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**350**

**I M P L E M E N T I N G D E C R E E**

**of the Ministry of Agriculture and Rural Development of the Slovak Republic**of 17 October 2019,
**laying down details of the use of animals for purposes of public performance or training for purposes of public performance and the list of animals for purposes of public performance**

Pursuant to § 53(1)(i) of Act No 39/2007 on veterinary care, as amended by Act No 184/2018 (hereinafter the 'Act'), the Ministry of Agriculture and Rural Development of the Slovak Republic lays down the following:

**§ 1**

This Implementing Decree lays down:

1. details of the use of animals for purposes of public appearance or training for purposes of public appearance (hereinafter 'animal training');
2. the list of animals whose use for purposes of public performance or training for purposes of public performance is prohibited [§ 22(4)(c) of the Act].

**§ 2**

For the purposes of this Implementing Decree, the following definitions apply:

1. public performance – a one-time or repeated presentation of animals or activities with animals, open to the public, during which exercises, tasks or other activities that the animal has learned through training are presented; the following are not considered public performance: commented feeding and informative lectures in a zoo or protected animal rescue facility,1) presentation of activities with service animals2) at a cultural, educational, sports, or social event and the use of trained birds of prey at a falconry exhibition;
2. training – human influence over an animal to obtain, reinforce or improve certain behaviour or activity of said animal that is not necessary for its survival or for its routine handling during feeding, transport and care.

**§ 3**

* 1. Animal training takes place in a marked-off area (hereinafter a 'ring') that
1. allows the animal to move about safely;
2. through its design and facilities minimises the chance of the animal incurring an injury or other harm;
3. has dimensions appropriate to the species of animal; and
4. rules out the possibility of the animal escaping into the area outside the ring.
	1. A ring that does not have a floor consisting of soil, sand or grass must have its floor covered with an 8 cm to 10 cm layer of soil or sand, upon which an 8 cm to 10 cm layer of sawdust is placed.
	2. A material other than sawdust may be used for the purposes pursuant to paragraph (2) if it is malleable, inelastic, non-slip and safe for animal movement.
	3. The edges of structures used and the ring perimeter must be rounded with no protruding parts. A sufficiently wide access area that contains no foreign objects or obstacles is created for the animals to enter and leave the ring.
	4. If sound or light is used during animal training, they are introduced to the animal gradually.
	5. Animal training is not performed on an animal that is
5. a pregnant female in the second half of pregnancy or a lactating female;
6. physically exhausted, ill or exhibits symptoms of disease;
7. under the influence of doping, narcotics or a chemical substances that harms its health or that induces a non-physiological condition in the animal (hereinafter a 'banned substance'), or that despite there being suspicion of use of a banned substance, has not been subjected to testing to detect said substance;
8. is transported to the ring in an inappropriate manner, using inappropriate means or contrary to special legislation,3) that regulates conditions of animal transport;
9. are under stress or that are exhibiting signs of frustration or nervousness.
	1. The following means of communication are used to eliminate fear in the animal during contact with humans and to create a relationship with and respect for humans when the animal is getting used to being handled:
10. voice stimuli;
11. contactless stimuli via parts of the body (body language);
12. touching and contact stimuli that do not cause the animal pain;
13. leading the animal;
14. rewarding the animal.
	1. Means of communication pursuant to paragraph (7) are used for a given individual animal in a comprehensible manner, are used consistently, with minimal effort, and in a way that does not cause the animal stress, mental suffering or physical suffering. New aids used in animal training must be introduced to an animal gradually so that it does not exhibit signs of stress or other mental suffering in their presence. Animals are allowed to get used to new training aids slowly and gradually.
	2. During animal training
15. only the animal's natural characteristics are used;
16. the animal's ability to play is taken into account;
17. positive stimuli are elicited toward the animal;
18. desired habits, exercises and tricks are reinforced by rewarding the animal for correct performance;
19. aids that are rounded and have no protruding parts are used.
	1. During animal training, the following is not used:
20. fire or other stimuli that could cause the animal pain via thermic or other influences of a physical or chemical nature;
21. hunger or significant feeding restrictions that could threaten the animal's health;
22. aids that restrict the movement of the animal's limbs;
23. an aid or equipment that uses electrical impulses;
24. a substance that influences the animal's perception;
25. a barrier or other aid that could threaten the animal's health, especially a barrier or other aid with sharp edges and protrusions.
	1. During animal training, gear and aids are used that do not cause the animal stress, mental suffering or physical suffering, and that are adequate to the body structure, age-related ability and performance of the animal; the condition of gear and aids preclude the animal's injury, suffering or harm to its health.
	2. The manner in which animal training takes place and its duration corresponds to the species, age, physical development and behaviour of the animal. During animal training, the origin, sex, social standing, state of health and current mental state of the animal are taken into account, as well as the situation in the animal's vicinity.
	3. An animal is used for purposes of public performance only if it has undergone adequate training and is used to conditions of public performance.
	4. Animals used for purposes of public performance must be clean and properly maintained.
	5. Animal training is terminated if
26. the animal is tired and further continuation of training would require it to be spurred excessively;
27. the animal is not being properly controlled or if it is being otherwise treated roughly;
28. a whip or another animal training aid used instead of a whip is used excessively;
29. the animal shows signs of disease, stress or other symptoms that could lead to the animal's suffering;
30. during animal training, an aid used during animal training is damaged, or the gear the animal is wearing during training is damaged, and further training could cause the animal suffering due to damage to the aid or gear;
31. animal training is taking place contrary to some condition pursuant to paragraphs (1) to (14).

**§ 4**

The list of animals whose use for purposes of public performance or training for purposes of public performance is prohibited is provided in the appendix.

**§ 5**

This implementing decree was adopted in accordance with a legally binding act of the European Union in the area of technical standards.4)

**§ 6**

**Effective date**

This Implementing Decree shall enter into force on 1 November 2019.

**Gabriela Matečná, m.p.**

**Appendix
to Implementing Decree No 350/2019**

**LIST OF ANIMALS WHOSE USE FOR PURPOSES OF PUBLIC PERFORMANCE OR TRAINING FOR PURPOSES OF PUBLIC PERFORMANCE IS PROHIBITED**

Animals whose use for purposes of public performance or training for purposes of public performance is prohibited are those from

1. the order of Carnivora, except for the domestic dog (Canis lupus familiaris), the housecat (Felis silvestris catus) and the ferret (Mustela putorius Furo);
2. the order of Primates;
3. the Elephantidae family;
4. the Delphinidae family;
5. the Hippopotamidae family;
6. the Giraffidae family;
7. the Rhinocerotidae family.
	1. § 44 and § 45 of Act No 543/2002 on nature and landscape protection, as amended.
	2. For example, § 50(1)(f) and (g) of Act of the National Council of the Slovak Republic No 171/1993 on the Police Force, as amended, § 14(1)(b) of Act No 321/2002 on the Armed Forces of the Slovak Republic.
	3. 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 (OJ L 3, 5.1.2005), as amended.
	4. Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services

(OJ L 241, 17.9.2015).

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