

Draft Law “Amendments to the Veterinary Medicine Law” annotation

1. Why is the law necessary?

The draft law “Amendments to the Veterinary Medicine Law” has been prepared to ensure the mutual compliance of regulatory enactments, taking into account the draft law “Amendments to the Animal Protection Law” (No. 148/Lp14), which was adopted at the second reading on 21 December 2023. In order to achieve the above-mentioned objective, the draft law “Amendments to the Law on Veterinary Medicine” must enter into force at the same time as the draft law “Amendments to the Law on Animal Protection” (No. 148/Lp14).

1. The draft law “Amendments to the Animal Protection Law” (No. 148/Lp14) establishes an obligation for the owner or keeper of a domestic (pet) animal — such as a dog, cat, or domestic (pet) ferret — who breeds the animal, to register the breeding event by making an entry in the domestic (pet) animal register database. The owner of the following animals, who breeds a dog, cat, or domestic (pet) ferret belonging to them and transfers their offspring, is obliged to be trained in the welfare and protection of pet animals. Breeders of domestic (pet) animals will be monitored and controlled by the Food and Veterinary Service. Since the list of objects of State veterinary supervision is laid down in Section 2¹ of the Law on Veterinary Medicine, the list referred to needs to be supplemented with the following object of veterinary supervision: “places where domestic (pet) animals are bred: dogs, cats, or domestic (pet) ferrets”.

2. Section 4 Paragraph Two Clause 9 of the Law on Veterinary Medicine provides that the Food and Veterinary Service, within the scope of its competence, is to issue permits for the establishment of animal shelters, hotels, animal farms, and specialised outlets, and for the installation of animal cemeteries. The Food and Veterinary Service shall not issue permits for the operation of the above-mentioned objects subject to official veterinary supervision, but shall register them in the register of objects subject to official veterinary supervision in accordance with the Cabinet regulations governing the operation of the relevant object. Section 4 Paragraph Two Clause 10 of the Law on Veterinary Medicine provides that the Food and Veterinary Service is to register objects subject to official veterinary supervision. In view of the above, it is necessary to exclude Section 4 Paragraph Two Clause 9 of the Law on Veterinary Medicine.

3. Section 21³ Paragraph One of the Law on Veterinary Medicine provides that the local authority is to ensure the supervision and control of compliance with the requirements for the marking and registration of dogs laid down in legislation on the registration procedure for domestic (pet) animals in the relevant administrative territory, whereas Section 21³ Paragraph Two provides that the local authority, in carrying out the supervision and control of compliance with the aforementioned legislation, is entitled to issue administrative acts regarding the marking and registration of dogs. Since it is intended to impose an obligation on the owner and keeper of an animal to ensure that a cat and a domestic (pet) ferret are microchipped by the age of four months, have a domestic (pet) animal passport, and are registered in the Agricultural Data Centre’s domestic animal (pet) register database (hereinafter

referred to as the database), and if the animal is transferred before the age of four months, the aforementioned obligation must be fulfilled by the time of transfer in the name of the transferor, it is necessary to amend Section 21³ Paragraph One and Two of the Veterinary Medicine Law, extending the provisions to cats and domestic (pet) ferrets.

4. Currently, Section 59 Clause 17 of the Law on Veterinary Medicine lays down the obligation for owners or keepers of animals to ensure that a dog up to four months of age is marked with a microchip, has a domestic (pet) animal passport, and is registered in a database. Additionally, if a dog up to four months of age is transferred, this obligation must be fulfilled in the name of the transferor until the moment of transfer. Section 59 Clause 18 of the Law on Veterinary Medicine, in turn, lays down an obligation for animal owners or keepers who bring a dog from another country to ensure, within 10 days of its introduction, that it has a domestic (pet) animal passport and that it is registered in the database in the name of the owner or in the name of the person indicated as the recipient of the dog in the veterinary (health) certificate, and, if the dog is to be alienated, this obligation shall be fulfilled until the moment of alienation.

In the second reading, the Saeima approved the authorisations included in the draft law “Amendments to the Animal Protection Law” (No. 148/Lp14) for the Cabinet of Ministers to issue regulations on the welfare and protection of domestic (pet) animals and regulations on animal shelters. On the basis of the above-mentioned authorisations, the Ministry of Agriculture has prepared draft regulations of the Cabinet of Ministers, which in certain cases provide for the mandatory marking of cats with a chip and registration in the database:

1) The draft Cabinet Regulation on the welfare and protection of domestic (pet) animals (TAP portal No. 22-TA-842, submitted for public consultation from 24 May 2023 to 7 June 2023). The draft regulation provides that:

a) a cat older than six months may freely reside outside the territory in the possession or control of its owner or keeper, if it has been sterilized, marked with a microchip, and registered in a database in accordance with the laws and regulations regarding the procedures for the registration of domestic (pet) animals;

b) a non-sterilised cat may reside outside the territory of its owner or keeper if it has a collar that does not cause injury and does not choke, and the cat is on a leash or in a container, bag or cage intended for the movement of a domestic (pet) animal; 3 2) The draft Cabinet Regulation on animal shelters and animal hotels (TAP portal No. 23-TA-1455, submitted for public consultation from 22 August 2023 to 5 September 2023). The draft regulation establishes an obligation for a shelter to microchip a cat that has been delivered to it and is not marked with a microchip, as well as not registered in the database, to register it in the database, vaccinate it against rabies, and issue a domestic (pet) animal passport within 72 hours. In addition, it is stipulated that the shelter may transfer a cat if the cat is marked with a chip, registered in a database, vaccinated against rabies, and has a domestic (pet) animal passport. The Cabinet Regulation is expected to enter into force simultaneously with the entry into force of the draft law “Amendments to the Animal Protection Law” on 1 July 2024. The draft

law “Amendments to the Animal Protection Law” (No. 148/Lp14) provides that the owner or keeper of a domestic (pet) animal —such as a dog, cat, or domestic (pet) ferret—who breeds the animal, is obliged to register the fact of the animal’s breeding by making an entry in the database. Currently, Cabinet Regulation No. 359 of 21 June 2022 on the procedure for the registration of domestic (pet) animals provides that a dog marked with a chip is registered in the database, and a cat and ferret marked with a chip may be registered.

Regulation (EU) No. 576/2013 of the European Parliament and of the Council of 12 June 2013 on the non-commercial movement of pet animals and repealing Regulation (EC) No. 998/2003 (‘Regulation No 576/2013’) provides that dogs, cats, and domestic (pet) ferrets moved to another Member State for non-commercial purposes (such as travel, participation in exhibitions and competitions) must be marked with a microchip, have a domestic (pet) animal passport, and be vaccinated against rabies. Considering the above, many cat owners or keepers are already or will soon be obliged to ensure that the cat is marked with a microchip, has a domestic (pet) animal passport, and is registered in the database. Thus, the obligations referred to in Section 59 Clause 17 and 18 of the Law on Veterinary Medicine apply not only to dogs, as is currently the case, but also to cats and domestic (pet) ferrets. To allow owners or keepers of cats and ferrets to comply with the obligation to mark and register animals, it is necessary to provide for a reasonable transitional period for those cats and domestic (pet) ferrets born before the date of entry into force of the amendments to Section 59 of the Law on Veterinary Medicine.

As information on the vaccination of cats and domestic (pet) ferrets is currently provided in the vaccination certificate, it is necessary to lay down a transitional provision that vaccination certificates issued for cats and ferrets until the date of entry into force of the amendments to Section 59 Clause 17 of the Law on Veterinary Medicine, which provides for the provision of a domestic (pet) animal passport for cats and domestic (pet) ferrets, are valid throughout the life of the cat and domestic (pet) ferret. The transitional provision will not apply to animals requiring a domestic (pet) animal passport in accordance with the requirements laid down in Regulation No. 576/2013.

2. What can be the impact of the law on the development of society and economy?

The draft law will ensure traceability of domestic (pet) animals — cats and domestic (pet) ferrets — in case of transfer and faster identification of the owner of the animal if the animal is lost. The register of domestic (pet) animals ensures the registration of animals in a single database, which stores information on animal owners (keepers) and designated animals, as well as information on events involving animals (vaccinations, change of owner, death of an animal, etc.). The new legal provisions will help: 1) To limit the number of stray cats; 2) For the Food and Veterinary Service to control and limit the spread of rabies (a dangerous infectious disease affecting both animals and humans); 3) For the State and municipal police to ensure public order and public safety, to respond to cases of cruelty to animals; 4) To facilitate the owner’s search and recovery of their animal if it has gone missing. The owner of a domestic (pet) animal or his or her authorised person shall pay the veterinary practice

institution for the marking and initial registration of the animal: 1) in accordance with Cabinet Regulation No. 880 of 17 September 2013, “Price List of Public Paid Services of the Agricultural Data Centre” — a fee for the registration of a domestic (pet) animal in the database in accordance with the laws and regulations regarding the Price List of Public Paid Services of the Agricultural Data Centre — EUR 9.00 (VAT shall not be applied); 2) in accordance with Cabinet Regulation No. 359 of 21 June 2022 on the procedure for the registration of domestic (pet) animals — a fee for the service provided by the practising veterinarian to ensure the registration of domestic (pet) animals — EUR 5.50 (VAT shall not be applied).

From now on, not only dogs but also cats and domestic (pet) ferrets, regardless of whether they leave the country or live in Latvia for their entire lives, will have a single health document — a domestic (pet) animal passport. Thus, the owner of the cat or domestic (pet) ferret will also use a single health document, which displays all the vaccines received by the animal in one place and, if necessary, will be able to move freely with the animal within the territory of the European Union without changing the documents and without re-vaccinating the animal against rabies.

3. What can be the impact of the law on state budgets and local government budgets?

The draft law will ensure the traceability of domestic (pet) cats and domestic (pet) ferrets, thus reducing the number of stray animals and the burden on local governments caused by the obligations laid down in legislation on animal welfare and protection in relation to the catching, accommodation, maintenance, and care of stray animals. 4. What can be the impact of the law on the system of legal provisions in force? Amendments should be made to Cabinet Regulation No. 359 of 21 June 2022 on the procedure for the registration of pet animals to ensure the registration of cats and domestic (pet) ferrets, which is currently a choice rather than a mandatory requirement. 5. What international obligations of Latvia does the draft law satisfy? The draft law does not affect this area. 6. What consultations have taken place in drafting the law? When preparing the draft law, consultations were held with the Ministry of Agriculture and the Food and Veterinary Service.

7. How will the law be enforced? Enforcement of the law will be ensured by the Food and Veterinary Service, the Agricultural Data Centre, and local governments in accordance with their competence.