

Act
of
amending the Animal Protection Act and amending certain other acts¹

Article 1. The Animal Protection Act of 21 August 1997 (Journal of Laws of 2023, item 1580) is amended as follows:

1) Article 2 shall read as follows:

‘Article 2. The Act defines:

- 1) the rules and conditions for the protection of vertebrate animals;
- 2) the manner of handling vertebrate animals, including vertebrate animals used for scientific or educational purposes to the extent not regulated in the Act of 15 January 2015 on the protection of animals used for scientific or educational purposes (Journal of Laws of 2023, item 465);
- 3) the organisation of the Central Register of Identified Animals;
- 4) the organisation of the Register of Dog and Cat Breeders Associations;
- 5) the rules governing associations of dog or cat breeders;
- 6) the basic principles for the organisation of the breeding and keeping of dogs or cats in breeding establishments;
- 7) the basic principles for the organisation and operation of shelters for stray animals;
- 8) the sources and principles of financing shelters for stray animals;
- 9) the organisation of the Animal Shelters Information System.’;

2) in Article 4:

a) point (2) shall read as follows:

‘(2) “humane treatment of animals” means the treatment which takes into account the needs of the animal (including cognitive, psychological, and social needs) and ensures care and protection of the animal;’,

b) point (7) shall read as follows:

‘(7) “cruel methods of rearing or breeding animals” means the acts or the omissions by humans leading to pathological changes in the state of (physical or mental) health of an animal, especially in the form of the effects of enduring severe pain, being coerced to behave in a certain way (including submission) through hunger, thirst, or the action of an electrical impulse (except for the use of methods specified in the provisions of: Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97 and of Council Regulation (EC) No 1099/2009 of 24 September

¹ This Act amends the following acts: the Animal Protection Act of 21 August 1997, the Act of 11 March 2004 on the protection of animal health and control of infectious animal diseases, the Act of 16 April 2004 on the protection of nature, the Act of 13 September 1996 on the maintenance of cleanliness and order in municipalities, the Act of 20 December 1996 on municipal services management, the Act of 12 January 1991 on local taxes and charges, the Act of 17 November 1964 - Code of Civil Procedure, the Act of 21 June 2002 on explosives for civil uses, the Act of 20 May 1971 - Minor Offences Code.

2009 on the protection of animals at the time of killing) or any other such treatment, and in particular force-feeding or force-watering of animals;’,

c) point (12) shall read as follows:

‘(12) “extreme cruelty” means the perpetrator taking actions characterised by drastic forms or methods, and especially acting in a sophisticated, slow, repetitive manner, or in a manner aimed deliberately at increasing the extent or duration of suffering;’,

d) point (16) shall read as follows:

‘(16) “stray animals” means the pet animals or farm animals that have escaped, strayed, or been abandoned by humans, in a situation where it is not possible to identify their owner or another person under whose care they remained permanently before, or where their owner or keeper has died, and it is not possible to identify or contact the heirs immediately, that is within a period guaranteeing that due care will be provided to the animals, not longer than 24 hours from the death of the previous owner or keeper - or in a situation where the estate is inherited by the last statutory heirs within the meaning of Article 935 of the Act of 23 April 1964 – Civil Code (Journal of Laws of 2023, item 1610, consolidated text);’,

e) point (17) shall read as follows:

‘(17) “pet animals” means the animals which are kept by humans as their companions in everyday life and which stay with them in their homes or in other suitable premises;’,

f) point (25) shall read as follows:

‘(25) “animal shelter” means a shelter for stray animals within the meaning of Article 2(43) of the Act of 11 March 2004 on the protection of animal health and control of infectious animal diseases (Journal of Laws of 2023, item 1075);’,

g) after point 25 points 26 to 34 shall be inserted, reading as follows:

‘(26) “identifying” means identifying a dog or cat permanently with an electronic device (microchip) containing a link to data contained in the central register of identified animals;

(27) “pen” means an enclosed space intended to keep a dog outside the living quarters, and preventing the animal from leaving the property;

(28) “welfare” means a set of conditions under which animals live, are farmed and kept, which takes into account their health, biological and somatic needs, as well as their mental, behavioural, social and emotional needs, with a view to achieving a state of general good animal health and humane treatment and ensuring that the animal is able to express its natural behaviour;

(29) “spiked collar” means a type of metal collar for animals, in the form of a chain whose links are terminated with protruding ends of a wire;

(30) “blind litters” means the offspring of dogs or cats which are in the neonatal phase and completely blind;

(31) “height at the withers” means the vertical measurement of a four-legged animal from ground level to the highest point of the torso at the top of the shoulder blades;

(32) “breeder” means a natural person, a legal entity or an organisational unit without legal personality which is the owner or keeper of dogs or cats and engaged in breeding, also for commercial purposes, and at the same time is a member of an association of dog or cat breeders;

(33) “association of dog or cat breeders” means a civil society organisation whose statutory purpose is conducting activities related to the breeding of dogs or cats, entered in the Register of Dog and Cat Breeders Associations and in the National Court Register;

(34) “free-living cats” means cats living in the human environment, being a permanent element of the ecosystem, living independently of or with the support of humans, born in the wild, having the possibility of free development and free existence.’;

3) In Article 6(2),

a) the introductory sentence shall read as follows:

‘2. Animal abuse shall be understood as inflicting pain or suffering or allowing pain or suffering to be inflicted, through acts or omissions, including one-off behaviour, and in particular:’,

b) point (4) shall read as follows:

‘(4) beating of animals, and in particular with hard objects, sharp objects, or objects fitted with a device causing pain or suffering;’,

c) point (7) shall read as follows:

‘7) using methods of exerting mechanical pressure on animals, using harnesses, tethers, frames, ties, choker collars, slip leads, spiked collars, devices using electrical stimuli (including electric collars) or ultrasound or other objects or devices forcing the animal to behave in a particular way (including submission) or to remain in an unnatural position, or preventing the animal from breathing and vocalising freely (except for the use of methods specified in the provisions of: Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97 and of Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing and of Council Directive 2008/119/EC of 18 December 2008 laying down minimum standards for the protection of calves);’,

d) point (9) shall read as follows:

‘9) scaring or teasing animals;’,

e) point (10) shall read as follows:

‘10) keeping animals in inappropriate living conditions, including keeping them in grossly neglected or untidy conditions, or in premises or cages which prevent them from assuming their natural position or exhibiting their natural behaviours;’,

f) point (16) shall read as follows:

‘16) having a sexual intercourse with an animal or engaging in sexual activity with an animal (zoophilia);’,

g) point (18) shall read as follows:

‘(18) transporting live fish or keeping them without water in a quantity enabling the fish to breathe and change their body position freely;’,

h) in point 19, the full stop shall be replaced with a semicolon, and points 20 to 25 shall be added, reading as follows:

‘20) keeping a pet animal in confinement, isolation, or loneliness, in conditions or for a period of time resulting in suffering of the animal;

21) failing to treat or continue treatment of an animal in the event of a condition or disease which causes pain or suffering, or which leads, or may lead, to its death;

22) carrying out retail sale of live fish, with the exception of aquarium (ornamental) fish;

23) dispatching live animals by mail or courier service, with the exception of live aquarium and ornamental fish, and with the exception of transport of animals by operators that engage exclusively in professional transport of animals and guarantee that the animals are provided with care and their welfare is maintained during the journey;

24) animals being used by their owner or keeper for fighting purposes;

25) tethering of pet animals, except in the cases referred to in Article 9(3).’;

4) in Article 7:

(a) paragraph 1 shall read as follows:

‘1. An animal treated in the manner described in Article 6(2) may be temporarily taken away from its owner or keeper pursuant to a decision of a rural municipality administrator (town or city mayor) competent for the place of stay of the animal, and handed over to:

1) a shelter for stray animals or a civil society organisation whose statutory purpose is the protection of animals, if it is a pet animal or a laboratory animal, or

2) a farm designated by the rural municipality administrator (town or city mayor) or to a civil society organisation whose statutory purpose is the protection of animals, if it is a farm animal, or

3) a zoological garden, a shelter for stray animals, an animal asylum, a civil society organisation whose statutory purpose is the protection of animals, or the Central Asylum for Animals, referred to in the Act of 4 November 2022 on the Central Asylum for Animals (Journal of Laws, item 2375), if it is an animal used for entertainment, shows, film making, sports, or kept in zoos.’,

b) paragraph 1a shall read as follows:

‘1a. The decision referred to in paragraph 1 shall be taken ex officio or upon request after obtaining information from the Police, the municipal guard, a veterinarian, or an authorised representative of a civil society organisation whose statutory purpose is the protection of animals.’,

c) paragraph 1c shall read as follows:

‘1c. If the consent referred to in paragraph 1b is not obtained or if other circumstances occur which make it impossible to hand the animal over to the entities referred to in paragraph 1, the animal may be handed over to another legal entity or an organisational unit without legal personality, or to a natural person that will provide it with adequate care.’,

5) Article 7a shall be added after Article 7 and shall read as follows:

‘Article 7a.

1. In order to prevent animals from being exposed to suffering, loss of health or life, the use of class F3 fireworks, as referred to in Article 62c(1)(1)(b) and (c) of the Act of 21 June 2002 on explosives for civil uses (Journal of Laws of 2020, item 204), shall be prohibited.
2. The prohibition referred to in paragraph 1 shall not apply to entrepreneurs and scientific entities operating on the basis of the provisions of the Act on explosives for civil uses of 21 June 2002 and to entities authorised to use fireworks under separate regulations.’;

6) in Article 9:

(a) paragraph 2 shall read as follows:

‘2. It is forbidden to keep pet animals tethered, subject to paragraph 3.’,

(b) after paragraph 2, paragraphs 3–11 shall be added, reading as follows:

‘3. Only temporary tethering of a pet animal is allowed when walking or transporting the pet animal.

4. Whoever keeps a dog in a pen shall ensure that the pen has a durable and stable structure enabling permanent access to daylight, a hardened ground and a canopy covering at least 50% of the surface, as well as an openwork fence (on at least two sides) with the total area of openings allowing natural air flow equal to at least 70% of the entire fence area, and with a height of not less than 2 m.

5. Whoever keeps a dog in a pen shall provide the animal whose height at the withers:

- 1) is less than 50 cm – a pen area of not less than 15 m²;
- 2) is between 51 cm and 65 cm – a pen area of not less than 20 m²;
- 3) is greater than 66 cm – a pen area of no less than 24 m².

- with a reservation that the pen area does shall not include the area of the kennel.

6. Where more than one animal is kept in a pen, its area shall be increased by half of the respective value laid down in paragraph 5 per every additional animal.

7. Where the wither heights, referred to in paragraph 5, of animals kept in one pen differ, the area defined for the animal of a greater wither height shall be used to calculate the area of the pen.

8. Whoever keeps a dog in a pen, an unheated room, or an open space shall provide the dog with a kennel that is made of wood or wood-based materials forming a thermal barrier, with thermal insulation ensuring that the temperature inside remains above 0°C, that provides protection against weather conditions, and that has a size adapted to the size of the dog. The kennel shall be positioned in such a way as to ensure isolation from the ground.

9. Where more than one dog is kept in a pen, an unheated room or in an open space, an individual kennel shall be provided for each animal.

10. Whoever keeps a dog in a pen, another closed room, or in an open space shall ensure the welfare of the animal, and shall maintain cleanliness and order in the place where the animal is kept, including cleaning the facilities for watering and feeding the animal.

11. A pet animal kept in a pen or in another closed room shall be provided with an opportunity to exercise outside the pen or the closed room for not less than one hour at least twice a day.’;

7) Article 9a shall read as follows:

‘Article 9a. A person who encounters an abandoned dog or cat, particularly one that is tethered, shall notify the appropriate shelter for stray animals, the municipal guard, or the police. The notified shelter for stray animals, the municipal guard or the police shall immediately forward the notification to the municipality and the entity responsible for catching stray animals in the municipality in order to take steps to find and catch the animal and provide it with proper care.’;

8) the following Article 9b shall be added after Article 9a and shall read as follows:

‘Article 9b. The owner or keeper of a pet animal that has escaped or is missing, and in particular of a dog, shall immediately notify the nearest stray animal shelter, the municipal guard or other competent authorities, shall mobilise material and non-material resources in order to find the pet animal and, in particular, shall publish information on the disappearance of the animal in the local media or shall post appropriate announcements in places designed for that purpose.’;

9) Article 9c shall be added after Article 9b and shall read as follows:

‘Article 9c.

1. It shall be prohibited to:

1) organise or participate in contests, lotteries, auctions or bidding events in which a pet animal is a prize, or can be won or bought at the lottery, auction or bidding event;

2) sell or acquire of tangible or intangible property where a pet animal is transferred free of charge with the item or asset being sold.’;

10) Article 9d shall be added after Article 9c and shall read as follows:

‘Article 9d.

1. Dogs and cats throughout the country are subject to mandatory castration, which applies to both sexes. This does not apply to dogs or cats kept for breeding purposes by breeders.
2. Each owner or keeper of a dog or cat shall have the animal castrated within 2 months from the date of taking possession of the animal, with a reservation that the animal shall not be castrated before reaching sexual maturity.
3. Animals kept in a shelter for stray animals, an animal asylum, by a civil society organisation whose statutory purpose is to protect animals, or in the Central Asylum for Animals, referred to in the Act of 4 November 2022 on the Central Asylum for Animals (Journal of Laws, item 2375), may, with the consent of a veterinarian, be castrated before reaching sexual maturity.
4. If the animal's health status does not allow the castration procedure to be carried out within the time limit specified in paragraph 2, castration shall be carried out immediately after these reasons have ceased to exist, but not later than 21 days after these reasons have ceased to exist.
5. The costs of castration referred to in paragraph 1 shall be borne by the owner of the dog or cat, subject to paragraph 6.
6. The costs of castration referred to in paragraph 1 shall be borne by the municipality for the owner of a dog or cat in the following cases:
 - 1) the owner of the dog or cat is a person classified as severely disabled within the meaning of the provisions on professional and social rehabilitation and on employment of disabled persons;
 - 2) if, during the 6 months preceding the occurrence of an obligation to castrate a dog or cat, the average monthly income per member of the household of the owner of the dog or cat did not exceed:
 - (a) in a single-person household - 40%,
 - (b) in a multi-person household - 30%,- of the national average salary as of the date of occurrence of the obligation to castrate the dog or cat.
7. The costs of castration provided for in paragraphs 1 and 5 shall be borne by the municipality from its own income, in particular from the funds obtained from collecting charges for puppies and kittens born in breeding establishments, as provided for in the Act of 12 January 1991 on local taxes and charges (Journal of Laws of 2023, item 70)';

11) in Article 10a:

(a) paragraph 1(1) shall read as follows:

‘(1) to sell or place on the market pet animals at marketplaces, fairs or exchanges;’,

(b) paragraph 1(3) shall read as follows:

‘(3) to sell or place on the market of dogs or cats outside their places of rearing or breeding, or to sell them through online auction or advertising services;’,

c) in paragraph 1, after point 3, the full stop shall be replaced with a semicolon and points 4 to 6 shall be added, reading as follows:

‘(4) to breed dogs or cats for commercial purposes without being a member of an association of dog or cat breeders;

(5) to sell pet animals to minors;

(6) to use or display pet animals to the public for commercial purposes, in particular, to beg together with pet animals.’,

d) (6) is worded as follows:

‘6. The prohibition referred to in paragraph 2 shall not apply to the breeding of animals registered in an association of dog or cat breeders.’;

12) Articles 10c, 10d, and 10e shall be added after Article 10b and shall read as follows:

‘Article 10c.

1. Dogs subjected to ear trimming (cropping) or tail trimming (docking) shall not participate in dog shows.

2. Liability for violation of the prohibition referred to in paragraph 1 shall be borne by the dog owner or keeper.

3. The prohibition referred to in paragraph 1 shall apply regardless of the dog’s place of birth and the date of the ear trimming (cropping) or tail trimming (docking) procedure.

Article 10d.

It is prohibited to acquire or dispose of products of animal origin obtained from pet animals.

Article 10e.

It is prohibited to install or maintain on building components devices or objects likely to injure or mutilate birds, in particular spikes or wires.’;

13) in Article 11:

a) paragraph 1 shall read as follows:

‘1. The prevention of animal homelessness and the provision of care for and catching of stray animals shall be the responsibility of municipalities and shall be carried out solely pursuant to the resolution of the municipal council referred to in Article 11a, – with the reservation that the municipality shall fulfil the specified responsibilities and incur the related expenses even if the actual costs of fulfilling the responsibilities turn out to be higher than indicated in the programme referred to in Article 11a(1).’,

b) paragraph 2 shall read as follows:

‘2. The minister responsible for agriculture shall lay down, with a decree, detailed rules and conditions for catching stray animals.’,

c) paragraph 3 shall read as follows:

‘3. It is prohibited to catch stray animals without securing for them a place in a shelter for stray animals, a zoological garden, an animal asylum, a civil society organisation whose statutory purpose is to protect animals, or in the Central

Asylum for Animals referred to in the Act of 4 November 2022 on the Central Asylum for Animals (Journal of Laws, item 2375), unless the animal requires veterinary assistance or poses a serious threat to humans or other animals.’,

d) paragraph 4 shall read as follows:

‘4. Civic society organisations whose statutory purpose is to protect animals may provide care for stray animals or run shelters for stray animals.’,

e) after paragraph 4, the following paragraphs 5 and 6 shall be added:

‘5. With regard to the fulfilment of the municipalities’ responsibilities referred to in paragraph 1, municipalities shall cooperate and collaborate with civil society organisations whose statutory purpose is to protect animals, in particular as regards the obligation to provide care for stray animals or to run shelters for stray animals.

6. In order to jointly carry out the responsibilities referred to in paragraph 1 or to jointly implement of projects consisting in construction of shelters for stray animals, municipalities may establish intermunicipal associations. The fulfilment of the municipality’s responsibilities as part of cooperation between local government units shall not release the municipality from its duties in the area of supervision and control over a shelter for stray animals.’;

14) in Article 11a:

a) in paragraph 2, points 1 to 4 shall read as follows:

‘1) providing stray animals with a place in a shelter for stray animals, together with specification of the daily rate adopted for keeping the animal in the shelter, which shall not be lower than the minimum daily rate referred to in Article 11ka, and a specification of the rate adopted for carrying out the castration of an animal in the shelter;

2) care of free-living cats, including their feeding and castration, followed by their return to the natural environment;

3) catching of stray animals, and in the event that this task is entrusted to an external entity, specification of the adopted rate for catching each stray animal, as well as the designation of a shelter for stray animals where the caught animals are to be placed;

4) mandatory castration of stray animals captured within the municipality’;

b) in paragraph 2, points 7 to 8 shall read as follows:

‘7) providing space on the farm for livestock;

8) providing 24-hour veterinary care in cases of unforeseen events, including traffic incidents involving pet animals, farm animals, or wild animals, when the health or life of the animal is at risk’,

c) in paragraph 2, after point 8 points 9 to 12 shall be added, reading as follows:

‘9) a plan for the identification of dogs and cats in the municipality;

- 10) a plan for castration of dogs and cats in the municipality, which are not stray animals and which are not pet animals kept by breeders for breeding purposes;
- 11) providing care for animals whose current owner or guardian, for reasons beyond their control, objectively loses the ability to personally care for the animal, and it is not possible to determine who would voluntarily take care of the animal in their place;
- 12) educating residents in the field of animal protection, in particular about ways to prevent animal homelessness and ensure their humane treatment.’,

d) paragraph 3 shall read as follows:

‘3. The programme referred to in paragraph 1 may include the identification of civil society organisations providing care for stray animals, the statutory purpose of which is to protect animals.’,

e) paragraph 3a is repealed,

f) paragraph 4 shall read as follows:

‘4. Implementation of the tasks referred to in paragraph 2, points 3 to 6, may be entrusted to an entity operating a shelter for stray animals or to a civil society organisation whose statutory purpose is to protect animals.’,

g) paragraph 5 shall read as follows:

‘5. The programme referred to in paragraph 1 shall specify the amount of funds allocated for its implementation and the manner of spending these funds, subject to the provisions of Article 11(1) *in fine* and Article 11m, Article 11n, and Articles 11p to 11pf. The costs of implementing the programme shall be borne by the municipality.’,

h) paragraph 8 shall read as follows:

‘8. The entities referred to in paragraph 7 shall, within 21 days from the date of receipt of the draft version of the programme referred to in paragraph 1, issue opinions on the draft. An opinion from the District Veterinary Officer shall be binding. In a situation where an opinion is not issued within the prescribed time limit, the submitted programme shall be deemed to have been accepted.’,

i) after paragraph 8, paragraphs 9 and 10 shall be added, reading as follows:

‘9. The municipality shall notify the competent District Veterinary Officer, once a year and no later than on 31 December, of:

- 1) entities with which contracts have been signed for catching animals and for keeping and taking care of them in a shelter for stray animals, on a farm, and of the civil society organisations referred to in paragraph 4;
- 2) the number of animals caught and the places to which they have been handed over;

3) the number of animals involved in unforeseen events, including traffic incidents, where the health or life of the animal was at risk, and provided with veterinary care.

10. By 31 January each year, the District Veterinary Officer shall forward, via the Provincial Veterinary Officer, to the General Director for Environmental Protection the information referred to in paragraph 9(3), concerning animals belonging to wild species subject to conservation of species under the regulations on nature protection.’;

15) Article 11b shall be added after Article 11a and shall read as follows:

‘Article 11b.

1. When implementing the programme referred to in Article 11(1), the municipality shall:

1) conclude separate contracts for catching stray animals (unless catching stray animals has been entrusted to a municipal budgetary entity), with the reservation that a contract may be concluded only with an entity which guarantees that an effective action will be taken to catch the animal no later than 8 hours after receiving the notification, and which has its registered office situated no more than 100 km from the municipality boundary; this also applies to a situation where a contract for catching stray animals is concluded with an entity that operates a shelter;

2) conclude separate contracts for keeping stray animals in a shelter for stray animals (unless the shelter is run by the municipality), with the reservation that the contract may not be concluded with an entity running a shelter situated at a distance greater than 100 km from the municipality boundary;

3) catch each reported stray animal and place the caught animal in a shelter for stray animals, a zoological garden, an animal asylum, a civil society organisation whose statutory purpose is to protect animals, or in the Central Asylum for Animals, referred to in the Act of 4 November 2022 on the Central Asylum for Animals (Journal of Laws, item 2375);

4) ensure that action is taken to catch the stray animal no later than 8 hours after receiving the notification, or immediately in the case of animals in a health or life-threatening condition;

5) keep a register of animals caught in the municipality, including in particular: the number of the microchip carried by the animal, animal photograph, other data used for animal identification, such as age, sex, coat colour, size, date of catching the animal, date of placement of the animal in a shelter for stray animals or in another appropriate place, date of adoption together with photocopies of the adoption documentation, date of death of the animal together with a photocopy of the medical certificate of death of the animal;

6) apply a daily rate for keeping animals in a shelter for stray animals, which may not be lower than the minimum daily rate referred to in Article 11ka, and shall additionally pay the fixed rate for carrying out the castration of an animal in a shelter for stray animals;

- 7) identify the dog or cat within 24 hours after it has been caught, unless the animal has been previously identified;
 - 8) carry out castration of stray animals – dogs and cats – at the latest within 60 days from the quarantine end date, and if the health status or age of the animal does not allow it, immediately after these reasons have ceased and with the consent of a veterinarian;
 - 9) provide care for animals whose current owner or keeper, for reasons beyond their control, objectively loses the ability to provide personal care for the animal, and it is not possible to determine who would voluntarily take care of the animal in their place; such reasons include, in particular, sudden hospitalisation for life-saving purposes, detention, pre-trial detention or imprisonment.
2. The body responsible for carrying out the duties referred to in paragraph 1 shall be the rural municipality administrator, or the town or city mayor.’;

16) Chapters 2a to 2c shall be added after Chapter 2 and shall read as follows:

‘Chapter 2a
Identification

Article 11c.

1. Dogs and cats throughout the country are subject to mandatory identification by microchipping.
2. The owner of a dog or cat shall identify the animal within 2 months from the date of taking possession of the animal.
3. The identification of a dog or cat shall be carried out by veterinarians or by a person who holds the title of veterinary technician providing veterinary services as a part of activities carried out at a health establishment for animals.
4. Identified dogs and cats shall be entered in the register kept by veterinarians and referred to in Article 11d. After the identification procedure has been carried out, a certificate shall be issued to the owner of the dog or cat or a relevant entry shall be made in the identification document of the animal.
5. The costs of the identification referred to in paragraph 1 shall be borne by the owner of the dog or cat, subject to paragraph 6.
6. The costs of the identification referred to in paragraph 1 shall be borne by the municipality for the owner of a dog or cat in the following cases:
 - 1) the owner of the dog or cat is a person classified as severely disabled within the meaning of the provisions on professional and social rehabilitation and on employment of disabled persons;
 - 2) in a situation where, during the 6 months preceding the obligation to identify a dog or cat, the average monthly income per member of the household of the owner of the dog or cat did not exceed:
 - (a) in a single-person household - 40%,
 - (b) in a multi-person household - 30%,

- of the national average salary as of the date of occurrence of the obligation to identify the dog or cat.
- 7. The costs of identification referred to in paragraphs 1 and 5 shall be borne by the municipality from its own income, in particular from funds obtained from the collection of tax on the breeding of dogs or cats and of charges for puppies and kittens born in breeding establishments, as provided for in the Act of 12 January 1991 on local taxes and charges (Journal of Laws of 2023, item 70).

Article 11d.

1. A Central Register of Identified Animals shall be created, into which the identified animals, as referred to in Article 11c(3), shall be entered.
2. The veterinarian referred to in Article 11c(2) shall forward to the register referred to in paragraph 1 information on animal identification containing the following data:
 - 1) full name, postal code and place of residence of the keeper of the animals;
 - 2) the species, breed and sex of the animal;
 - 3) the microchip number;
 - 4) the date of microchip implantation;
 - 5) the location where microchip has been implanted.
3. The Polish National Veterinary Council shall keep the central register of identified animals as a component of the central register of issued passports referred to in Article 24(3) of the Act of 11 March 2004 on the protection of animal health and control of infectious animal diseases (Journal of Laws of 2008, No 213, item 1342, as amended).
4. The central register of identified animals shall be made available to the bodies of the Veterinary Inspection, municipal self-government bodies, the police, the municipal guard, the manager of a shelter for stray animals or an authorised employee of a shelter for stray animals, as well as to an authorised representative of a civil society organisation whose statutory purpose is to protect animals, for the purpose of carrying out the tasks referred to in this Act.
5. The costs related to the administration and maintenance of servers, the preparation and updating of computer software and ancillary materials related to the use of that software shall be covered with fees charged to animal keepers for identification and with fees charged for making available data from the register referred to in Article 11d.
6. The costs related to the ongoing operation of IT systems shall be covered from the budget of the Polish National Veterinary Chamber.
7. The minister responsible for agriculture shall lay down, with a decree:
 - (a) the method of keeping the register referred to in Article 11d, the scope of information collected and made available, the procedure for entering data and making data available free of charge and for a fee to individual natural persons and legal entities, with the exclusion of the entities referred to in Article 11d(4),
 - (b) the amount of the fee paid by the keeper of the animal for the identification of the animal,

- (c) the amount of the fee for making available data from the register referred to in Article 11d,
- (d) the amount of remuneration for the veterinarian for identifying the animal and for entering data on the animal into the register,
- (e) the rules of financing the castration of dogs and cats in shelters by the Polish National Veterinary Chamber from surplus funds from the operation of the Central Register of Identified Animals.

Chapter 2b

Breeding of dogs and cats

Article 11e.

1. A Register of Dog and Cat Breeders Associations, hereinafter referred to as “the Register”, shall be created.
2. The Register shall be kept in an ICT system and is a public register within the meaning of Article 3(5) of the Act of 17 February 2005 on the computerisation of the activities of entities performing public tasks (Journal of Laws of 2023, items 57, 1123, and 1234).
3. The Register shall be a central data set, kept by the minister responsible for agriculture, and shall include identification data of:
 - 1) associations of dog or cat breeders,
 - 2) dog or cat breeders,
 - 3) breeding dogs and cats.
4. The administrator of the Register shall be the minister responsible for agriculture.
5. The Register shall be made available to the bodies of the Veterinary Inspection, municipal self-government bodies, the police, the municipal guard or an authorised representative of a civil society organisation whose statutory purpose is to protect animals, for the purpose of carrying out the tasks referred to in this Act.
6. The minister responsible for agriculture shall lay down, with a decree, the method of keeping the register referred to in paragraph 1, the detailed scope of information collected and made available, the procedure for entering data and making data available free of charge and for a fee to individual natural persons and legal entities, with the exclusion of the entities referred to in paragraph 5.

Article 11f.

1. Before an association of dog or cat breeders, hereinafter referred to as an “association”, can commence its activities, an entry in the National Court Register and in the Register shall be required.
2. Associations not entered in the National Court Register and in the Register shall not conduct any activities related to the breeding of dogs or cats or to forming unions of dog or cat breeders.
3. The statutory purpose of an association may be conducting activities related to the breeding of dogs or cats. A single association shall not accept both dog breeders and cat breeders as its members.
4. Only associations entered in the National Court Register and in the Register have the right to issue pedigrees.

Article 11g.

1. It is forbidden to breed dogs or cats without being a member of an association of dog or cat breeders.
2. Anyone who has been convicted by a final judgement of an offence under Article 35 of this Act or against whom proceedings for an offence under Article 35 have been conditionally discontinued shall not be a breeder.
3. When selling a dog or cat from his breeding establishment, the breeder shall include in the sales contract details of the association and the individual registration number assigned to the association of which the breeder is a member.

Article 11ga.

1. Breeding dogs or cats in a number exceeding 20 shall require, in addition to the breeder's membership in an association entered in the Register referred to in Article 11f(1), a permit issued by the rural municipality administrator (town or city mayor) competent for the location of the breeding establishment, after the competent District Veterinary Officer has taken a position. The position of the District Veterinary Officer shall be binding. Puppies and kittens up to 12 weeks of age shall not be included in the number of animals kept in a dog or cat breeding establishment.
2. The authorisation referred to in paragraph 1 shall be issued at the request of the breeder.
3. The authority issuing the authorisation and presenting the position referred to in paragraph 1 shall carry out an inspection of the breeding site. The authority shall appoint a person having knowledge and experience in the field of animal psychology and animal welfare to carry out the inspection.
4. The authorisation referred to in paragraph 1 shall not be issued, and if issued, it shall be withdrawn if the dogs or cats are or will be kept in conditions or in a manner that poses a risk to humans or animals, or violates welfare standards.
5. The authority competent for the withdrawal of the authorisation referred to in paragraph 1 shall be the rural municipality administrator (town or city mayor) competent for location of the breeding site.
6. If the location of the breeding site is changed, the body referred to in paragraph 1 shall, at the request of the breeder, amend the authorisation referred to in paragraph 1.
7. The authorisation, the amendment of the authorisation and the withdrawal of the authorisation shall be issued or made pursuant to an administrative decision.
8. Increasing the number of breeding animals to 20 specimens requires applying for the authorisation referred to in paragraph 1, within 7 days of the increase in the number of animals kept.
9. The authorisation shall be issued after the location of the establishment has been registered in accordance with Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ("Animal Health Law").
10. In matters regarding the authorisation, to the extent not regulated with the Act, the provisions of the Act of 14 June 1960 - Code of Administrative Procedure shall apply.

Article 11gb.

1. Dogs or cats may be bred in buildings, rooms, or other places ensuring protection of animals from adverse weather conditions, ensuring animal welfare, and under living conditions suitable for the species and breed.
2. In the place of where dogs or cats are bred:
 - 1) a place shall be provided for isolating animals which are sick or suspected of being infected with an infectious animal disease,
 - 2) a separate room shall be provided for keeping females - bitches or queens - with offspring,
 - 3) aggressive animals shall be separated.
3. The breeder shall keep records related to the breeding and to the animals kept, including in particular:
 - 1) documentation concerning the animal health status, vaccinations and veterinary procedures;
 - 2) a list of animals kept in the breeding establishment, containing a summary of data on the number of animals with an indication of the source of their origin, the number of puppies or kittens born in each litter, and data on the transfer of animals to other entities, with an indication of the name, registered office, and address or the first name, surname, place of residence, and address of those entities;
 - 3) a list of dead animals with the cause of death specified;
 - 4) a list of the animals killed, indicating the reasons;
 - 5) documentation confirming the information as in points 2 to 4.
4. The breeder shall update the data and information in the lists referred to in paragraph 3, points 2 to 4, no later than within 14 days from the date of occurrence of the reason justifying the change in the lists.
5. The breeder shall make the documentation referred to in paragraph 3 available to entities authorised to carry out inspections, in particular to the District Veterinary Officer during the inspection referred to in Article 11h.

Article 11gc.

1. A breeding bitch can be covered starting from the second estrus, during the fertile period, but not earlier than at the age of 18 months.
2. A breeding bitch may have:
 - 1) the last litter at the latest in the calendar year in which she reaches the age of 8, unless the health status of the breeding bitch does not allow reproduction;
 - 2) no more than 1 litter per calendar year;
 - 3) no more than 7 litters in a lifetime.
3. A breeding queen may be covered no earlier than at the age of 12 months.
4. A breeding queen may have:
 - 1) the last litter no latter than in the calendar year in which she reaches the age of 8, unless the health status of the breeding queen does not allow reproduction;
 - 2) no more than 3 litters over a period of 2 calendar years;
 - 3) no more than 8 litters in a lifetime.

5. Breeding specimens shall be subjected to mandatory genetic testing for hereditary diseases. If a breeding specimen has genetic load, it must not be a breeding male or a breeding female.
6. Puppies or kittens may be sold after the age of 8 weeks.

Article 11gd.

1. The breeder shall notify the litter to the association of which the breeder is a member and the municipality in which the breeder runs the breeding establishment and keeps animals.
2. The notification referred to in paragraph 1 shall be submitted within 14 days from the date of birth of the puppies or kittens and shall contain information on the number of puppies or kittens born.

Article 11ge.

The minister responsible for agriculture shall lay down, with a decree, detailed conditions for keeping dogs and cats in breeding establishments, with a view to ensuring their welfare and suitable living conditions and protection, as well as detailed rules of the activity of associations of dog or cat breeders and requirements to be met by a breeder in order to become a member of such an association.

Article 11h.

1. The District Veterinary Officer shall be the body competent for control of animal welfare, ensuring minimum conditions for keeping dogs or cats in breeding establishments, ensuring compliance with the provisions of this Act, general evaluation of animal health status, assessment of the reliability and correctness of the documentation kept by the breeder, as referred to in Article 11gb(3), as well as verification of the data contained in such documentation.
2. The District Veterinary Officer shall carry out inspections at the breeder's at least every 6 months.
3. Where the breeder obstructs or frustrates the inspection activities referred to in this Article, the inspecting authority shall call for those activities to be discontinued either immediately or within a specified period, which shall not exceed 7 days.
4. After the ineffective expiry of the period referred to in paragraph 3, the District Veterinary Officer shall impose on the breeder a financial penalty of not less than PLN 5,000 and no more than PLN 30,000. The financial penalty shall be imposed by means of an administrative decision issued by the District Veterinary Officer.
5. Having completed a check at the breeder's premises, the District Veterinary Officer shall, if deficiencies are found, issue a decision ordering that the deficiencies be rectified, setting a deadline for rectification, which may not exceed 14 days, and shall notify the deficiencies found to the association of which the breeder is a member.
6. If the decision referred to in paragraph 5 is not implemented within the time limit specified in that decision, the District Veterinary Officer shall notify the association of which the breeder is a member and the minister responsible for agriculture.

7. Articles 19 to 19g of the Act of 29 January 2004 on the Veterinary Inspection (Journal of Laws of 2021, item 306; and of 2022, items 974 and 1570) shall apply *mutatis mutandis* to the inspection activities carried out by the District Veterinary Officer.

Article 11ha.

1. If the breeder fails to remedy the identified deficiencies within the prescribed period referred to in Article 11h(5), the District Veterinary Officer shall impose on the breeder a financial penalty of not less than PLN 5,000 and no more than PLN 30,000.
2. The financial penalty shall be imposed by means of an administrative decision issued by the District Veterinary Officer.

Article 11i.

1. Where an association acts unlawfully, and in particular does not comply with the prohibitions stipulated in Article 11f(2) and (3), does not take action in connection with infringements of regulations by affiliated breeders, or fails to expel a breeder, the minister responsible for agriculture shall impose financial penalties on the association of not less than PLN 20,000 and no more than PLN 200,000.
2. A financial penalty shall be imposed by means of an administrative decision issued by the minister responsible for agriculture.

Article 11j.

The competent body of the local government unit on the territory subject to which a breeding establishment is situated may carry out inspections to determine the number of animals kept, including puppies or kittens.

Chapter 2c Shelters for stray animals

Article 11k.

In a shelter:

- 1) stray animals shall be provided with assistance and care;
- 2) appropriate veterinary and behavioural care shall be provided;
- 3) humane treatment of animals shall be ensured;
- 4) animal welfare shall be ensured;
- 5) the real needs of the animal, including cognitive and psycho-social ones, shall be met;
- 6) environmental (social, occupational, physical, sensory, nutritional) enrichment shall be provided to the animals;
- 7) support shall be provided to an animal on a level obtainable for at least the minimum rates referred to in Article 11ka;
- 8) castration procedures shall be carried out on animals admitted to the shelter in order to reduce the population of stray animals;
- 9) animals admitted to shelters shall be identified by means of chip implantation;
- 10) actions shall be taken aimed at finding the owners of stray animals, to acquire new owners, and to put up stray animals for adoption by persons who are interested and able to provide them with suitable living conditions;

- 11) an animal adoption programme shall be established in order to effectively carry out the task set out in point 10;
- 12) a voluntary work system shall be organised.

Article 11ka.

1. The minimum daily rate for the stay and support of an animal in a shelter shall be set in an amount which guarantees the welfare of the animal and ensures that an adequate number of workers are employed (minimum daily rate).
2. The minimum daily rate shall not include the cost of castrating stray animals in a shelter and the cost of catching animals.
3. The Minister responsible for agriculture shall lay down, with a decree, the amount of the minimum daily rate for the stay and support of an animal in a shelter for stray animals, taking into account the need to ensure appropriate quality of assistance and care for stray animals, welfare, suitable living conditions and protection, an adequate number of shelter staff, and the maintenance of a shelter for stray animals.
4. On the basis of the minimum daily rate, a minimum monthly rate (thirty times the minimum daily rate) and a minimum annual rate (twelve times the minimum monthly rate) shall be established.

Article 11kb.

Environmental enrichment shall be provided to animals in the shelter in particular through:

- 1) ensuring contact with other specimens of its species, including by forming groups or pairs of animals;
- 2) enabling social interactions with humans (dog-human interaction);
- 3) placing in the boxes sleeping platforms providing insulation from the ground, as well as rostra, and safe chew toys;
- 4) dividing a box into an enclosed section and a run section.

Article 11kc.

1. Animals in a shelter shall be fed species-specific feed, of which at least a half shall be feed produced for pet animals.
2. It is prohibited to feed animals with animal by-products constituting category 3 material, as referred to in Article 10 of Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation).
3. It is prohibited to feed animals with dead animals.

Article 11kd.

1. Animals that are admitted to a shelter and show any clinical signs of disease shall, without delay but not later than within 24 hours from admission, undergo a clinical test carried out by a veterinarian and basic blood tests, which shall include in particular: morphology and biochemistry tests. In the event of a life-threatening

accident involving an animal, appropriate action (including testing, treatment, or euthanasia on humanitarian grounds) shall be taken by a veterinarian without delay.

2. Animals admitted to the shelter and showing any behavioural, psychosomatic, frustration-related, or emotional disturbances shall be subjected to a general examination to be conducted by a behaviourist or other person authorised to do behavioural work with animals within 14 days of the quarantine at the latest.
3. A preliminary assessment of the need for the animals to undergo the tests or examination referred to in paragraphs 1 and 2 may be made by the animal keepers.
4. Animals admitted into a shelter shall be castrated at the latest within 60 days from the quarantine end date, and if the health status or age of the animal does not allow it, immediately after these reasons have ceased and with the consent of a veterinarian;
5. If the owner of an animal admitted to a shelter is found, the animal shall be handed over to the owner immediately after the owner has arrived at the shelter to collect the animal. The provisions concerning quarantine shall not apply.

Article 11ke.

1. As a part of the implementation of the adoption programme provided for in Article 11k(11), the following shall be done in particular:
 - 1) immediately after the end of the quarantine period, announcements shall be made, also in mass media, about all animals available for adoption, together with a description of the species, estimated age, sex, and up-to-date photographs of the animals;
 - 2) animals may be transferred to temporary homes after the end of the quarantine period, provided that the animal is kept in the temporary home without interruption until the animal is adopted, unless the temporary keeper is prevented by extraordinary circumstances from providing further care for the animal;
 - 3) the rate of animal adoptions shall be maintained at a level of not less than 65%.
2. The District Veterinary Officer is the authority competent for the assessment of the adoption programme, including its effectiveness and implementation.
3. If any irregularities are found concerning effective implementation of the adoption program, any obstruction of the process of adopting stray animals, or violation of the obligation referred to in paragraph 1 point 1, the District Veterinary Officer shall impose on the operator of the shelter for stray animals a financial penalty of not less than PLN 10,000 and no more than PLN 50,000 and shall order that the deficiencies found be rectified, specifying a deadline for their rectification, which may not be longer than 14 days.
4. The financial penalty and the order to rectify the deficiencies found shall be imposed by means of an administrative decision issued by the District Veterinary Officer.
5. In the case of shelters run by entities organisationally unrelated to the municipality, the municipality that has a contract for keeping stray animals in the shelter shall carry out inspections in this shelter to assess the implementation of the adoption program and its effectiveness.

Article 11kf.

1. Animals that have not been castrated may be released for adoption, in particular when the castration procedure could not be carried out due to the animal's health status or age.
2. If an animal that has not been castrated is released for adoption, the new keeper shall have the animal castrated. Provisions of Article 9d(2) and Article 9d(4) shall apply *mutatis mutandis*.
3. Once the animal has been released for adoption, the shelter shall oblige the new keeper to castrate the animal, at the same time informing the keeper about the provisions of Article 9d(2) and (4).

Article 11kg.

1. A shelter shall be managed by a person employed as a shelter manager.
2. The shelter manager shall be responsible for the overall operation of the shelter and, in particular, for its property, proper administration, and compliance with the relevant regulations. The tasks of the shelter manager shall also include the establishment of the animal adoption programme referred to in Article 11k(11).
3. The manager shall be employed:
 - 1) if the shelter is run by the municipality - by the rural municipality administrator (town or city mayor);
 - 2) if the shelter is run by an entity organisationally unrelated to the municipality – by the entity running the shelter, subject to paragraph 4.
4. If the shelter is operated by an entity organisationally unrelated to the municipality and being a natural person, that person may be the manager of the shelter, provided that they meet the requirements as set out in paragraph 7, points 1 to 5, and 7.
5. The candidate for the position of the shelter manager referred to in Article 3(1) shall be selected by means of a competition.
6. If no candidate stands for the competition or no candidate is selected as a result of the competition, the competent rural municipality administrator (town or city mayor) appoints a candidate of their choice to the position of shelter manager. Until the position of the shelter manager is filled, the competent rural municipality administrator (town or city mayor) may entrust the performance of the duties of the shelter manager to another employee of that facility.
7. The position of shelter manager may be held by a person who:
 - 1) is a Polish citizen;
 - 2) has knowledge and experience in the field of animal protection and pet animal ethology;
 - 3) enjoys full civil rights;
 - 4) has not been convicted by final judgement of an intentional criminal offence or an intentional fiscal offence;
 - 5) has not been subject to a probation measure in a case under Article 35;
 - 6) has not been punished by a ban on performing functions related to the use of public funds, as referred to in Article 31(1)(4) of the Act of 17 December 2004 on liability for breach of public finance discipline (Journal of Laws of 2021, item 289);

- 7) has not been punished by final judgement for the offences referred to in Article 127(1), (3), (5) or (6) or Article 131(1) to (3), (5), (8), (11), (13) or (14) of the Act of 16 April 2004 on nature protection, Articles 37 to 37b, Article 37d(1) or Article 37e(1) of this Act.
8. The maximum monthly remuneration for a natural person employed as a shelter manager under an employment contract may not exceed - expressed as maximum working time - twice the minimum remuneration for work as defined in the Act of 10 October 2002 on minimum remuneration for work (Journal of Laws of 2020, item 2207, consolidated text of 10.12.2020) (maximum monthly remuneration for the shelter manager).
9. The maximum working time referred to in paragraph 5 shall be calculated in accordance with Article 130 of the Act of 26 June 1974 - Labour Code (Journal of Laws of 2022, items 1510, 1700 and 2140; and of 2023, items 240 and 641).

Article 11kh.

1. In each shelter, the following personnel shall be employed on the basis of an employment contract or a civil law contract:
 - 1) persons responsible for the ongoing support of stray animals in shelters, including providing animals with access to water and food, taking care of cleanliness in the boxes and rooms where animals are kept, walking dogs (animal keepers);
 - 2) persons responsible for implementing the adoption programme and for preparing and releasing animals for adoption;
 - 3) veterinary technicians;
 - 4) veterinarians (provided that there is a separate veterinary office in the shelter within the meaning of the Act of 18 December 2003 on veterinary establishments for animals).
2. The shelter can also employ - on the basis of an employment contract or a civil law contract:
 - 1) persons responsible for the financial management of the shelter;
 - 2) veterinarians (in all cases other than those indicated in paragraph 1 point 5);
 - 3) persons responsible for behavioural work with animals (behaviourist);
 - 4) other persons responsible for the proper performance of the tasks included in shelter activity, as referred to in Article 11k.
3. The positions of animal keeper, veterinary technician, and veterinarian may not be occupied by a person who:
 - 1) has been convicted by final judgement of an offence under Article 35;
 - 2) in respect of whom proceedings for an offence under Article 35 have been conditionally discontinued;
 - 3) has been punished by final judgement for the offences referred to in Articles 37 to 37b, Article 37d(1) or Article 37e(1);
4. Employment contracts or civil law contracts with the persons referred to in paragraphs 1 and 2 shall be concluded:
 - 1) in the case of a shelter run by a municipality or an entity organisationally related to the municipality – by the shelter manager;

- 2) in the case of a shelter run by an entity organisationally unrelated to the municipality – by the entity running the shelter.
5. The maximum monthly remuneration for natural persons employed under an employment contract in the positions referred to in paragraphs 1 and 2 may not exceed – expressed as maximum working time – one and a half times the minimum remuneration for work as defined in the Act of 10 October 2002 on minimum remuneration for work (Journal of Laws of 2020, item 2207, consolidated text of 10.12.2020) (maximum monthly remuneration for a shelter employee).
6. The maximum hourly remuneration for natural persons employed under a civil law contract in the positions referred to in paragraphs 1 and 2, shall not exceed one and a half times the minimum hourly rate as defined in the Act of 10 October 2002 on minimum remuneration for work (Journal of Laws of 2020, item 2207, consolidated text of 10.12.2020).
7. The maximum working time referred to in paragraph 5 shall be calculated in accordance with Article 130 of the Act of 26 June 1974 - Labour Code (Journal of Laws of 2022, items 1510, 1700 and 2140; and of 2023, items 240 and 641).

Article 11ki.

1. At the shelter, at least one person shall be employed (under an employment contract or a civil law contract) as an animal keeper for every 40 animals kept in the shelter (minimum number of animal keepers).
2. The shelter operator shall provide a minimum number of keepers every day, including in the absence of a person performing the duties of an animal keeper.
3. At the shelter, at least 1 person shall be employed (under an employment contract or on the basis of a civil law contract) as a veterinary technician for every 120 animals kept in the shelter.

Article 11kj.

1. Appropriate behavioural care shall be provided to the animals, in particular through the work of the animals with a behaviourist who can be employed (under an employment contract or a civil law contract) in the shelter.
2. The position of behaviourist may be held by a person who:
 - 1) has duly documented qualifications as an animal behaviourist or animal psychologist;
 - 2) has knowledge of animal protection, animal psychology and animal welfare;
 - 3) has at least one year of duly documented practical experience as an animal behaviourist or animal psychologist;
 - 4) has not been convicted by final judgement of an offence under Article 35;
 - 5) has not been subject to a probation measure in a case under Article 35;
 - 6) has not been punished by final judgement for the offences referred to in Article 127(1), (3), (5) or (6) or Article 131(1) to (3), (5), (8), (11), (13) or (14) of the Act of 16 April 2004 on nature protection, Articles 37 to 37b, Article 37d(1) or Article 37e(1) of this Act.
3. The duties of the behaviourist shall include in particular:

- 1) providing appropriate behavioural care to the animals kept in the shelter;
- 2) conducting animal behaviour therapy;
- 3) performing behavioural assessment of animals in the context of a possibility of forming groups or pairs of animals, as referred to in Article 11kb(1), with the reservation that as regards dogs, groups of up to 6 specimens can be formed, which number does not include puppies up to 6 months of age;
- 4) keeping records of the treatment of animals subject to behavioural therapy;
- 5) reviewing the behavioural status of animals and drawing up a concise review reports.

Article 11kk.

1. A veterinarian or veterinary technician shall inspect the health status of the animals kept in the shelter at least once a week.
2. The inspection of the animals shall include an overall assessment of the physical condition of each animal.
3. A report shall be drawn up on the inspection of animals, including annotations of the animals showing signs of disease. It is permissible to draw up the report in an electronic form.
4. The behaviourist shall check the behavioural status of the animals kept in the shelter at least once a month.

Article 11l.

1. Each municipality shall supervise performance by the shelter of tasks regarding the provision of care for stray animals and prevention of animal homelessness. For this purpose, the competent municipal body shall conduct inspections at the shelter, at least every 6 months.
2. If a shelter is operated by an entity organisationally unrelated to the municipality, the supervision referred to in paragraph 1 shall be exercised by each municipality that has entrusted that entity with tasks regarding provision of care for stray animals or prevention of animal homelessness.
3. The inspections to be carried out shall cover in particular:
 - 1) assessment of the operating rules of the shelter and of the performance of the tasks referred to in Article 11k;
 - 2) arrangements regarding the actual number of stray animals kept in the shelter, for which the competent municipality provides care in connection with the performance of its own task;
 - 3) assessment of the correctness of performing tasks related to care for stray animals;
 - 4) assessment of the animal adoption rate.
6. If it is found that the annual animal adoption rate in a given shelter is lower than 50%, the municipality may terminate the contract with the operator of the shelter for stray animals.
7. The annual animal adoption rate shall be established as a percentage ratio of the number of stray animals kept in a given shelter as of 1 January of the year following the year for which the adoption rate is determined to the number of animals released for adoption in that year, with the reservation that the number of animals released for

adoption shall not include those animals that have been returned to a shelter for stray animals within two months from the date of their release for adoption.

Article 11m.

1. The activities of the shelter shall be financed in particular from:
 - 1) own income of the municipality, including that allocated for the implementation of the municipal programme for the care of stray animals and for the prevention of animal homelessness,
 - 2) a subsidy derived from the municipality's own revenues, including that allocated for the implementation of the municipal programme for the care of stray animals and for the prevention of animal homelessness, subject to paragraph 2,
 - 3) funds from the European Union.
2. The provision of paragraph 1 point 2 shall not apply to shelters operating in the form of a budgetary entity.
3. If a shelter is operated by the municipality, also through organisational units established by the municipality, the shelter's activities shall be financed in accordance with the regulations on public finances.
4. If a shelter is operated by an entity organisationally unrelated to the municipality, the shelter's activities may also be financed from the resources of the entity operating the shelter, derived from collections, donations, or other sources.

Article 11n.

In a financial year, the municipality shall allocate for the performance of its responsibilities related to the provision of care to stray animals, as referred to in Article 11(1), resources of not less than the product of the minimum annual rate referred to in Article 11ka and the average number of stray animals kept by the municipality in a given shelter in the year preceding the financial year, established on the basis of data from the Animal Shelters Information System (basic amount for supporting animals in a shelter).

Article 11o.

1. If a shelter is run by a municipality or an entity organisationally related to the municipality, funds intended for providing care for stray animals may be used only for:
 - 1) covering the running costs of the shelter, including any expenditure incurred for the support of stray animals, such as:
 - a) annual remuneration of a natural person employed as a shelter manager under an employment contract, calculated on the basis of the maximum working time - in an amount not exceeding twelve times the maximum monthly remuneration referred to in Article 11kg(8);
 - b) annual remuneration of a natural person employed under an employment contract in a position other than the one referred to in point (a), calculated on the basis of the maximum working time - in an amount not exceeding twelve times the maximum monthly remuneration referred to in Article 11kh(5);

- c) annual remuneration of a natural person employed under a civil law contract in a shelter, if that person performs the duties of shelter employees specified in Article 11kh(1) and (2), up to the amount set out in point b);
 - d) feed for animals;
 - e) equipment that captures the attention of animals or provides environmental enrichment;
 - f) essential medicinal products and medical devices;
 - g) veterinary care;
 - h) maintenance of the property on which the shelter is located (including utility charges);
- 2) expenditure on the purchase of fixed assets and intangible assets comprising:
- a) fitting-out of boxes and rooms for keeping animals;
 - b) equipment for the veterinary office;
 - c) equipment necessary for supporting, feeding and watering animals;
 - d) furniture;
 - e) other fixed assets and intangible assets whose value does not exceed the amount established in accordance with Article 16f(3) of the Act of 15 February 1992 on corporate income tax, for which depreciation and amortization write-offs are considered to be deductible costs at 100% of their value at the time of putting into use.
2. The running costs referred to in paragraph 1 point 1 shall be understood as the running costs referred to in Article 236(2) of the Act of 27 August 2009 on public finances.
3. The maximum amount of time referred to in paragraph 1 point (1) points (a) to (b) shall be calculated in accordance with Article 130 of the Act of 26 June 1974 - the Labour Code (Journal of Laws of 2022, items 1510, 1700 and 2140; and of 2023, items 240 and 641).

Article 11p.

1. If in the territory of the municipality there is no shelter operated by the municipality, the fulfilment of the responsibility to provide care to stray animals may be entrusted to an entity that is organisationally unrelated to the municipality.
2. Shelters for stray animals run by entities that are organisationally unrelated to the municipality and have been entrusted with the implementation of the task shall be financed solely with subsidies.

Article 11pa.

1. A shelter operator which is organisationally unrelated to the municipality shall receive a subsidy from the municipal budget for running the shelter and providing care to stray animals in an amount not smaller than the basic amount for supporting animals in a shelter, as referred to in Article 11n, provided that the operator meets the following conditions:
 - 1) provides stray animals with suitable care (including veterinary and behavioural care) and keeping conditions;
 - 2) complies with the main operating rules of the shelter and carries out the tasks referred to in Article 11k;

- 3) employs persons with the suitable qualifications and experience in working with animals, needed to carry out the task, including in the positions specified in this Act;
 - 4) employs a sufficient number of staff;
 - 5) complies with veterinary requirements for conducting activities in the field of operating shelters for stray animals;
 - 6) has been issued a decision by the competent District Veterinary Officer regarding the assignment of a veterinary identification number (unless the task involves operating a municipal shelter for stray animals);
 - 7) in a situation where the operator conducts business activity in the field of protection against stray animals and/or running shelters for stray animals, as referred to in Article 7(1)(3) and (4) of the Act of 13 September 1996 on the maintenance of cleanliness and order in municipalities – holds a permit to conduct this type of activity.
2. The decision-making body of a local government unit may set, with a resolution, additional conditions for granting a subsidy to the shelter operator.

Article 11pb.

1. The subsidy referred to in Article 11pa shall be granted following an open call for tenders announced by the rural municipality administrator (town or city mayor). Article 13 of the Act of 24 April 2003 on public benefit activity and voluntary service (Journal of Laws of 2023, item 571) shall apply *mutatis mutandis* to the announcement of an open call for tenders.
2. A shelter operator which is organisationally unrelated to the municipality and which submits a tender as a part of the open call for tenders, shall undertake to comply with the conditions referred to in Article 11pa.
3. The rules of the open call for tenders and the criteria for the selection of winning tenders shall be determined by the municipal council by means of a resolution, taking into account the need to ensure the best possible care for stray animals and the conditions for the implementation of the task.
4. The rural municipality administrator (town or city mayor) may withdraw, with an administrative decision, the subsidy referred to in Article 11pa if it is found that a shelter operator, which is organisationally unrelated to the municipality, has breached the conditions referred to in Article 11pa. The subsidy shall be withdrawn *ex officio*, after the rural municipality administrator (town or city mayor) has called on the shelter operator to cease violating the conditions referred to in Article 11pa within no more than 1 month.

Article 11pc.

1. The subsidy referred to in Article 11pa shall be earmarked for carrying out tasks relating to the provision of care to stray animals. The subsidies shall only be used for:
 - 1) covering the running costs of the shelter, including any expenditure incurred for supporting stray animals, such as:

- a) annual remuneration of a natural person employed as a shelter manager under an employment contract, calculated on the basis of the maximum working time - in an amount not exceeding twelve times the maximum monthly remuneration referred to in Article 11kg(8);
 - b) annual remuneration of a natural person employed under an employment contract in a position other than the one referred to in point (a), calculated on the basis of the maximum working time - in an amount not exceeding twelve times the maximum monthly remuneration referred to in Article 11kh(5);
 - c) annual remuneration of a natural person employed at the shelter under a civil law contract, if that person performs the duties of shelter employees specified in Article 11kh(1) and (2), not exceeding the amount referred to in point b);
 - d) feed for animals;
 - e) equipment that captures the attention of animals or provides environmental enrichment;
 - f) essential medicinal products and medical devices;
 - g) veterinary care;
 - h) maintenance of the property on which the shelter is located (including utility charges);
- 2) expenditure on the purchase of fixed assets and intangible assets comprising:
- a) fitting-out of boxes and rooms for keeping animals;
 - b) equipment for the veterinary office;
 - c) equipment necessary for supporting, feeding and watering animals;
 - d) furniture;
 - e) other fixed assets and intangible assets whose value does not exceed the amount established in accordance with Article 16f(3) of the Act of 15 February 1992 on corporate income tax, for which depreciation and amortization write-offs are considered to be deductible costs at 100% of their value at the time of putting into use.
2. The maximum amount of time referred to in paragraph 1 point (1) point (a) shall be calculated in accordance with Article 130 of the Act of 26 June 1974 - the Labour Code (Journal of Laws of 2022, items 1510, 1700 and 2140; and of 2023, items 240 and 641).
3. The running costs referred to in paragraph 1 point 1 shall be understood as the running costs referred to in Article 236(2) of the Act of 27 August 2009 on public finances.
4. The subsidy may be used solely for covering expenses related to the performance of the tasks referred to in paragraph 1, incurred in the financial year for which the subsidy was granted, regardless of the year to which these tasks relate.

Article 11pd.

1. The body granting the subsidy shall check if the granted subsidies have been collected and used correctly.

2. Individuals authorised to carry out the check have the right to enter shelters and inspect the documentation kept by shelter operators, including documentation concerning organisation and finances, in connection with the granted subsidy.
3. The shelter operator shall make the documentation referred to in paragraph 2 available within 14 days from the date on which the person authorised to carry out the check requests access to the documentation.
4. In connection with the check of the correctness of subsidy collection and use by shelter operators, the body granting the subsidy, as referred to in paragraph 1, will process processes personal data of:
 - 1) natural persons who are shelter operators, representatives of legal entities which are shelter operators;
 - 2) natural persons employed, also under civil law contracts, at shelters, if they respectively perform the function of the shelter manager or perform the duties of shelter employees specified in Article 11kh(1) and (2);
 - also with the use of ICT systems designed for collecting personal data.
5. A check may cover a period of 5 financial years preceding the financial year in which it is carried out.
6. If the shelter operator obstructs or frustrates the checking operations referred to in this Article, the body granting the subsidy shall request the shelter manager or the shelter operator to cease such an obstruction or frustration within a set time limit.
7. After the ineffective expiry of the time limit referred to in paragraph 6, the body granting the subsidy shall suspend, by means of an administrative decision, the transfer of the subsidy to the shelter operator until the day on which the checking operations referred to in paragraph 2 can be carried out in that shelter.
8. The funds transferred to the shelter operator for the period for which the subsidy was suspended may be used only for reimbursing expenses related to the performance of tasks concerning the provision of space for stray animals, incurred by the shelter operator during the financial year in which the subsidy was suspended.

Article 11pe.

1. If the shelter operator:
 - 1) failed to submit a document with a settlement of the use of the subsidy or failed to correct errors in the settlement within the time limit set by the body granting the subsidy,
 - 2) failed to comply with an administrative decision or a final court judgement delivered in connection with the awarded subsidy
 - the body granting the subsidy shall call on the shelter operator to carry out the actions referred to in points 1 to 2 within the set time limit.
2. After the time limit referred to in paragraph 1 has lapsed without effect, the body granting the subsidy shall suspend, with an administrative decision, the transfer of the subsidy to the shelter operator until the date when the actions referred to in paragraph 1 are taken.
3. The funds transferred to the shelter operator for the period for which the subsidy was suspended may be used only for reimbursing expenses related to the performance of tasks concerning the provision of space for stray animals, incurred

by the shelter operator during the financial year in which the subsidy was suspended.

Article 11pf.

The decision-making body of a local government unit shall set, with a resolution, the detailed procedure for granting and settling the subsidy referred to in Article 11pa, and the detailed procedure for checking the correctness of its collection and use, including the scope of data that should be included in an application for a subsidy and in the settlement of its use, and the date and method of settling the use of the grant.

Article 11pg.

1. The subsidies referred to in Article 11pa shall not be subject to enforcement.
2. The provision of paragraph 1 shall not apply to enforcement carried out in a situation where it is found, pursuant to the Act of 27 August 2009 on public finances (Journal of Laws 2023, item 1270, consolidated text of 4.7.2023), that an obligation has arisen to return a subsidy that has been misused, unduly collected, or collected in an excessive amount.

Article 11ph.

As regards a shelter operated by an entity organisationally unrelated to the municipality, the activities of that entity shall be distinguished in a manner that ensures proper identification – regarding the implementation of the task of caring for stray animals - in both organisational and financial terms, and to an extent that enables determining revenues, costs, and profit or loss, with accounting regulations taken into account.

Article 11pi.

1. Shelter operators which are organisationally unrelated to the municipality, shall be entitled to receive funding from the municipal budget for the costs of specialist treatment of stray animals, amounting to 80% of the costs incurred.
2. The funding shall be granted, at the request of the shelter operator, by the rural municipality administrator or by the town or city mayor, with an administrative decision. The application shall be accompanied by supporting documents confirming the incurred costs of specialised treatment.
3. The body referred to in paragraph 2 may authorize another person to issue decisions on funding for the costs of specialist treatment of stray animals.
4. The body referred to in paragraph 2 may grant funding in an amount higher than specified in paragraph 1.
5. If, as a result of procedure reopening, it is found that funding was awarded on the basis of untrue data contained in the application referred to in paragraph 2, the recipient of the funding shall return the unduly received amounts in double the amount. The amounts, together with interest and enforcement costs, are subject to compulsory collection by means of enforcement proceedings in the administration.
6. The minister responsible for agriculture shall lay down, with a decree:
 - 1) detailed conditions for granting and the procedure for transferring the funding;
 - 2) time limits for submission, templates for the information and application referred to in paragraph 2.

Article 11pj.

1. Shelter operators which are organisationally unrelated to the municipality, shall be entitled to quarterly funding from the municipal budget for the costs of implementing the adoption programme provided for in Article 11k(11).
2. The amount of the funding shall be equal to the product of the minimum monthly rate referred to in Article 11ka(4) and the number of animals released for adoption in a given quarter that have been kept by a specific municipality in a shelter, with the reservation that the said number shall not include animals that have been returned to a shelter for stray animals within a period of 2 months from the date of the animal's release for adoption.
3. An application for funding shall be submitted to the competent rural municipality administrator, town or city mayor together with supporting documents confirming effective implementation of the adoption program, including animal adoption contracts for the period covered by the application.
4. The application shall be submitted no later than on the 15th day of the month following the quarter in question. An application submitted after that date shall be returned without consideration.
5. The funding shall be granted, at the request of the shelter operator, by the rural municipality administrator or by the town or city mayor, with an administrative decision.
6. The body referred to in paragraph 5 may authorize another person to issue decisions on funding for the costs of adoption program implementation.
7. The body referred to in paragraph 5 may grant funding in an amount higher than specified in paragraph 2.
8. If, as a result of procedure reopening, it is found that funding was awarded on the basis of untrue data contained in the application referred to in paragraphs 3 and 4, the recipient of the funding shall return the unduly received amounts in double the amount. The amounts, together with interest and enforcement costs, are subject to compulsory collection by means of enforcement proceedings in the administration.
9. The minister responsible for agriculture shall lay down, with a decree:
 - 1) detailed conditions for granting and the procedure for transferring the funding;
 - 2) templates for the information and application referred to in paragraphs 3 and 4.

Chapter 2d

Stray Animal Shelters Information System

Article 11r.

1. An Animal Shelters Information System shall be established, which shall include an animal shelters information system database, hereinafter referred to as the "ASIS database".
2. The ASIS database shall be kept in an ICT system and shall be a public register within the meaning of Article 3(5) of the Act of 17 February 2005 on the computerisation of the activities of entities performing public tasks (Journal of Laws of 2023, items 57, 1123 and 1234).

Article 11ra.

The ASIS database is a central data set kept by the Chief Veterinary Officer, and comprising the following data sets:

- 1) a data set on animal shelters - the Register of Animal Shelters, hereinafter referred to as the “RAS”;
- 2) data sets on stray animals.

Article 11rb.

The administrator of the ASIS database is the Chief Veterinary Officer.

Article 11rc.

The following identification data of animal shelters are collected in the RAS:

- 1) details of the shelter operator:
 - a) type of entity operating the shelter: a local government unit, a legal person other than a local government unit, a natural person;
 - b) first name, surname, place of residence and address or name, registered office and address of the entity operating the shelter;
- 2) address and the telephone number of the shelter;
- 3) tax identification number (NIP), if such a number has been assigned;
- 4) number of employees employed at the shelter under an employment contract or a civil law contract, with positions specified;
- 5) number of animals which the shelter can accommodate in accordance with the applicable regulations.

Article 11th.

1. In the ASIS database, in the data sets on stray animals, identification data of stray animals shall be collected.
2. The identification data of stray animals in the ASIS database shall include in particular:
 - 1) number of the animal's implanted chip;
 - 2) animal species;
 - 3) sex of the animal, with a possibility to enter a date for castration;
 - 4) details of the shelter where the animal is kept;
 - 5) first name, surname, place of residence and address or name, registered office and address of the entity operating the shelter where the animal is kept;
 - 6) date of the animal's death or euthanasia.

Article 11re.

The minister responsible for agriculture shall lay down, with a decree, the manner in which the stray animal shelters information system is to be operated, the detailed scope of data to be collected in the system, including in the data sets on animal shelters and data sets on stray animals, the procedure and manner in which data are to be fed into the ASIS database and the procedure and manner in which data from ASIS are to be made available.’;

17) Article 16 shall read as follows:

‘Article 16. The use of animals in shows and sports bearing hallmarks of cruelty shall be prohibited.’;

18) in Article 17:

(a) after paragraph 1, paragraph 1a is added with the following wording:

‘1a. The use of animals living freely (in the wild) or animals of such species born and reared in captivity for performance purposes shall be prohibited, with the exception of zoological gardens and similar places intended for animal observation.’,

(b) paragraph 5 shall read as follows:

‘5. It shall be prohibited to operate travelling menageries and to organise and conduct circus performances with animals, or similar shows and displays involving the use of animals for entertainment purposes.’,

(c) paragraph 8 shall read as follows:

‘8. The minister responsible for the environment, acting in agreement with the minister responsible for culture and the protection of national heritage and the minister for the interior, shall lay down, with a decree, the minimum conditions for keeping particular species of animals used for performance, film-making, sports and special purposes, with a view to providing them with proper care and ensuring their welfare.’;

19) Article 25 shall read as follows:

‘Article 25. The driver of a motor vehicle which has hit an animal shall to provide the animal with appropriate assistance or shall notify one of the services referred to in Article 33(3).’;

20) Article 33a(3)(2) shall read as follows:

‘2) catching the dog and delivering it to its owner, or, if that person cannot be identified, delivering it to an animal shelter or a civil society organisation whose statutory purpose is to protect animals; the dog shall be caught and delivered at the expense of its owner.’;

21) in Article 35:

(a) paragraph 1 shall read as follows:

‘1. Whoever kills, causes the death of, or slaughters an animal in violation of the provisions of Article 6(1), Article 33, or Article 34(1) to (4) shall be liable to a term of imprisonment from 3 months to 5 years.’,

(b) paragraph 2 shall read as follows:

‘2. If the perpetrator of the act specified in paragraph 1 or 1a acts with consummate cruelty, they shall be liable to a term of imprisonment from 6 months to 8 years.’,

(c) paragraph 3 shall read as follows:

‘3. If a person is convicted of the offence specified in paragraph 1, 1a or 2, and if the criminal proceedings are discontinued or conditionally discontinued, the animal shall be confiscated if the offender is its owner. If a person is convicted of the offence specified in paragraph 1, 1a or 2, and if the criminal proceedings are discontinued or conditionally discontinued, the court may order confiscation of an animal that is not owned by the offender if the owner of the animal or another entitled person failed to exercise the caution required in the circumstances and knew, anticipated or could have foreseen that the offender would treat the animal in the manner specified in Article 6(2).’,

(d) paragraph 5 shall read as follows:

‘5. If a person is convicted of the offence specified in paragraph 1, 1a or 2, the court shall award punitive damages ranging from PLN 1,000 to PLN 100,000, to be paid for a specified purpose related to the protection of animals, with the reservation that if a civil society organisation whose statutory purpose is to protect animals exercised the rights of the injured party in the preparatory proceedings, and subsequently acted as a subsidiary prosecutor and actively participated in the proceedings or significantly contributed to revealing the offence or the offender, the court shall award punitive damages in favour of that civil society organisation.’,

e) after paragraph 5 paragraph 5a shall be added, reading as follows:

‘5a. If, in the pre-trial proceedings, the injured party’s rights were exercised by several organisations whose statutory purpose is to protect animals, and those organisations subsequently acted as subsidiary prosecutors, the court shall award punitive damages to one or more civil society organisations, having regard to the organisations’ activity in the proceedings or their contribution to the revealing of the offence or the offender.’;

22) Article 37.

a) paragraph 1 shall read as follows:

‘1. Whoever violates the injunctions specified in Article 7a(1), Articles 9b, 9c, Article 9d(2), Article 10a(1) to (3), Articles 10c, 10d, 10e, Article 11(3), Article 11c(2), Article 11g, Article 12(1) to (6), Article 13(1), Article 14, Article 15(1) to (5), Article 16, Article 17(1) to (7), Article 18, Article 22(1), Article 22a, Article 25 or Article 27 shall be liable to detention, restrictions on liberty, or a fine.’;

b) paragraph 3 shall read as follows:

‘3. If an offender is punished for the offence referred to in paragraph 1, the forfeiture of the instruments or objects used for committing the offence and the objects obtained as a result of the offence may be ordered.’,

c) paragraph 4 shall read as follows:

‘4. If an offender is punished for the minor offence specified in paragraph 1, 1a or 1, punitive damages may be ordered in an amount ranging from PLN 250 to PLN 5,000, to be paid for a purpose related to the protection of animals, with the reservation that if a civil society organisation whose statutory purpose is to protect animals exercised the rights of the injured party in the preparatory proceedings, and subsequently acted as a subsidiary prosecutor and actively participated in the proceedings or significantly contributed to revealing the minor offence or the offender, the court shall award punitive damages in favour of that civil society organisation.’,

d) after paragraph 4, paragraphs 5 to 7 shall be added, reading as follows:

‘5. If an offender is punished for the minor offence referred to in paragraph 1, the court may ordered, as a punitive measure, confiscation of the animal if the offender is its owner or keeper, with the reservation that the confiscation of an animal that is not the property of the offender may be ordered if its owner failed to exercise the caution required in the circumstances and knew, anticipated, or could have foreseen that the offender would violate the injunctions referred to in paragraph 1. The provisions laid down in Article 38 of this Act shall apply *mutatis mutandis*.

6. If an offender is punished for the minor offence referred to in paragraph 1, a punitive measure may be ordered in the form of a prohibition to possess any animal or animals belonging to a specific category. The prohibition is imposed for a period measured in years and ranging from one to five years.

7. If an offender is punished for the minor offence referred to in Article 77 of the Act of 20 May 1971 - the Code of Offences (Journal of Laws of 2022, items 2151, 2311, 2581 and 2600), a punitive measure may be ordered prohibiting the possession of any animal or a specific category of animals. The prohibition shall be imposed for a period measured in years and ranging from one to five years.’;

23) Article 37f shall be added after Article 37e and shall read as follows:

‘Article 37f.

In cases concerning the minor offences referred to in Articles 37, 37a, 37b, 37d, and 37e, a civil society organisation whose statutory purpose is to protect animals may independently submit a motion for punishment as a subsidiary prosecutor.’;

24) in Article 38:

a) paragraph 1a shall be added after paragraph 1, reading as follows:

‘1a. The transfer of the animal and the appointment of the entity responsible for carrying out the confiscation, as referred to in paragraph 1, shall take place with the consent of the organisation designated to execute the judgement.’,

b) paragraph 4(1) shall read as follows:

‘1) to the entity to which an animal has been transferred in the manner stipulated in Article 7 of this Act or in the manner stipulated in Article 228 of the Act of 6 June 1997 Code of Criminal Procedure (Journal of Laws of 2024,

item 37 of 11.1.2024) as a trustworthy person, or to a shelter for stray animals, or to a civil society organisation whose statutory purpose is to protect animals, if it is a pet animal, or’,

c) a second sentence shall be added to paragraph 8, and shall read as follows:

‘The costs of supporting the animal until pecuniary amounts due are collected from the convicted offender shall be borne by the local government unit.’.

Article 2. The Act of 11 March 2004 on the protection of animal health and the control of infectious animal diseases (Journal of Laws of 2008, No 213, item 1342, as amended) is amended as follows:

1) in Article 1:

a) in point 1, point j) shall be replaced by the following:

‘j) operating shelters for stray animals,’.

b) in point 1, the following point r) shall be added after point p):

‘r) catching stray animals.’;

2) in Article 2, in point 44 the full stop shall be replaced with a semicolon and points 45 to 46 shall be added and shall read as follows:

‘45) shelter for stray animals – any place intended for keeping stray animals, including keeping animals caught as part of the task referred to in Article 11(1) of the Animal Protection Act of 21 August 1997 (Journal of Laws of 2023, item 1580), regardless of the name given to it or of its legal and organisational form;

46) stray animals – stray animals within the meaning of Article 4(16) of the Animal Protection Act of 21 August 1997 (Journal of Laws of 2023, item 1580).’;

3) In Article 4(2), the introductory part of the enumeration shall be replaced by the following:

‘2. The entity referred to in paragraph 1, with regard to compliance with veterinary requirements, shall ensure compliance with location, health, hygiene, sanitary, welfare, organisational, technical, or technological requirements protecting against epizootic and epidemic risks or ensuring the proper quality of products, including in particular requirements concerning:’;

4) in Article 5:

a) paragraph 1 shall read as follows:

‘1. Taking up the supervised activity referred to:

‘1) in Article 1(1)(a), (c) to (f), (h), (i), (j), (l) shall be permitted, provided that a District Veterinary Officer competent for the place where it is planned to be conducted, attests, by way of a decision, that veterinary obligations laid down for conducting that type of activity are met;

2) in Article 1(1)(b), (g), (k), (n), (p), (r) shall be permitted after the intention to conduct it is notified in writing to the District Veterinary Officer competent for the place where it is planned to be conducted.’.

- b) In paragraph 3, points 4 and 5 shall be added after point 3, and shall read as follows:
 - ‘4) authorisations to operate shelters for stray animals;
 - 5) number from the National Court Register, if assigned.’,
- c) paragraph 4 shall read as follows:
 - ‘4. The District Veterinary Officer, after carrying out a check, shall issue a decision:
 - 1) certifying compliance with veterinary requirements if the requirements laid down for the type of supervised activity referred to in Article 1(1)(a), (c) to (f), (h), (i), (j) and (l) are met;
 - 2) refusing to certify compliance with veterinary requirements if the requirements laid down for the type of supervised activity referred to in Article 1(1)(a), (c) to (f), (h), (i), (j) and (l) are not met.’,
- d) paragraph 5 shall read as follows:
 - ‘5. When issuing the decision referred to in Article 4(1), the District Veterinary Officer:
 - 1) certifies compliance with veterinary requirements of individual civil structures or locations where supervised activities are to be conducted, or of persons performing specific tasks within the framework of those activities, if such certification is required;
 - 2) assigns a veterinary identification number:
 - a) to the entity or
 - b) to individual civil structures or locations where supervised activities are to be carried out, or to persons performing specific tasks within the framework of those activities in the case referred to in point 1.
 - 3) determine the maximum number of animals of each species that may be kept in a shelter for stray animals.’,
- e) paragraph 9 shall read as follows:
 - ‘9. Upon receipt of a notification of an entity’s intention to conduct the supervised activities referred to in Article 1(1)(b), (g), (k), (p), (r), the District Veterinary Officer shall issue a decision assigning a veterinary identification number to that entity.’;
- 5) Article 7 shall read as follows:
 - ‘Article 7. An entity carrying out the supervised activities referred to in Article 1(1)(a) to (l), (n), (p), (r) shall inform the District Veterinary Officer, in writing, of cessation of a specific supervised activity, as well as of any change in the legal or factual situation which is related to the conducting of that activity and concerns veterinary requirements, within 7 days of the date on which such an event occurred.’;
- 6) in Article 8, paragraph 1 shall read as follows:

‘1. If the District Veterinary Officer finds that in the course of conducting the supervised activities referred to in Article 1(1)(a) to (n), (p), (r) the veterinary requirements laid down for such activities have been violated, then, depending on the risk posed to public or animal health, the District Veterinary Officer shall issue a decision:

- 1) ordering that deficiencies be remedied within a specified time limit, or
- 2) ordering suspension of the activities until deficiencies are remedied, or
- 3) prohibiting placing on the market or trading in certain animals which are the subject of the activities, or prohibiting the production, placing on the market, or trading in certain products produced in the course of those activities, or
- 4) prohibiting the admission of new stray animals to a shelter for stray animals, until deficiencies have been remedied.’;

7) Article 9a shall be added after Article 9 and shall read as follows:

‘Article 9a.

1. The District Veterinary Officer shall issue a decision prohibiting conducting the supervised activities referred to in Article 1(1)(a) to (l), (o) to (r), if the entity conducts the supervised activities without certification of compliance with veterinary requirements or conducts such activities without having notified its intention to commence such activities.

2. An entity to which a decision prohibiting conducting activities has been issued pursuant to Article 9 or Article 9a may apply again for a decision referred to in Article 5(4) or Article 5(9) and covering the same subject matter not earlier than 3 years after the date of the decision prohibiting conducting the supervised activities.’;

8) in Article 10:

(a) paragraph 1, point 1, the introductory part of the enumeration, shall be replaced by the following:

‘1) for conducting individual supervised activities referred to in Article 1(1)(a) to (n), (p), (r), and may lay down:’,

(b) paragraph 2 shall read as follows:

‘2. The minister responsible for agriculture shall lay down, with a decree, the method of determining the veterinary identification number assigned to entities conducting the supervised activities referred to in Article 1(1)(a) to (l), (o), (p), (r), with a view to ensuring proper supervision over the conducting of the activity concerned.’,

(c) paragraph 3 shall read as follows:

‘3. The minister responsible for agriculture may lay down, with a decree:

- 1) additional requirements to be met by an application for certification of compliance with veterinary requirements or a notification of the intention to conduct the supervised activities referred to in Article 1(1)(a) to (l), (n), (p), (r) and in Article 4(3),
- 2) a detailed procedure for notifying an intention to cease conducting the supervised activities referred to in Article 1(1)(a) to (l), (n), (p), (r) and in Article 4(3);

- with a view to ensuring that the District Veterinary Officer properly supervises the conducting of a given supervised activity.’;

9) in Article 11, paragraph 1 shall read as follows:

‘1. The District Veterinary Officer shall keep a register of entities carrying out the supervised activities referred to in Article 1(1)(a) to (l), (n), (p), (r) and in Article 4(3) within the area for which the District Veterinary Officer remains responsible.’;

10) in Article 11 paragraph 3a shall be added after paragraph 3 reading as follows:

‘3a. The District Veterinary Officer shall forward to the body which issued the permit referred to in Article 5(3)(4) the data contained in the register relating to the shelter for stray animals, as well as information on any change in the factual or legal situation revealed in that register.’.

Article 3. The Act of 16 April 2004 on the protection of nature (Journal of Laws of 2013, item 627) is amended as follows:

1) Article 128b shall be added after Article 128a and shall read as follows:

‘Article 128b. Whoever kills a wild vertebrate animal or abuses such an animal within the meaning of Article 6(2) of the Animal Protection Act of 21 August 1997 (Journal of Laws of 2023, item 1580) shall be subject to the criminal liability provided for in that Act’;

2) in Article 131, point (1a) shall read as follows:

‘1a) captures wild animals or kills wild invertebrate animals referred to in Article 49(1)(a) and (b) using the devices, means or methods referred to in Article 54,’.

Article 4. The Act of 13 September 1996 on the maintenance of cleanliness and order in municipalities (Journal of Laws of 2013, item 1399) is amended as follows:

1) Point 14 shall be removed from Article 3(2);

2) Article 7(1)(3) shall read as follows:

‘3. catching stray animals,’.

Article 5. In the Act of 20 December 1996 on municipal services management (Journal of Laws of 2021, item 679, consolidated text of 13.4.2021), in Article 3(1) in point 5 the full stop is replaced with a semicolon and the following point 6 is added:

‘6) of the Animal Protection Act of 21 August 1997 (Journal of Laws of 2023, item 1580).’.

Article 6. The Act of 12 January 1991 on local taxes and charges (Journal of Laws of 2023, item 70) is amended as follows:

1) in Article 1 in point 7 the full stop is replaced with a semicolon and point 8 is added, reading as follows:

‘8) a charge on puppies and kittens born in breeding establishments.’;

2) the following Article 18b shall be added after Article 18a and shall read as follows:
‘Article 18b.

1. The municipal council introduces a one-off charge for each puppy or kitten born in a breeding establishment.
2. The charge for puppies and kittens born in breeding establishments shall be levied on natural persons, legal entities, and organisational units without legal personality, which own or keep dogs or cats and which breed dogs or cats for commercial purposes.’.

Article 7. The Act of 17 November 1964 the Code of Civil Procedure (Journal of Laws of 2023, item 1550, consolidated text) is amended as follows:

in Article 829(9) the full stop is replaced by a semicolon and (10) is added with the following wording:

‘10. pet animals within the meaning of Article 4(17) of the Animal Protection Act of 21 August 1997.’.

Article 8. Article 9(2) of the Act of 21 June 2002 on explosives for civil uses (Journal of Laws of 2020, item 204) shall read as follows:

‘2. Authorisation for the purchase, storage, or use of pyrotechnic articles referred to in Article 62c(1)(1)(a), Article 62c(1)(2)(a) and Article 62c(1)(3)(a) shall not be required.’.

Article 9. The Act of 20 May 1971 Minor Offences Code (Journal of Laws of 2023, item 2119, consolidated text of 3.10.2023) is amended as follows:

- 1) in Article 77, the following § 3 is added:

‘§ 3. If a minor offence is committed, confiscation of the animal may be ordered if the offender is its owner or keeper, with the reservation that the confiscation of an animal that is not the property of the offender may be ordered if its owner failed to exercise the caution required in the circumstances and knew, anticipated, or could have foreseen that the offender fails to take regular or demanded precautions that should be taken when keeping an animal. Article 38 of the Animal Protection Act of 21 August 1997 (Journal of Laws of 2023, item 1580, consolidated text of 10.8.2023) shall apply mutatis mutandis.’;

- 2) Article 78 shall read as follows:

‘Article 78. Anyone who causes an animal to become dangerous by disturbing it shall be liable to a restriction of liberty, a fine of up to PLN 1,000 or a reprimand.’.

Article 10.

1. Dogs or cats identified with a microchip before the entry into force of this Act shall be deemed to have been identified within the meaning of this Act upon entry in the register referred to in Article 11d of the Act amended with Article 1.
2. Dogs identified with a microchip before the entry into force of this Act shall be entered in the register kept by veterinarians, as referred to in Article 11d of the Act amended with Article 1, within 2 months of the entry into force of Article 11d.

Article 11c(3), second sentence, and Article 11c(4) and (5) of the aforementioned Act shall apply *mutatis mutandis*.

Article 11. Dogs or cats which remain unidentified on the date of entry into force of this Act are subject to mandatory identification within 12 months from the date of entry into force of the provisions of Articles 11c and 11d of the Act amended with Article 1.

Article 12. Any owner or keeper of a dog or cat which remains uncastrated on the date of entry into force of this Act shall have the animal castrated within 6 months from the date of entry into force of Article 9d of the Act amended with Article 1. The provisions of Article 9d(2), second sentence, and Article 9d(4) to (8) shall apply *mutatis mutandis*.

Article 13.

1. Within the period until 31 December 2026, the municipality shall conclude separate contracts for catching stray animals, as referred to in Article 11b(1)(1) of the Act amended with Article 1, only with an entity which guarantees that an effective action will be taken to catch the animal no later than 8 hours after receiving the notification, and which has its registered office situated no more than 100 km from the municipality boundary, and in a situation where a contract for catching stray animals is concluded with an entity operating a shelter, this distance shall not be greater than 150 km.
2. Within the period until 31 December 2026, the municipality shall conclude separate contracts for keeping stray animals in a shelter, as referred to in Article 11b(1)(2) of the Act amended with Article 1, with an entity operating a shelter at a distance of no more than 150 km from the municipality boundary.

Article 14. The existing provisions shall apply to calls for tenders or contracts for entrusting the performance of tasks referred to in Article 11 of the Act amended with Article 1, announced or concluded before the date of entry into force of the Act.

Article 15.

1. Within 3 months of the date of entry into force of this Act, associations whose statutory purpose is conducting activities related to both dog and cat breeding shall adapt their statutes to the requirements set out in Article 11f(3) of the Act amended with Article 1. Within 6 months of the date of entry into force of this Act, an association shall notify the registry court of an amendment to the statutes adapting it to the requirements of this Act.
2. Associations whose statutory purpose is conducting activities related to the breeding of dogs or cats, entered in the National Court Register before the date of entry into force of this Act, shall submit an application for entry in the Register referred to in Article 11e(1) of the Act amended with Article 1, within 6 months of the entry into force of Article 11e.
3. Associations that submitted an application for entry in the Register within the period referred to in paragraph 2 may continue to operate until the date of entry in the Register.

4. Ordinary associations whose statutory purpose is conducting activities related to the breeding of dogs or cats, and which operated before the date of entry into force of this Act, shall be transformed into registered associations and submit an application for entry in the Register referred to in Article 11e(1) of the Act amended with Article 1, within 12 months of the entry into force of Article 11e of the Act amended with Article 1.
5. Within 3 months from the date of entry into force of this Act, ordinary associations, before being transformed into registered associations, shall adapt their rules of operation to the requirements set out in Article 11f(3) of the Act amended with Article 1.
6. Ordinary associations that have been transformed into a registered association and submitted an application for entry in the Register within the period referred to in paragraph 4, may continue to operate until the date of entry in the Register.

Article 16. Entities which operated shelters for stray animals before the date of entry into force of this Act shall adapt the conditions of the operation of the shelter and of keeping animals to the requirements set out in Articles 11k to 11l of the Act amended with Article 1, within 12 months of the date of entry into force of this Act.

Article 17. The Polish National Veterinary Council shall take organisational and technical measures to ensure operation of the Central Register of Identified Animals from 1 January 2026.

Article 18. The minister responsible for agriculture shall take organisational and technical measures to ensure operation of the Register of Dog and Cat Breeders Associations from 1 January 2026.

Article 19. The minister responsible for agriculture shall take organisational and technical measures to ensure operation of the ASIS database from 1 January 2026.

Article 20. Data obtained before the date of entry into force of the Act by the Veterinary Inspection bodies for the purpose of keeping the register of entities referred to in Article 11r of the Act amended with Article 1 shall be used in the creation of the ASIS database.

Article 21.

1. Entities carrying out, on the date of entry into force of this Act, the supervised activities referred to in Article 1(1)(r) of the Act amended with Article 2 shall notify thereon the District Veterinary Officer competent for the place where those activities are conducted, within 6 months of the date of entry into force of this Act. Provisions of Article 5(1)(2), and of Article 5(6) and (9) of the Act amended with Article 2, as amended by this Act, shall apply *mutatis mutandis*.
2. If an entity conducting the supervised activity referred to in Article 1(1)(r) of the Act amended with Article 2 fails to submit a notification in accordance with paragraph 1, the District Veterinary Officer shall issue a decision prohibiting the conduct of this

supervised activity. Article 9a of the Act amended with Article 2, as amended by this Act, shall apply *mutatis mutandis*.

3. Entities carrying out, on the date of entry into force of this Act, the supervised activity referred to in Article 1(1)(j) of the Act amended with Article 2 shall apply for certification by the District Veterinary Officer of compliance with the veterinary requirements for such an activity within 6 months of the date of entry into force of this Act. Provisions of Article 5(1)(1), Article 5(3) and (4), Article 5(5)(1) and Article 5(1)(2) (in a situation where no veterinary identification number had been assigned earlier) of the Act amended with Article 2, as amended by this Act, shall apply *mutatis mutandis*.
4. Entities that submitted within the prescribed time limit the application referred to in paragraph 3 may continue to operate until the date of issuance of the decision referred to in paragraph 5.
5. If an entity conducting the supervised activity specified in Article 1(1)(r) of the Act amended with Article 2 submits an application pursuant to paragraph 3, the District Veterinary Officer, after carrying out a check, issues a decision:
 - 1) certifying compliance with veterinary requirements, if the requirements laid down for this type of supervised activity are met;
 - 2) refusing to certify compliance with veterinary requirements if the requirements laid down for this type of supervised activity are not met, and prohibiting the conduct of this supervised activity.
6. When issuing the decision referred to in paragraph 5(2), the District Veterinary Officer shall delete the entity from the register referred to in Article 11 of the Act amended with Article 2.
7. Entities operating shelters for stray animals before the date of entry into force of this Act shall adapt their activities to the implementing provisions adopted pursuant to Article 10(1)(1) and Article 10(2) of the Act amended with Article 2, as amended by this Act, within 12 months from the date of entry into force of the above-mentioned implementing provisions.

Article 22. Implementing provisions adopted pursuant to Article 11(2) and Article 17(8) of the Act amended with Article 1 shall remain in force until the effective date of implementing provisions adopted pursuant to Article 11(2) and Article 17(8) of the Act amended with Article 1, as amended by the Act.

Article 23. Implementing provisions adopted pursuant to Article 10(1)(1) and Article 10(2) of the Act amended with Article 2 shall remain in force until the effective date of implementing provisions adopted pursuant to Article 10(1)(1) and Article 10(2) of the Act amended with Article 2, as amended by the Act.

Article 24.

The Act enters into force 30 days after the day of promulgation with the exception of:

- 1) Article 1(6), Article 1(9), Article 1(15) with regard to Article 11gb and Article 11gc, which shall enter into force 6 months after the date of promulgation;
- 2) Article 1(10)(c) with regard to Article 10a(1)(4), Article 1(10)(d), Article 1(13)(a) with regard to Article 11a(2)(1), Article 1(13)(c), Article 1(13)(d), Article 1(13)(f),

Article 1(14) with regard to Article 11b(1)(1) and (6), Article 1(15) (with the exception of Articles 11gb and 11gc), Article 5, which shall enter into force 12 months after the date of promulgation.