

Animal Welfare Act (2018:1192)

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Chapter 1 Introductory provisions

Purpose of the Act

Section 1

The purpose of this Act is to ensure good animal welfare and promote good animal well-being and respect for animals.

Scope of the Act

Section 2

This Act applies to animals kept by people and laboratory animals living in the wild.

However, the following provisions are not applied regarding laboratory animals living in the wild:

- Chapter 2, Section 4 and regulations issued pursuant to that Section; and
- Chapter 4, Section 1.

The provisions of Chapter 9, Sections 4 and 6 also apply to abandoned animals of domestic species and feral animals of domestic species that do not form part of an established population.

Words and expressions in the Act

Laboratory animals

Section 3

Laboratory animals means animals that are being used or are intended to be used in animal experiments.

Laboratory animals also means animals that have been used or have been intended to be used in animal experiments and that are being kept in an establishment or in another holding area for laboratory animals.

Animal experiments

Section 4

Animal experiments mean use of animals for:

1. scientific research;
2. the diagnosis of disease;
3. the development and production of pharmaceutical or chemical products;
4. teaching, if the use means that the animal is killed, subjected to a surgical operation, injection or bloodletting or if the animal is caused or risks being caused suffering; and
5. other comparable purposes.

Animal experiments also mean:

- production of genetically modified animals, if gene technology, chemical or other similar methods are used; and
- preservation through breeding of a stock of genetically modified animals retaining the genetic characteristics of the animals in cases where animals may be caused suffering.

EU provisions supplemented by the Act

Section 5

The Act supplements those provisions in EU regulations (EU provisions) that fall within the scope of the Act. The Government shall announce the basic regulations concerned in the Swedish Code of Statutes.

With regard to EU provisions that fall within the scope of several acts, the Government announces the provisions supplemented by this Act in the same way as in the first paragraph.

The Government or the authority designated by the Government may issue further regulations necessary to supplement the EU provisions.

Chapter 2 General provisions on the handling, keeping and care of animals

Basic animal welfare requirements

Section 1

Animals shall be treated well and shall be protected from unnecessary suffering and disease.

Animals used in animal experiments shall not be considered to be subjected to unnecessary suffering or disease when used if the use has been approved by an ethical committee on animal experiments.

Good animal environment and natural behaviour

Section 2

Animals shall be kept and cared for in a good environment for animals and in such a way that:

1. their well-being is promoted;
2. they are able to perform behaviours for which they are strongly motivated for and that are important for their well-being (natural behaviour); and
3. behavioural disorders are prevented.

The Government or the authority designated by the Government may issue regulations concerning conditions for or prohibitions on the keeping of animals in certain cases to satisfy the requirements under the first paragraph.

Required skills

Section 3

A person who keeps animals or looks after animals in some other way shall have sufficient skills to satisfy the animal's needs.

The Government or the authority designated by the Government may issue regulations concerning requirements of special skills or training for the keeping of animals in certain cases and certain other activities with animals.

Requirements concerning attention, feed and water

Section 4

Animals shall be given sufficient attention.

Animals shall be given sufficient feed and water of good quality. Feed, water and feeding procedures shall be adapted to the needs of the animal.

The Government or the authority designated by the Government may issue further regulations concerning requirements for attention, feeding and watering of animals.

Tying and tethering of animals

Section 5

An animal may only be tied in a way that is not painful for the animal and providing that the animal is given the necessary freedom of movement and rest and sufficient protection against adverse weather conditions.

An animal may only be tethered or have its freedom of movement restricted in some other similar way if it is done temporarily and is necessary:

1. for veterinary medical or animal welfare reasons;
2. in view of the safety of the person handling the animal; or
3. for similar justified reasons.

The Government or the authority designated by the Government may issue further regulations concerning the conditions under which an animal's freedom of movement may be restricted under the first and second paragraphs.

Livestock buildings and other holding spaces

Section 6

Livestock buildings and other holding spaces for animals and fenced areas¹ shall provide sufficient protection for the animals. They shall also give animals space to move freely and to be able to rest in a way that is suitable for the animals.

Livestock buildings and other holding spaces for animals shall be kept clean.

The climate and sound and light conditions in livestock buildings and other holding spaces shall be adapted to the needs of the animals.

The Government or the authority designated by the Government may issue further regulations concerning requirements for livestock buildings and other holding spaces for animals and for fenced areas.

Fittings and equipment

Section 7

Fittings and equipment in livestock buildings and other holding spaces for animals and outdoor enclosures for animals must not be designed in a way that:

1. entails a risk that the animals will be injured or that the health of the animals will deteriorate; or
2. unduly constrains the animals' freedom of movement or disturbs them in some other way.

¹Comment: In the context of this Act the expression "fenced area" refers to an enclosed outdoor holding area. Such areas are most commonly used for wild game and ostriches.

The Government or the authority designated by the Government may issue further regulations concerning requirements for fittings and equipment in livestock buildings, other holding spaces for animals and outdoor enclosures for animals.

Prohibition on abandoning animals

Section 8

Animals of domestic species must not be abandoned.

Prohibition on beating, injuring or overworking animals

Section 9

Animals must not be beaten, caused injury or overworked.

Equipment must not be used in a way that may cause the animal suffering or injury.

The prohibition on causing injury under the first paragraph and the prohibition under the second paragraph do not apply to measures performed or equipment used:

1. for veterinary medical reasons;
2. as part of an animal experiment approved by an ethical committee on animal experiments; or
3. for similar justified reasons.

The Government or the authority designated by the Government may issue regulations concerning requirements for how equipment is to be designed and used in order to prevent suffering by or injury to animals.

Prohibition on sexual acts with animals

Section 10

The performance of sexual acts with animals is prohibited.

This prohibition does not cover acts performed for veterinary medical reasons or in connection with breeding or for similar justified reasons.

Prohibition on certain breeding

Section 11

The performance of breeding whose object may entail suffering for the parent animal or its offspring is prohibited.

The Government or the authority designated by the Government may issue:

1. regulations concerning the prohibition under the first paragraph; and
2. regulations concerning conditions for or prohibitions on breeding that can affect the animal's natural behaviour, normal bodily functions or ability to give birth to its offspring naturally.

Sale or other transfer of animals

Section 12

The Government or the authority designated by the Government may issue regulations concerning conditions for or prohibitions of sales or other transfer of animals.

Transport of animals

Section 13

Animals shall be transported by means of transport that are suitable for the purpose and give every animal protection from heat and cold as well as from bumping, chafes and the like. To the extent necessary, the animals shall be kept separate from each other.

A person transporting animals shall attend to the animals and take the measures needed to ensure that the animals are not injured or caused suffering during loading, transport and unloading.

For transport covered by 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, the provisions of the first and second paragraphs apply over and above what is stated in Articles 3 and 6 of and Annex 1 to Council Regulation (EC) No 1/2005 if the transport only takes place on Swedish territory or refers to transports by sea from Swedish territory.

The Government or the authority designated by the Government may issue further regulations concerning conditions for or the prohibition on transportation of animals.

Chapter 3 Sporting events with and public exhibitions of animals

Sporting events with and public exhibitions of animals

Section 1

It is prohibited to subject animals to suffering in either the training of animals for or the use of the animals in:

1. sporting events or trials;
2. sound or visual recordings; or
3. performances or other exhibitions arranged for the public.

The Government or the authority designated by the Government may issue:

1. further regulations concerning the training or use of animals referred to in the first paragraph, points 1–3; and
2. regulations on exemptions from the prohibition on training animals or using animals in trials in such a way that they are subjected to suffering.

Prohibition on doping

Section 2

An animal that is being trained for or taking part in a sporting event or a trial must not be subjected to doping or other improper measures that may affect the animal's performance or temperament.

The Government or the authority designated by the Government may issue regulations concerning the prohibition under the first paragraph.

Chapter 4 Health care of animals and surgical procedures

Health care of injured or sick animals

Section 1

An animal that is injured or sick shall immediately be given the necessary health care or killed. If an animal shows signs of ill-health in some other way through its behaviour, health care shall be given as soon as possible or other suitable measures shall be taken as soon as possible.

If the injury or illness or is so severe that the animal is being subjected to serious suffering that cannot be alleviated, the animal shall be killed.

When necessary health care shall be given by a veterinarian or by some other person who is an animal health professional under the Act (2009:302) on Professional Activities within the Field of Animal Health Care.

Surgical procedures

Section 2

It is prohibited to conduct surgical procedures on animals or to give injections to animals except in cases where they are necessary for veterinary medical reasons.

The first paragraph does not apply to surgical procedures performed or injections given in connection with an activity that has been approved by an ethical committee on animal experiments.

Surgical procedures shall be performed under anaesthesia.

The Government or the authority designated by the Government may issue:

1. further regulations concerning surgical procedures on and injections of animals; and
2. regulations concerning exemptions from the first and third paragraphs.

Veterinarians or other animal health professionals

Section 3

A veterinarian or some other person who is an animal health professional under the Act

(2009:302) on Professional Activities within the Field of Animal Health Care shall be engaged if any of the following measures needs to be taken:

1. surgical procedures on or injections of animals;
2. other treatment for the purpose of preventing, detecting, alleviating or curing illness or injury in an animal, if the treatment is can cause suffering that is not insignificant; or
3. treatment under general anaesthesia or under local anaesthesia given by injection.

The first paragraph does not apply to urgent measures taken in order to save the animal's life or alleviate its suffering.

In an activity that has been approved by an ethical committee on animal experiments, persons who have training under regulations issued pursuant to Chapter 7, Section 7, second paragraph may also give injections and perform treatment and surgical procedures.

The Government or the authority designated by the Government may issue regulations concerning exceptions from the first paragraph.

Authorisation regarding the prohibition on hormones

Section 4

The Government or the authority designated by the Government may issue regulations concerning conditions for or prohibitions of the administration of hormones or other substances to an animal in order to alter the characteristics of the animal for any purpose other than to prevent, detect, alleviate or to cure disease or symptoms of disease with exemptions for substances covered by the Act (2006:805) on Feed and Animal By-products.

Chapter 5 Slaughter and other killing of animals

Requirements when animals are slaughtered and killed

Section 1

When animals are taken to slaughter and when they are slaughtered, they shall be spared unnecessary suffering and discomfort. The same applies when animals are killed in other cases. This provision applies over and above what is stated in Article 3 of Council Regulation (EU) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing.

An animal that is slaughtered or is killed in some other case through bleeding shall be stunned. No other measures may be taken before the animal is dead. This provision applies over and above what is stated in Article 4(1) of Council Regulation (EU) No 1099/2009 of 24 September 2009.

The requirement in the second paragraph, first sentence does not apply in the situations referred to in Articles 1(2) and 2(d) of Council Regulation (EU) No 1099/2009 in its original wording.

Authorisations concerning slaughter and killing

Section 2

The Government or the authority designated by the Government may issue:

1. further regulations concerning the slaughtering and killing of animals; and
2. regulations concerning exemptions from the requirement for stunning in Section 1, second paragraph regarding the killing of laboratory animals.

Chapter 6 Prior approval and permits

Prior approval of spaces

Section 1

The Government or the authority designated by the Government may issue regulations concerning requirements for arranging for the prior approval of livestock buildings and other holding spaces for animals and fenced areas.

Prohibition of use of holding spaces for keeping animals

Section 2

If a measure regarding a livestock building or other holding space for animals or a fenced area that requires prior approval under regulations issued pursuant to Section 1 has been taken without such approval, the authority designated by the Government shall make a decision prohibiting use of the space or fenced area to house animals.

A prohibition shall not be issued if the authority finds that the measure can be approved retroactively.

Prior approval of new technology

Section 3

The Government or the authority designated by the Government may issue regulations concerning requirements for arranging for the prior approval of new technology in the animal management.

Permit for the keeping of animals in certain cases

Section 4

An operating permit is required by any person who, on a professional basis or on a substantial scale:

1. keeps, breeds, supplies or sells pet animals or receives pet animals for boarding or feeding;
2. keeps, breeds, supplies or sells horses or receives horses for boarding or feeding or uses horses in a riding school business; or
3. breeds fur animals.

Questions concerning permits are examined by the authority designated by the Government.

When permit cases are examined, special attention shall be paid to the question of whether the applicant can be regarded as suitable to conduct the activity and whether the premises in which the activity is to be conducted are suitable with regard to animal welfare.

The Government or the authority designated by the Government may issue regulations concerning exceptions from the first paragraph.

Withdrawal of permit

Section 5

A permit may be withdrawn if the suitability requirements in Section 4, third paragraph are no longer met.

Chapter 7 Animal experiments

Basic principles for animal experiments

Section 1

Animal experiments may only be performed provided that:

1. the purpose of the activity cannot be attained by any other satisfactory method that does not use animals;
2. as few animals as possible are used;
3. the activity is designed in such a way that the animals are not subjected to greater suffering than is absolutely necessary; and
4. no animals other than animals bred for the purpose are used in the activity (purpose breeding).

The Government or the authority designated by the Government may issue regulations concerning exceptions from the requirement of purpose breeding.

Permit for laboratory animal activities

Section 2

A permit is required to use, breed, keep or supply laboratory animals. Questions concerning permits are examined by the authority designated by the Government.

The Government or the authority designated by the Government may issue regulations concerning exemptions from the permit requirement.

Examination of permit cases

Section 3

When permit cases are examined, special attention shall be paid to whether the applicant can be regarded as suitable to conduct the activity and whether the facilities in which the activity is to be conducted are suitable with regard to animal welfare.

When cases concerning permits for breeding laboratory animals are examined, account shall also be taken of the need for such animals.

Information in the permit

Section 4

The permit shall contain information about:

1. the natural person who is the holder of the permit or, if the holder is a legal person, a representative of the holder; and
2. the persons who hold the functions stated in Section 7, first paragraph, points 1 and 2.

Withdrawal of permit

Section 5

A permit may be withdrawn if the suitability requirements in Section 3, first paragraph are no longer met.

Responsibility for the activity

Section 6

The person referred to in Section 4, point 1 shall ensure that the activity is conducted in accordance with this Act, regulations issued pursuant to this Act and the EU provisions supplemented by this Act.

The Government or the authority designated by the Government may issue regulations concerning:

1. tasks to be performed to ensure that the activity is conducted in accordance with this Act, regulations issued pursuant to this Act and the EU provisions supplemented by this Act; and
2. training and skills that shall be in place when these tasks are performed.

The authority designated by the Government may also make decisions in specific cases about matters referred to in the second paragraph.

Organisation of laboratory animal activities

Section 7

In an activity requiring a permit under Section 2 there shall be:

1. one or more supervisors who are responsible for conducting the activity;
2. a veterinarian or, when this is more suitable, another qualified expert who gives advice and instructions about the conduct of the activity and provides assistance when the animals are treated;
3. personnel that are sufficient in number and have the training and skills needed for the activity; and
4. an animal welfare body that gives advice to the personnel in matters of animal welfare and monitors the activity with regard to animal welfare.

The Government or the authority designated by the Government may issue further regulations concerning what tasks and what training and skills a supervisor, a veterinarian or an expert shall have and what training and skills the personnel shall have.

The authority designated by the Government may also make decisions in specific cases about matters referred to in the second paragraph.

The Government or the authority designated by the Government may issue further regulations concerning the tasks and composition of the animal welfare body.

Capture of laboratory animals living in the wild

Section 8

A person who captures laboratory animals living in the wild shall have the training and skills required for the task. The animals shall be captured using methods that do not subject the animals to unnecessary suffering.

The Government or the authority designated by the Government may issue regulations concerning this training and these skills and methods.

Requirement of ethical approval

Section 9

Over and above a permit under Section 2, a person who is going to use animals in animal experiments shall have an approval from an ethical perspective from a regional ethical committee on animal experiments, before the use is started. The approval may be combined with conditions.

In a decision approving the animal experiment, an ethical committee on animal experiments may decide to make exemptions from Chapter 2, Section 5, second paragraph, Section 6, first and third paragraphs, Section 7, first paragraph and Section 11, first paragraph as well as Chapter 4, Section 2, third paragraph.

Examination of the ethical approval

Section 10

In examining a case under Section 9, the importance of the experiment shall be weighed against the suffering of the animal. On the basis of the animal's level of suffering, the experiment shall be classified in one of the categories: non-recovery, mild, moderate and severe.

An application for an animal experiment may only be granted if the use of animal can be considered important from the public point of view and the conditions in Section 1, first paragraph, points 1–3 are met.

When the case is examined, a decision shall also be made on whether the experiment shall be retrospectively assessed.

Withdrawal of an ethical approval

Section 11

An ethical committee on animal experiments may withdraw an approval under Section 9 if the animal experiment is not performed in accordance with the approval.

Regulations on ethical approval

Section 12

The Government or the authority designated by the Government may issue regulations concerning:

1. an obligation to provide information in connection with an application to use animals in an animal experiment; and
2. an exemption from the requirement that animal experiments shall be approved.

The Government or the authority designated by the Government may issue further regulations concerning:

1. the examination of a case concerning approval of an animal experiment; and
2. the retrospective assessment of animal experiments approved.

A central ethical committee on animal experiments

Section 13

There shall be a central ethical committee on animal experiments that shall:

1. examine appeals under Chapter 11, Section 1 against decisions of a regional ethical committee on animal experiments; and
2. perform a retrospective assessment referred to in Section 10, third paragraph.

Composition of the central committee

Section 14

The central ethical committee on animal experiments shall consist of a chair and six other members. Of the other members, four shall have scientific expertise and two shall be laypersons. One of the laypersons shall represent animal welfare interests. Alternates for the members may be appointed.

The chair and the person or persons appointed as alternates for the chair shall be or have been permanent judges.

The members and alternates shall be appointed by the Government for a fixed period.

Quorum of the central committee

Section 15

The central ethical committee on animal experiments is quorate when the chair and at least three members with scientific expertise and at least one layperson are present. The members with scientific expertise shall always be in the majority when a case is decided.

The committee is quorate with the chair alone for:

1. a preparatory measure;
2. a correction of typing errors, calculating errors or similar oversights;
3. other decisions that do not entail a final determination of a case; and
4. an examination of a question of rejecting or dismissing a case.

The chair may pass on tasks referred to in the second paragraph to a rapporteur to the committee.

Other authorisations

Section 16

The Government or the authority designated by the Government may issue regulations concerning:

1. conditions for or prohibitions of breeding, keeping, supplying or using laboratory animals; and
2. exemptions from the Act concerning animal experiments.

The Government or the authority designated by the Government may issue regulations providing that a person who breeds, keeps, supplies or uses laboratory animals shall:

1. mark the animals;
2. draw up instructions for the activity; and
3. keep records of and provide information about the activity and the animals.

Chapter 8 Official control and the tasks of the authorities

Competent authority for official control

Section 1

The county administrative boards and the other authorities designated by the Government (the control authorities) perform official control of compliance with this Act, regulations and decisions issued pursuant to this Act, the EU provisions supplemented by the Act and the decisions issued pursuant to the EU provisions.

Personnel trained in animal welfare

Section 2

The control authorities shall, over and above what is stated in EU provisions supplemented by the Act, have access to personnel trained in animal welfare to the extent needed to enable the authority to perform their tasks in a satisfactory manner.

Coordination of activities

Section 3

The control authority designated by the Government coordinates the activities of the other control authorities and provides advice and assistance in these activities where needed.

Advice and information

Section 4

By providing advice and information and by other means, the control authorities shall make it easier for individuals to fulfil their obligations under the Act, regulations and decisions issued pursuant to the Act, the EU provisions supplemented by the Act and the decisions issued pursuant to the EU provisions.

Obligation to take action against breaches

Section 5

The control authorities shall work for action to be taken against breaches of the Act, regulations and decisions issued pursuant to the Act or the EU provisions supplemented by the Act.

Regulations on official control

Section 6

The Government or the authority designated by the Government may issue regulations concerning:

1. official control; and
2. an obligation for a control body engaged in official control to provide information to the coordinating control authority referred to in Section 3.

Official control relating to animals other than food-producing animals

Section 7

Regulation (EC) No 882/2004 of the European Parliament and the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules contains provisions that shall be applied when conducting official controls of animal keepers who keep food-producing animals.

The Government may issue regulations to the effect that Regulation (EC) No 882/2004 shall be applied in full or in part in official controls of animal keepers other than those keeping food-producing animals.

Charges for official control and cases under the Act

Section 8

The Government or the authority designated by the Government may issue regulations concerning the obligation to pay a charge:

1. for official control under the Act, the regulations issued pursuant to the Act or the EU provisions supplemented by the Act; and
2. in cases under the Act, regulations issued pursuant to the Act or the EU provisions supplemented by the Act.

The Government or the authority designated by the Government may issue regulations concerning the calculation of charges levied by government authorities and control bodies.

Orders

Section 9

Over and above what follows from the EU provisions supplemented by the Act, a control authority may make the orders needed to ensure compliance with the Act, regulations and decisions issued pursuant to the Act, the EU provisions supplemented by the Act and the decisions issued pursuant to the EU provisions.

However, an order entailing a prohibition on looking after animals under Chapter 9, Section 1 or an order to dispose of animals within a certain period of time under Chapter 9, Section 3 may only be made in the cases stated there.

Orders and prohibitions under the first paragraph or under the EU provisions supplemented by the Act may be combined with a conditional financial penalty, though not in the cases referred to in Chapter 9, Sections 1 and 3.

Rectification at the expense of the individual

Section 10

If an individual fail to comply with the Act, regulations or decisions issued pursuant to the Act, the EU provisions supplemented by the Act or the decisions issued pursuant to the EU provisions, a control authority may decide rectification at the expense of the individual.

In urgent cases a rectification decision may be made without a preceding order.

Right to information and to access documents

Section 11

A control authority and a control body engaged in official control have the right to obtain information and access documents on request to the extent needed for their control.

Right to admission

Section 12

A control authority and a control body engaged in official control have the right to be admitted, to the extent needed for their control, to areas, facilities, buildings, premises and other spaces where it can be assumed that animals are kept or that are associated with the keeping of animals and to inspect the animals, conduct investigations and take samples there.

Admission to dwellings may only take place when it can be assumed that animals are being kept there and:

1. it can be assumed that the keeping of animals does not fulfil the provisions of this Act or regulations or decisions issued pursuant to this Act;
2. the purpose is to make a control of whether deficiencies previously noted in the keeping of animals have been dealt with; or
3. the purpose is to make a control of a keeping of animals that requires a permit under this Act or regulations issued pursuant to this Act.

A control authority and a control body also have the right to be admitted to areas, facilities, buildings, premises, other spaces and dwellings when this is needed in order to control that animal ban under Chapter 9, Section 1 are being followed.

The European Commission's right to information and admission

Section 13

The provisions of Sections 11 and 12 also apply to the European Commission and to inspectors and experts appointed by the European Commission.

Requirement of care

Section 14

Measures under Sections 11 and 12 shall be performed in the way that causes the least harm and encroachment.

Obligation for the person subject to official control

Section 15

The person subject to official control shall provide the assistance needed to enable the control to be carried out.

Assistance from the Swedish Police Authority

Section 16

The Swedish Police Authority shall provide the assistance needed to enable a control authority to perform official control or enforce decisions under the Act, regulations or decisions issued pursuant to the Act, the EU provisions supplemented by the Act or the decisions issued pursuant to the EU provisions.

Assistance under the first paragraph may only be requested if:

1. it can be feared on account of special circumstances that it will not be possible to perform the measure without resorting to the special powers of a police officer under Section 10 of the Police Act (1984:387); or
2. there are other exceptional reasons.

Exceptions for animals used in the Swedish Armed Forces

Section 17

The provisions of Sections 2–6, Section 8, first paragraph, point 1, Section 9, third paragraph, Sections 10, 13 and 16 are not applied to animals used in the Swedish Armed Forces.

Report of maltreatment

Section 18

If, in the course of their professional activities, a person who is an animal health professional under Act (2009:302) on Professional Activities within the Field of Animal Health Care finds reason to assume that animals are not being kept or cared for in accordance with this Act, regulations issued pursuant to the Act or the EU provisions supplemented by the Act, that person shall report this to the control authority, unless the deficiency is minor and is rectified immediately.

Chapter 9 Animal ban and taking charge of animals

Animal ban

Section 1

The county administrative board shall issue a prohibition on looking after animals (animal ban) for a person who:

1. seriously neglects the supervision or care of an animal;
2. has assaulted an animal;
3. is not following with a decision issued by a control authority under Chapter 8, Section 9 if that decision is of material importance with regard to animal welfare;
4. has been the subject of repeated decisions under Chapter 8, Section 9 if an animal ban is justified with regard to animal welfare;
5. has been found guilty through a judgment that has become legally binding or through acceptance of a summary penalty order of cruelty to animals under Chapter 16, Section 13, of the Penal Code; or
6. has been found guilty through a judgment that has become legally binding or through acceptance of a summary penalty order of an offence under Chapter 10, Sections 1–5 of the Penal Code, if an animal ban is justified with regard to animal welfare.

However, an animal ban shall not be imposed where it is likely that the circumstance that would otherwise lead to an animal ban will not be repeated.

Scope and setting aside of animal bans

Section 2

An animal ban under Section 1 may refer to all kinds of animals or be restricted to one or more kinds of animals. An animal ban may also refer to looking after more than a certain number of animals. An animal ban may also refer to other restrictions in the right to look after animals.

An animal ban can apply for a fixed period or until further notice.

The county administrative board shall set aside the animal ban when it is no longer needed.

Obligation to wind up a holding of animals

Section 3

If the person issued with an animal ban owns or keeps animals, the county administrative board shall, at the same time, order them to get rid of the animal or animals covered by the animal ban within a certain period of time. However, this does not apply if the county administrative board shall decide under Section 5 or 6 to take charge of the animal or animals when ordering the animal ban.

Emergency killing in certain cases

Section 4

If an animal is found so severely ill or injured that it should be killed immediately, it may be

killed by a veterinarian or a police officer, even if the owner of the animal cannot be contacted. In urgent cases someone else may also kill the animal immediately.

The person who has killed the animal shall inform the owner or someone else who is responsible for the animal of this. If this is not possible, the county administrative board shall be notified.

Taking in charge of animals

Section 5

The county administrative board shall decide that an animal shall be taken charge if:

1. the animal is unduly being subjected to suffering and nothing is done to rectify this following a caution from the control authority;
2. a decision issued under Chapter 8, Section 9 is not being followed and the decision is of significant importance with regard to animal welfare; or
3. a decision on an animal ban under Section 1 or decision to wind up a holding of animals under Section 3 is not being followed.

The county administrative board shall be responsible for the enforcement of the taking in charge of the animal.

Immediate taking charge of animals

Section 6

Notwithstanding the provisions of Section 5, first paragraph, point 1, the Swedish Police Authority or the county administrative board shall decide that an animal shall be taken charge of immediately if the animal is being subjected to suffering and if:

1. there is judged to be no prospect of the animal's suffering being remedied;
2. the owner of the animal is unknown or cannot be found; or
3. it is otherwise judged to be absolutely necessary with regard to animal welfare.

Even if the conditions under the first paragraph have not been met, the Swedish Police Authority may decide to take charge of the animal immediately if the animal is being kept in contravention of an animal ban.

If a decision to take charge of an animal immediately has been issued by the Swedish Police Authority, the Authority shall notify the county administrative board of its decision promptly. The county administrative board shall promptly examine whether the decision shall remain in force.

The decision-making authority shall be responsible for enforcing the taking charge of the animal. If the county administrative board decides that the Swedish Police Authority's decision to take charge of the animal shall remain in force, the county administrative board shall promptly assume responsibility for enforcing the decision.

Right to decide about animals taken in charge

Section 7

A decision to take charge of an animal or to take charge of an animal immediately also covers offspring that the animal gives birth to while it is taken in charge. When an animal is taken in

charge under Section 5 or 6, the owner shall not have the right to decide about the animal or its offspring without the permission of the county administrative board.

Handling of animals taken in charge

Section 8

When an animal is taken in charge the county administrative board shall decide as soon as possible whether the animal is to be sold, transferred in some other way or killed. If it is not otherwise possible to enforce a decision to sell an animal taken in charge or to transfer it, the county administrative board may decide instead that the animal shall be killed.

The county administrative board shall be responsible for enforcing a decision under the first paragraph.

Responsibility for costs for animals taken in charge

Section 9

The county administrative board and the Swedish Police Authority may pay advances from public funds for costs incurred on account of measures under Section 5 or 6. The cost of such measures shall ultimately be paid by the person against whom the measure was directed, unless there are special reasons to do otherwise.

If an animal taken in charge has been sold and if the cost under the first paragraph shall ultimately be paid by the owner, the county administrative board and the Swedish Police Authority may deduct the cost from the purchase sum. The purchase sum shall cover the costs of the county administrative board in the first place.

Chapter 10 Penalties and other sanctions

Offences under this Act and regulations concerning stunning

Section 1

A person is sentenced to a fine or imprisonment for not more than two years if they with intent or through negligence:

1. commit an offence under

- Chapter 2, Section 4, first or second paragraph, Chapter 2, Section 5, first or second paragraph, Chapter 2, Section 6, first, second or third paragraph, Chapter 2, Section 7, first paragraph, Chapter 2, Section 8, Chapter 2, Section 9, first or second paragraph, Chapter 2, Section 11, first paragraph or Chapter 2, Section 13, first or second paragraph,
- Chapter 3, Section 1, first paragraph or Chapter 3, Section 2, first paragraph,
- Chapter 4, Section 1, Chapter 4, Section 2, first or third paragraph or Chapter 4, Section 3, first paragraph,
- Chapter 5, Section 1, first or second paragraph or regulations concerning stunning issued by the Government pursuant to Chapter 5, section 2, point 1,
- Chapter 6, Section 4, first paragraph,
- Chapter 7, Section 1, first paragraph, Chapter 7, Section 2, first paragraph or Chapter 7, Section 9, first paragraph; or

2. do not follow an animal ban under Chapter 9, Section 1 or an order on an obligation to wind up an animal holding under Chapter 9, Section 3.

If the offence was committed with intent and related to an obligation of significant importance with regard to animal welfare, the penalty is imprisonment for at most two years.

Offence under the prohibition on carrying out sexual acts with animals

Section 2

A person who commits an offence under the prohibition in Chapter 2, Section 10, first paragraph on carrying out sexual acts with animals is sentenced to a fine or imprisonment for at most two years.

Offences under certain EU provisions on the transport and killing of animals

Section 3

A person is sentenced to a fine or imprisonment for not more than two years if they with intent or through negligence:

1. transport animals in contravention of Article 6(3) of and the technical rules set out in Annex 1 to 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;

2. in the capacity of a keeper of animals at the place of departure, transfer or destination, acting in contravention of Article 8(1), do not ensure that the technical rules set out in Chapter 1 and in Chapter III, Section 1 of Annex 1 to Council Regulation (EC) No 1/2005 are met with respect to the animals transported;

3. are responsible for an assembly centre and do not ensure, in accordance with Article 9(1), that the animals are treated in accordance with the technical rules set out in Chapter 1 and in Chapter III, Section 1 of Annex 1 to Council Regulation (EC) No 1/2005;

4. kill animals in some other way than after stunning in accordance with the methods and the special requirements for the application of these methods set out in Article 4(1) of and in Annex 1 to Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing;

5. in contravention of Article 4(1) Council Regulation (EC) No 1099/2009, kill animals in such a way that, after stunning, the animal regains consciousness or sensibility before it dies,

6. in contravention of Article 9(3) Council Regulation (EC) No 1099/2009 assist in placing an animal in restraining equipment, including a head restraint, before the person in charge of stunning or bleeding is ready to stun or bleed the animal as quickly as possible;

7. do not ensure, in accordance with Article 15(1), that the operational rules for slaughterhouses set out in Annex III to Council Regulation (EC) No 1099/2009 are complied with;

8. do not comply with what applies to the restraining of animals before killing according to Article 15(2) of Council Regulation (EC) No 1099/2009; or

9. use any of the restraining methods that are prohibited under Article 15(3) of Council Regulation (EC) No 1099/2009.

If the offence was committed with intent and related to an obligation of material importance with regard to animal welfare, the penalty is imprisonment for at most two years.

Offences against other EU provisions supplemented by the Act

Section 4

A person is sentenced to a fine if, in cases other than under Section 3, they with intent or through negligence commit an offence under the obligations, requirements or prohibitions set out in the EU provisions supplemented by the Act. This does not apply if the breach relates to provisions on the exercise of public authority.

Offences under regulations issued pursuant to the Act

Section 5

A person is sentenced to a fine if they with intent or through negligence commit an offence under regulations issued by the Government or, after authorisation by the Government, by an authority pursuant to:

- Chapter 2, Section 2, second paragraph, Chapter 2, Section 4, third paragraph, Chapter 2, Section 5, third paragraph, Chapter 2, Section 6, fourth paragraph, Chapter 2, Section 7, second paragraph, Chapter 2, Section 9, fourth paragraph, Chapter 2, Section 11, second paragraph, Chapter 2, Section 12 or Chapter 2, Section 13, fourth paragraph;
- Chapter 3, Section 1, second paragraph, point 1 or Chapter 3, Section 2, second paragraph;
- Chapter 4, Section 2, fourth paragraph, point 1 or Chapter 4, Section 4;
- Chapter 5, Section 2, point 1 in cases other than those stated in Section 1;
- Chapter 6, Section 3;
- Chapter 7, Section 8, second paragraph or Chapter 7, Section 16, first paragraph, point 1 or second paragraph.

Minor acts

Section 6

If an act stated in Section 1, 3, 4 or 5 is considered minor, no responsibility shall be imposed. An act is considered minor if it appears to be insignificant in view of the interest that the penal provision is intended to protect.

The relationship of the provisions to conditional financial penalties

Section 7

No responsibility may be imposed under this Act for an act covered by an order for a conditional financial penalty, if the act forms the basis for an application for the imposition of the conditional financial penalty.

Relationship of these provisions to the Penal Code

Section 8

No responsibility is imposed under Sections 1–5 where the penalty provided for the offence in the Penal Code is the same or more severe.

Charge if no prior approval has taken place

Section 9

The Government may issue regulations providing that a charge shall be paid by a person who does not arrange for prior approval of livestock buildings or other holding spaces for animals or fenced areas under regulations issued pursuant to Chapter 6, Section 1.

The size of the charge shall be stated in the Government's regulations. The charge shall be at least SEK 10 000 and at most SEK 40 000. When the Government issues regulations concerning the size of the charge, account shall be taken of the complexity and scope of the prior approval.

Chapter 11 Appeals

Appeals against decisions in cases concerning ethical approval

Section 1

A decision of a regional ethical committee on animal experiments in a case concerning approval of the use of animals in animal experiments and concerning the withdrawal of such an approval may be appealed to the central ethical committee on animal experiments stated in Chapter 7, Section 13.

The decision of the central ethical committee on animal experiments may not be appealed.

Appeal against other decisions

Section 2

Other decisions under this Act may be appealed to a general administrative court. However, decisions relating to the Swedish Armed Forces are appealed to the Government.

Leave to appeal is required for an appeal to the Administrative Court of Appeal.

Respondent in appeals of decisions of official veterinarians

Section 3

If a decision issued by an official veterinarian appointed under the Official Veterinarian Act (2009:1254) is appealed, the authority that appointed the official veterinarian shall appear for the public institutions in the administrative court.

Regulations on immediate enforcement

Section 4

The Government may issue regulations concerning the cases in which a decision under this Act, under regulations issued pursuant to the Act or under the EU provisions supplemented by the Act shall apply immediately even if it is appealed.

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1. This Act enters into force on 1 April 2019.
 2. This Act repeals the Animal Welfare Act (1988:534).
 3. Orders, prohibitions and other decisions issued under the repealed Act still apply.
 4. Animal bans under Chapter 9, Section 1 may, in the cases where the decision was based on circumstances that occurred before entry into force, only be decided if the conditions for an animal ban under the new Act are met.