

The Animal Welfare Ordinance

1988:539

Consolidated text

(as last amended by SFS 2003:1124 of
December 19, 2003)

Livestock buildings

Section 1

- (1) Livestock buildings and other holding rooms for animals shall be sufficiently spacious to allow all the animals to lie down at the same time and to move freely.
- (2) The premises shall be designed in such a way as to allow the animals to behave naturally.

Section 2

- (1) Livestock buildings shall be designed in such a way as to ensure a satisfactory indoor climate. Noise shall be kept at a low level.
- (2) Livestock buildings shall be fitted with windows to let in the daylight.
- (3) The Swedish Animal Welfare Agency may adopt rules providing for exemptions from subsection (2).

Section 3

The fittings in livestock buildings and other holding rooms for animals and the equipment in enclosures shall be designed in such a way as not to cause injuries or entail risks to the health of the animals. The fittings and other equipment shall not prevent the animals from behaving naturally, unnecessarily limit their freedom of movement or otherwise cause them inconvenience.

Section 4

The Swedish Animal Welfare Agency may adopt rules concerning the size and general design of livestock buildings, other holding rooms for animals and enclosures.

Prior approval of livestock buildings

Section 5

- (1) Stables and other accommodation for horses or animals bred or kept for the production of food, wool, hides or fur may not be erected, extended or altered unless the stables or other accommodation have first been approved from an animal welfare and animal health perspective. This also applies when a stable or other accommodation is modified in a manner that is of substantial relevance from an animal welfare or animal health perspective or when a stable or other accommodation that has previously been used for another purpose is taken into use or fitted out for such keeping or breeding of animals. What is said here with reference to stables and accommodation also applies to parts of stables and other premises used for accommodation and to enclosures and parts of enclosures.

- (2) Subsection (1) shall not apply to livestock buildings used by the armed forces.
- (3) The Swedish Animal Welfare Agency may issue regulations on the conditions for prior approval and grant exemptions from subsection (1).

Section 6

Matters relating to prior approval under Section 5 shall be examined by the county administrative board. The county administrative board shall inspect stables and other accommodation before they are taken into use or, if more appropriate, as soon as possible afterwards.

Detailed regulations regarding inspections shall be issued by the Swedish Animal Welfare Agency.

Section 6 a

- (1) If a person carries out a construction measure referred to in section 5 without the prior approval of the county administrative board, the board shall order payment of the extra charge mentioned in section 3 (4) of the Animal Welfare Act (1988:534).
- (2) If the matter is not raised by the county administrative board within five years of the date when the construction measure was carried out, no charge shall be collected.

Pre-testing of new technologies

Section 7

- (1) New animal management technologies and equipment shall be approved with regard to animal health and protection before use.
- (2) The Swedish Animal Welfare Agency may adopt rules providing for exemptions from subsection (1).

Section 8

Applications for approval of new technologies shall be considered by the Swedish Animal Welfare Agency.

Animal management

Section 8 a

The Swedish Animal Welfare Agency may issue regulations concerning the feeding and watering of animals.

Section 9

- (1) Hens for egg production may only be housed in hen-housing systems that satisfy the hens' need of nests, perches and sand-baths. The accommodation shall be such as to ensure that mortality and conduct disorders remain at a low level.
- (2) The Swedish Animal Welfare Agency may adopt further rules concerning the accommodation of hens.

Section 9 a

- (1) Foxes may only be kept in such a way as to satisfy their need to socialize with other foxes and to move, dig and otherwise occupy themselves.
- (2) The Swedish Animal Welfare Agency may adopt further rules concerning the keeping of foxes.

Section 10

Cattle kept for milk production that are older than six months shall be sent out to pasture in the summer.

Section 11

- (1) Cattle, other than cattle kept for milk production, shall be sent out to pasture or otherwise allowed to graze outdoors in the summer.
- (2) Subsection (1) shall not apply to animals which are younger than six months or to bulls or animals being kept in quarantine.

Section 12

Where possible, pigs kept for rearing shall be allowed outdoors during the summer.

Section 13

The Swedish Animal Welfare Agency may adopt rules concerning arrangements for pasture as referred to in sections 10 and 11.

Section 13 a

- (1) Exemptions from the provisions of sections 10 and 11 may be granted in the case of:
 1. livestock buildings taken into use after July 1, 1988, where special climatic conditions make outdoor grazing unsuitable for reasons of animal welfare or where exemptions are necessary owing to unforeseen and exceptional circumstances;
 2. livestock buildings that were used prior to July 1, 1988, including buildings that have subsequently been altered or extended, where special reasons exist, subject to the conditions specified in rules adopted by the Swedish Animal Welfare Agency.

- (2) In cases referred to in subsection (1), point 1 the question of exemption shall be considered by the Swedish Animal Welfare Agency. The same shall apply to cases referred to in subsection (1), point 2 if the livestock building is subsequently altered or extended so as to increase the number of animals housed therein by more than nine adult or eighteen young animals. In other cases the question of exemption shall be considered by the local government committee that is responsible for supervision of compliance with the Animal Welfare Act.
- (3) Decisions relating to exemptions shall be reviewed after a certain period in accordance with rules adopted by the Swedish Animal Welfare Agency. Decisions may be cancelled if the conditions laid down therein are not fulfilled.

Section 14

Pigs shall be housed in lounging barns.

Section 15

- (1) Equipment for immobilizing pigs must not be used otherwise than as a temporary measure.
- (2) Equipment or devices that give animals electric shocks for the purpose of controlling their behaviour may not be used. Nor may stables, other accommodation for animals or enclosures be fitted out with devices of this kind.

The prohibition in the second paragraph does not apply to the use of electric fences.

The Swedish Animal Welfare Agency may issue regulations concerning:

1. conditions for using electric fences,
2. exemptions from the prohibition in the second paragraph concerning electric prods or electric deterrents on feed cars, and
3. conditions for use that is permitted under regulations issued pursuant to subsection 2.

Article 16

- (1) Pens for pigs and for calves up to the age of one month shall be provided with litter bedding or similar material.
- (2) Stall floors and cubicles for dairy cows shall be provided with adequate bedding of straw or similar material.

Section 17

The Swedish Animal Welfare Agency may adopt further rules laying down conditions for or prohibiting certain kinds of animal management.

Section 18

The Swedish Animal Welfare Agency may adopt rules concerning the tying of animals.

Section 19

It shall be prohibited to own or breed dogs which:

1. are exceptionally aggressive;
2. are irritable and bite;
3. are difficult to restrain once they have started an attack; and
4. are inclined to direct their aggression at people or other dogs.

Section 20

Persons who are engaged in trade with pet animals commercially or on a large scale shall have the training or other knowledge prescribed by the Swedish Animal Welfare Agency.

Section 21

Premises and other areas for animals which are used for commercial trade in pet animals shall be approved by the local government committee that is responsible for supervision pursuant to the Animal Welfare Act (1988:534).

Section 21 a

The Swedish Animal Welfare Agency may adopt further rules laying down conditions for or prohibiting the sale or other transfer of animals.

Transportation of animals

Section 22

Persons who transport live animals shall attend to the animals and take the necessary steps to ensure that the animals are not injured or subjected to any suffering during loading, transport and unloading.

Section 23

The Swedish Animal Welfare Agency may issue further regulations concerning conditions for or prohibitions against the transport of animals.

Section 24

Repealed by Ordinance (1996:720).

Surgical procedures etc.

Section 25

(1) The gelding of domestic animals and dehorning of cattle and goats shall be permitted even where this is not necessary for veterinary medical reasons.

- (2) Male reindeer may be gelded by persons other than veterinarians. Male pigs may be gelded by persons other than veterinarians provided that gelding takes place before the animal has attained the age of seven days. The gelding of pigs which have attained the age of seven days shall be performed under an anaesthetic.
- (3) Cattle and goats shall be dehorned under an anaesthetic and the operation shall be performed by a veterinarian or a person considered suitable for this purpose by a veterinarian.

Section 26

- (1) The Swedish Animal Welfare Agency may adopt further rules concerning surgical procedures which may be performed on or injections administered to animals where they are not necessary for veterinary medical reasons.
- (2) The Swedish Animal Welfare Agency may adopt further rules concerning cases in which surgical procedures may be performed or injections administered by persons other than veterinarians.

Section 27

The Swedish Animal Welfare Agency may adopt detailed rules concerning the performance of surgical procedures on and administration of injections to animals.

Section 28

- (1) It shall be prohibited to administer hormones or other substances to animals in order to alter their characteristics for any purpose other than to prevent, detect, cure or alleviate disease or symptoms of disease.
- (2) Subsection (1) shall not apply to substances falling within the Feedingstuffs Act (1985:285).
- (3) The Swedish Animal Welfare Agency may adopt rules providing for exemptions, or may in special cases grant exemptions, from subsection (1).

Section 29

- (1) The Swedish Animal Welfare Agency may adopt rules prohibiting or laying down conditions for breeding that is planned in such a way that it may affect animals' natural behaviour.
- (2) Breeding that is planned in such a way that it may entail suffering for the animals shall be prohibited. Detailed rules concerning this prohibition shall be adopted by the Swedish Animal Welfare Agency.

Slaughter etc.

Section 30

- (1) Animals shall be anaesthetized prior to slaughter in such a way as to cause rapid unconsciousness. They must not regain consciousness.
- (2) The Swedish Animal Welfare Agency may adopt rules concerning methods of anaesthesia.

Section 31

The Swedish Animal Welfare Agency may adopt rules providing for, or may in individual cases grant, exemptions from the requirement for anaesthesia referred to in section 14 of the Animal Welfare Act (1988:534) in the case of poultry and rabbits.

Section 32

The Swedish Animal Welfare Agency may adopt further rules concerning the slaughter and killing of animals in other cases.

Section 32 a

If an animal is subjected to or it may be presumed that it will be subjected to unnecessary suffering at a slaughterhouse, the veterinary inspector shall prohibit slaughter, order the animal to be killed immediately or take other measures that are required immediately from an animal welfare perspective.

The Swedish Animal Welfare Agency may issue additional regulations concerning the duties of a veterinary inspector from an animal welfare perspective.

Mandatory permits for certain types of livestock holding

Section 32 b

The Swedish Animal Welfare Agency may issue regulations concerning:

1. the criteria for regarding a business under Section 16, first paragraph of the Animal Welfare Act (1988:534) as operating on a substantial scale,
2. exemptions from the mandatory permit requirement under Section 16, first paragraph of the same Act.

Sporting events and exhibitions involving animals

Section 33

- (1) A veterinarian appointed by the Swedish Animal Welfare Agency or, if the Swedish Animal Welfare Agency so decides, by the county administrative board, shall be present at public sporting events involving animals. Before

the event the veterinarian shall inspect the competition arena or race-track and the animals taking part. If any animal is subjected or liable to be subjected to injury or other suffering the veterinarian shall immediately cancel the event, wholly or in part, or the participation therein of a particular animal.

- (2) The Swedish Animal Welfare Agency may adopt further rules concerning the veterinarian.
- (3) The Swedish Animal Welfare Agency shall fix the veterinarian's fee. The fee shall be paid by the organizer of the event.
- (4) Where special reasons exist, the Swedish Animal Welfare Agency may prescribe, or in individual cases grant, exemptions from the first and second sentences of subsection (1).

Section 34

The Swedish Animal Welfare Agency may adopt further rules concerning the training of animals and their use in sporting events and other activities referred to in section 17 of the Animal Welfare Act (1988:534) and concerning the organization of such events and activities.

Section 35

- (1) Animals must not be taken from place to place and exhibited to the public in menageries.
- (2) Monkeys, predators, with the exception of domesticated dogs and cats, pinnipeds with the exception of sea-lions, rhinoceroses, hippopotamuses, deer, with the exception of reindeer, giraffes, kangaroos, birds of prey, ratite birds and crocodylians must not be taken from place to place and exhibited to the public in other circumstances either.
- (3) The animals referred to in subsection (2) must not be exhibited to the public in performances or otherwise at circuses, variety shows or similar entertainments.

Section 36

Animals other than those referred to in section 35 (2) may only be exhibited to the public in performances at circuses, variety shows or similar entertainments and, provided that they have been exhibited in such performances, in livestock buildings and other holding rooms for animals. The young of such animals may also be exhibited in such buildings or rooms even if they have not been exhibited in such performances. The same shall apply to individual animals that accompany a circus in order to be trained for exhibition.

Section 36 a

- (1) A circus that exhibits animals to the public shall be inspected once a year by the county administrative board in the county where the circus is domiciled, enters the country or gives its first performance. The inspection shall be made before the circus's first performance of the year in the country. An inspection shall also be made in the event of any change in the collection of animals or equipment that is of significant relevance to animal welfare or animal health.
- (2) The Swedish Animal Welfare Agency may adopt rules making it compulsory for persons who exhibit animals at a circus to:
 1. keep records of these activities and of the animals used; and
 2. supply information about the activities.
- (3) The provisions of sections 24, 26 and 27 of the Animal Welfare Act (1988:534) shall apply, mutatis mutandis, to inspections referred to in subsection (1). Detailed rules relating to inspections shall be adopted by the Swedish Animal Welfare Agency. Ordinance (2001:284).

Section 37

If a zoological garden, zoological park or similar facility is established, it must not be used for the public exhibition of animals until it has been approved by the county administrative board. The same shall also apply when such animals are moved and following the construction of new buildings, extensions and conversions of any significance.

Section 38

The measures covered by the provisions concerning doping etc. in section 18 of the Animal Welfare Act (1988:534) shall be specified in rules adopted by the Swedish Animal Welfare Agency.

Section 39

The cost of supervising compliance with the prohibition of doping etc. in section 18 of the Animal Welfare Act (1988:534) shall, if such supervision takes place at a sporting event, be paid by the organizer of the event and, if it takes place in connection with training, by the animal's owner.

Use of animals for scientific purposes etc.

Section 40

Applications for permission pursuant to section 19 a of the Animal Welfare Act (1988:534) shall be considered by the Swedish Animal Welfare Agency.

Section 40 a

The Swedish Animal Welfare Agency may adopt rules laying down conditions for or prohibiting the breeding, keeping, supply or use of animals for the purposes referred to in section 19 of the Animal Welfare Act (1988:534).

Section 41

Ethical committees on animal experiments shall be appointed for the purpose of ethical approvals pursuant to section 21 (1) of the Animal Welfare Act (1988:534).

Section 42

The number of ethical committees on animal experiments shall be decided by the Swedish Animal Welfare Agency; however, it shall be not less than six. The committees shall be distributed throughout the country in the places decided by the Swedish Animal Welfare Agency.

Article 43

- (1) Each committee shall have a chairman and a vice-chairman and include laypeople, research workers and representatives of the personnel who handle laboratory animals.
- (2) The Swedish Animal Welfare Agency shall appoint the chairman and the vice-chairman, who shall be impartial and shall preferably have legal training and experience as judges.
- (3) Half of the other members of the committee shall be lay members. The number of lay members representing animal welfare organizations shall be less than half of the total number of lay members on the committee.

Section 44

- (1) The number of members of the ethical committees on animal experiments shall be decided by the Swedish Animal Welfare Agency. However, the number must not exceed 14.
- (2) The members shall be appointed by the Swedish Animal Welfare Agency for not more than four years at a time.

Section 45

To constitute a quorum, a committee shall consist of the chairman and the number of other members stipulated by the Swedish Animal Welfare Agency. Half of these other members shall be lay members. The chairman and the vice-chairman must not both simultaneously take part in a decision of the committee.

Section 46

A committee may assign the task of preparing matters to one or more of its members.

Section 47

Detailed rules concerning the organization of the committees and the procedure for decisions on matters brought before them shall be adopted by the Swedish Animal Welfare Agency.

Section 48

- (1) The ethical committees on animal experiments shall assist those responsible for conducting animal experiments by giving advice.
- (2) Ethical reviews of the use of the animals shall be carried out every three years.

Section 49

- (1) When considering specific cases the committee shall weigh the importance of the experiment against the suffering inflicted on the animal.
- (2) The committee shall reject applications to use animals for scientific purposes if such use is not deemed to be in the public interest. The committee shall also reject applications to use animals for such purposes if it is possible to acquire equivalent information by other means.

Section 50

The Swedish Animal Welfare Agency may adopt rules providing for exemptions from:

1. the requirement laid down in section 19 of the Animal Welfare Act (1988:534) that no animals other than animals bred for the purpose shall be used; and
2. the requirement for permission to breed, keep, supply or use animals for the purposes referred to in section 19 of the Act.

Section 50 a

- (1) The Swedish Animal Welfare Agency may adopt rules, or take decisions in individual cases, concerning the duties of supervisors and veterinarians in connection with the breeding, keeping, supply or use of animals for the purposes referred to in section 19 of the Animal Welfare Act (1988:534).
- (2) The Swedish Animal Welfare Agency may also adopt rules, or take decisions in individual cases, concerning the training or skills that the staff should have in connection with the breeding, keeping, supply or use of animals for the purposes referred to in section 19 of the Act.

Section 51

A person who uses, participates in the use of or looks after animals referred to in section 19 of the Animal Welfare Act (1988:534) shall have the training and skills prescribed in the rules adopted by the Swedish Animal Welfare Agency.

Section 52

The Swedish Animal Welfare Agency may adopt rules providing for exemptions from the requirement for ethical approvals pursuant to section 21 of the Animal Welfare Act (1988:534) if the animals are not subjected to surgical procedures, injections, bleeding or other suffering.

Section 53

Before a vertebrate animal is used for any of the purposes referred to in section 19 of the Animal Welfare Act (1988:534), the animal shall, if the use may involve physical or mental suffering, be anaesthetized. However, if it is necessary in view of the purpose of the surgical procedure, or if the anaesthetic would cause more suffering than the use in itself, the procedure may take place under partial anaesthesia or without an anaesthetic. Where possible, an analgesic or tranquilizer shall be used in such cases in order to alleviate the animal's suffering, in order to ensure that the animal is not subjected to severe pain, severe anxiety or any other severe suffering.

Section 54

A person who uses animals for any of the purposes referred to in section 19 of the Animal Welfare Act (1988:534) shall, pursuant to the rules adopted by the Swedish Animal Welfare Agency, supply information about the numbers and kinds of animals used.

Section 54 a

A person who breeds, keeps, supplies or uses animals for the purposes referred to in section 19 of the Animal Welfare Act (1988:534) shall, in accordance with the rules adopted by the Swedish Animal Welfare Agency:

1. mark the animals;
2. issue instructions concerning the care of the animals and concerning other information that is relevant in the context of animal welfare;
3. keep records of the activity and the animals; and
4. submit information about the activity.

Section 55

(1) Facilities and other holding rooms for laboratory animals must not be built, extended or altered without prior approval by the Swedish Animal Welfare Agency with reference to animal health and welfare. The same shall apply when facilities or holding rooms are modified in such a way as to have significant effects on animal health and welfare or when a facility

or holding room which was previously used for other purposes is put to use or equipped as a facility or holding room for laboratory animals.

- (2) Facilities and holding rooms shall be inspected before being used or, if more appropriate, as soon as possible afterwards.
- (3) Detailed rules relating to facilities or other holding rooms for laboratory animals and to inspections shall be adopted by the Swedish Animal Welfare Agency.

Section 55 a

- (1) If a person carries out a construction measure referred to in section 55 without the prior approval of the Swedish Animal Welfare Agency, the Agency shall order payment of the extra charge mentioned in section 3 (4) of the Animal Welfare Act (1988:534).
- (2) If the matter is not raised by the Swedish Animal Welfare Agency within five years of the date when the construction measure was carried out, no charge shall be collected.

Supervision etc.

Section 56

Regional supervision of the Animal Welfare Act (1988:534) shall be exercised by the county administrative boards.

Section 56 a

In connection with the transportation of animals by sea to or from Gotland, supervision of compliance with the Animal Welfare Act (1988:534) shall be exercised by a local government committee referred to in section 16 of the Act. Supervision shall be exercised by the committee in the municipality where the point of departure of the sea transport is situated.

Section 57

The Swedish Animal Welfare Agency may require payment of a charge for the administration of matters relating to:

1. prior approval of livestock buildings and other holding rooms for animals;
2. prior approval and inspection of buildings and other holding rooms for laboratory animals;
3. approval of new technologies;
4. registration of animal carriers and exemptions from the requirement for sleeping quarters for animals in open pasture;
5. permission pursuant to section 19 a of the Animal Welfare Act (1988:534);
6. approval pursuant to section 20 of the Act and section 37 of this Ordinance; and

7. exemptions pursuant to section 9 (4) of the Act and section 13 a of this Ordinance.

Section 57 a

Municipalities may charge fees for the services provided by local government committees pursuant to the Animal Welfare Act (1988:534) in accordance with the schedule of rates fixed by them. However, fees shall not be charged for the committees' supervision of animals kept as circus animals.

Section 58

- (1) If a supervisory authority other than the county administrative board considers that there are grounds for prohibiting a person from having animals in his car pursuant to section 29 of the Animal Welfare Act (1988:534), that authority shall notify the county administrative board thereof without delay. Such notification shall contain an account of the relevant circumstances.
- (2) The same shall apply if there are grounds for taking animals into charge pursuant to section 31 of the Animal Welfare Act.

Section 59

Detailed rules concerning the procedure for taking animals into charge pursuant to sections 31 and 32 of the Animal Welfare Act (1988:534) may be adopted by the Swedish Animal Welfare Agency.

Implementing provisions

Section 60

Detailed rules concerning the implementation of the Animal Welfare Act (1988:534) and this Ordinance may be adopted by the Swedish Animal Welfare Agency.

Transitional provisions

Sections 7 and 10 of this Ordinance shall enter into force on July 1, 1990, section 21 on July 1, 1989, section 28 and sections 43 to 46 on January 1, 1989, and the remaining sections on July 1, 1988.

Upon entry into force of this Ordinance, the following Ordinances shall be repealed:

1. the Public Exhibition of Animals Ordinance (1959:486);
2. the Ordinance (1968:736) concerning the Taking of Animals in Charge etc.;
3. the Livestock Building Ordinance (1973:270);
4. the Gelding of Certain Animals Ordinance (1973:272);
5. the Use of Animals for Scientific Purposes etc. Ordinance (1979:286);
6. the Animal Welfare Ordinance (1979:287);

7. and the Slaughter of Domestic Animals Ordinance (1980:1128).
Ordinance (1991:1455)

1993:1485

This Ordinance shall come into force on 1 January 1994.

A decision under Section 6 (a) that a special fee shall be charged may not be pronounced regarding a building measure that has been taken before this Ordinance came into force.

1994:1834

This Ordinance shall come into force on 1 January 1995.

A person who owns a dog of a type referred to in Section 19 (a) at the time when this Ordinance comes into force may keep the dog provided it is kept on a leash and muzzled when in a public place.

1997:49

This Ordinance shall come into force on 15 March 1997.

A person who owns a dog of a type referred to in Section 19 (a) other than a pitbull terrier at the time when this Ordinance comes into force may keep the dog provided it is kept on a leash and muzzled when in a public place.

1997:154

This Ordinance shall come into force on 15 May 1997. A decision under Section 55 (a) that a special fee shall be charged may not be pronounced regarding a building measure that has been taken before this Ordinance came into force.

2003:105

Sections 15 and 37 of this Ordinance shall come into force on 1 July 2003, and the remainder of the Ordinance on 15 April 2003. For applications for approval initiated before the Ordinance came into force, the older wording of Section 37 shall apply.

Further copies of the brochure may be ordered from the Ministry of
Agriculture, Food and Fisheries, SE-103 33 Stockholm, Sweden
Article number: Jo 04.010



REGERINGSKANSLIET

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