

Animal Welfare Ordinance (2019:66)

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Chapter 1 Introductory provisions

Relationship to the Animal Welfare Act

Section 1

This Ordinance contains provisions supplementing the Animal Welfare Act (2018:1192).

The Ordinance is issued pursuant to:

- Chapter 1, Section 5, third paragraph of the Animal Welfare Act regarding Chapter 1, Section 2, third paragraph;
- Chapter 2, Section 2, second paragraph and Chapter 2, Section 6, fourth paragraph of the Animal Welfare Act regarding Chapter 2, Section 1;
- Chapter 2, Section 2, second paragraph of the Animal Welfare Act regarding Chapter 2, Sections 2-9;
- Chapter 2, Section 3, second paragraph of the Animal Welfare Act regarding Chapter 2, Section 10;
- Chapter 2, Section 4, third paragraph of the Animal Welfare Act regarding Chapter 2, Section 11;
- Chapter 2, Section 2, second paragraph and Chapter 2, Section 5, third paragraph of the Animal Welfare Act regarding Chapter 2, Sections 12 and 13;
- Chapter 2, Section 6, fourth paragraph of the Animal Welfare Act regarding Chapter 2, Sections 14 and 15;
- Chapter 2, Section 7, second paragraph and Chapter 2, Section 9, fourth paragraph of the

Animal Welfare Act regarding Chapter 2, Sections 16 and 17;

- Chapter 2, Section 7, second paragraph of the Animal Welfare Act regarding Chapter 2, Section 18,
- Chapter 2, Section 9, fourth paragraph of the Animal Welfare Act regarding Chapter 2, Section 19, point 1;
- Chapter 2, Section 2, second paragraph and Chapter 2, Section 11, second paragraph of the Animal Welfare Act regarding Chapter 2, Section 20;
- Chapter 2, Section 11, second paragraph of the Animal Welfare Act regarding Chapter 2, Section 21;
- Chapter 2, Section 12 of the Animal Welfare Act regarding Chapter 2, Section 22;
- Chapter 2, Section 13, fourth paragraph of the Animal Welfare Act regarding Chapter 2, Section 23;
- Chapter 3, Section 1, second paragraph, point 1 of the Animal Welfare Act regarding Chapter 3, Sections 1-7;
- Chapter 3, Section 1, second paragraph, point 2 of the Animal Welfare Act regarding Chapter 3, Sections 8 and 9;
- Chapter 3, Section 2, second paragraph of the Animal Welfare Act regarding Chapter 3, Section 10;
- Chapter 4, Section 2, fourth paragraph, point 2 of the Animal Welfare Act regarding Chapter 4, Section 1, first paragraph and Section 2, first paragraph, points 1 and 2;
- Chapter 4, Section 2, fourth paragraph, point 2 and Chapter 4, Section 3, fourth paragraph of the Animal Welfare Act regarding Chapter 4, Section 1, second paragraph;
- Chapter 4, Section 3, fourth paragraph of the Animal Welfare Act regarding Chapter 4, Section 1, third paragraph and Section 2, first paragraph, point 3;
- Chapter 4, Section 2, fourth paragraph, point 1 of the Animal Welfare Act regarding Chapter 4, Section 2, second paragraph;
- Chapter 4, Section 4 of the Animal Welfare Act regarding Chapter 4, Section 3;
- Chapter 5, Section 2, point 1 of the Animal Welfare Act regarding Chapter 5, Sections 1 and 2 and Section 3, first paragraph;
- Chapter 5, Section 2, point 2 of the Animal Welfare Act regarding Chapter 5, Section 3, second paragraph;
- Chapter 6, Section 1 of the Animal Welfare Act regarding Chapter 6, Sections 1-3;
- Chapter 6, Section 3 of the Animal Welfare Act regarding Chapter 6, Section 5;
- Chapter 6, Section 4, fourth paragraph of the Animal Welfare Act regarding Chapter 6, Section 6, second paragraph, point 2;
- Chapter 7, Section 2, second paragraph of the Animal Welfare Act regarding Chapter 7, Section 1, first and second paragraphs and Section 2, point 2;
- Chapter 7, Section 1, second paragraph of the Animal Welfare Act regarding Chapter 7, Section 2, point 1;
- Chapter 7, Section 6, second paragraph of the Animal Welfare Act regarding Chapter 7, Section 3, first paragraph;
- Chapter 7, Section 6, third paragraph of the Animal Welfare Act regarding Chapter 7, Section 3, second paragraph;
- Chapter 7, Section 7, second and fourth paragraphs of the Animal Welfare Act regarding Chapter 7, Section 4, first paragraph;
- Chapter 7, Section 7, third paragraph of the Animal Welfare Act regarding Chapter 7, Section 4, second paragraph;
- Chapter 7, Section 8, second paragraph of the Animal Welfare Act regarding Chapter 7, Section 5;
- Chapter 7, Section 12, first paragraph, point 2 of the Animal Welfare Act regarding

- Chapter 7, Section 6, first and second paragraphs and Section 7;
- Chapter 7, Section 12, first paragraph, point 1 of the Animal Welfare Act regarding Chapter 7, Section 8, first paragraph, Section 10, third paragraph and Section 12, point 1;
 - Chapter 7, Section 12, second paragraph, point 1 of the Animal Welfare Act regarding Chapter 7, Sections 9 and 11, Section 12, points 2 and 3 and Section 23;
 - Chapter 7, Section 12, second paragraph, point 2 of the Animal Welfare Act regarding Chapter 7, Section 12, points 4-6, Section 24, first paragraph and Section 25;
 - Chapter 7, Section 16, first paragraph, point 1 of the Animal Welfare Act regarding Chapter 7, Section 29 and Section 32, first paragraph;
 - Chapter 6, Section 1 and Chapter 7, Section 16, first paragraph, point 1 of the Animal Welfare Act regarding Chapter 7, Section 30;
 - Chapter 7, Section 16, second paragraph of the Animal Welfare Act regarding Chapter 7, Section 32, second paragraph;
 - Chapter 3, Section 1, second paragraph, point 1 and Chapter 8, Section 6, point 1 of the Animal Welfare Act regarding Chapter 8, Section 12;
 - Chapter 8, Section 7, second paragraph of the Animal Welfare Act regarding Chapter 8, Section 13;
 - Chapter 8, Section 6 of the Animal Welfare Act and Chapter 8, Article 7 of the Instrument of Government regarding Chapter 8, Section 16;
 - Chapter 8, Section 8 of the Animal Welfare Act regarding Chapter 8, Sections 17-20;
 - Chapter 10, Section 9 of the Animal Welfare Act regarding Chapter 10, Sections 1-4; and
 - Chapter 8, Article 7 of the Instrument of Government regarding the other provisions.

EU provisions

Section 2

The basic regulations under EU law supplemented in whole or in part by the Animal Welfare Act (2018:1192) are stated in an announcement by the Government.

With regard to provisions in these regulations that fall within the scope of several acts, the announcement states which provisions are supplemented by the Animal Welfare Act.

The Swedish Board of Agriculture may issue the further regulations necessary to supplement the EU provisions.

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

Requirements concerning the housing of hens for egg production

Section 1

Hens for egg production shall be kept in housing systems that satisfy the hens' need of laying in nests, sitting at a height and bathing in sand-baths.

The Swedish Board of Agriculture may issue further regulations concerning how hens shall be housed.

Requirements concerning the keeping of foxes

Section 2

Foxes shall be kept in a way that satisfies their need to socialise with other foxes and to move, dig and otherwise occupy themselves.

The Swedish Board of Agriculture may issue further regulations concerning how foxes shall be kept.

Requirements for pasture for cattle for milk production

Section 3

Cattle kept for milk production that are older than six months shall be kept in pasture in the summer.

The first paragraph does not apply to animals being kept in quarantine.

Requirements concerning pasture or access to outdoor areas for other cattle

Section 4

Cattle, other than cattle kept for milk production, shall be kept in pasture or allowed access to outdoor areas in the summer in some other way.

The first paragraph does not apply to animals younger than six months or to bulls or animals being kept in quarantine.

Regulations concerning pasture and access to outdoor areas

Section 5

The Swedish Board of Agriculture may issue regulations concerning how pasture and access to outdoor areas under Sections 3 and 4 shall be arranged.

Exemptions from the pasture requirement

Section 6

Exemptions from Sections 3 and 4 may be granted in specific cases concerning:

1. livestock buildings taken into use after 1 July 1988, if special climatic conditions make access to outdoor areas unsuitable with regard to animal welfare or if exemptions are necessary owing to unforeseen and exceptional circumstances, and
2. livestock buildings taken into use before 1 July 1988, including livestock buildings that have subsequently been altered or extended, if there are special reasons.

In cases referred to in the first paragraph, point 1, questions concerning exemptions are examined by the Swedish Board of Agriculture. The same applies to cases referred to in the first paragraph, point 2, if the livestock building has been altered or extended so as to increase the number of animals by more than nine adult or eighteen young animals. In other cases questions concerning exemptions are examined by the county administrative board.

The Swedish Board of Agriculture may issue regulations concerning conditions for exemptions under the first paragraph, point 2.

Withdrawal of and time limit for exemptions

Section 7

A decision under Section 6 can be withdrawn if the conditions stipulated for the decision are not met.

A decision under Section 6 shall have a time limit.

The Swedish Board of Agriculture may issue regulations concerning how long the decisions may apply.

Access to outdoor areas for breeding pigs

Section 8

If possible breeding pigs shall be allowed to be outdoors in the summer.

Further regulations about keeping animals

Section 9

The Swedish Board of Agriculture may issue further regulations concerning conditions for or prohibitions on the keeping of animals in certain cases in order to satisfy the requirements under Chapter 2, Section 2, first paragraph of the Animal Welfare Act (2018:1192).

Regulations on skills requirements

Section 10

The Swedish Board of Agriculture may issue regulations concerning requirements of special skills or training for the keeping of animals in certain cases or certain other activities with animals.

Regulations concerning requirements for supervision, feed and water

Section 11

The Swedish Board of Agriculture may issue regulations concerning requirements for attention, feeding and watering of animals.

Requirement to keep pigs loose

Section 12

Pigs shall be kept loose.

Regulations concerning tying and tethering

Section 13

The Swedish Board of Agriculture may issue regulations concerning the conditions under

which an animal's freedom of movement may be restricted in the ways stated in Chapter 2, Section 5, first and second paragraphs of Animal Welfare Act (2018:1192)

Livestock buildings and other holding spaces

Section 14

Noise in livestock buildings and other holding spaces for animals shall be kept at a low level.

Livestock buildings and other holding spaces for animals shall have sources of daylight.

The Swedish Board of Agriculture may issue

1. further regulations concerning requirements for livestock buildings and other holding spaces for animals and fenced areas¹, and
2. regulations concerning exemptions from the second paragraph.

The Swedish Board of Agriculture may also decide on exemptions from the second paragraph in specific cases.

Requirements for suitable bedding

Section 15

Pens for pigs and for calves up to the age of one month shall be provided with a litter of straw or a similar material that fulfils the same function.

Lying areas for dairy cows shall have an acceptable bedding of straw or a similar material that fulfils the same function.

Prohibition on equipment that gives electric shocks

Section 16

Equipment or devices that give animals an electric shock for the purpose of controlling their behaviour may not be used or be fitted in livestock buildings, other holding spaces for animals or fenced areas.

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 provision of the first paragraph applies over and above what is stated in Chapter III, point 1.9 of Annex 1 to Council Regulation (EC) No 1/2005 if the transport only takes place on Swedish territory or refers to transport by sea from Swedish territory.

For animals covered by Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing, the provision of the first paragraph applies over and above what is stated in Article 15(3)(d) of and point 1.9 of Annex III to Council Regulation (EC) No 1099/2009.

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

Exemptions from the prohibition on equipment that gives electric shocks

Section 17

The prohibition in Section 16 does not apply to the use of electric fences for enclosures outdoors.

The Swedish Board of Agriculture may issue regulations concerning:

1. conditions for the use of electric fences;
2. further exemptions from the prohibition in Section 16; and
3. conditions for use that is permitted under regulations issued pursuant to point 2.

Fittings and equipment in livestock buildings, other holding spaces and enclosures

Section 18

The Swedish Board of Agriculture may issue further regulations concerning requirements for fittings and equipment in:

1. livestock buildings;
2. other holding spaces for animals; and
3. outdoor enclosures for animals.

Regulations concerning other equipment used for animals

Section 19

The Swedish Board of Agriculture may issue:

1. regulations concerning requirements for how equipment shall be designed and used in order to prevent suffering and injury in animals; and
2. more detailed regulations concerning the exemption in Chapter 2, Section 9, third paragraph of the Animal Welfare Act (2018:1192).

Prohibition on possession and breeding of certain dogs

Section 20

It is prohibited to own or breed dogs that:

1. are exceptionally aggressive;
2. are irritable and bite;
3. are difficult to restrain once they have started an attack; and
4. are inclined to direct their aggression at people or other dogs.

Regulations concerning breeding

Section 21

The Swedish Board of Agriculture may issue regulations concerning:

1. the prohibition in Chapter 2, Section 11, first paragraph of the Animal Welfare Act (2018:1192); and
2. 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.

Regulations concerning transfers of animals

Section 22

The Swedish Board of Agriculture may issue regulations concerning requirements for training or other knowledge for a person who conducts trade in pet animals on a professional basis or on a substantial scale.

The Swedish Board of Agriculture may issue further regulations concerning conditions for or prohibitions on the sale and other transfer of animals.

Regulations concerning the transport of animals

Section 23

The Swedish Board of Agriculture may issue further regulations concerning conditions for or prohibitions on the transport of animals.

Chapter 3 Sporting events with and public exhibitions of animals

Sporting event veterinarian

Section 1

The Swedish Board of Agriculture may issue regulations concerning the cases in which the authority shall be present at public sporting events with animals through a veterinarian it appoints.

The Swedish Board of Agriculture shall give the county administrative board the opportunity of presenting views when the veterinarian is to be appointed.

The veterinarian shall:

1. inspect the competition area and the participating animals before the event;
2. prohibit with immediate effect all or part of the event or the participation of a particular animal in the event if animals are being or can be assumed to risk being subjected to injury or suffering; and
3. give acute assistance to injured animals.

Regulations and decisions concerning exemptions

Section 2

The Swedish Board of Agriculture may issue regulations concerning exemptions from Section 1, third paragraph, point 1 if there are special reasons.

The Swedish Board of Agriculture may also decide on exemptions from Section 1, third paragraph, point 1 in specific cases.

Prohibition on public exhibition of animals in certain cases

Section 3

Animals must not be taken from place to place and exhibited to the public in connection with this in cages, other spaces or enclosures that restrict the animals' freedom of movement in a way similar to a cage.

Nor may the following animals be taken from place to place in some other way and be exhibited to the public in connection with this at a circus or some other similar activity:

1. monkeys;
2. predators with the exception of domesticated dogs and cats;
3. pinnipeds;
4. elephants;
5. rhinoceroses;
6. hippopotamuses;
7. deer with the exception of reindeer;
8. giraffes;
9. kangaroos;
10. birds of prey;
11. ratite birds; and
12. crocodilians.

Conditions for public exhibition of animals

Section 4

Animals other than those stated in Section 3, second paragraph may be shown to the public at circuses or similar activities, but only at a performance or, provided that the animals have been shown at a performance, in animal houses or in other holding premises for animals. The young of the animals may also be shown in such spaces even if they have not been shown at a performance. The same applies to individual animals that accompany a circus in order to be trained for exhibition.

Regulations concerning circuses

Section 5

The Swedish Board of Agriculture may issue regulations concerning an obligation for persons who exhibit animals at a circus to:

1. keep records of the activity and of the animals used; and
2. provide information about the activity.

Approval of zoological parks

Section 6

A zoological park or similar facility may not be taken into use for the public exhibition of animals until it has been approved by the county administrative board. The same applies when the animals are moved and in the case of new construction, extensions and conversions of any significance.

Regulations concerning sporting events, trials and public exhibition

Section 7

The Swedish Board of Agriculture may issue further regulations concerning the training or use of animals stated in Chapter 3, Section 1, first paragraph, points 1–3 of the Animal Welfare Act (2018:1192).

Exemptions from the prohibition of suffering in trials

Section 8

The prohibition in Chapter 3, Section 1, first paragraph, point 1 of the Animal Welfare Act (2018:1192) on suffering in trials shall not be applied for earth dog trials in which a live badger is used.

Further regulations concerning exemptions from the prohibition of suffering in trials

Section 9

The Swedish Board of Agriculture may issue further regulations concerning exemptions from the prohibition in Chapter 3, Section 1, first paragraph, points 1 of the Animal Welfare Act (2018:1192) on suffering in trials.

Regulations concerning doping and other improper measures

Section 10

The Swedish Board of Agriculture may issue regulations concerning the prohibition in Chapter 3, Section 2, first paragraph of the Animal Welfare Act (2018:1192).

Chapter 4 Healthcare of animals and surgical procedures

Castration and dehorning

Section 1

The castration of animals and dehorning of cattle and goats is permitted even when it is not necessary for veterinary medical reasons.

Male reindeer may be castrated without the use of anaesthetics and without engaging a veterinarian or other animal health professionals. Male pigs may be castrated surgically without engaging a veterinarian or other animal health professionals provided that castration is performed before the animal has attained the age of seven days.

The dehorning of cattle and goats shall be performed by a veterinarian, some other animal health professional or a person considered suitable by a veterinarian.

Regulations concerning surgical procedures and injections

Section 2

The Swedish Board of Agriculture may issue further regulations concerning exemptions from the requirements in:

1. Chapter 4, Section 2, first paragraph of the Animal Welfare Act (2018:1192);
2. Chapter 4, Section 2 third paragraph of the Animal Welfare Act; and
3. Chapter 4, Section 3, first paragraph of the Animal Welfare Act.

The Swedish Board of Agriculture may issue further regulations concerning surgical procedures performed on and injections given to animals.

Prohibition on hormones

Section 3

It is prohibited to give hormones or other substances to an animal in order to alter the animal's characteristics for any purpose other than to prevent, detect, alleviate or to cure disease or symptoms of disease.

The first paragraph does not apply to substances covered by Act (2006:805) on Feed and Animal By-products.

The Swedish Board of Agriculture may issue regulations concerning exemptions from the first paragraph.

The Swedish Board of Agriculture may also decide on exemptions from the first paragraph in specific cases.

Chapter 5 Slaughter and other killing of animals

How stunning is to be performed

Section 1

When the slaughter or killing is performed using a method that requires that the animal must be stunned first, the stunning shall be administered so that the animal quickly becomes unconscious. It must not regain consciousness.

The Swedish Board of Agriculture may issue regulations concerning which stunning methods may be used.

Obligation of an official veterinarian

Section 2

If an animal is subjected to or can be assumed to be subjected to unnecessary suffering at a slaughterhouse, the official veterinarian shall, over and above what is stated in the EU provisions supplemented by the Animal Welfare Act (2018:1192):

1. prohibit slaughter;

2. order the immediate killing of the animal; or
3. take other measures required immediately with regard to animal welfare.

If the official veterinarian is not present at the slaughterhouse, an official auxiliary may, in urgent cases, make a decision under the first paragraph, point 2, over and above what is stated in the EU provisions supplemented by the Animal Welfare Act.

Regulations on slaughter and other killing of animals

Section 3

The Swedish Board of Agriculture may issue further regulations concerning:

1. slaughter and killing of animals; and
2. the tasks of an official veterinarian with regard to animal welfare in conjunction with slaughter and other killing.

The Swedish Board of Agriculture may issue regulations concerning exemptions from the requirement for stunning in Chapter 5, Section 1, second paragraph of the Animal Welfare Act (2018:1192) regarding the killing of laboratory animals.

Chapter 6 Prior approval and permits

Prior approval of livestock buildings, other holding spaces and fenced areas

Section 1

Livestock buildings, other holding spaces and fenced areas, or a part of such a facility, shall be approved with regard to animal welfare and animal health before they are:

1. built;
2. extended or altered;
3. modified in a way that is of material importance with regard to animal welfare and animal health; or
4. taken into use or fitted for animal keeping or breeding that they have not previously been used for.

The first paragraph only applies to livestock buildings, other holding spaces and fenced areas intended for:

1. horses;
2. animals bred or kept for the production of food, wool, hides or fur; or
3. animals used for teaching that is not animal experiments.

Exemptions from and regulations concerning the requirement for prior approval

Section 2

The provision in Section 1 does not apply to livestock buildings, other holding spaces and fenced areas used by the Swedish Armed Forces.

The Swedish Board of Agriculture may issue regulations concerning conditions for prior approval and on exemptions from Section 1.

Responsible authority

Section 3

Matters relating to prior approval under Section 1 are examined by the county administrative board. The county administrative board shall inspect livestock buildings and other holding spaces as well as fenced areas before they are taken into use or, if more appropriate, as soon as possible afterwards.

The Swedish Board of Agriculture may issue regulations concerning the inspection.

Prohibition on use of spaces for keeping animals

Section 4

The county administrative board makes decisions on exemptions stated in Chapter 6, Section 2 of the Animal Welfare Act (2018:1192).

Prior approval of new technology

Section 5

New technical systems and equipment for animal keeping shall be approved with regard to animal welfare and animal health before use.

The Swedish Board of Agriculture may issue:

1. further regulations concerning approval under the first paragraph; and,
2. regulations concerning exemptions from the first paragraph.

Questions concerning the approval of new technologies are examined by the Swedish Board of Agriculture.

Permit requirement for keeping of animals in certain cases

Section 6

Questions concerning permits under Chapter 6, Section 4 of the Animal Welfare Act (2018:1192) are examined by the county administrative board.

The Swedish Board of Agriculture may issue regulations concerning:

1. conditions that an activity under Chapter 6, Section 4, first paragraph of the Animal Welfare Act must meet to be considered to be conducted on a large-scale or a commercial basis; and
2. exemptions from the permit requirement under Chapter 6, Section 4, first paragraph of the same Act.

Chapter 7 Animal experiments

Permits for laboratory animal activities

Section 1

A permit under Chapter 7, Section 2 of the Animal Welfare Act (2018:1192) is only required for the animal classes of mammals, birds, reptiles, amphibians, fish, cyclostomes and cephalopods.

The Swedish Board of Agriculture may issue regulations concerning the conditions under which permits shall be required for early development stages of the animal classes stated.

Questions concerning permits are examined by the Swedish Board of Agriculture.

Regulations concerning exemptions

Section 2

The Swedish Board of Agriculture may issue:

1. regulations concerning exemptions from the requirement of purpose breeding in Chapter 7, Section 1, first paragraph, point 4 of the Animal Welfare Act (2018:1192); and
2. further regulations concerning exemptions from the permit requirement under Chapter 7, Section 2 of the Animal Welfare Act.

Regulations concerning responsibility for laboratory animal activities

Section 3

The Swedish Board of Agriculture may issue regulations concerning:

1. tasks to be performed to ensure that the activity is conducted in accordance with the Animal Welfare Act (2018:1192), regulations issued pursuant to the Act and the EU provisions supplemented by the Act; and
2. training and skills that shall be in place when these tasks are performed.

The Swedish Board of Agriculture may also take decisions in specific cases in the matters stated in the first paragraph.

Regulations concerning the organisation of laboratory animal activities

Section 4

The Swedish Board of Agriculture may issue regulations concerning:

1. what tasks and what training and skills a supervisor, a veterinarian or an expert shall have at a laboratory animal activity;
2. what training and skills the personnel shall have at an laboratory animal activity; and
3. the tasks and composition of the animal welfare body that shall under Chapter 7, Section 7, first paragraph, point 4 of the Animal Welfare Act (2018:1192) be in place at an activity requiring a permit.

The Swedish Board of Agriculture may also take decisions in specific cases in the matters stated in the first paragraph, points 1 and 2.

Regulations on the capture of laboratory animals living in the wild

Section 5

The Swedish Board of Agriculture may issue regulations concerning:

1. what training and skills a person who captures laboratory animals living in the wild shall have; and
2. methods for this capture.

Requirement of ethical approval

Section 6

An ethical approval under Chapter 7, Section 9, first paragraph of the Animal Welfare Act (2018:1192) is only required for animal experiments using the animal classes of mammals, birds, reptiles, amphibians, fish, cyclostomes and cephalopods.

The Swedish Board of Agriculture may issue regulations concerning the conditions under which these approvals shall be required for early development stages of the animal classes stated.

Regional ethical committees on animal experiments examine questions concerning ethical approval.

Regulations concerning exemptions from the requirement of ethical approval

Section 7

The Swedish Board of Agriculture may issue further regulations concerning exemptions from the requirement of ethical approval under Chapter 7, Section 9, first paragraph of the Animal Welfare Act (2018:1192) if the animal experiment probably causes less suffering than a needle-stick performed in accordance with good veterinary medical practice.

Popular science summary

Section 8

An application for ethical approval of an animal experiment shall contain a popular science summary non-technical summary of the animal experiment.

The Swedish Board of Agriculture shall publish the popular science summary.

Examination of ethical approval

Section 9

An ethical approval shall not be given for an animal experiment that would entail severe suffering that is likely to be long-lasting and cannot be ameliorated.

Exemption for provisions of the Ordinance and regulations

Section 10

When making decisions on the approval of animal experiments, the regional ethical committees on animal experiments may decide to grant exemptions from the provisions of

Chapter 2, Section 1, first paragraph, Section 3, first paragraph, Section 4, first paragraph, Section 12, Section 14, first and second paragraphs, Section 15, Section 16, first paragraph, Chapter 4, Section 3, first paragraph or from provisions issued pursuant to this Ordinance.

The Swedish Board of Agriculture may issue regulations providing that the regional ethical committees on animal experiments may also decide to grant exemptions from provisions issued pursuant to this Ordinance that specifically regulate the handling of laboratory animals.

The Swedish Board of Agriculture may issue regulations concerning the framing of applications for exemptions and decisions on approvals stated in the first and second paragraphs.

Period of validity of a decision granting ethical approval

Section 11

A decision granting ethical approval shall be for a limited period and shall apply for no more than five years from the date of the decision.

Regulations on ethical approval and retrospective assessment of animal experiments

Section 12

The Swedish Board of Agriculture may issue regulations concerning:

1. applications for ethical approval of animal experiments;
 2. the classification of the severity of animal experiments in categories;
 3. the examination of cases concerning ethical approval of animal experiments;
 4. in which cases animal experiments shall be retrospectively assessed;
 5. how the scope of the retrospective assessment of animal experiments shall be determined;
- and
6. what documentation shall be required for the retrospective assessment of animal experiments.

Number and location of regional ethical committees on animal experiments

Section 13

The Swedish Board of Agriculture may decide how many regional ethical committees on animal experiments there shall be and the places in the country where they shall be located.

There shall be at least six regional ethical committees on animal experiments.

Composition of the regional ethical committees on animal experiments

Section 14

Each regional ethical committee on animal experiments shall have a chair, one or more vice-chairs and laypersons, researchers and representatives of personnel handling laboratory animals.

The Swedish Board of Agriculture appoints the chair and vice-chairs, who shall be impartial and be or have been permanent judges.

Half of the other members of a regional ethical committee on animal experiments shall be laypersons. The number of laypersons representing animal welfare organisations shall be less than half of the total number of laypersons.

Members of the regional ethical committees on animal experiments

Section 15

The Swedish Board of Agriculture may decide the number of members of the regional ethical committees on animal experiments.

The number of members of a committee must not exceed fourteen. However, if the committee is divided up into several divisions the number of members in each division may be fourteen at most.

The members are appointed by the Swedish Board of Agriculture for a period of no more than four years.

Quorum of regional ethical committees on animal experiments

Section 16

For a regional ethical committee on animal experiments to be quorate, either the chair or a vice-chair shall be present. The chair and vice-chair must not participate at the same time in the decisions of the committee.

The Swedish Board of Agriculture may decide how many other members have to attend for the committee to be quorate. Half of these other members shall be laypersons.

Preparation of cases

Section 17

A regional ethical committee on animal experiments can assign the task of preparing matters to one or more members.

Regulations concerning organisation

Section 18

The Swedish Board of Agriculture may issue more detailed regulations concerning the organisation of the regional ethical committee on animal experiments.

Obligation to provide advice

Section 19

The ethical committees on animal experiments shall give advice to persons leading animal experiments.

Secretariat of the Central Ethical Committee on Animal Experiments

Section 20

The Central Ethical Committee on Animal Experiments shall have its secretariat at the Swedish Board of Agriculture, which provides secretariat resources.

Scientific secretary

Section 21

The chair of the Central Ethical Committee on Animal Experiments shall appoint one or more of the Committee's members or alternates as scientific secretaries for a fixed period.

The scientific secretaries shall prepare the meetings of the Central Ethical Committee on Animal Experiments and provide scientific expertise.

Determination of cases

Section 22

Cases in the Central Ethical Committee on Animal Experiments are determined after a presentation.

Time limit for determination

Section 23

Cases that have been appealed under Chapter 11, Section 1 of the Animal Welfare Act (2018:1192) shall, unless there are special reasons, be determined by the Central Ethical Committee on Animal Experiments within two months from when the case was received in its complete form by the Committee.

Retrospective assessment of animal experiments

Section 24

A retrospective assessment of animal experiments shall show the following:

1. whether the animal experiments have achieved their purposes;
2. what suffering the animals have been caused;
3. what species of animals have been used;
4. how many animals have been used;
5. what actual severity the animal experiments have had;
6. what measures can contribute to the replacement, reduction and refinement of the animal experiments; and
7. other information that shall, according to decisions of the regional ethical committee on animal experiments, be taken into account in the retrospective assessment of animal experiments.

The Central Ethical Committee on Animal Experiments shall publish the evaluations. The Swedish Board of Agriculture shall supply the technical assistance needed for publication.

Update of the popular science summary

Section 25

In cases where the Central Ethical Committee on Animal Experiments has made a retrospective assessment of an animal experiment, the Committee shall provide the Swedish Board of Agriculture with input for an update of the popular science summary. The Swedish Board of Agriculture shall update the popular science summary with the result of the evaluation.

Exemptions for the Central Ethical Committee on Animal Experiments

Section 26

The following provisions of the Government Agencies Ordinance (2007:515) shall not apply to the Central Ethical Committee on Animal Experiments:

- Section 5 on delegation;
- Section 14 on the composition of the Committee; and
- Section 16 on a quorum.

Information obligation for the Central Ethical Committee on Animal Experiments

Section 27

The Central Ethical Committee on Animal Experiments shall inform the Swedish Board of Agriculture of decisions that it can be of importance for the Board to be aware of.

Reporting obligation for the Central Ethical Committee on Animal Experiments

Section 28

The Central Ethical Committee on Animal Experiments shall submit an account of its activities in the past calendar year to the Government Offices of Sweden by 1 March each year.

The account shall, in particular, contain information about:

1. the number of cases received;
2. the breakdown of the cases by appeals and retrospective assessment of animal experiments;
3. the number of cases in each category determined;
4. what types of experiments have been retrospectively assessed;
5. the average processing time for cases in each category;
6. the number of decisions varying the decisions of the regional ethical committees on animal experiments; and
7. principled observations made as part of the Committee's activities.

The account according to the second paragraph, points 1–6 shall contain corresponding information for the three immediately preceding calendar years in addition to the most recent calendar year.

Requirements for the use of anaesthesia in animal experiments

Section 29

Before an animal in any of the animal classes of mammals, birds, reptiles, amphibians, fish, cyclostomes and cephalopods is used in animal experiments, the animal shall be anaesthetised if the use might otherwise entail physical or mental suffering.

Notwithstanding the first paragraph the animal may be used with partial anaesthesia or without anaesthesia if necessary in view of the purpose of the use or if the anaesthetic would cause more suffering than the use itself.

In cases stated in the second paragraph, analgesic or tranquilliser substances shall, where possible, be used to limit the animal's suffering so that the animal is not subjected to severe pain, severe anxiety or other severe suffering.

Requirements for approval of laboratory animal facilities

Section 30

Facilities and other holding spaces for laboratory animals of the animal classes of mammals, birds, reptiles, amphibians, fish, cyclostomes and cephalopods shall be approved with regard to animal welfare and animal health before they are:

1. built;
2. extended or altered;
3. modified in a way that is of material importance with regard to animal welfare and animal health; or
4. taken into use or fitted as a facility or holding space for laboratory animals if they have previously been used for another purpose.

The facilities and other holding spaces shall be inspected before they are taken into use or, if more appropriate, as soon as possible afterwards.

The Swedish Board of Agriculture examines questions of approval.

The Swedish Board of Agriculture may issue more detailed regulations concerning facilities and other holding spaces for laboratory animals and concerning the inspection.

Prohibition on using a facility

Section 31

The Swedish Board of Agriculture makes decisions on prohibitions stated in Chapter 6, Section 2 of the Animal Welfare Act (2018:1192) regarding laboratory animal facilities.

Other regulations concerning animal experiments

Section 32

The Swedish Board of Agriculture may issue regulations concerning conditions for or prohibitions on the breeding, holding, supplying or using laboratory animals.

The Swedish Board of Agriculture may issue regulations concerning the obligation for a person who breeds, holds, supplies or uses laboratory animals to:

1. mark the animals;
2. draw up instructions for the care of the animals and for other tasks that are of importance with regard to animal welfare;
3. keep records of the activity and the animals; and
4. provide information about the activity and the animals.

Chapter 8 Official control and the tasks of the authorities

Competent authority under the EU provisions supplemented by the Act

Section 1

The Swedish Board of Agriculture shall perform the tasks that a competent authority has under the EU provisions supplemented by the Animal Welfare Act (2018:1192), unless otherwise provided by Section 6 or 8 or otherwise decided by the Government.

Contact point under Council Regulation (EC) No 1/2005

Section 2

The Swedish Board of Agriculture is the contact point under Article 24(2) of Council Regulation (EC) No 1/2005.

Tasks under Council Regulation (EC) No 1099/2009

Section 3

The Swedish Board of Agriculture shall perform the tasks that a Member State has under Article 13(1) and 13(5) of Council Regulation (EC) No 1099/2009.

Contact point under Council Regulation (EC) No 1099/2009

Section 4

The Swedish Centre for Animal Welfare (SCAW) at the Swedish University of Agricultural Sciences is the contact point under Article 20(2) of Council Regulation (EC) No 1099/2009.

Contact point under Directive 2010/63/EU

Section 5

The Swedish Centre for Animal Welfare (SCAW) at the Swedish University of Agricultural Sciences is the contact point under Article 47(5) of Directive 2010/63/EU of the European Parliament and of the Council of 22 September 2010 on the protection of animals used for scientific purposes.

Performance of official control

Section 6

The county administrative boards are competent authorities to perform official control, unless otherwise provided in Section 8.

The county administrative boards may agree to transfer official control of certain activities between themselves.

Official control of transport of animals by sea

Section 7

Official control of transport of animals by sea between different counties shall be performed by the county administrative board from which the transport by sea originates.

Public control under Council Regulation (EC) No 1099/2009 and in the Swedish Armed Forces

Section 8

The Swedish Board of Agriculture is the contact point to perform official control of compliance with Article 8 of Council Regulation (EC) No 1099/2009.

The Swedish Food Agency is the competent authority to perform official control of compliance with Article 12 of that Regulation.

For animals used in the Swedish Armed Forces the Defence Inspector for Medicine and Environmental Health is the competent authority to perform official control.

Animal welfare control at slaughterhouses

Section 9

The Swedish Food Agency shall perform, through the official veterinarians and the official auxiliaries at slaughterhouses, the animal welfare controls that an official veterinarian or an official auxiliary is obliged to perform under Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption.

Coordination of official control

Section 10

The Swedish Board of Agriculture shall coordinate the other control authorities and give them support, advice and guidance.

The Swedish Board of Agriculture shall report statistics on and an analysis of how the animal welfare control and the other animal welfare work of the authorities are functioning to the Government Offices of Sweden (national animal welfare report) no later than 15 April each year. The report shall include comparisons with previous control years. The Swedish Board of Agriculture shall also analyse and give a picture of the animal welfare situation based on the animal welfare work carried out.

Animal Welfare Council

Section 11

The Swedish Board of Agriculture, the Swedish Food Agency and the county administrative boards shall collaborate in a joint council, the Animal Welfare Council. The Council shall have the task of working for the development of animal welfare control so as to make it more legally certain, equitable and effective. In particular, the Council shall:

1. continuously coordinate strategic issues concerning animal welfare control; and
2. identify areas without a shared view and with a lack of collaboration in this control.

The Swedish Board of Agriculture shall convene the Council and may, after consulting with the Swedish Food Agency and the county administrative boards, decide the more detailed forms for the composition and organisation of the Council.

The Swedish Board of Agriculture shall report the results and effects of the work of the Council in the preceding year to the Government Offices of Sweden no later than 31 January each year.

Special control of circuses

Section 12

A circus that exhibits animals to the public shall be controlled once each year by the county administrative board in the county where the circus has its domicile, in the county where the circus enters the country or in the county where it has its first performance. The control shall be carried out before the first performance of the circus for the year in the country. A control shall also be made in the event of a change in its stock of animals or its equipment that is of material importance with regard to animal welfare or animal health.

The Swedish Board of Agriculture may issue more detailed regulations concerning the controls under the first paragraph.

Official control of keepers of animals who do not keep food-producing animals

Section 13

In performing official controls of animal keepers who do not keep food-producing animals, the following provisions of Regulation (EC) No 882/2004 of the European Parliament and of 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 shall apply:

- Article 3;
- Articles 4(2)(a)-(d) and 4(3)-4(6);
- Articles 5(1)-(3);
- Article 6;
- Article 7;
- Articles 8(1) and 8(3);
- Article 9;
- Article 10(1);
- Article 28; and
- Articles 54(1), 54(2)(a), (e), (f), (h) and 54(3)–54(5).

The provisions of these Articles concerning feed and food business operators and business operators shall also apply, where relevant, to other animal keepers.

Recognition of documents from other states in the European Economic Area

Section 14

If an authority requests in a case concerning a permit or approval that the applicant shall submit an attestation, a certificate or some other similar document showing that a certain requirement has been met, the authority shall accept corresponding documents from another state in the European Economic Area. The authority may, however, request a non-authorised translation of the document into Swedish.

Regulations concerning the processing of cases

Section 15

The Swedish Board of Agriculture may issue regulations concerning the period within which an authority shall make decisions in cases concerning permits or approvals.

Regulations concerning official control

Section 16

The Swedish Board of Agriculture may issue regulations concerning:

1. official control;
2. collaboration between control authorities; and
3. the obligation of a control authority or a control body engaged in official control to provide information to the Swedish Board of Agriculture concerning the control activities conducted.

Regulations concerning charges

Section 17

The Swedish Board of Agriculture may issue regulations concerning a charge to be paid in cases concerning:

1. exemptions under Chapter 2, Section 6 of this Ordinance;
2. approvals under Chapter 3, Section 6 of this Ordinance;
3. approvals of new technology under Chapter 6, Section 5 of this Ordinance;
4. permits under Chapter 7, Section 2 of the Animal Welfare Act (2018:1192),
5. approvals with regard to ethics under Chapter 7, Section 9 of the Animal Welfare Act;
6. examination and registration of authorisations for animal transports under Articles 10, 11, 13(3) and 13(4) of Council Regulation (EC) No 1/2005 and alterations of these registrations;
7. inspections of means of transport, ships and containers for the transport of animals under Articles 18(1)(b) and 19(1)(c) of Council Regulation (EC) No 1/2005 and regulations issued pursuant to that Ordinance; and
8. the delivery of certificates of competence and the arrangement of final examinations under Article 21 of Council Regulation (EC) No 1099/2009.

Regulations concerning charges for sporting event veterinarians

Section 18

The Swedish Board of Agriculture may issue regulations concerning a charge to be paid for the tasks to be performed by a sporting event veterinarian under Chapter 3, Section 1.

Regulations concerning charges for additional controls

Section 19

The Swedish Board of Agriculture may issue regulations concerning the charge to be paid for additional controls under Article 28 of Regulation (EC) No 882/2004 of the European Parliament and of the Council and Section 13.

Regulations concerning charges for animal welfare controls at slaughterhouses

Section 20

The Swedish Food Agency may issue regulations providing that a charge shall be paid for the animal welfare control performed by official veterinarians and official auxiliaries at slaughterhouses.

Chapter 9. Animal ban and taking charge of animals

Reporting obligation for the Swedish Police Authority

Section 1

If the Swedish Police Authority finds that there are grounds for prohibiting a person from looking after animals under Chapter 9, Section 1 of the Animal Welfare Act (2018:1192), the Authority shall notify the county administrative board of this without delay. The report shall contain information that may be of importance for the processing of the case by the county administrative board to the extent that the forwarding of the information would not harm an ongoing preliminary examination or the activities of the Authority to prevent, pursue or detect criminal activity.

The first paragraph also applies if there are grounds for taking charge of animals under Chapter 9, Section 5 of the Animal Welfare Act.

Regulations concerning the procedure when taking charge of animals

Section 2

The Swedish Board of Agriculture may issue more detailed regulations for the procedure when taking charge of animals pursuant to Chapter 9, Sections 5 and 6 of the Animal Welfare Act (2018:1192).

Obligation to provide information about animal bans

Section 3

When the county administrative board makes a decision imposing an animal ban, the county

administrative board shall inform the Swedish Police Authority of the content of the decision. The county administrative board shall also inform the Swedish Police Authority of alterations and the setting aside of such decisions.

Chapter 10 Penalties and other sanctions

Obligation to pay a charge when no prior approval has taken place

Section 1

A person who does not arrange for the prior approval of livestock buildings, other holding spaces or fenced areas in accordance with Chapter 6, Section 1 shall pay a special charge. The county administrative board examines questions concerning these charges.

The charge shall be levied on the person who owned the livestock building, holding space or fenced area when the measure was taken that requires prior approval.

If there are special grounds for doing so, the owner of the livestock building, holding space or fenced area may be partly or wholly exempted from paying the charge.

Size of the charge

Section 2

The special charge under Section 1 shall be:

1. SEK 24 000 for measures relating to new construction for a substantial number of animals or without the use of well-trying technology or a substantial alteration or extension; and
2. SEK 12 000 for other measures requiring prior approval.

Charge if a facility for laboratory animals has not been approved

Section 3

A person who performs a measure under Chapter 7, Section 30 without the measure being approved in advance by the Swedish Board of Agriculture shall pay a special charge. The Swedish Board of Agriculture examines questions concerning these charges.

The special charge shall be:

1. SEK 10 000 in the case of a relatively small number of spaces for few and common kinds of animals, using well-trying technology;
2. SEK 15 000 in the case of a relatively large number of spaces for few and common kinds of animals, using well-trying technology;
3. SEK 15 000 in the case of a relatively small or relatively large number of spaces for few kinds of animals, where either the kinds of animals are common, or the technology used is well-trying;
4. SEK 20 000 in the case of a relatively small or relatively large number of spaces for many kinds of animals, where either the kinds of animals are common or the technology used is well-trying;
5. SEK 20 000 in the case of a relatively small or relatively large number of spaces, where the kinds of animals are relatively uncommon and where the technology used is not well-trying;

6. SEK 20 000 in the case of a very large number of spaces that otherwise satisfy the requirements in points 1, 2, 3 or 4;
7. SEK 40 000 in the case of a relatively large number of spaces, using many kinds of animals that are relatively uncommon and where the technology used is not well-tried; and
8. SEK 40 000 in the case of a very large number of spaces, using kinds of animals that are relatively uncommon and where the technology used is not well-tried.

Statutory limitation of charges

Section 4

Before the Authority decides to impose a charge under Sections 1 and 2 or Section 3, the person at whom the claim is being directed shall be given the opportunity to state an opinion. If this has not been done within five years from when the measure requiring approval was taken, no charge may be imposed.

Chapter 11 Appeals

Provisions in the Animal Welfare Act

Section 1

There are provisions on appeals in Chapter 11, Sections 1–3 of the Animal Welfare Act (2018:1192).

Implementation provisions

Section 2

The Swedish Board of Agriculture may issue more detailed regulations concerning the implementation of the Animal Welfare Act (2018:1192) and this Ordinance.

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1. This Ordinance enters into force on 1 April 2019.
 2. This Ordinance repeals the Animal Welfare Ordinance (1988:539).