amend. 2007) – which implements Council Regulation (EC) No. 338/97 on the protection of species of wild fauna and flora by regulating trade therein; the Control of Invasive Alien Species of European Union Concern Regulations (Legal notice 337 of 2017) – which implements Regulation (EU) no. 1143/2014 on invasive alien species; and in the Code of Police Laws.

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



> While there is no positive list, Malta has introduced legislation prohibiting the private keeping of dangerous animals, and animal species protected by international laws or conventions (CITES, EU Bird Directive, EU IAS Regulation and others). However, a permit can be granted for the keeping of dangerous animals, given sufficient expertise and if an appropriate and safe environment (from which the animal cannot escape) are available.

> Malta has specified general requirements for the care of animals in its Animal Welfare Act No. XXV Chapter 439 of 2001; such as providing a suitable environment, a healthy diet, suitable housing, or allowing the animal to exhibit normal behavioural patterns. More detailed requirements have been established for some animals, such as calves, pigs or broilers. In addition, the Owning and Keeping of Dangerous Animals Regulations and the Protection of Animals Offered in Pet Shops (Minimum Standards) Regulations also stipulate requirements.

> The Protection of Animals Offered in Pet Shops (Minimum Standards) Regulations 2011 requires the pet shop manager to have relevant qualifications of level 3 as per the Malta Qualifications Framework for Lifelong Learning Regulations. The manager has to ensure that the pet shop staff has sufficient knowledge and experience on the animals in the pet shop. Pet shops need to provide information on the care and the needs of the animal to the buyer. Persons younger than 16 years of age are not allowed to obtain animals.

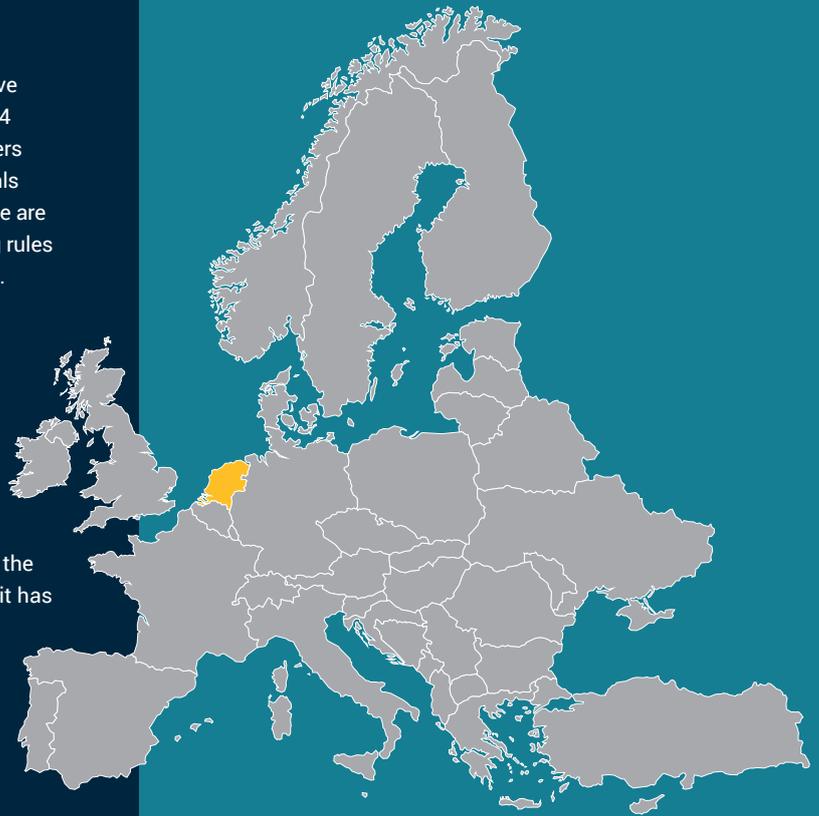
## FUTURE PLANS

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The Animals Act of 19 May 2011 ("Wet Dieren") is the framework law on animal health and welfare (for captive animals) in the Netherlands. The Decree of 5 June 2014 containing rules for keepers of animals ("Besluit houders van dieren") further elaborates provisions of the Animals Act. Additional provisions in relation to the 2014 Decree are specified in the Regulation of 23 June 2014 containing rules for keepers of animals ("Regeling houders van dieren").

Wildlife is covered by the Nature Conservation Act of 16 December 2015 ("Wet Natuurbescherming"). The provisions of the Nature Conservation Act are further elaborated in the Nature Conservation Decree of 11 October 2016 and the Nature Conservation Regulation of 16 October 2016.

The Netherlands signed the European Convention for the Protection of Pet Animals on 13 November 1987, but it has not been ratified.



> The Animals Act of 19 May 2011 codifies the Positive List system by prohibiting the keeping of animals that do not belong to the animal species or categories designated by the Minister as suitable for keeping. In 2015, the Minister enacted a Positive List for mammals, which allowed 50 mammal species to be kept, and an additional 49 species to be kept subject to species-specific conditions. The Positive List was developed based on animal welfare, public safety and environmental criteria. However, this list was repealed in 2017, following a court ruling which found that it had not been developed with sufficient diligence. The Minister is therefore currently developing a new Positive List for mammals, based on a new scientific methodology. At this stage, all animals of species that were known

to be kept in the Netherlands in February 2015 (the so-called "inventory list") are still allowed to be kept. Any other animal species - that are not already prohibited in other laws and regulations, such as CITES-species or invasive alien species - are also allowed to be kept, but they need to be reported to the authorities within 14 days of taking possession of the animal.

> General requirements on the keeping and housing of animals are included in the Decree of 5 June 2014 containing rules for keepers of animals, such as the requirement that an animal is kept in such a way that it can express its physiological and ethological needs.

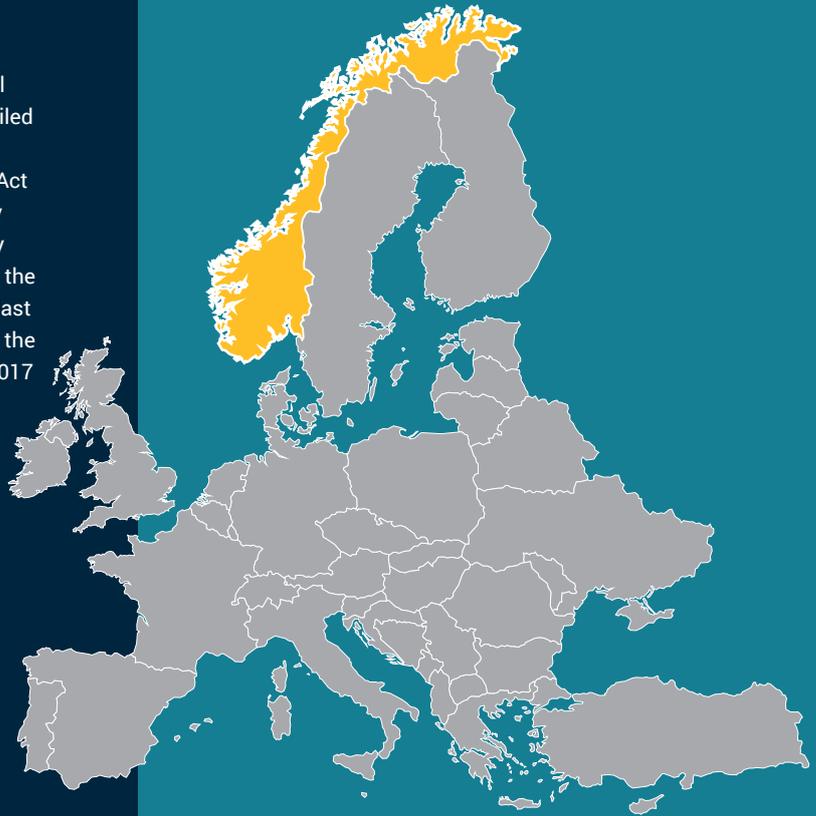
> The Decree of 5 June 2014 containing rules for keepers of animals also lays down rules for the commercial keeping, breeding and selling of pets. Managers of pet shops and other establishments involved in commercial keeping, breeding and/or selling of pets are required to register their establishment, keep a proper administration, obtain proof of professional competency, and provide proper housing and care for the animals. They are also obliged to provide the purchaser with written information on the appropriate care for the purchased animal. Selling a pet to a minor younger than 16 years of age is prohibited.

## FUTURE PLANS

- The new Positive List for mammals, based on the new scientific methodology, is expected to be enacted at the end of 2019 or early 2020.
- The Animals Act of 19 May 2011 and related decrees and regulations will be evaluated in 2020. Based on the outcomes of the evaluation, the Minister will decide whether amendments to the law, decrees and/or regulations are needed.

The Animal Welfare Act 2009 (last amend. June 2018) is a framework directive which includes general principles on the care and treatment of animals. Detailed requirements for complying with the act is or will be drafted in secondary legislation. The Animal Welfare Act is complemented by the Wildlife Act No. 38 of 29 May 1981 (last amend. October 2016), the Nature Diversity Act No 100 of 19 June 2009 (last amend. June 2019), the Regulation on foreign organisms FOR 2015 No. 716 (last amend. October 2018) and the Regulation prohibiting the import, trading and keeping of exotic animals - FOR 2017 No. 597.

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



- > Norway has adopted a positive list for mammals (Regulation on foreign organisms) and reptiles (Regulation prohibiting the import, trading and keeping of exotic animals). No positive list exists for birds or fish, but the keeping of exotic species is generally prohibited, with the exception of animals in the positive list. The restrictions have been put in place to protect animal welfare, biodiversity, and human and animal health.
- > The Animal Welfare Act 2009 includes general housing requirements for the private keeping of pets in relation to buildings, fences, accommodation,

attention, care, feeding, protection and prevention of infectious diseases. Also, it requires that animals are suitably tamed in order to be handled and cared for in an animal welfare friendly manner.

- > Pet shop staff must have appropriate knowledge of animal behaviour and their mental and physical needs, and of the provisions laid down in the animal welfare regulations (Regulation on trade and temporary keeping of animals FOR 2015 No. 958).

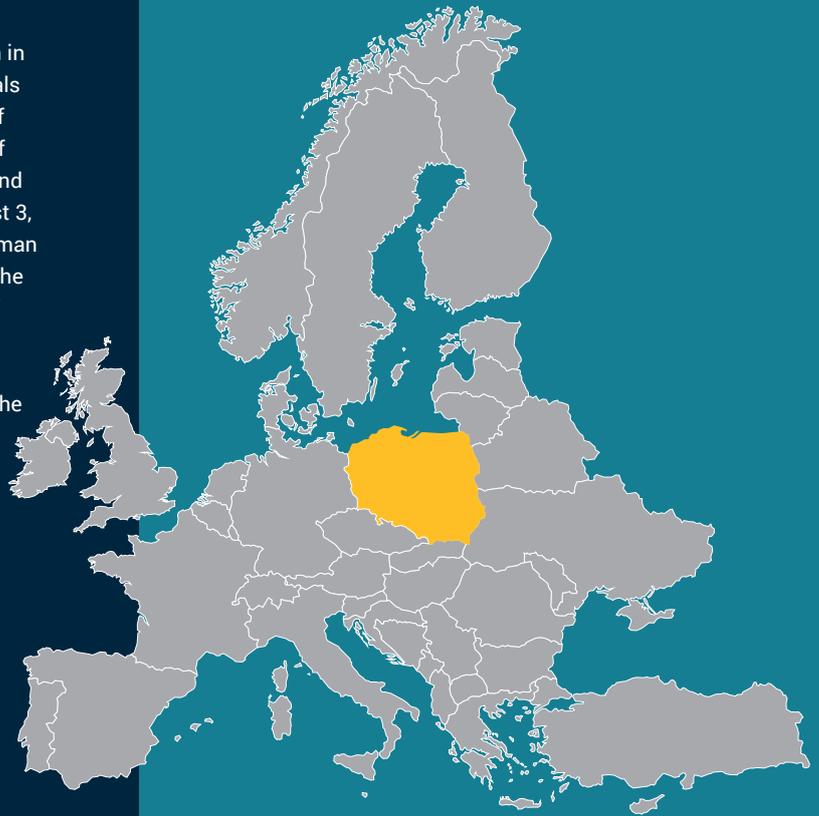
- > As mentioned in the Animal Welfare Act 2009, persons trading in animals have to provide the buyer with the necessary information on the conditions and the care for the health and welfare of the purchased animal. There are no specific requirements on which information has to be given. Animals are not allowed to be sold to persons under the age of 16 years.

## FUTURE PLANS

- There is no information on future plans.

The main regulations on animal welfare are laid down in the Act of 21 August 1997 on the Protection of Animals 97.111.724 (latest amend. 2019). The conservation of protected species is regulated by Act on Protection of Nature of 16 April 2004 (last amend. January 2019) and its related legislative texts, the Ordinance from August 3, 2011 on species of animals that are dangerous to human life and health, and the Regulation of the Minister of the Environment of October 12, 2011 on the protection of animal species.

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



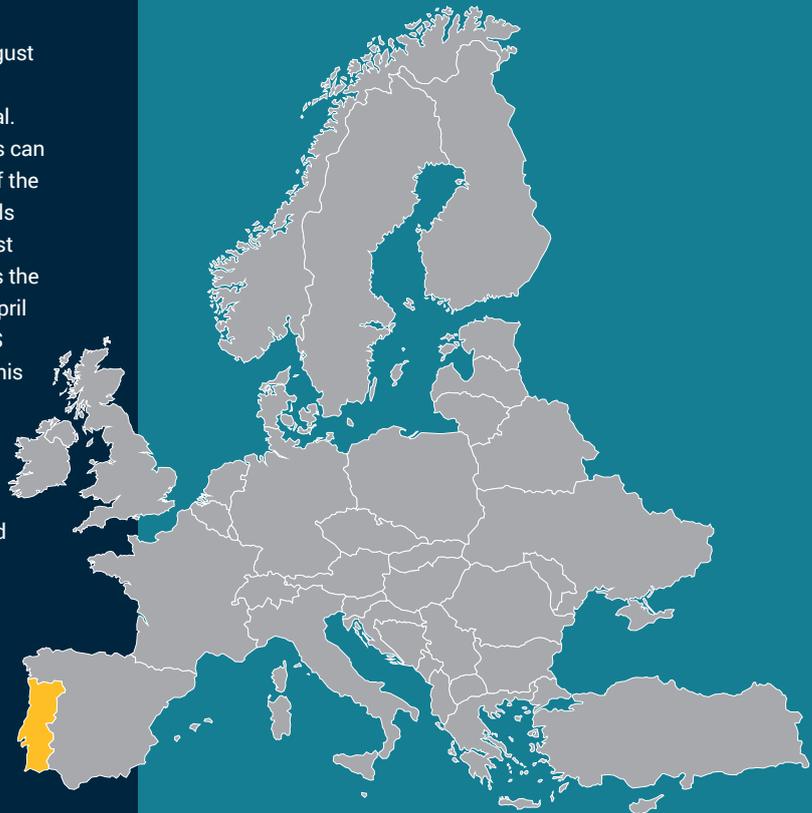
- > The 2011 Regulation on the protection of animal species includes a negative list, spread over annexes 1.3 and 5, including species that are considered to be threatened and have to be conserved. It is prohibited to kill, capture or keep the animal species included in Annex 1 – 3. Annex 1 includes various insects (e.g. dragonflies, cicadas, beetles, butterflies, bees, spiders), fish (sturgeon and shad), all amphibians, reptiles (vipers, turtles), birds (e.g. storks, auks, owls, waterfowl etc.) and mammals (e.g. hedgehogs, bats, some squirrels, cetaceans, wolves, wildcats, lynx, weasels). Annex 2 includes some insects (a few ant and bumblebee species), birds (e.g. gulls, cormorants) and mammals (moles, European beavers, harvest mice, grubber, mice, herb mice and otters). Annex 3 includes the edible snail, bumblebee species and some ant species.
- > A second negative list is laid down in the 2011 Ordinance on dangerous species, prohibiting the keeping and trade of species listed in Annex 1. Species in Annex 2 may be kept if an authorisation is granted. The only requirement to obtain permission is the capacity to ensure safe keeping, i.e. not endangering others.
- > An authorisation is also required for all species restricted by EU law (EU 709/2010), they have to be registered within 14 days.
- > The Act of 21 August 1997 on the Protection of Animals includes some general housing requirements on space, freedom of movement, access to daylight, protection against weather and access to food and water.
- > There are no training requirements for the pet shop staff and there is no obligation to inform the customers on adequate keeping of animals. No minimum age is determined for the purchase of animals.

## FUTURE PLANS

- New legislation on invasive alien species was due in 2018 but has been delayed.

The Protection of Animals Law 92/95 (last amend. August 2014) is the general legislation for the protection and regulation of animal welfare, but provisions are minimal. More information on the treatment and care of animals can be found in Decree 276/2010 on the implementation of the EU Convention on the Protection of Companion Animals and Regulations on Potentially Dangerous Animals (last amend. January 2019). Decree No. 276/2001 regulates the introduction of non-indigenous species (last amend. April 2017). In addition, Decree 121/2017 implements CITES and Regulations (EC) No. 338/97 and No. 865/2006. This Decree is complemented by the Ordinance 86/2018 prohibiting the keeping of certain species, and Ordinance 85/2018 on registration and marking schemes for CITES and species listed in Decree 140/99 on the implementation of the EU's Habitats and Birds Directives (last amend. November 2013).

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



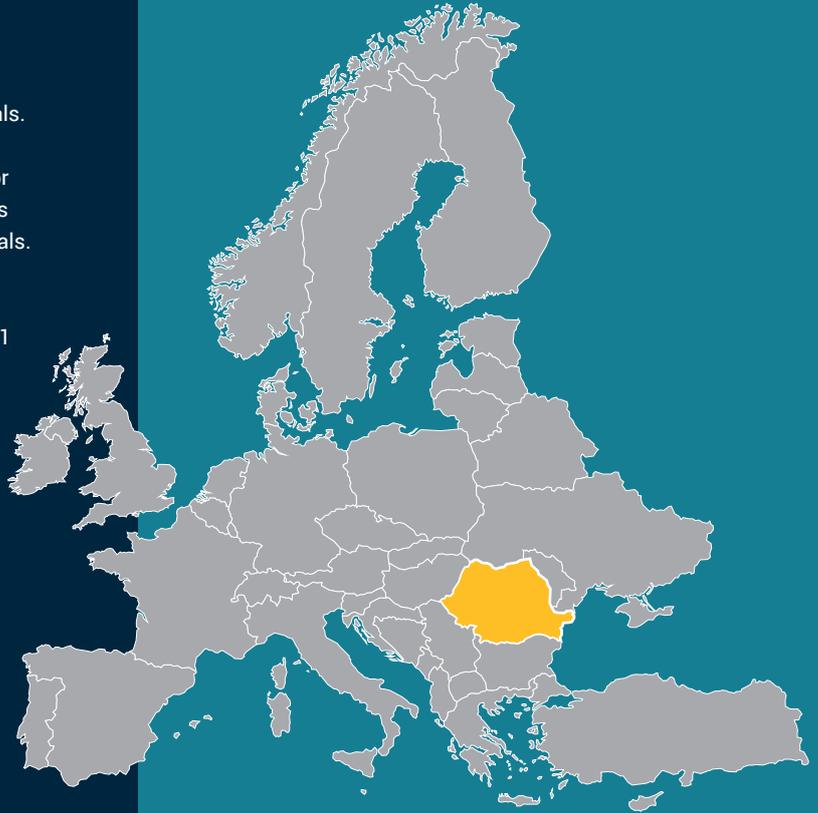
- > Portugal has established a negative list of species listed in Annex I of Ordinance No. 86/2018, in the Annexes I and III of Decree 565/99 and in Annex B-IV of Decree 140/99, including naturally occurring species of birds in the wild of the national territory. Species listed on these negative lists are protected primarily for conservation purposes and due to ecological risks.
- > Decree 276/2001 establishes the requirement to obtain a permit for wild and potentially dangerous animals (not covered in previously mentioned legislation). In order to obtain a permit, one needs to provide a proof of insurance, cannot have been convicted of a crime, and needs to be of legal age. A license scheme is needed to detain and trade exotic species, according to DL 565/99. Permits for species listed in the negative lists are also exceptionally granted for requirements such as providing an enclosure from which the animal cannot escape, their keeping fulfills a clear objective (e.g. research and education).
- > The Implementation of the European Convention on the Protection of Companion Animals DL No. 276/2001 includes general housing requirements for the private keeping of pets on accommodation, environmental conditions, food and water supply and the protection of people, animals and goods. It also includes detailed housing requirements and conditions for handling small rodents and rabbits, dogs and cats, certain birds, reptiles, amphibians and fish. The Annexes I – VII of the DL No. 276/2001 provide detailed information on humidity, temperature and the minimum cage sizes for groups of animals (or specific species).
- > The Implementation of the European Convention on the Protection of Companion Animals DL No. 276/2001 requires a specific theoretical and practical training for pet shop staff or supervision of pet shop employees by a competent person.
- > There is no obligation to inform the customers on adequate keeping of animals. No minimum age is determined for the purchase of animals. However, permits for particular species are only issued to people of legal age.

## FUTURE PLANS

- No information on future plans.

The Animal Welfare Law No. 205/2004 (amended by Law 9/2008) is a framework directive and includes general principles on the care and treatment of animals. The secondary legislation, Order No. 523/2008 (Order no. 31/2008) Approving the Methodological Norms for Applying Law No. 205/2004 on Animal Welfare, covers housing requirements for the private keeping of animals.

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



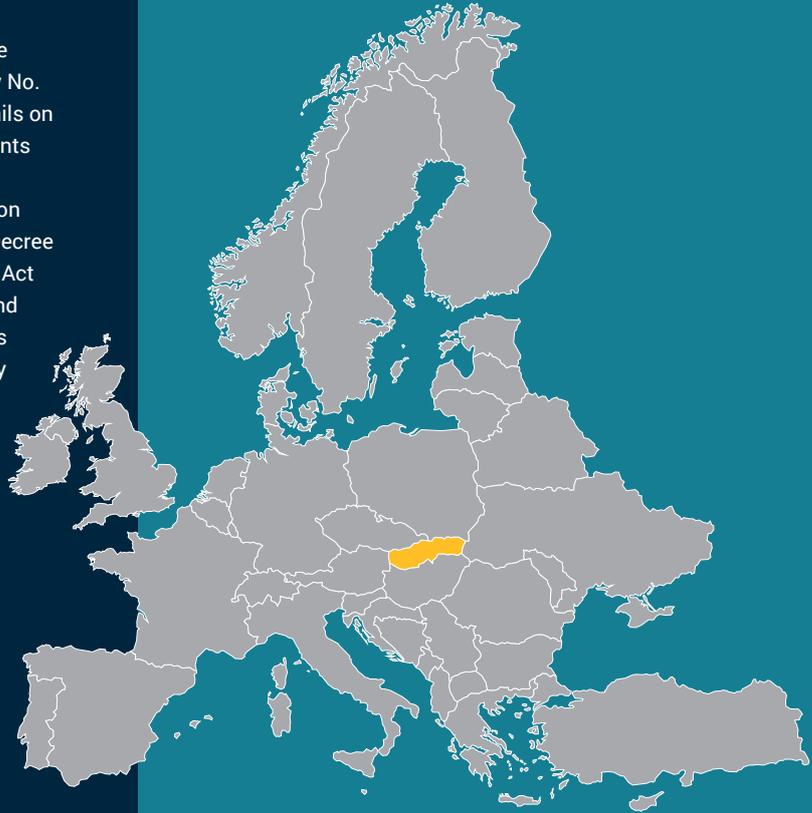
- > A negative list exists for animal species requiring strict protection and for all bird species. The negative list can be found in Annexes 4A and 4B to the Emergency Ordinance No. 57/2007 on the protection of natural areas, conservation of natural habitats, and of wild fauna and flora. In addition Order No. 1798/2007 on the Approval of the Procedure for Issuing Environmental Authorisation states under 'Specific conditions for the authorisation of rehabilitation and care centres' that natural persons are prohibited from keeping all strictly protected species and all species of primates, wild felines, birds of prey, and venomous reptiles.
- > According to the Animal Welfare Law No. 205/2004, private keeping of wild animals is possible upon authorisation. However, native wild animals may only be kept temporarily, for example, when an animal is injured. The animal must be released back into the wild after its recovery. If reintroduction into the wild is impossible, the animal must be entrusted to specialised sites (as per Order No. 523/2008).
- > General housing requirements on food and water, movement, care, attention and medical assistance are included in the Animal Welfare Law No. 205/2004. Order 523/2008 also stipulates that housing conditions for companion animals, other than those kept outdoors, should equal the standards applied to zoos. Detailed requirements for zoos are laid down in Order No. 1798/2007.
- > There are no training requirements for pet shop staff drafted in the Animal Welfare Law No. 205/2004. The Order No. 523/2008 Approving the Methodological Norms for Applying Law No. 205/2004 on Animal Welfare requires pet shop staff to provide the buyer with written information on breeding conditions and care for the health and welfare of the purchased animal. No minimum age is determined for the purchase of animals.

## FUTURE PLANS

- There is no information on future plans.

The main animal welfare regulations are drafted in the Veterinary Care Act No. 39/2007 Coll. (last amend. By No. 91/2019 Coll.) and Decree No. 123/2008 Coll. on Details on the Protection of Companion Animals and Requirements for Quarantine Stations and Animal Shelters. Further provisions are included in Decree No. 143/2012 Coll. on the Breeding of Dangerous Animals (last amend. by Decree No. 417/2019), the Nature and Landscape Protection Act No. 543/2002 Coll. (last amend. By 221/2019 Coll.) and Decree No. 110/2005 implementing certain provisions on the protection of species of wild fauna and flora by regulating trade therein (last amend. by 387/2018). The latter two cover wild and endangered animal species.

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



- > A negative list is set out in several legislative texts. Decree 143/2012 defines dangerous animal species, which cannot be kept without authorisation. Dangerous animals include poisonous spiders and scorpions, sharks, certain amphibians and reptiles (e.g. crocodiles and snakes longer than 3 m), carnivores (except foxes and dogs), bears, weasels (except ferrets), hyenas, felidae (except domestic cats), giant pandas and viverridae.
- > The Nature and Landscape Protection Act 2002 prohibits the capture of animals in places of their natural occurrence, and prohibits the keeping of protected animals unless they stem from captivity. The keeping of the turtle species *Chrysemys picta* is also not allowed as per Decree No. 110/2005. Derogations and exemptions are possible.
- > A permit needs to be obtained for the keeping and breeding of dangerous animals. The owner must be able to provide housing from which the animal

cannot escape, the housing requirements (as set out in the regulation) need to be met in terms of welfare, and the premises are inspected before the permit is issued and every three years. The keeping of protected species requires a permit too, but is only contingent on having proof of origin and other formalities. Other pet animals subject to movement must be registered as well according to the Law No. 39/2007 on Veterinary Care (affecting primarily dogs, cats and ferrets who are required to have a pet passport).

- > General housing requirements for pets are included in the Decree No. 123/2008. The Decree lays down provisions on daily inspection of the animals, appropriate treatment, appropriate diet, environmental conditions and the expression of natural behaviour. Detailed housing requirements on social structure, freedom of movement, hygiene, accommodation structure, bedding material, etc. are also given for dogs, cats, rodents, rabbits and aquarium fish.

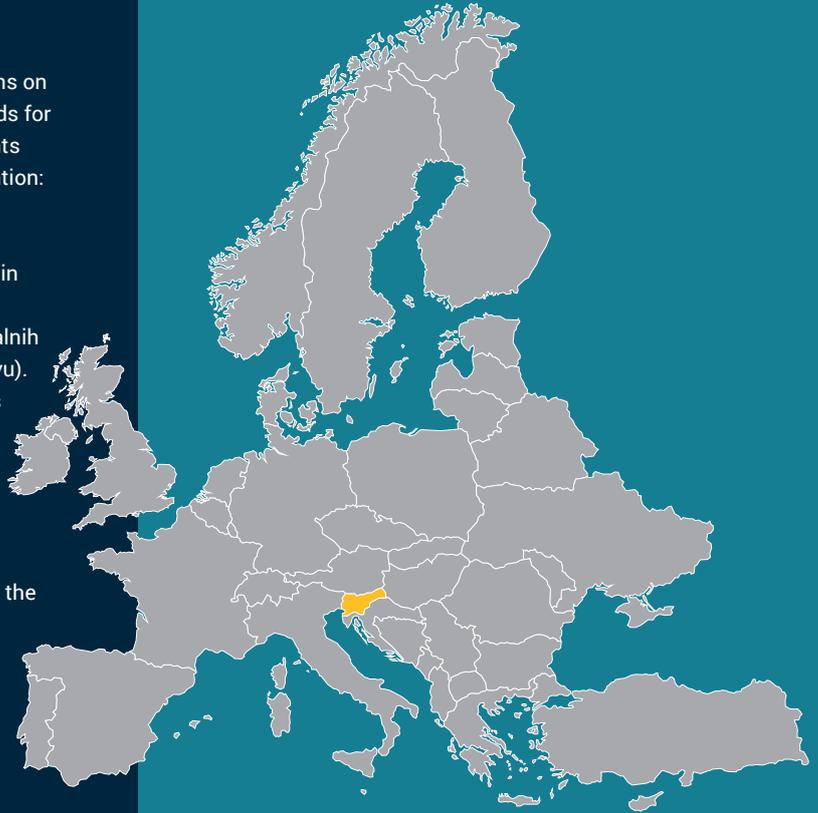
- > Certain provisions of the Nature and Landscape Protection Act 2002 and of Decree No. 110/2005 also apply to the trade of animals in pet shops. This means protected animals cannot be traded unless they stem from captivity and a permit for protected animals is required.
- > No training requirements for pet shop staff have been stipulated, neither is there an obligation to inform customers on the adequate keeping of animals. No minimum age is determined for the purchase of animals, apart from a provision that dangerous animals cannot be kept by persons under 18 years of age.

## FUTURE PLANS

- There is no information on future plans.

The Animal Protection Act OG No. 43/2007 (Zakon o zaščiti živali, last amend. 2013) sets general provisions on the treatment and care of animals. Minimum standards for the protection of pet animals and specific requirements for their keeping are provided in the secondary legislation: Rules on Protection of Pet Animals OG No. 75/2005 (88/2005), 51/2009 (Pravilnik o zaščiti hišnih živali). Housing requirements for wild animals are described in the Order on the living conditions for and care of wild animals kept in captivity No. 90/2001 (Odredba o bivalnih razmerah in oskrbi živali prostoživečih vrst v ujetništvu). Restrictions on the private keeping of certain animals are regulated by the Decree on Protected Wild Animal Species OG No. 46/2004 (last amendment 102/2011) and the Nature Conservation Act OG No. 96/04 (Zakon o ohranjanju narave).

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



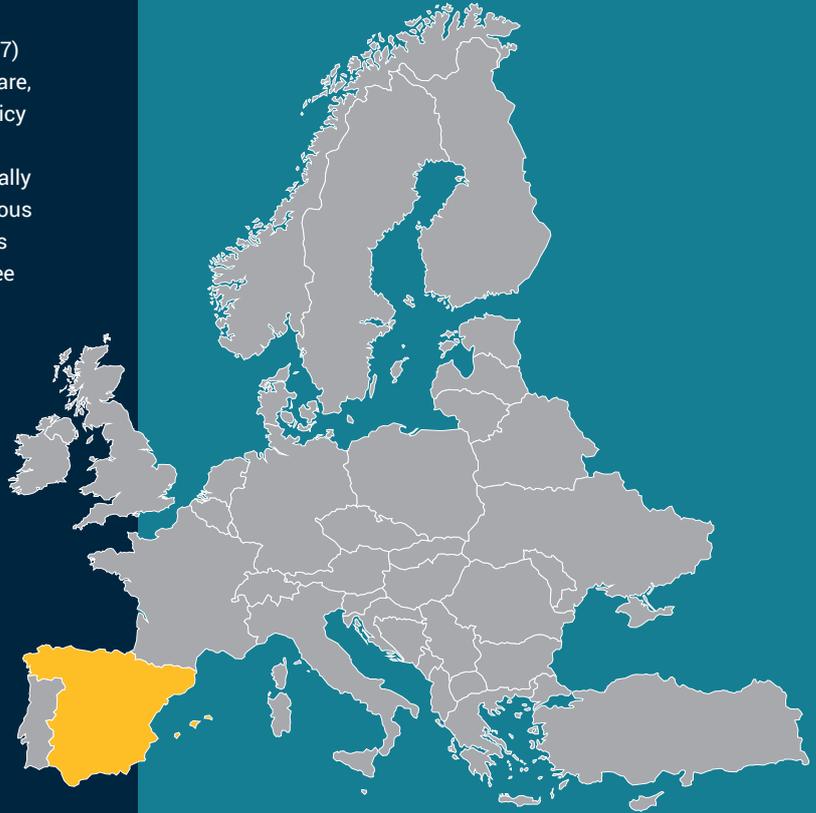
- > A negative list is included in the Decree on Protected Wild Animal Species OG 46/2004, prohibiting the private keeping of birds of prey, owls and species listed in Annex 1.
- > An authorisation is required for species listed in Annex II of the Order on the living conditions for and care of wild animals kept in captivity OG 90/2001. The list includes species of insectivore, bat, primate, rodent, cetacean, bear, weasel, otter, hyena, wild cat, seal, walrus, elephant, horse, rhinoceros, camel, hippopotamus, deer, ostrich, rhea, penguin, pelican, stork, swan, hawk, vulture, pheasant, pigeon, parrot, hummingbird, swift, sea turtle, crocodilian, large lizard, snake, salamander, frog, lungfish, sturgeon and more.
- > The Animal Protection Act OG 43/2007 includes general housing requirements for the private keeping of pets on shelter, food, water, freedom of movement, environmental conditions and daily inspection. To comply with the requirements for wild animals in captivity (Annex II), detailed minimum standards are drafted in Annex I of the Order on the living conditions for and care of wild animals kept in captivity OG 90/2001. Standards are given on cage sizes, food, social structure and enclosed setup for specific genera.
- > The Rules on Protection of Pet Animals OG 75/2005 (88/2005), 51/2009 lays down detailed requirements for training of pet shop staff. People taking care of the animals in pet shops must have a valid certificate of practical training on nutrition, care, behaviour and health of animals. The training must include at least six hours of schooling and must also include information on the legislation and physiology, handling and care for animals.
- > The Rules on Protection of Pet Animals OG 75/2005 (88/2005), 51/2009 requires pet shop employees to provide the buyer with written information on care, nutrition, proper treatment, potential hazard and more of the animal. Minors younger than 18 years of age are not allowed to obtain animals.

## FUTURE PLANS

- An update of legislation is under discussion, mostly concerning animal shelters and in relation to an EU directive.

The Animal Welfare Act 32/2007 (last amend. 32/2007) sets out general provisions on animal welfare, which are, however, minimal. The Act establishes a common policy under which the local autonomous communities may draft their own regulations. The Ownership of Potentially Dangerous Animals Act 50/1999 allows the autonomous communities to create negative lists. A negative list is also drafted by the federal government in Royal Decree 1628/2011 on Invasive Alien Species which must be implemented by the autonomous communities.

Spain has ratified the European Convention for the Protection of Pet Animals in July 2017 (entered into force 01 February 2018).



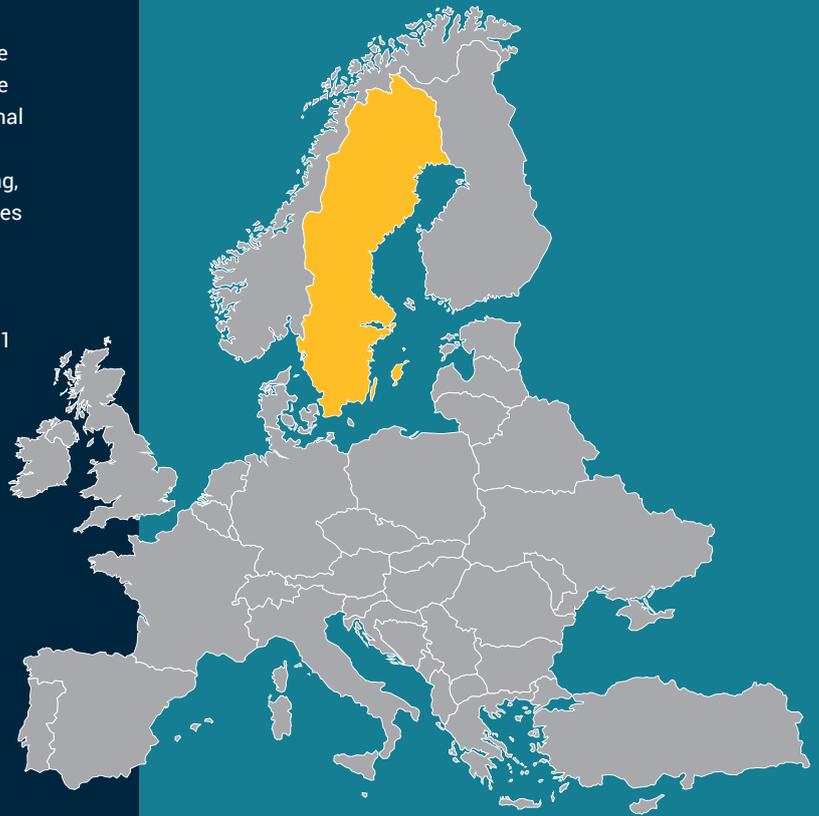
- > A negative list is laid down in Annex I of the Royal Decree 630/2013 on Invasive Alien Species, implementing the EU IAS Regulation. In addition, the autonomous regions Andalusia, Comunidad de Madrid, Navarra and Región de Murcia have imposed restrictions on the private keeping of primates and wild species with an adult size of over 10 kg, and 5 kg for carnivores. The negative lists and restrictions are imposed due to threats to native species and the ecosystem, and danger to humans, animals and property (including the risk of disease transmission). The legislation also requires keepers of dangerous animals to obtain a licence, which is dependent on a certificate of psychological fitness and insurance.
- > Housing requirements are stipulated in regional laws in all autonomous regions, laying down general conditions on proper husbandry, food, water, care and more.
- > The Animal Health Act 8/2003 requires all pet shops to be registered with the relevant regional government, which transfers the data to a national registry. Otherwise, no national laws exist for housing requirements in pet shops, staff training, inspection of pet shops, minimum age for purchase or the requirement to provide care information to buyers. Some requirements are, however, stipulated on the regional level, with strong variation depending on the region.

## FUTURE PLANS

- There is no information on future plans.

The main animal welfare regulations are drafted in the Animal Welfare Act 2018:1192 and the Animal Welfare Regulation 2019:66. It is complemented by the National Agricultural Administration's Regulation and General Advice on Conditions for the Keeping, Breeding, Selling, etc. of Animals Intended as Pets or for Hobby Purposes (SJVFS 2019:15, Ref. No. L80).

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



- > The Regulation and General Advice on Conditions for the Keeping, Breeding, Selling, etc. of Animals Intended as Pets or for Hobby Purposes (SJVFS 2019:15, Ref. No. L80) contains a negative list, prohibiting the private keeping and sale of wild caught animals (except for fish, ferrets, badgers, and for eggs and larvae of frogs and reptiles), monkeys, carnivores, birds of prey, and hybrids between domestic dogs/cats and wild dogs/cats.
- > The Animal Welfare Act 2018:1192 includes some general housing requirements on feed, water, space and adequate care. Detailed housing requirements for the housing of pets in pet shops or shelters are drafted in the Regulation and General Advice on

Conditions for the Keeping, Breeding, Selling, etc. of Animals Intended as Pets or for Hobby Purposes (SJVFS 2019:15, Ref. No. L80). The Regulation includes special provisions for the keeping of birds, ferrets, rabbits and rodents, snakes and lizards, turtles and tortoises, spectacled caimans, amphibians, fish, pigeons and miniature swine on the construction of the accommodation, bedding material, furnishing, space, food and environmental conditions. The Annexes of the Regulation include detailed cage sizes and keeping requirements for the different groups.

- > The Regulation and General Advice on Conditions for the Keeping, Breeding, Selling, etc. of Animals Intended as Pets or for Hobby Purposes (SJVFS 2019:15,

Ref. No. L80) include very detailed training requirements for pet shop staff. Persons professionally trading in pets are obliged to take a basic training course, complemented by one or more specific training programmes focusing on the species covered by the trade. Species-specific training is divided into several categories: cage birds, ferrets, rabbits and rodents, reptiles, fish and amphibians.

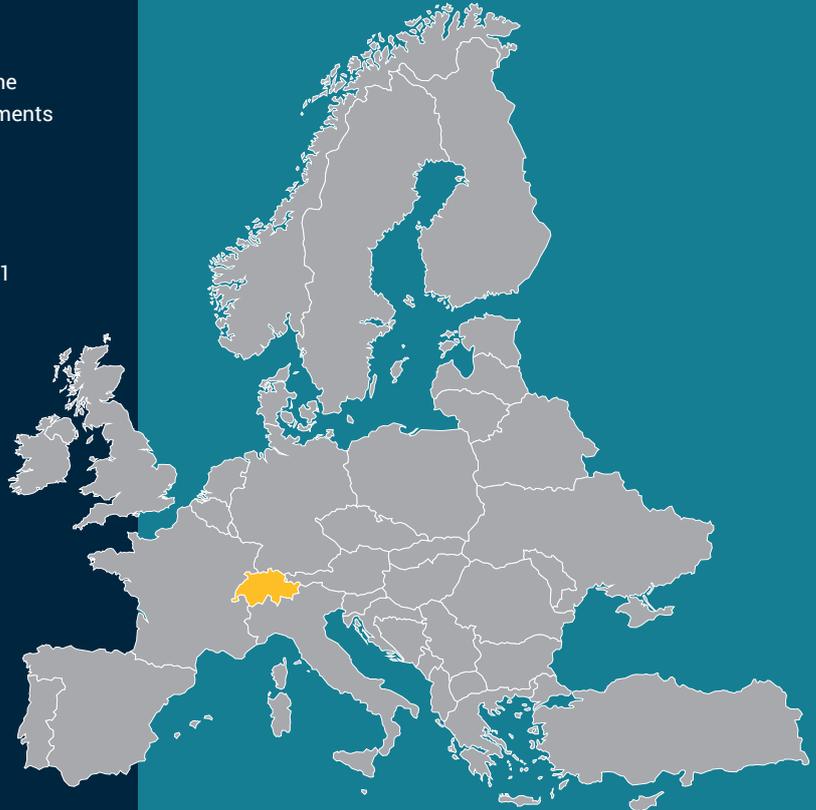
- > Pet shops are obliged to inform the customers on adequate keeping of animals. No minimum age is determined for the purchase of animals.

## FUTURE PLANS

- There is no information on future plans.

The Animal Welfare Act (TSchG) 455 of 16 December 2005 (last amend. 2014) sets general provisions on the treatment and care of animals. More detailed requirements are covered in the Animal Welfare Ordinance (TSchV) 455\_1 of 23 April 2008 (last amend. 2018).

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



> Neither a negative or positive list have been established. However, authorisation is required for the private keeping of most wild animals such as marsupials, sloths, flamingos, ratites, kiwis, penguins, birds of prey, large parrots, fish (> 1m), sharks, rays, large turtles, crocodiles, large iguanas, chameleons, monitor lizards (> 1m), venomous snakes, boas (> 3m, except Boa constrictor), sea snakes, giant salamanders and more (Animal Welfare Ordinance 2008). An authorisation is also required for wild animals with special needs in terms of husbandry and care, and is only issued after assessment of the enclosures by an independent expert. The list of wild animal species with special needs includes cetaceans, manatees, sea otters, seals, primates (except marmosets), wolves,

hyenas, bears, large wild cats, elephants, wild equids, rhinoceroses, wild pigs (except *Sus scrofa*), hippopotami, giraffes, various wild sheep and more. Authorisations are given cautiously and private persons are seldom allowed to keep wild animals. (Animal Welfare Ordinance 2008)

> The Animal Welfare Ordinance 2008 includes general housing requirements on proper husbandry, feeding, care, protection from weather, housing, enclosures and floors, tethering devices and group housing. Detailed housing requirements on environmental conditions and noise are also included in Annex I for bovines, pigs, sheep, goats, llamas and alpacas, equidae, rabbits, poultry and pigeons, dogs and cats. Annex II of the Animal Welfare

Ordinance 2008 includes minimum cage sizes for specific wild animal species, as well as general requirements on proper care and housing for the different groups of species (mammals, fish, birds, reptiles, amphibians and invertebrates).

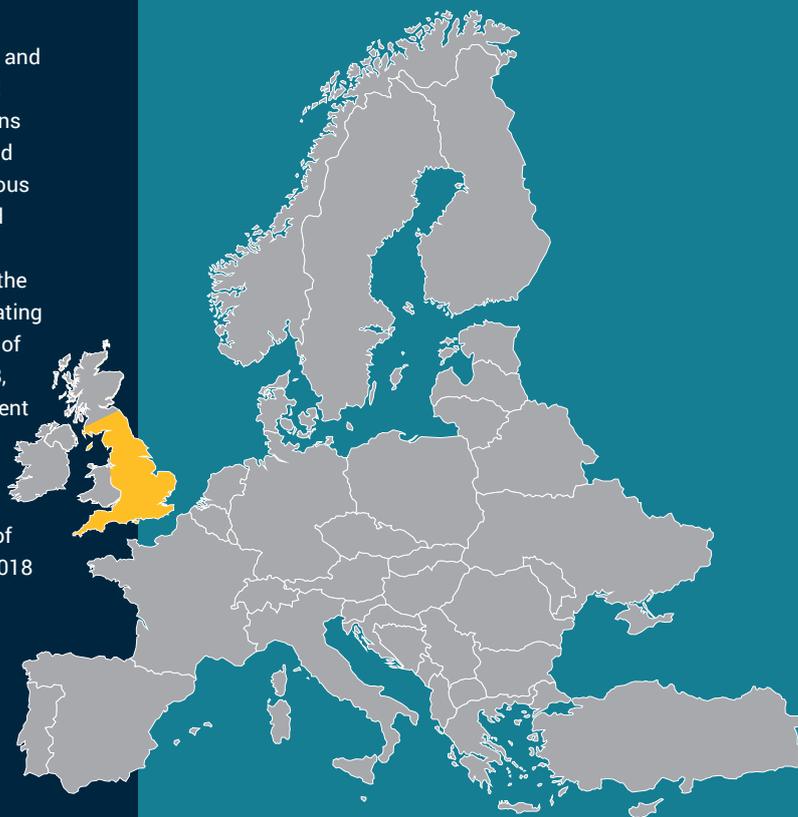
> The Order on the keeping of animals and how to treat them 455\_109\_1 of 1 October 2008 lays down detailed training requirements for persons keeping wild animals. In addition, information on proper husbandry and care of the species has to be provided to the buyer. Minors younger than 16 years of age are not allowed to obtain animals. Pet shops and breeders are free to set higher age limits (up until 18 years of age) for animals requiring authorisation.

## FUTURE PLANS

- There is no information on future plans.

The Animal Welfare Act 2006 applies to both England and Wales. The Animal Welfare Act 2006 Pet Animals Act 1951 (last amend. October 2018) set general provisions on the treatment and care of animals. The keeping and sale of some wild animals is regulated by the Dangerous Wild Animal Act 1976 (last amend. October 2018) and the Wildlife and Countryside Act 1981 (last amend. March 2019). Council Regulation (EC) No. 338/97 on the protection of wild species of fauna and flora by regulating trade therein is implemented in the UK by the Control of Endangered Species (Enforcement) Regulations 2018, shortly COTES. The Invasive Alien Species (Enforcement and Permitting) Order 2019 implements the EU's IAS Regulation, and makes it an offence to release wild animals that are not ordinarily present or regularly visiting Great Britain. The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 stipulates further requirements for pet shops.

The United Kingdom (England) has not ratified the European Convention for the Protection of Pet Animals.



- > A negative list exists for invasive alien species, wild birds, and species in Schedules 1 and 5 of the Wildlife and Countryside Act 1981. Species of eagle, falcon, owl, butterfly, dolphin, wild cat, otter, turtle, snake, spider, toad and many more are included.
- > A list of species for which an authorisation is required is also drafted in the Dangerous Wild Animal Act 1976. The list includes species of mammals, reptiles, amphibians and fish. Birds listed in Schedule 4 of the Wildlife and Countryside Act 1981 need to be registered.
- > General housing requirements are included in the Animal Welfare Act 2006 and the Pet Animals Act 1951. An

animal has to be provided with a suitable environment and diet, must be able to exhibit normal behaviour and must be protected from fear, suffering, injury and disease. The accommodation has to be suitable in terms of size, temperature, lighting, ventilation and cleanliness. Detailed requirements on care, housing, environmental conditions and diet are provided in the Codes of Practices for dogs, cats, horses, ponies, donkeys and their hybrids and privately kept non – human primates. Animals kept under a Dangerous Wild Animals Act licence must be held in accommodation which secures that the animal will not escape, which is suitable as regards construction, size, temperature, lighting, ventilation, and more. The animal must be supplied with

adequate and suitable food, drink and bedding material and must be visited at suitable intervals.

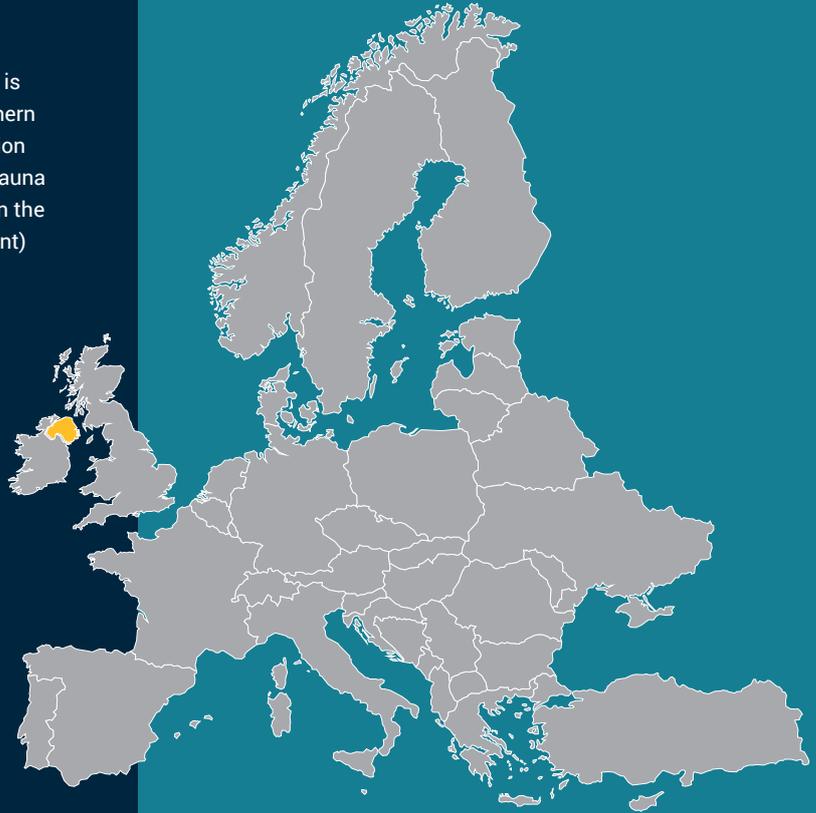
- > Staff in pet shops needs to be adequately trained, and has to provide buyers with information on the needs and the keeping of the animals. Animals are not allowed to be sold to persons younger than 16 years of age.

## FUTURE PLANS

- There is no information on future plans.

The main animal welfare provisions are stipulated in the Welfare of Animals Act (Northern Ireland) 2011. It is complemented by the Dangerous Wild Animals (Northern Ireland) Order 2004 No. 1993 N.I. 16. Council Regulation (EC) No. 338/97 on the protection of wild species of fauna and flora by regulating trade therein is implemented in the UK by the Control of Endangered Species (Enforcement) Regulations 2018, shortly COTES. The Invasive Alien Species (Enforcement and Permitting) Order 2019 implements the EU's IAS Regulation, and makes it an offence to release wild animals that are not ordinarily present or regularly visiting Great Britain.

The United Kingdom (Northern Ireland) has not ratified the European Convention for the Protection of Pet Animals.



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

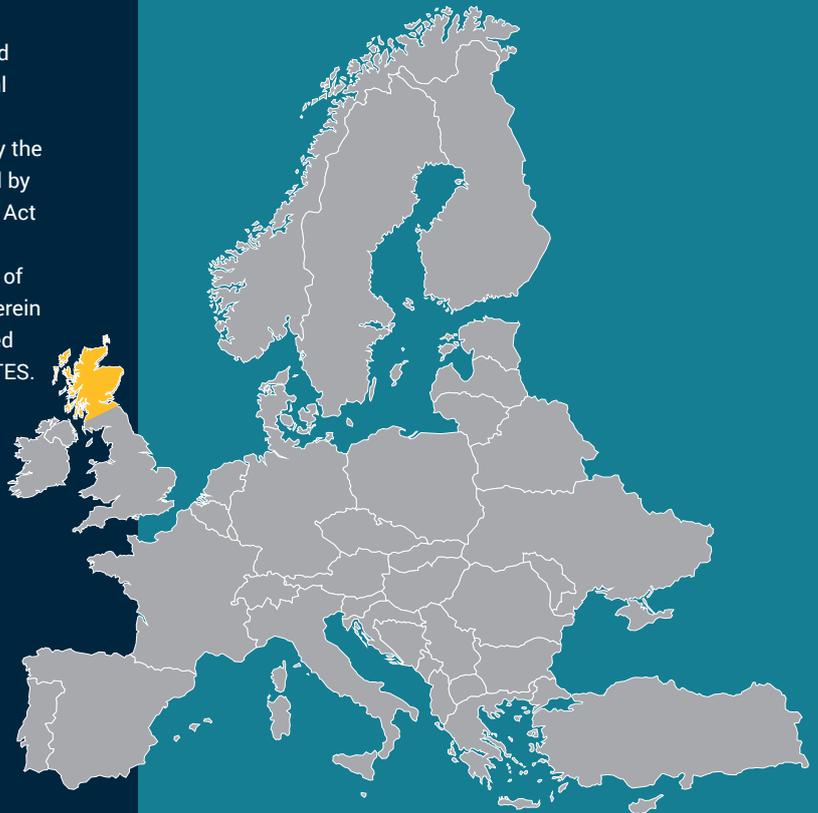
## FUTURE PLANS

- There is no information on future plans.

The Animal Health and Welfare Act 2006 Scotland and the Pet Animals Act 1951 (amended 1983) set general provisions on the treatment and care of animals. The keeping and sale of some wild animals is regulated by the Dangerous Wild Animals Act 1976 Scotland (modified by Order 2008 No. 302) and the Wildlife and Countryside Act 1981 (last amend. March 2019).

Council Regulation (EC) No. 338/97 on the protection of wild species of fauna and flora by regulating trade therein is implemented in the UK by the Control of Endangered Species (Enforcement) Regulations 2018, shortly COTES.

The United Kingdom (Scotland) has not ratified the European Convention for the Protection of Pet Animals.



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

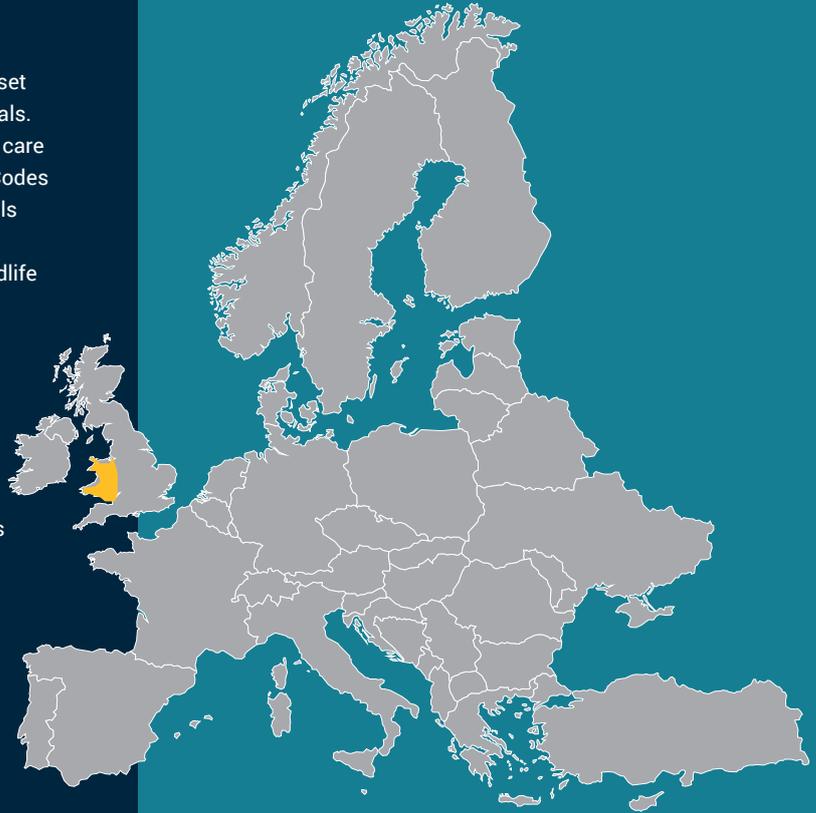
## FUTURE PLANS

- There is no information on future plans.

The Animal Welfare Act 2006 (which also applies in England) and Pet Animals Act 1951 (amended 1983) set general provisions on the treatment and care of animals. Detailed requirements for the treatment, housing and care of dogs, cats, equids and rabbits are included in the Codes of Practice. The keeping and sale of some wild animals is regulated by the Dangerous Wild Animal Act 1976 (modification No. 2 Order 2007 No. 2465) and the Wildlife and Countryside Act 1981.

Council Regulation (EC) No. 338/97 on the protection of wild species of fauna and flora by regulating trade therein is implemented in the UK by the Control of Endangered Species (Enforcement) Regulations 2018, shortly COTES. The Invasive Alien Species (Enforcement and Permitting) Order 2019 implements the EU's IAS Regulation, and makes it an offence to release wild animals that are not ordinarily present or regularly visiting Great Britain.

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



- > A negative list exists for invasive alien species, wild birds, and species in Schedules 1 and 5 of the Wildlife and Countryside Act 1981. Species of eagle, falcon, owl, butterfly, dolphin, wild cat, otter, turtle, snake, spider, toad and many more are included.
- > A list of species for which an authorisation is required is also drafted in the Dangerous Wild Animal Act 1976. The list includes species of mammals, reptiles, amphibians and fish. Birds listed in Schedule 4 of the Wildlife and Countryside Act 1981 need to be registered.
- > General housing requirements are included in the Animal Welfare Act 2006 and the Pet Animals Act 1951. An

animal has to be provided with a suitable environment and diet, must be able to exhibit normal behaviour and must be protected from fear, suffering, injury and disease. The accommodation has to be suitable in terms of size, temperature, lighting, ventilation and cleanliness. Detailed requirements on care, housing, environmental conditions and diet are provided in the Codes of Practices for dogs, cats, horses, ponies, donkeys and their hybrids. Animals kept under a Dangerous Wild Animals Act licence must be held in accommodation which secures that the animal will not escape, which is suitable as regards construction, size, temperature, lighting, ventilation, and more. The animal must be supplied with adequate and suitable food, drink and

bedding material and must be visited at suitable intervals.

- > There are no training requirements for pet shop staff drafted in any of the legislation mentioned above.
- > There is no obligation to inform the customers on adequate keeping of animals. Animals are not allowed to be sold to persons younger than 16 years of age.

## FUTURE PLANS

- There is no information on future plans.



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As the pan-European animal advocacy organisation, the primary focus of Eurogroup for Animals is to improve the well-being of as many animals as possible and defend animals' interests. We do this by achieving better legislation, standards, enforcement and societal attitudes, through a united community of animal protection organisations and via lawful means.



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