



ΠΑΡΑΡΤΗΜΑ ΠΡΩΤΟ
ΤΗΣ ΕΠΙΣΗΜΗΣ ΕΦΗΜΕΡΙΔΑΣ ΤΗΣ ΔΗΜΟΚΡΑΤΙΑΣ
Αρ. 2787 της 2ας ΑΠΡΙΛΙΟΥ 1993
ΝΟΜΟΘΕΣΙΑ

ΜΕΡΟΣ ΙΙΙ

Ο περί της Ευρωπαϊκής Σύμβασης για την Προστασία Κατοικιδίων Ζώων (Κυρωτικός) Νόμος του 1993 εκδίδεται με δημοσίευση στην Επίσημη Εφημερίδα της Κυπριακής Δημοκρατίας σύμφωνα με το Άρθρο 52 του Συντάγματος.

Αριθμός 8(III) του 1993

**ΝΟΜΟΣ ΚΥΡΩΤΙΚΟΣ ΤΗΣ ΕΥΡΩΠΑΪΚΗΣ ΣΥΜΒΑΣΗΣ
ΓΙΑ ΤΗΝ ΠΡΟΣΤΑΣΙΑ ΚΑΤΟΙΚΙΔΙΩΝ ΖΩΩΝ**

Η Βουλή των Αντιπροσώπων ψηφίζει ως ακολούθως:

1. Ο παρών Νόμος θα αναφέρεται ως ο περί της Ευρωπαϊκής Σύμβασης για την Προστασία Κατοικιδίων Ζώων (Κυρωτικός) Νόμος του 1993. Συνοπτικός τίτλος.

2. Στον παρόντα Νόμο, εκτός αν από το κείμενο προκύπτει διαφορετική έννοια— Ερμηνεία.

«Σύμβαση» σημαίνει την Ευρωπαϊκή Σύμβαση για την Προστασία Κατοικιδίων Ζώων η οποία ανοίχθηκε για υπογραφή στο Στρασβούργο στις 13 Νοεμβρίου 1987.

3. Με τον παρόντα Νόμο κυρώνεται η Σύμβαση, της οποίας το κείμενο στο αγγλικό πρωτότυπο εκτίθεται στο Μέρος Ι του Πίνακα και σε ελληνική μετάφραση στο Μέρος ΙΙ αυτού: Κύρωση της Σύμβασης. Πίνακας Μέρους Ι. Μέρος ΙΙ.

Νοείται ότι ο σε περίπτωση αντίφασης μεταξύ του κειμένου του Μέρους Ι και του κειμένου του Μέρους ΙΙ του Πίνακα θα υπερισχύσει το κείμενο που εκτίθεται στο Μέρος Ι αυτού.

ΠΙΝΑΚΑΣ
(Άρθρο 3)
Μέρος Ι

EUROPEAN CONVENTION
FOR THE PROTECTION OF PET ANIMALS

PREAMBLE

The member States of the Council of Europe, signatory hereto,

Considering that the aim of the Council of Europe is to achieve a greater unity between its Members;

Recognising that man has a moral obligation to respect all living creatures and bearing in mind that pet animals have a special relationship with man;

Considering the importance of pet animals in contributing to the quality of life and their consequent value to society;

Considering the difficulties arising from the enormous variety of animals which are kept by man;

Considering the risks which are inherent in pet animal overpopulation for the hygiene, health and safety of man and of other animals;

Considering that the keeping of specimens of wild fauna as pet animals should not be encouraged;

Aware of the different conditions which govern the acquisition, keeping, commercial and non-commercial breeding and the disposal of and trading in pet animals;

Aware that pet animals are not always kept in conditions that promote their health and well-being;

Noting that attitudes towards pet animals vary widely, sometimes because of limited knowledge and awareness;

Considering that a basic common standard of attitude and practice which results in responsible pet ownership is not only a desirable, but a realistic goal,

Have agreed as follows:

CHAPTER I — GENERAL PROVISIONS

Article 1

Definitions

1. By pet animal is meant any animal kept or intended to be kept by man, in particular in his household, for private enjoyment and companionship.
2. By trading in pet animals is meant all regular business transactions in substantial quantities carried out for profit which involve the change of ownership of pet animals.
3. By commercial breeding and boarding is meant breeding or boarding mainly for profit and in substantial quantities.
4. By animal sanctuary is meant a non-profit making establishment where pet animals may be kept in substantial numbers. If national legislative and/or administrative measures permit, such an establishment may accept stray animals.

5. By a stray animal is meant a pet animal which either has no home or is outside the bounds of its owner's or keeper's household and is not under the control or direct supervision of any owner or keeper.
6. By competent authority is meant the authority designated by the member State.

Article 2

Scope and implementation

1. Each Party undertakes to take the necessary steps to give effect to the provisions of this Convention in respect of:
 - a. pet animals kept by a person or legal entity in any household or in any establishment for trading, for commercial breeding and boarding, and in animal sanctuaries;
 - b. where appropriate, stray animals.
2. Nothing in this Convention shall affect the implementation of other instruments for the protection of animals or for the conservation of threatened wild species.
3. Nothing in this Convention shall affect the liberty of the Parties to adopt stricter measures for the protection of pet animals or to apply the provisions contained herein to categories of animals which have not been mentioned expressly in this instrument.

CHAPTER II — PRINCIPLES FOR THE KEEPING OF PET ANIMALS

Article 3

Basic principles for animal welfare

1. Nobody shall cause a pet animal unnecessary pain, suffering or distress.
2. Nobody shall abandon a pet animal.

Article 4

Keeping

1. Any person who keeps a pet animal or who has agreed to look after it shall be responsible for its health and welfare.
2. Any person who is keeping a pet animal or who is looking after it shall provide accommodation, care and attention which take account of the ethological needs of the animal in accordance with its species and breed, in particular:
 - a. give it suitable and sufficient food and water;
 - b. provide it with adequate opportunities for exercise;
 - c. take all reasonable measures to prevent its escape.
3. An animal shall not be kept as a pet animal if:
 - a. the conditions of paragraph 2 above are not met or if,
 - b. in spite of these conditions being met, the animal cannot adapt itself to captivity.

Article 5

Breeding

Any person who selects a pet animal for breeding shall be responsible for having regard to the anatomical, physiological and behavioural characteristics which are likely to put at risk the health and welfare of either the offspring or the female parent.

Article 6

Age-limit on acquisition

No pet animal shall be sold to persons under the age of 16 without the express consent of their parents or other persons exercising parental responsibilities.

Article 7

Training

No pet animal shall be trained in a way that is detrimental to its health and welfare, especially by forcing it to exceed its natural capacities or strength or by employing artificial aids which cause injury or unnecessary pain, suffering or distress.

Article 8

*Trading, commercial breeding and boarding,
animal sanctuaries*

1. Any person who, at the time of the entry into force of the Convention, is trading in or is commercially breeding or boarding pet animals or is operating an animal sanctuary shall, within an appropriate period to be determined by each Party, declare this to the competent authority.

Any person who intends to engage in any of these activities shall declare this intention to the competent authority.

2. This declaration shall stipulate:

- a. the species of pet animals which are involved or to be involved;
- b. the person responsible and his knowledge;
- c. a description of the premises and equipment used or to be used.

3. The above-mentioned activities may be carried out only:

- a. if the person responsible has the knowledge and abilities required for the activity either as a result of professional training or of sufficient experience with pet animals and
- b. if the premises and the equipment used for the activity comply with the requirements set out in Article 4.

4. The competent authority shall determine on the basis of the declaration made under the provisions of paragraph 1 whether or not the conditions set out in paragraph 3 are being complied with. If these conditions are not adequately met, it shall recommend measures and, if necessary for the welfare of the animals, it shall prohibit the commencement or continuation of the activity.

5. The competent authority shall, in accordance with national legislation, supervise whether or not the above-mentioned conditions are complied with.

Article 9

*Advertising, entertainment, exhibitions, competitions
and similar events*

1. Pet animals shall not be used in advertising, entertainment, exhibitions, competitions and similar events unless:

- a. the organiser has created appropriate conditions for the pet animals to be treated in accordance with the requirements of Article 4, paragraph 2, and
- b. the pet animals' health and welfare are not put at risk.

2. No substances shall be given to, treatments applied to, or devices used on a pet animal for the purpose of increasing or decreasing its natural level of performance:

- a. during competition or
- b. at any other time, when this would put at risk the health and welfare of the animal.

Article 10

Surgical operations

1. Surgical operations for the purpose of modifying the appearance of a pet animal or for other non-curative purposes shall be prohibited and, in particular:

- a. the docking of tails;
- b. the cropping of ears;
- c. devocalisation;
- d. declawing and defanging.

2. Exceptions to these prohibitions shall be permitted only:

- a. if a veterinarian considers non-curative procedures necessary either for veterinary medical reasons or for the benefit of any particular animal;
- b. to prevent reproduction.

3. a. Operations in which the animal will or is likely to experience severe pain shall be carried out under anaesthesia only by a veterinarian or under his supervision.

b. Operations for which no anaesthesia is required may be carried out by a person competent under national legislation.

Article 11

Killing

1. Only a veterinarian or another competent person shall kill a pet animal except in an emergency to terminate an animal's suffering when veterinary or other competent assistance cannot be quickly obtained or in any other emergency covered by national legislation. All killing shall be done with the minimum of physical and mental suffering appropriate to the circumstances. The method chosen, except in an emergency, shall either:

- a. cause immediate loss of consciousness and death, or
- b. begin with the induction of deep general anaesthesia to be followed by a step which will ultimately and certainly cause death.

The person responsible for the killing shall make sure that the animal is dead before the carcass is disposed of.

2. The following methods of killing shall be prohibited:

- a. drowning and other methods of suffocation if they do not produce the effects required in subparagraph 1.b;
- b. the use of any poisonous substance or drug, the dose and application of which cannot be controlled so as to give the effect mentioned in paragraph 1;
- c. electrocution unless preceded by immediate induction of loss of consciousness.