

Based on Article IV 4.a) of the Constitution of Bosnia and Herzegovina, the Parliamentary Assembly of Bosnia and Herzegovina, at the 42nd session of the House of Representatives, held on 17 and 29 December 2009, adopted the

LAW

ON ANIMAL PROTECTION AND WELFARE

CHAPTER I

GENERAL PROVISIONS

Article 1

(Subject)

(1) This Law regulates the responsibility of humans for the protection and welfare of animals in terms of breeding/keeping, providing shelter and food, protecting from torture, animal protection in periods of killing or slaughtering, being exposed to stress while transported, wildlife protection, and treatment of abandoned animals, pets and laboratory animals, establishing ethics committees and expert councils/boards, as well as conducting the supervision over the implementation of this Law and penalty measures for all violators of this Law.

(2) The provisions of this Law include all animals with developed senses and nervous systems for registering sense stimulants which can lead to the sensation of pain.

(3) The provisions of this Law shall be applied to any other living organism for which there is no certainty of having animal-like characteristics.

Article 2

(Meaning of phrases)

This Law includes certain phrases with the following meaning:

- a) analgesia is a procedure of decreasing or extracting the sensation of pain in animals, without the loss of consciousness;
- b) anesthesia is a procedure of removing the sensitivity of animals;
- c) euthanasia is a special method of putting animals to death which excludes suffering and pain;
- d) hygiene service/animal rescue is a service for collecting abandoned, lost or dead animals, formed by legal entities in accordance with the provisions of this Law;
- e) holder or owner of an animal is a physical or legal entity who is also the owner of an animal, or any other individual who is permanently or occasionally:
 - 1) animals' owner;

- 2) person responsible or tasked to be the animals' caretaker;
- 3) person responsible for the safety and oversight over children under 15 years of age who are animal owners, i.e. who are engaged in breeding, protecting, using, keeping, training, transporting or selling animals;
- f) a lost animal is an animal that left its owner without his consent and the owner is searching for it;
- g) hunting area owner is an organisation responsible for the hunting area;
- h) pets include: dogs, house cats, house birds, small rodents, aquarium or other animals kept or bred for socializing purposes, recreation, protection or as human aid;
- i) the body responsible for implementing this Law is the Ministry of Foreign Trade and Economic Relations BiH (hereinafter referred to as: competent Ministry);
- j) competent Minister is the Minister of Foreign Trade and Economic Relations;
- k) abandoned animal is a house animal which was consciously abandoned by its owner;
- l) experiment is every procedure or process performed on animals for scientific research or educational purposes which can cause pain, suffering, irreparable damage or death, but excluding the least painful method adopted in modern practice (so called humane method) of killing or marking animals. Experiment begins once the animal is prepared for examination, and ends upon completion of the last animal examination related to the experiment. Elimination of pain, suffering or irreparable damage is successfully achieved by using anesthesia or analgesia or other methods;
- m) sedation is an obligatory procedure prior to slaughter which, when applied to animals, causes the loss of consciousness and senses and lasts until the moment of death;
- n) transporter is a physical entity or legal entity providing transportation of living animals;
- o) animal shelters are facilities in which the rescued animals (abandoned or lost) are kept for future care and possible adoption;
- p) veterinarian is a doctor of veterinary medicine or B.A. veterinarian with a veterinary licence;
- r) veterinary technician is a person who, under the supervision of a vet, performs individual veterinary procedures in accordance with the Law on Veterinary practice in BiH;
- s) animals for keeping are animals kept or bred for producing food, e.g. wool production, leather, fur or other economic purposes;
- t) zoo animals are animals that live freely, and are freely exhibited in permanent facilities minimum seven days per year, with an exception of circuses and pet shops.

Article 3.

(Prohibition of killing and torture)

It is prohibited to kill, cause pain, damage or suffering, torture or consciously cause stress and fear with no justified reason.

CHAPTER II ANIMAL PROTECTION WHILE KEEPING OR BREEDING

Article 4.

(Animal protection while keeping animals)

It is specifically prohibited to:

- a) force animals to work or make efforts which the animal is unable to perform due to its size or condition, or which exceeds its strength;
- b) abandon animals kept for company or other animals kept under human supervision;
- c) expose bread or nurtured wild animal to wild nature or inhabit them in nature if not prepared for survival in such a habitat;
- d) cause pain, suffering or injure animals during training;
- e) cause pain, suffering, kill or injure animals while film-making, shooting commercials, during exhibitions or similar activities;
- f) test animals' aggression to other animals, agitate animals, organise animal fights, including dog fights, bull fights, bear and cock fights, as well as any other kind of animal;
- g) agitate/incite animals to attack humans, for purposes other than official police or military dog training;
- h) perform surgical-cosmetic operations on animals which are illegal for certain breeds, which shall be regulated by the Veterinary Office of Bosnia and Herzegovina (hereinafter referred to as: Office);
- i) feed animals with other living animals;
- j) use living vertebrates as bait for hunting and fishing purposes;
- k) disable animals' movement in a way which causes pain, suffering or injuries;
- l) ill, injured or animals with visible defects should not be used for pulling or riding;
- m) increase animals' growth by supplementing food with pharmaceutical medications used for increasing body mass;
- n) remove lice stock's and dogs' vocal cords;
- o) cause pain while horse-shoeing;
- p) remove cats' claws;
- r) sexually abuse animals;
- s) consume pets;
- t) test ammunition on animals;
- u) during training or other sports activities or similar events, it is prohibited to apply measures on animals which cause pain, suffering or injuries which can affect the animals' abilities, as well as give animals doping agents;
- v) forcefully feed animals, unless if it is medically justified;
- z) feed animal's food which causes suffering, pain or damage to health;
- aa) use illegal traps to catch animals;
- bb) breed animals for fur;
- cc) keep animals in circuses, and use them in circus shows with other animals;
- dd) organise dog races on hard surfaces;
- ee) use technical devices, assisting devices or devices for animal punishment, such as barb-wire collars or use sources of electricity or chemical substances;

- ff) breed animals in a fashion which causes pain, suffering or fear, and to intentionally injure animals, which is against the professions' regulations, i.e. the latest scientific achievements, and import or sell animals bred in such fashion;
- gg) increase animals' aggression by selection or other methods;
- hh) give living animals as prizes in prize games;
- ii) force animals to behaviour which causes pain, suffering, injuries or fear;
- jj) expose animals to bad weather conditions and inadequate temperature, against the adopted zoo-hygienic standards for specific breeds or to deprive them of sufficient amount of oxygen, which causes pain, suffering, injuries or fear;
- kk) neglect animals in terms of their health, accommodation, food and care.

Article 5

(Animal owner/holder's obligations)

- (1) Animals holder is obliged to, depending on the type, breed, age and physiological needs of the animal, to provide it with:
 - a) food and water in accordance with its physiological needs;
 - b) care for animals and ensure medical care;
 - c) provide accommodation to the animal in sufficient space and ensure sufficient space to move into, in case the animal is tied or closed in a confined space;
 - d) ensure animals kept in confined space with the sufficient quantity of light, heat, moisture, fresh air, and a clean living area;
 - e) secure such a supervision system for animals kept in a confined space that in case of accidents the animal owner can react accordingly as regulated;
 - f) do not expose animals to extreme heat or cold;
 - g) provide animals with sufficient space to move.
- (2) detailed conditions and methods of keeping animals, as well as the method of training animal caretakers are regulated by the Office.

Article 6

(Protection of pets)

- (1) All pets must have living conditions in accordance with their needs.
- (2) Detailed conditions on keeping pets and animals' welfare, as well as methods of marking animals, are regulated by the relevant ministry at the proposal by the Office.
- (3) It is prohibited to keep protected/endangered animals/species, wild animals, and animals and dog breeds which represent a danger to owner's life.
- (4) Owners of pets must ensure reproduction control of animals under their supervision.

Article 7

Breeding house pets for the purpose of sale cannot commence before the relevant ministry, at the proposal by the Office, makes a decision on fulfilling the necessary requirements.

Article 8

(Pet registration)

- (1) Dog and cat owners are obliged to register their pets, within 7 days from the date of receiving ownership rights, and at the veterinary organisation responsible for keeping animal registry.
- (2) For identification purposes, all animals should be permanently marked, and dog and cat owners are obliged to permanently mark their pets by using microchip. This can only be performed by veterinarians. It is prohibited to remove microchips, unless justified medical reasons for such removal exist.
- (3) The Office shall keep the registry of all marked dogs and cats.

Article 9

(Sale of pets)

- (1) It is prohibited to sell pets to underage persons, unless they hold parents' or guardian's authorisation (or are accompanied by them).
- (2) It is prohibited to sell exotic animals or animals protected by law.
- (3) It is prohibited to sell pets in markets or fairs.
- (4) Selling pets is allowed only in pet stores which meet special requirements and have the relevant authority's permission:
 - a) all animals should have evidence of their origin and health condition;
 - b) pet store employees must be trained for animal care and for issuing written instructions for appropriate animal keeping measures for the sold pets.
- (5) It is prohibited to sell dogs and cats in pet shops.
- (6) Special conditions from paragraph (4) of this Article, and conditions on staff training and methods of regulating instructions from paragraph (4) line b) of this Article are prescribed by a competent body.

CHAPTER III

PROTECTION OF ANIMALS WHILE PROVIDING HEALTH CARE AND ZOO-TECHNICAL PROCEDURES

Article 10

(Animal health care)

- (1) The duty and obligation of animal owners is to seek veterinary help in case of injuries or illness, during litter or in case of other conditions.

(2) The veterinarian is obliged to provide emergency veterinary assistance.

Article 11

(Animal procedures/interventions)

(1) All operations and zoo-technical procedures must be performed with anesthetics, provided by a doctor of veterinary medicine.

(2) In case that local anesthesia cannot relieve the animal from pain, general anesthesia will be applied.

(3) Performing operations, without anesthesia, which cause pain to animals, shall be considered torture and measures as described in Article 41 and 42 of this Law shall be applied.

(4) Anesthesia shall not be given in case of:

a) life threat, suffocation, bleeding, etc;

b) marking animals;

c) veterinary-diagnostics procedures;

d) causing more pain by anesthesia than by procedure or if by rule, anesthesia is not given in similar procedures on humans;

e) anesthesia is not provided in the following zoo-technical procedures:

1) removing horns or preventing the growth of horns in cattle younger than six weeks of age;

2) clipping tail in lamb under eight days of age, by elastic rings;

3) clipping tail of piglets under four days as well as lambs younger than eight days;

4) clipping teeth of piglets under the age of eight days, if necessary for the protection of the animal, mother or siblings;

5) clipping beaks of animals in intensive breeding, as well as beaks of chicks under the age of ten days;

6) removing the last vertebrae of the claw toe in fattening chicks which shall be used as a breeding cock, during the first day of his life

Article 12

(Amputation)

(1) Partial or complete amputation of any animal body parts is prohibited.

(2) Excluding the provisions of paragraph (1) of this Article, partial or complete amputation of certain animal body parts is allowed in cases:

a) if there is veterinary-medical indication for certain operational procedures;

b) in case the castration or sterilization is necessary for the prevention of unwanted breeding of animals;

c) during tail clipping in dogs when this procedure is to the animals' benefit.

(3) Amputation is also allowed in cases from Article 11 paragraph (4) line e) of this Law.

CHAPTER IV

PUTTING DOWN ANIMALS

Article 13

(Putting down animals)

Animals can be put down if:

- a) putting down vertebrates is necessary for maintaining the natural balance in hunting areas, in accordance with the Law on Hunting ("Official Gazette of the Federation of BiH", no. 4/06 and "Official Gazette of the Republika Srpska " no. 4/02);
- b) it is being performed as part of pest control measures, and cannot be prevented otherwise; in that case putting animals down can be performed only if it shall not cause unnecessary pain.

Article 14

(Euthanasia)

(1) Euthanasia of animals can be performed in case:

- a) the animal cannot be cured, and being kept alive would cause unnecessary pain and suffering;
- b) the animal reached old age and its vital functions are terminating;
- c) the animal suffers from an incurable and/or infectious disease, and those which can represent a threat to humans;
- d) the animal is dangerous to its environment;
- e) animal is in agony.

(2) For cases from paragraph (1) line a) and b) of this Article, the animals' owner shall decide on the euthanasia of the animal, as recommended by a veterinarian, and for cases from paragraph (1) line c), d) and e) of this Article, the veterinarian makes the relevant decision.

Article 15

(Methods of euthanasia)

(1) Animals can only be euthanized by a trained person – a veterinarian. Euthanasia is performed in such fashion which ensures a rapid death of an animal, without unnecessary suffering.

(2) Rodent control (deratization) is performed by registered and trained veterinary organisations, in a fashion which will cause minimum pain and suffering of animals.

(3) Euthanasia of animals which is not in compliance to this article shall be considered animal torture and measures from article 41 and 42 of this Law shall be applied.

CHAPTER V

PROTECTION OF ANIMALS DURING SLAUGHTER

Article 16

(Sedation and slaughtering)

- (1) Animals can be slaughtered only if sedated prior to bleeding, unless defined otherwise by a special religious procedure or if the animal is in agony.
- (2) Sedation is performed professionally as follows:
 - a) mechanically;
 - b) by electricity and
 - c) by gas.
- (3) Sedation and slaughtering must be performed by a trained person licensed by the Office and cannot use any types of sedation which causes unnecessary pain to animals.
- (4) Detailed conditions for performing ritual slaughtering shall be defined by the Office.

Article 17

- (1) Animals must be treated in slaughter houses as follows:
 - a) animals for slaughter must be unloaded from the vehicle upon their arrival by using adequate equipment, must be spared from anxiety, fear, suffering and pain;
 - b) movement of animals within the slaughter house to the accommodation area must be performed with care and without causing pain, with the use of special leading equipment;
 - c) slaughter houses must be equipped with special stables or pounds to accommodate the animals, protect them from uncomfortable weather conditions, provide food and water until the slaughtering;
 - d) animals must be sedated by appropriate procedure immediately before the slaughtering, and must be brought into the state of insensitivity and be killed at that moment.
- (2) slaughtering must be performed by using adequate equipment.
- (3) Ill or injured animals must be slaughtered at the end of the slaughtering procedure, after the healthy animals, without causing pain or suffering.
- (4) detailed conditions for animals protection during slaughtering is regulated by the competent ministry at the proposal by the Office.
- (5) animals cannot be slaughtered unless a veterinary examination took place prior to the procedure and in case the animal is not sedated professionally as regulated.

CHAPTER VI

ANIMAL PROTECTION DURING TRANSPORTATION

Article 18

(Animal transportation)

(1) Animals which are being transported by road, railway or air transportation must have adequate space, depending on the type of animal, sufficient air/ventilation, and must be protected from uncomfortable weather conditions with sufficient amount of fresh water and food.

(2) in case of water animals the quantity of water in which the animal is transported must be sufficient. High water temperature and reduced oxygen level must be avoided and animals must not be fed.

(3) Loading, re-loading, unloading and transporting animals must be conducted in such fashion which does not cause any pain or suffering.

(4) Animal transportation can be conducted by physical or legal entities registered for this type of activity. Transportation means must be adequately marked.

(5) Detailed conditions for loading, re-loading, unloading and examination of animals during exporting and importing and internal transportation are regulated by the Office.

Article 19

(1) It is prohibited to transport animals to cause pain, suffering, torture, disease, animal death, etc. as follows:

a) loading and transporting animals in extreme temperatures such as heat or very low temperatures;

b) transporting animals in uncovered trucks, railway cars, parts of ships in which animals are not protected from weather exposure;

c) transporting animals in closed transportation means, cages, boxes, if sufficient air is not provided;

d) transporting animals sensitive to low or high temperatures if the transportation means do not provide adequate temperature;

e) transportation without provided minimum defined surface for each animal;

f) transportation without protection from animals self-injuries, injuring other animals or falling off the transportation vehicle;

g) transporting without provided food, water and rest in regulated time periods;

h) transporting ill animals or in case of suspected animal illness with no veterinary assistance;

i) transporting animals for which there is doubt to be having infectious diseases;

j) transporting water animals in special transportation means or containers without sufficient quantity of water, adequate temperature or oxygen;

k) transporting female animals in the last quarter or pregnancy, females in the first 48 hours after dropping litter and their young, unless emergency veterinary intervention is necessary;

l) it is prohibited to transport material in the same transportation means which could be a danger to animals' health and life.

(2) Transporting animals in any of the ways as described in paragraph (1) of this Article shall be considered animal torture.

(3) transporting company is obliged to provide protection from dangerous and wild animals, their physical protection, and the means of transportation must be adequately marked to provide warning it transports dangerous or wild animals.

(4) transporting company is obliged to appoint a person who will be responsible for working in compliance with all regulations for animal transportation, their feeding, providing fresh water, and rest; the person appointed must be a trained professional, and the training program for such individual is regulated by the competent ministry.

(5) During the loading, re-loading, unloading and herding it is prohibited to use objects causing direct pain to animals.

CHAPTER VII

WILD ANIMALS PROTECTION

Article 20

(Wild animals)

It is prohibited to perform activities exposing wild animals in nature, as a population or individually, to torture or more permanently disable from performing physiological functions (eating, drinking, reproducing) by various procedures such as:

- a) disable approach by fencing, polluting, chasing, etc;
- b) destroying entire habitats or part of it significant to the survival of a species;
- c) introducing foreign animals into the habitat;
- d) catching living animals or killing animals by causing more permanent suffering;
- e) performing other procedures with negative outcome.

Article 21

(Natural habitats)

Users of hunting areas in natural habitats must ensure:

- a) all conditions necessary for the biological survival of a natural population within the eco-balance;
- b) repairing all possible present or newly-arising dysfunctions of the habitat;
- c) veterinary-health care.

Article 22

(Hunting)

Special regulations brought by the competent ministry (for the environmental protection) shall regulate the number of methods of hunting, type of wild animals which can be caught or fish, as well as any other activity concerning the protection and welfare of wild animal species.

Article 23

(Breeding wild animals)

It is prohibited to breed wild animals, unless in case of:

- a) breeding in zoos;
- b) for rescuing certain animal species.

CHAPTER VIII

PROTECTION OF ANIMALS IN ZOOS, CIRCUSES AND AT EXHIBITIONS

Article 24

(Responsibilities of zoo owners)

Animal owners in zoos and at exhibitions must, in addition to respecting this Law, also ensure:

- a) habitats which in their surface and equipment satisfy the basic animals' needs and confined and open area for movement;
- b) adequate food and water in necessary daily quantities;
- c) necessary veterinary care and treatment;
- d) humane treatment by the zoo staff;
- e) animal protection from visitors;
- f) protection of visitors from animals.

Article 25

(The Zoo)

- (1) Zoo can be established if all the conditions from Article 24 of this Law, together with the general provisions are fulfilled.
- (2) Consent for the establishment of a zoo shall be provided by the competent entity-level and Brcko District Bosnia and Herzegovina body.
- (3) Animal exhibitions can be held based on the agreement on the permit for animal shows and exhibitions by the entity-level and Brcko District BiH bodies, based on the request and submitted documentation on the animals' origin and health condition.
- (4) Conditions for establishing and operating a zoo, as well as the conditions for holding animal exhibitions shall be regulated by the Office.

Article 26

(Restraining animals)

It is prohibited to lead animals and perform with restrained animals (e.g. bears) or animals with physical disabilities.

CHAPTER IX

PROTECTION OF ABANDONED AND LOST ANIMALS

Article 27

(Abandoned and lost animals)

- (1) Lost and abandoned animals must be provided with adequate shelter and veterinary-medical assistance.
- (2) Individuals who find lost or abandoned animal is obliged to inform the nearest veterinary organisation or animal shelter on such a case.
- (3) In case the animal is ill or injured and cannot be cured, it is necessary to euthanize the animal with causing minimum pain, suffering or torture (euthanize).
- (4) It is prohibited to use lost or abandoned animals for experimental purposes.

Article 28

(Animal shelters/rescue)

- (1) Animal shelter owner is obliged to:
 - a) provide sufficient quantities of food and water for animals;
 - b) provide veterinary-medical care for animals;
 - c) provide sufficient living area surface for each animal and enable sufficient exercise/movement;
 - d) keep records on each rescued animal;
 - e) keep records on each adopted animal;
 - f) perform obligatory sterilization (spaying and neutering) of all rescued animals upon termination of the deadline as given in paragraph (2) of this Article;
 - g) receive statements on lost or abandoned animals;
 - h) engage in adopting animals and finding animal owners;
 - i) microchip all arriving animals if not previously microchip.
- (2) Animal owner has the right to request the return of his/her animal eight days upon the animal being rescued and taken into the shelter, or otherwise the animal can be given to another interested party.
- (3) Persons who adopt rescued animals are obliged to sign the animal adoption statement.
- (4) Animal shelters can be formed by any physical or private entity, local community unit, municipality, city, canton or entity.

(5) Competent cantonal, municipal or city body issues a permit for establishing an animal shelter, based on the instruction prescribed by the competent ministry, at the proposal by the Office, and keeps the animal shelter registry.

Article 29

(Hygienic/Health and rescue service)

(1) Lost and abandoned animals shall be collected by the Health/Hygienic and rescue service employees by causing minimum pain and suffering and turn the animals into the animal shelter.

(2) In case a wild animal is found, the service is obliged to address a request to the nearest hunting organisation for the animals' return into the nature, if possible, or otherwise the animal shall be turned into the nearest zoo equipped for its receiving. In case the zoo is unable to receive the animal, it shall then be euthanized.

(3) If an endangered wild species is found, the state authority for animal and environmental protection is notified, and this body shall make a decision on further proceedings.

(4) Competent cantonal executive body, city or municipal body shall issue a permit for the establishment of a hygienic/health service for animals, and based on the instruction regulated by the competent ministry, at the proposal by the Office.

Article 30

(Funding animal shelters and hygienic/health service)

Shelters and hygienic/health services are funded from:

- a) entity-level, cantonal, city or municipal budget;
- b) other sources of funding (donations, grant, etc.).

CHAPTER X

PROTECTION OF ANIMALS DURING EXPERIMENTS AND OTHER SCIENTIFIC RESEARCH

Article 31

(Experiments on animals)

(1) Experiments on animals can be performed by legal entities, registered for performing experiments and with the permission of the competent ministry.

(2) Experiments on animals as described in paragraph (1) of this Article can be permitted only in case the possible pain, suffering or injuring animals can be ethically justified with expected results of significance to humans or animals, that is, for science.

(3) Permission for performing experiments on living animals is issue in cases when:

- a) when it is impossible to obtain human cells or tissue for experiment purposes;

- b) in case the available technology does not satisfy the research needs.
- (4) Each experiment must be performed on a minimum possible number of animals. Prior to the commencement, during and following the experiment, it is necessary to give anesthesia or analgesia to the animal, should the method of experiment permit so.
- (5) Permission for performing experiments on animals cannot be issued for:
- a) testing weapons, ammunition or relevant equipment;
 - b) research or testing tobacco or alcoholic products development;
 - c) testing chemical substances for washing and disinfection for general use;
 - d) testing cosmetics products.
- (6) Permission for performing experiments, as described in paragraph (1) of this Article, shall be issued for concrete experiment or a series of experiments. The permit defined the duration of permit validity for the specific experiment.
- (7) Animal holders for experiment purposes are obliged to:
- a) provide experiment animals with accommodation, food, water, care adequate to their health and welfare needs;
 - b) minimize the limitations to satisfying their psychological and etiological needs;
 - c) monitor their environment;
 - d) daily examine their welfare and health;
 - e) remove causes of accident, suffering and pain as soon as possible;
 - f) mark animals and keep records.
- (8) Decision on the conditions which must be fulfilled by the legal entities performing experiments on animals is made by the competent ministry.

Article 32

(Legal entities registered for performing experiments)

- (1) Experiment on animals can be performed by institutions for higher education and scientific-research institutions as well as expert legal entities registered for performing experiments on animals, if they comply with the provisions define by Article 31 of this Law. The competent body shall adopt the bylaws regulating the performance of experiments.
- (2) Legal entities performing experiments on animals must have an employed animal protection expert with the necessary knowledge in the relevant area.
Animal protection expert shall prepare the clarification of performing experiments and shall be held responsible for its performance.
- (3) General approval for performing experiments on animals can be obtained by experts familiar with the physiology and animal behaviour, i.e. veterinarians or biologists specialized in zoology, and at request for each individual experiment by physicians, agronomists-farmers, pharmacologists, dentists.
- (4) Persons performing experiments or taking part in them and persons responsible for animal welfare must have adequate knowledge and training. Person specifically responsible for performing or supervising experiments must obtain instructions by the relevant scientific disciplines, and which are necessary to take in order to work safely and protect the laboratory animals, for the specific experiment. Such individuals shall need to have the satisfactory level of training for the task.

Article 33

(Experiments for educational purposes)

Experiments on animals for educational purposes are permitted only if satisfactory results by other educational instruments cannot be reached

(e.g. pictures, models, samples, computer programs, etc.).

Article 34

(Ethics Committee)

(1) Competent minister together with the Minister of Environment and Tourism of the Federation of Bosnia and Herzegovina, as well as the Minister of Science and Technology of the Republika Srpska establish the Ethics Committee composed of seven members,

including the distinguished nature lovers, physicians, veterinarians and NGO representatives protecting animals as their legal obligation.

(2) During the selection of Ethics Committee members it should be taken in to account that there is not existing conflict of interest.

(3) Ethics Committee gives advice on ethics issue and animal welfare in experiments on animals.

(4) It is prohibited to perform experiments or tests on animals without the positive opinion of the Ethics Committee.

(5) Special regulations concerning the protection and welfare of laboratory animals, performing experiments, keeping records, establishing the Ethics Committee, at the proposal by the Office, is regulated by the competent ministry.

CHAPTER XI

BOARD OF EXPERTS FOR ANIMAL PROTECTION AND WELFARE

Article 35

(Board of Experts)

(1) Board of Experts for animal protection and welfare (hereinafter referred to as: Board of Experts) is formed of prominent Experts of veterinary, medical, biological, pharmacological or similar sciences, working in the field of animal protection and welfare.

(2) Board of Experts is an advisory body providing opinion and proposals on issue concerning the animal protection and welfare.

(3) Tasks of the Board of Experts are to:

- a) evaluate the situation of the animal protection and welfare;
- b) define the strategy for animal protection and welfare;
- c) follow up and evaluates the implementation of this Law;
- d) give advice on animal protection and welfare;

e) give opinion and makes proposals on animal protection and welfare.

(4) Numbers and members of the Board of Experts, at the proposal by the Office, are appointed and decided upon by the competent minister. Board of Experts works in accordance with its Rules of Procedure. Members of the Board of Experts have the right to received compensation for their work. Board of Experts is funded from the competent ministry's budget.

CHAPTER XII

SUPERVISION

Article 36

(Supervision over the implementation of the Law)

Supervision over the implementation of this Law and regulations brought based on it is implemented by the office, relevant entity bodies and Brcko District BiH bodies, through official veterinarians.

Article 37

(Official veterinarians' rights)

In conducting inspection supervision, and in accordance with the rights and obligations defined by this Law and bylaws brought on its basis, the official veterinarian has the right:

- a) to freely enter all facilities in which animals are being kept or used, in case there is reasonable doubt the animals are not treated in accordance with the provisions of this Law;
- b) conduct regular visits to all facilities in which animals are kept or used, as well as fairs, shows, stores with animals/pet shops, transporting companies, etc.

Article 38

(Duties and measure of official veterinarians)

In conducting inspection supervision, in accordance with the rights and obligations defined by this Law and bylaws, the duties and measures of official veterinarians are:

- a) to document the implementation and results of the conducted inspection and measures taken and to report to the Office on such activities;
- b) to present the necessary measures to animal owners for each individual case, for the purposes of implementing the provisions of this Law;
- c) temporarily or permanently confiscate the animal in case of violations of the provisions of this Law and to place the animal to an appropriate accommodation at the expense of the animal owner;
- d) to order the euthanasia or slaughtering of an animal in case there are justified veterinary-medical reasons for it;
- e) to order the unloading and rest of animals in case of overloading transportation means with animals or longer period of animal transportation;

- f) to prohibit animal slaughter if the animal is not previously sedated;
- g) to prohibit performing of operations or other procedures on animals if analgesia or anesthesia are not provided;
- h) to prohibit the work of animal shelters if they do not meet the requirements of this Law and its regulations;
- i) prohibit performing of experiments on animals if there is no permit for such an activity.

Article 39

(Assistance of the police and customs)

In case the police or customs office while performing their duties conclude that there is a violation of this Law or its regulations, they are obliged to report it to the nearest official veterinarian.

CHAPTER XIII

COMPETENCIES OF STATE-LEVEL AUTHORITIES

Article 40

(Adoption of bylaws)

The competent ministry, at the proposal by the Office, shall bring the following bylaws:

- a) Decision on the protection of animals for keeping (farm animals) and the conditions which must be fulfilled by animal keeping facilities;
- b) Decision on the protection of pets;
- c) Decision on keeping dangerous animals;
- d) Decision on the protection of animals during slaughtering;
- e) Decision on the method of transporting animals;
- f) Decision on conditions and methods of keeping animals in zoos and pet stores;
- g) Decision on forming and conditions animal shelter must fulfill;
- h) Decision on forming and conditions hygienic/health services must fulfill;
- i) Decision on conditions organisations for performing experiments on animals must fulfill;
- j) Decision on protection of laboratory animals;
- k) Decision on establishing the Ethics Committee and Board of Experts for animal protection and welfare;
- l) Decision on the conditions which must be fulfilled by breeders of pets for sale;
- m) Decision on the conditions for pet sale in pet stores and the conditions on staff training/competencies.

CHAPTER XIV

PENALTIES

Article 41

(Animal owners' penalties)

Fee in the amount from 30.00 KM to 10.000,00 KM shall be paid for any violation by the animal owner when:

- a) performing activities from Article 3 of this Law;
- b) performing activities contrary to Article 4 of this Law;
- c) not performing duties from Article 5 of this Law;
- d) keeps animals from Article 6 Paragraph (3) of this Law as pets;
- e) keeps unregistered pets (Article 8 of this Law);
- f) is conducting contrary to Article 10 of this Law;
- g) allows performing of operation and zoo-technical procedures without anesthesia (Article 11 of this Law);
- h) allows performing of amputation from Article (12. paragraph (1) of this Law);
- i) kills animals contrary to Article 14 paragraph (1) line a) and b) of this Law;
- j) works contrary to Article 24 of this Law;
- k) restrains animals (Art 26 of this Law);
- l) disrupts the work on the veterinary inspector in conducting he inspection supervision from Article 37 paragraph (1) item a) and b);
- m) disrupts the official veterinarian in performing the inspection supervision from Article 38 paragraph (1) item c) and d) of this Law;
- n) performs activities contrary to Article 7 of this Law.

Article 42

(Violations by legal and physical entities)

(1) Fee in the amount of 200.00 KM to 200.000,00 KM shall be paid for any violations by the legal entity when:

- a) performing activities from Article 3 of this Law;
- b) performing activities contrary to Article 4 of this Law;
- c) not keeping animal registry (Article 8 of this Law);
- d) selling pets contrary to Article 9 of this Law;
- e) does not provide emergency veterinary assistance (Article 10 paragraph (2) of this Law);
- f) performing operations and zoo-technical procedures without anesthesia (Article 11 of this Law);
- g) kills animals contrary to Article 14 paragraph (1) line (1) and c), d) and e) and Article 15 of this Law;
- h) is conducting contrary to Article 18 and 19 of this Law;

- i) slaughtering animals contrary to Article 16 and 17 of this Law;
 - j) treats wild animals contrary to Article 20 of this Law;
 - k) breeds wild animals contrary to Article 23 of this Law;
 - l) conducting contrary to Article 25 of this Law;
 - m) is conducting contrary to the provisions of Article 28 of this Law;
 - n) is conducting contrary to the provisions of Article 29 of this Law;
 - o) performing experiments on animals contrary to Article 31 of this Law;
 - p) is not fulfilling the conditions from Article 32 of this Law;
 - r) disrupts the work of the official vet in conducting inspection supervision from Article 38. paragraph (1) item d), e), f), g), h) and i) of this Law;
 - s) conducts activities contrary to Article 7 of this Law.
- (2) For all violations of item (1) of this Article a fee shall be paid in the amount from 200.00 KM to 20.000,00 KM by the responsible legal entity.

CHAPTER XV

TRANSITIONAL AND FINAL PROVISIONS

Article 43

(Deadline for adopting bylaws)

- (1) Bylaws to this Law shall be brought within one year from the date of this Law entering into force.
- (2) Dog and cat owners are obliged to marked their pets with microchips and register them on the date of receiving ownership rights, six months from the date of this Law entering into force.
- (3) Animal shelters from Article 28 of this Law must be established within one year from the date of this Law entering into force.
- (4) Until the moment of establishing animal shelters as described in Article 28 of this Law, by the bodies defined by this Law, veterinary stations can, in cooperation with the competent municipal bodies, perform spaying and neutering and mark abandoned animals, specifically stray dogs, and release them to their natural habitats, aiming at the stabilization of the abandoned animal population by controlling their reproduction within the shortest possible period.
- (5) Provisions from Article 4 of this Law on prohibiting the breeding of animals for fur shall enter into force in 2018.

Article 44

(Entering into force)

This Law enters into force of the eighth day upon being published in the "Official Gazette BiH", issue number 316/09.

26 February 2009

Sarajevo

Chairman

House of Representatives

of the BiH Parliamentary Assembly

Niko Lozančić

Chairperson

House of Peoples

of the BiH Parliamentary Assembly

Dušanka Majkić