

Animal Protection Act (Germany)

– unofficial translation of important provisions –

§ 1 [Aim and principle of this act]

¹The aim of this Act is to protect the lives and well-being of animals, based on the responsibility of human beings for their fellow creatures. ²No one may cause an animal pain, suffering or harm without good reason.

§ 2 [General provisions]

Any person keeping, caring for or required to care for an animal:

1. must provide the animal with food, care and housing appropriate to its species, its requirements and behaviour,
2. may not restrict the animal's possibility of species-specific freedom of movement to such an extent as to cause the animal pain or avoidable suffering or harm,
3. must possess the knowledge and skills necessary for providing the animal with adequate food, care and housing in accordance with its behavioural requirements.

§ 2a [Authorisations]

(1) The Federal Ministry of Food and Agriculture (hereinafter “the Federal Ministry”) shall hereby be authorised, if required for the welfare of animals, to issue ordinances, with the consent of the Bundesrat, specifying in greater detail the requirements of § 2 regarding animal husbandry and shall, in particular, issue provisions on requirements regarding: [...]

§ 3 [Specific provisions]

¹It shall be prohibited:

1. to require an animal to produce performances clearly beyond its strength or capacity, in view of its condition, save in emergencies,
[...]
3. to abandon or leave an animal kept in a home, on a holding or otherwise in human care to get rid of it or to shirk the duty of keeper or caretaker,
[...]
5. to subject an animal to training causing the animal severe pain, suffering or harm;
6. to use an animal for filming, exhibition, advertising or similar events causing the animal pain, suffering or harm,
[...]
9. to force-feed an animal save for essential health reasons
[...]

§ 4 [Killing]

(1) ¹Vertebrates may be killed only under anaesthetic or painlessly where reasonable under the circumstances. [...]

§ 7a [Conditions]

(1) ¹Experiments may only be carried out on animals if they are indispensable for one of the following purposes:

1. basic research,
2. the prevention, diagnosis or treatment of diseases, suffering, bodily defects or other abnormalities in human beings or animals;
[...]

§ 8 [Authorisation]

(1) ¹Any person wishing to conduct experiments on vertebrates or cephalopods must obtain authorization of the planned experiment from the competent authority. ²Authorization shall be granted upon review by the competent authority if: [...]

§ 11 [Licence]

Any person intending to

[...]

3. keep animals in an animal shelter or a similar establishment,
[...]
8. on a commercial basis [...]
 - a) breed or keep vertebrates, other than farm animals,
[...]

requires the permission of the competent authority. [...]

§ 15 [Competent Authorities; Commissions]

(1) ¹The authorities responsible under Land law shall be responsible for implementing this Act, any ordinances issued under this Act, and the directly applicable legal acts of the European Community or the European Union within the scope of this act [...].

§ 16a [Orders by the Authorities]

(1) ¹The competent authority shall issue the orders necessary to end any infringements detected and to prevent any future infringements. ²In particular they may:

1. order measures necessary to meet the requirements of § 2 in individual cases,
[...]

§ 17 [Criminal Offences]

Anyone committing the following offences shall be liable to up to three years' imprisonment or a fine:

1. killing of a vertebrate without good reason or
2. causing a vertebrate:
 - a) considerable pain or suffering out of cruelty or
 - b) persistent or repeated severe pain or suffering.