Swiss Federal Act on Animal Protection of March 9, 1978
(State as per July 1, 1995)

and

Swiss Animal Protection Ordinance of May 27, 1981
(State as per November 1, 1998)

Please take notice that this is not an official translation.
For legal issues the original versions (in German, French, and Italian) must be referred to.

http://www.admin.ch/bvet
The Federal Assembly of the Swiss Confederation,

based on the Articles 25bis, 27sexies and 64bis of the Federal Constitution, after consideration of a report submitted by the Federal Council, dated February 9, 1977

resolves:

Section 1: General Provisions

Article 1 Purpose and Scope
1 This Act prescribes rules of conduct to be observed in dealing with animals; it is designed to ensure their protection and welfare.
2 The Act applies to vertebrates only. The Federal Council shall decide for which invertebrates and to which extent the Act shall apply to such animals.

Article 2 Principles
1 Animals shall be treated in the manner which best complies with their needs.
2 Anyone who is concerned with animals shall, insofar as circumstances permit, safeguard their welfare.
3 No one shall unjustifiably expose animals to pain, suffering, physical injury or fear.

Section 2: The Keeping of Animals

Article 3 General Provisions
1 Anyone keeping or minding an animal shall feed and care for it properly and, when necessary, provide it with shelter.
2 The freedom of movement an animal needs shall not be permanently or needlessly restricted in any manner which will cause pain, suffering or injury to the animal.
3 Having consulted specialists, the Federal Council shall issue regulations on the keeping of animals, covering such matters as the minimum dimensions, lay-out, lighting and ventilation of accommodation provided for them, stocking density for housing in groups and tethering arrangements.

Article 4 Unlawful Ways of Keeping Animals
1 The Federal Council shall prohibit ways of keeping animals which are manifestly inconsistent with the principles of animal welfare, namely the use of certain types of cages and the keeping of animals in darkness.
2 The Federal Council may decide that certain ways of keeping animals shall be subject to authorisation.
3 It shall provide for a transitional period, so that existing installations may be brought into line with the regulations issued.

Article 5 Housing Systems and Installations for Animals
1 Mass produced housing systems and installations for the keeping of farm animals may not be advertised and sold without prior authorisation from an authority designated by the Federal Council. Authorisation shall only be granted if such systems and installations provide proper living conditions for animals. The costs of the authorisation procedures shall be paid by the applicant.
2 The Federal Council shall set a transitional period during which housing systems and installations already on the market may continue to be sold.

Article 6 The Keeping of Wild Animals
1 The professional keeping of wild animals shall be subject to authorisation by the cantons.
2 Individuals must apply for cantonal authorisation if they keep wild animals belonging to species which must be housed and treated in a special manner. Having consulted the cantons, the Federal Council shall decide to which species of animal this provision shall apply.
**Article 7** The Animal Attendant Profession

When action is required to protect the life and welfare of animals, the Federal Council may insist that professional attendants obtain a certificate of competence and specify the conditions attached to the award of this certificate. This provision shall not apply to agriculture.

**Section 3: Trade of Animals and Use of Animals for Advertising Purposes**

**Article 8** Authorisation System

1. The professional buying and selling of animals and the use of live animals for advertising purposes shall be subject to authorisation by the cantons.

2. Having consulted the cantons, the Federal Council shall specify the conditions for the award of such authorisations.

3. Only recognised zoos and animal parks may engage in the buying and selling of primates and wild felines.

**Article 9** International Trade

1. For reasons of animal welfare, the Federal Council may regulate, restrict or prohibit the import, export or transit of animals and products of animal origin.

2. For reasons of conversation of species, the Federal Council shall regulate or prohibit the import, export or transit of animals and may extend such regulations to include products of animal origin.

**Section 4: Transport of Animals**

**Article 10**

1. Animals must be transported under conditions which protect them from suffering and injury.

2. The Federal Council shall introduce regulations on such matters as the loading, unloading, accommodation, feeding and supervision of animals transported or despatched as freight.

**Section 5: Surgical Operations Performed on Live Animals**

**Article 11** Compulsory Anaesthesia

Subject to the regulations on experiments with animals, operations calculated to cause pain may only be carried out by a veterinary surgeon, under general or local anaesthetic. The Federal Council shall specify exceptions to this rule.

**Article 12** Definition

Experiments with animals shall be deemed to include any procedure involving the use of animals to verify scientific hypotheses, to obtain information, to obtain or test a substance, and to observe the effects of a particular procedure on the animal, as well as the use of animals in experimental research on behaviour.

**Article 13** Limitation to the Indispensable Extent

1. Experiments with animals which cause the animals pain, suffering, injury, intensive fear or significantly disturb their general condition must be limited to the indispensable extent.

2. The Federal Council determines the criteria for the assessment of the indispensable extent. Certain experimental purposes may be declared inadmissible.

**Article 13a** Duty to Report and Compulsory Authorisation

1. Any experiment with animals is subject to authorisation by the cantonal authorities.

2. Experiments with animals as described in Article 13, paragraph 1, are subject to authorisation. Authorisations shall be limited in time.

**Article 14** Authorisation

Only scientific directors of institutes or laboratories will be authorised to conduct experiments which serve one of the following purposes:

a. scientific research;

b. the production or testing of substances, particularly serums, vaccines, diagnostic reagents and medication;

c. the detection of physiological or pathological processes or states;

d. teaching in universities, when experiments with animals are absolutely necessary for this purpose;

e. the conservation and multiplication of living matter for medical or other scientific purposes, when no other procedure is possible.
Article 15  Requirements
1 Experiments with animals, which are subject to authorisation, may only be conducted in institutes or laboratories which possess qualified staff and adequate facilities for the accommodation of the species in question.
2 Animal experiments may only be conducted under the supervision of an experienced specialist and by persons who have acquired the necessary specialised knowledge and practical training.
3 The animals must be kept, fed and receive medical treatment before, during and after the experiment, according to the most up-to-date information available.

Article 16  The Carrying Out of Experiments Subject to Authorisation
1 Pain, suffering or injury shall only be inflicted on an animal when the purpose of the experiment can be achieved in no other manner.
2 When an experiment evidently inflicts more than slight pain, it must be conducted under general or local anaesthetic, unless the purpose of the experiment makes this impossible. In such cases, the experiment may only be carried out in the presence of the experienced specialist referred to in Article 15, paragraph 2.
3 Experiments must not be carried out with higher types of animals such as mammals, unless the aim of the experiment cannot be achieved with lower types of animals.
3bis Before, during and after the experiment, the animals must be carefully accustomed to the conditions of the experiment and expertly cared for.
4 An animal which has suffered severe pain, suffering or distress as the result of an experiment must not be used for further experiments.
5 When an animal used in an experiment cannot survive without suffering, it must be put down painlessly as soon as the purpose of the experiment permits this.

Article 17  Records
1 For every experiment with animals requiring authorisation, a record must be kept, detailing aims, methods used, any anaesthetics employed, and the species and number of animals involved.
2 Such records shall be kept for three years and made available to the supervisory authorities.

Article 18  Authorisation and Supervision Procedure
1 The cantons shall regulate the procedure for the award of authorisations and supervise the conditions under which the animals are kept as well as the conduct of experiments with animals.
2 The cantons shall appoint a committee of specialists for animal experiments. This committee shall be independent of the authority entitled to authorise the experiment. The committee shall include representatives of societies for the prevention of cruelty to animals. Several cantons may appoint a joint committee.
3 The committee of specialists for animal experiments shall examine the requests and submit applications to the authority entitled to authorise the experiment. The committee shall offer advice as to the supervision of the keeping of animals for experiments and the conduct of experiments with animals. The cantons may assign additional duties to the committee.
4 Institutes and laboratories which carry out animal experiments or keep animals for such experiments must keep accurate records of the number of animals.

Article 19  Federal Advisory Committee
The Federal Council shall appoint a committee of specialists to advise the Federal Veterinary Office. The committee shall advise the cantons in basic matters as well as in controversial cases.

Article 19a  Documentation Centre and Statistics
1 The Federal Veterinary Office shall operate a documentation centre for experiments with animals and alternative methods.
2 The documentation centre shall collect and process information which promotes methods in view of a replacement, reduction or improvement of the conditions involving experiments with animals as well as methods to facilitate assessments regarding the inevitability of animal experiments.
3 The Federal Veterinary Office shall publish annual statistics on all animal experiments. The statistics shall comprise all information necessary in view of ascertaining the implementation of the Act on Animal Protection.

Article 19b  International Approval of Alternative Methods
The Federal Council shall promote and support international approval of testing methods replacing experiments with animals, allowing for such experiments to be conducted with less animals or experiments causing less stress to the animals.

Section 7: The Slaughter of Animals

Article 20  Compulsory Stunning
1 Mammals shall not be slaughtered unless they have been stunned before bleeding.
2 In the case of large establishments, the Federal Council may also stipulate that poultry must be stunned before they are killed.
Article 21  Methods of Stunning
1 Whenever possible, the method used must take instant effect; when the effect is delayed, it must be painless.
2 The Federal Council shall specify the methods which may be used.

Section 8: Prohibited Practises

Article 22
1 Animals may not be maltreated, seriously neglected or needlessly overworked.
2 It is also forbidden:
   a. to put animals to death cruelly;
   b. to kill animals for amusement or wantonly, especially by using tame or captive animals for target-practice;
   c. to organise fights between or with animals, in the course of which the latter are maltreated or killed;
   d. to use live animals to train dogs or test their aggressiveness, except when dogs are being trained or tested in an artificial burrow, under the conditions prescribed by the Federal Council;
   e. to use animals for exhibitions, advertising, film-making or similar purposes when this plainly causes them pain, suffering or injury;
   f. to seek to rid oneself of an animal which depends on human care for survival by releasing or abandoning it;
   g. to cut off the claws of cats and other felines, to clip or prick the ears of dogs, to remove the vocal organs or employ other methods to prevent animals from giving tongue or reacting to pain in another audible manner;
   h. to administer substances designed to stimulate the physical capacities of animals for sporting purposes (doping).
3 The Federal Council may prohibit the use of other practices on animals.

Section 9: Research Grants and Promotion of Projects for Animal Protection

Article 23
1 The Confederation may encourage scientific research on animal behaviour and welfare by allocating grants for this purpose.
2 The Confederation shall promote and support in collaboration with universities and industry the development and application of methods to replace experiments with animals or to make experiments with less animals possible as well as ensuring that less distress is caused to the animals involved.

Section 10: Administrative Measures and Legal Remedies

Article 24  Prohibition to Keep Animals
Independent of the legal sanction to which an individual may lay himself open, the authorities may forbid, temporarily or for an indefinite period, the keeping or trade of animals or the exercise of a professional activity involving the use of animals:
   a. to persons who have been punished for repeatedly or gravely infringing the provisions of the present Act, enforcement orders or specific decisions taken by the authorities;
   b. to persons who, owing to mental illness, feeble-mindedness, alcoholism or other causes, are incapable of keeping an animal.

Article 25  Action by the Authorities
1 The authorities shall intervene immediately when there is proof that animals are being seriously neglected or accommodated in a completely unsuitable fashion. The authorities may take preventive charge of such animals, housing them suitably at the owner's expense; if necessary, they shall sell or destroy such animals. For such purposes they may rely on police assistance.
2 The proceeds of the sale of the animals are payable to their owner, after deduction of the procedural costs.

Article 26  Legal Remedies
1 The decisions of the Federal Veterinary Office are open to appeal before the Federal Department of Public Economics.
2 In all other cases, the general provisions of Federal procedure shall apply.

Article 26a  Formal Complaints
1 The Federal Veterinary Office may lodge formal complaints, according to cantonal and Federal law, against decisions made by cantonal authorities concerning authorisations for experiments with animals.
2 The cantonal authorities shall immediately inform the Federal Veterinary Office of their decisions.
Section 11: Penal Provisions

Article 27  Maltreatment of Animals

1 Anyone who intentionally
   a. maltreats an animal, seriously neglects or overworks it (Art. 22, para. 1);
   b. cruelly puts an animal to death (Art. 22, para. 2, let. a);
   c. kills animals wantonly, especially by using tame or captive animals for target-practice (Art. 22, para. 2, let. b);
   d. organises fights between or with animals, in the course of which the latter are maltreated or killed (Art. 22, para. 2, let. c);
   e. in the course of an experiment, inflicts pain, suffering or injury to an animal when the purpose of the experiment could have been otherwise achieved (Art. 16, para. 1)

shall be liable to imprisonment or fine.

2 If the guilty party has acted through negligence, he shall be liable to arrest or a maximum fine of 20,000 Swiss Francs.

Article 28  Offences Committed in Connection with International Trade

1 Anyone who knowingly violates the Convention of March 3, 1973 on the international trade in endangered species of wild fauna and flora or who imports, exports or forwards animals or products of animal origin listed in the Appendices I - III of this convention, or takes them into his possession, shall be liable to imprisonment or fine. If the guilty party has acted through negligence, he shall be liable to arrest or a maximum fine of 20,000 Swiss Francs.

2 Anyone who knowingly violates the provisions adopted under Article 9, paragraph 1 of the present Act, relating to the international buying and selling of animals, shall be liable to imprisonment or a maximum fine of 20,000 Swiss Francs. Attempts to commit or assistance in committing such an offence shall be punishable.

If the guilty party has acted through negligence, he shall be liable to a fine.

Article 29  Other Offences

1 Anyone who knowingly
   a. fails to respect the regulations on the keeping of animals (Art. 3 and 4);
   b. violates the regulations on the transport of animals (Art. 10);
   c. violates the regulations on operations or experiments performed on animals (Art. 11, 13, 14, 15, 16, para. 2–5);
   d. violates the regulations on the slaughter of animals (Art. 20 and 21);
   e. violates the prohibitions listed in Article 22, paragraph 2 (let. d-h), shall be liable to arrest or a maximum fine of 20,000 Swiss Francs, except where the stipulations of Article 27 of the present Act apply. Attempts to commit or assistance in committing these offences shall be punishable.

If the guilty party has acted through negligence, he shall be liable to a fine.

2 Anyone who, in any other manner, knowingly or through negligence, violates the present Act, its enforcement regulations or an individual decision of which he has been notified, carrying the penal sanctions provided for in this Article, shall become liable to a fine.

Article 30  Limitations

The limitation period for a petty offence is two years. The limitation period for punishment of a petty offence is five years.

Article 31  Applicability to Legal Persons and Commercial Enterprises

Article 6 of the Act on Administrative Penal Law shall apply.

Article 32  Prosecution

1 Prosecution and passing of judgement on offenders shall be the responsibility of the cantons. The Federal Veterinary Office may lodge an official complaint within the scope of Article 258 of the Federal Act on Crime.

2 The Federal Veterinary Office shall investigate and evaluate violations according to Article 28 as well as violations regarding import, transit and export. If there has also been a customs offence, enquiries shall be conducted by the customs authorities, who shall also issue a sentence order.

2bis If a violation also represents a violation to be prosecuted by the same Federal authority as in the case of a violation of the customs law, the Act on Foodstuff, the Epizootic Diseases Act of July 1, 1966, the Act on Hunting of June 20, 1986 or the Act on Fishing of December 14, 1973, then the penalty for the severest violation shall be applied, whereby it may be increased appropriately.

Section 12: Enforcement Regulations

Article 33  Enforcement

1 The Federal Council shall issue enforcement orders. It may authorise the Federal Veterinary Office to draw up regulations of a technical character.

2 Enforcement shall be the responsibility of the cantons.
Enforcement on the frontiers, the procedure for authorisation within the scope of Article 5 and supervision of international trading in animals and products of animal origin shall, however, be the responsibility of the Confederation.

**Article 34  Powers of the Supervisory Bodies**

The bodies responsible for the enforcement of the present Act shall have access to premises, installations, vehicles, objects, and animals; for this purpose, they shall have the status of judicial police.

**Article 35  Supervision by the Confederation**

Enforcement of the present Act in the cantons shall be supervised, on behalf of the Confederation, by the Federal Department of Public Economics and the Federal Veterinary Office.

**Article 36  Cantonal Provisions**

1. If enforcement of the present Act necessitates the adoption of supplementary cantonal provisions, the cantons shall be required to draft the necessary regulations.

2. To be valid, cantonal enforcement regulations must have been approved by the Federal Council.

**Article 37  Repeal of Previous Legislation**

Article 264 of the Penal Code shall be repealed.

**Article 38  Referendum and Entry into Force**

1. The present Act shall be subject to optional referendum.

2. The Federal Council shall determine the date of its entry into force.

Date of entry into force: July 1, 1981