

Animal Welfare Act
(247/1996, amendments up to 1430/2006 included)

Chapter 1 — General provisions

Section 1 — *Objective of the Act*

- (1) The objective of this Act is to protect animals from distress, pain and suffering in the best possible way.
- (2) The objective of this Act is also to promote the welfare and good treatment of animals.
- (3) This Act also implements Council Directive 1999/22/EC relating to the keeping of wild animals in zoos. (13.3.2003/220)

Section 2 (29.12.2006/1430) - *Scope of application*

- (1) This Act applies to all animals.
- (2) In addition, the special provisions concerning hunting, fishing, veterinary medication, animal breeding, artificial propagation of animals, animal testing on vertebrates, animal transportation, gene technology and nature conservation shall be complied with.

Chapter 2 - Keeping of animals

Section 3 - *General principles*

- (1) The animals must be treated well and no undue distress may be caused to them. Inflicting undue pain and distress on animals is prohibited. In addition, maintaining the health of animals must be promoted in keeping of animals and the physiological and behavioural needs of the animals must be taken into account.
- (2) Further provisions on what is to be considered inflicting undue distress, pain and suffering on the animals may be issued by Decree.

Section 4 - *Animal premises*

- (1) The animal premises must have sufficient space and lighting and it must be protective, clean and safe as well as appropriate in other respects taking account of the needs of each animal species. Keeping animals in a way that causes undue distress is prohibited.
- (2) Further provisions on the requirements to be set on the animal premises may be issued by Decree. It may also be provided by Decree that the Ministry of Agriculture and Forestry may issue further provisions on them.

Section 5 - *Care of animals*

- (1) An animal that is being cared for may not be left without care or abandoned. The animal must obtain suitable feed, drink and other necessary care in sufficient quantities. When an animal falls ill, it must obtain appropriate care. The welfare and conditions of the animal must be checked often enough.
- (2) Further provisions on the requirements to be set for the care of animals may be issued by Decree. It may also be provided by Decree that the Ministry of Agriculture and Forestry may issue further provisions on them.

Section 6 - *Treatment of animals*

- (1) Excessive exertion, unreasonable discipline and training as well as too rough handling of an animal are prohibited. Tying up an animal in a way that causes undue distress is prohibited. The animal must be allowed to rest properly and it must be allowed to move.
- (2) Further provisions on the requirements to be set for the treatment of animals may be issued by Decree. It may also be provided by Decree that the Ministry of Agriculture and Forestry may issue further provisions on them.

Section 7 - *Procedures performed on animals*

- (1) Surgical operation or other similar procedure which causes pain may be performed on an animal only if it is necessary due to the illness of the animal or other similar reason.
- (2) The procedure may only be performed by a veterinarian. If, however, the pain caused by the procedure is mild and of short duration or the procedure cannot be delayed, a person other than a veterinarian may also perform the procedure.
- (3) Derogation from provisions of subsections 1 and 2 may be issued by Decree. It may also be issued by Decree that the Ministry of Agriculture and Forestry may grant derogation from the provisions of subsections 1 and 2. However, the Ministry of Agriculture and Forestry may not grant derogations for performing procedures which are intended to mute the animal or change its appearance. The Ministry of Agriculture and Forestry may prohibit the use in competitions or displaying of an animal on which a procedure has been performed that is prohibited under this Act.
- (4) The provisions of subsections 1 and 2 on procedures performed on animals and the persons who perform the procedures do not apply to the use of vertebrate animals in animal testing or invertebrate animals for other scientific research activity. (20.1.2006/63)

Section 8 - *Animal breeding and gene technology*

- (1) Animal protection considerations and health of animals must be taken into account in animal breeding.
- (2) Animal breeding or use of breeding methods which may cause distress or significant damage to the health or welfare of the animal is prohibited.
- (3) In addition to the provisions of subsection 1, the use of gene technology for quantitative or qualitative modification of animals is prohibited if it may have harmful impacts on the health or welfare of animals. However, the separate provisions set down for the use of gene technology in animal testing shall apply. (20.1.2006/63)
- (4) Further provisions on the animal protection requirements to be set for animal breeding and use of gene technology may be issued by Decree. It may also be provided by Decree that the Ministry of Agriculture and Forestry may issue further provisions on the animal protection requirements to be set for animal breeding and use of gene technology.

Section 9 - *Influencing the performance of animals*

- (1) Increasing, reducing or maintaining the performance of an animal artificially by means of medicines or similar substances or preparations is prohibited.
- (2) If there is any doubt that substances or preparations referred to in subsection 1 have been used, the veterinarian who carries out supervision under this Act has the right of access to the animal premises and to take the necessary samples. The owner or possessor of an animal is obligated to assist the veterinarian in taking the samples and to provide information needed for the supervision.

Section 10 - *Influencing the productivity of animals*

- (1) Increasing the productivity of an animal artificially by means of medicines or similar substances or preparations is prohibited unless it can be proven that they cause no damage to the health or welfare of the animal.
- (2) As regards the supervision of the compliance with the prohibition issued in subsection 1, the provisions of the Act on Veterinary Medication (402/90) apply, as appropriate.

Section 11 - *Forced feeding of animals*

- (1) Animals may not be fed by force for fattening purposes or to increase their production.

Section 12 - *Implements, equipment and substances*

- (1) The manufacture, import, sale, provision and use of implements, equipment and substances intended for the care, treatment, capture, transport, stunning or killing an animal whose use obviously causes undue pain or suffering is prohibited.
- (2) The Ministry of Agriculture and Forestry specifies which implements, equipment and substances are to be considered such that their use obviously causes undue pain or suffering to the animal.

Section 13 - *Capturing wild animals to be cared for*

- (1) Capturing wild mammals and birds to be cared for is prohibited unless the animal is captured to be kept in a zoo or farmed for the production of meat or eggs or breeding animals for this or for game management purposes, or for temporary medical care or other acceptable temporary cause or for scientific research work.
- (2) An animal taken into care for temporary medical care or other acceptable temporary cause must be released when allowed by the condition of the animal if it is to be expected that it will adjust to living in the wild without difficulty. If the animal cannot be released and its care cannot be arranged for, it must be killed.

Section 14 - *Sick or injured animals*

- (1) When a sick or injured animal is handed over to another person, the recipient of the animal must be notified of its sickness or injury.
- (2) A domestic animal or other animal cared by humans which is sick, injured or otherwise in a helpless state must be helped or the owner or attendant of the animal or the municipal veterinarian, municipal official responsible for the supervision of health protection or the police must be notified of the state of the animal.
- (3) If reaching the persons referred to in subsection 2 is unreasonably difficult and if the state of the animal is such that keeping it alive would represent obvious cruelty to it, the animal may be killed. The notification referred to in subsection 2 must be made of this without delay.
- (4) Every effort must be made to help a wild animal which is sick, injured or otherwise in a helpless state. If, however, the state of the animal is such that keeping it alive would represent obvious cruelty to it, the animal must be killed or it must be seen to that it is killed.

Section 15 - *Impounded animals*

- (1) The municipality must see to the organisation of the temporary care of dogs and cats and similar small-sized pets and hobby animals found straying at large and impounded in its territory.
- (2) An animal that is impounded must be kept for the minimum of 15 days, after which the municipality has the right to sell, give away or kill the animal.
- (3) The municipality has the right to collect reimbursement from the owner or possessor of the animal for the costs of impounding, care and possible killing of the animal.

- (4) If the police has been notified of the impounding of a dog as referred to in section 55 of the Hunting Act (615/93), the police must notify the municipal facility for impounded animals of this.

Section 16 - *Animal competitions*

- (1) If an animal may be subjected to pain, suffering or excessive exertion in a competition, the organiser of the competition must, at his or her own cost, invite a veterinarian to the competition to supervise that this Act and provisions and regulations issued under it are complied with.
- (2) Where necessary, the State Provincial Office may, at the cost of the organiser, order a veterinarian to attend to a competition situation to supervise that the animal protection provisions and regulations are complied with.
- (3) The Ministry of Agriculture and Forestry may prohibit the keeping of animal competitions or similar events where undue pain or suffering or excessive exertion may be caused to the animals.
- (4) The provisions on competitions and their supervision laid down in this section and section 17 also apply to situations where the breeding value, use value or other properties of the animal are tested in a way that may cause pain, suffering or excessive exertion to the animal.

Section 17 - *Supervision of animal competitions*

- (1) The veterinarian referred to in section 16 above must prohibit the use of animal in competitions if there is justified cause to suspect that the animal is used in a way that violates against this Act or provisions or regulations issued under it.
- (2) If the owner or possessor of the animal does not follow the prohibition issued by the veterinarian, the organiser of the competition is obligated to prevent the participation of the animal in the competition. For this purpose the organiser of the competition may interrupt the competition or take the animal into custody for the duration of the competition. Where necessary the police must provide executive assistance to the organiser of the competition.

Section 18 - *Giving away an animal as a prize*

- (1) Giving an animal away as a prize in a lottery or competition is prohibited. For special reasons the State Provincial Office may grant a derogation from the prohibition.

Section 19 - *Keeping animals on display and use of animals in performances*

- (1) The keeping of animals on display or use of animals for photography or filming or other performances may not cause pain or suffering to the animal.
- (2) Notwithstanding the provision of subsection 1, the municipal veterinarian may for special reason grant a permit to an activity referred to in subsection 1 which causes minor pain or suffering to the animal. If an activity referred to in subsection 1 is practised on the territory of several municipalities, the permit must be applied for from the State Provincial Office of the province in which the activity is mainly practised. Conditions necessary in terms of animal protection may be attached to the permit. The permit may be revoked if the conditions of the permit are not complied with.
- (3) As regards photography and filming that is being done for a purpose under section 8 of the Act on Animal Experimentation (62/2006), the provisions of the said Act shall apply. (20.1.2006/63)

Section 20 (13.3.2003/220) - *Zoos and permanent animal shows*

- (1) In this Act *a zoo* means a permanent establishment where mainly wild animals are displayed to the public. *A permanent animal show* means a permanent establishment where only or

mainly animals other than those belonging to the wild animal species are displayed to the public or where the number of wild animals or animal species displayed is small.

- (2) Animals may only be displayed in zoos or permanent animal shows subject to the permit of the State Provincial Office. The permit for keeping a zoo or permanent animal show must be applied for from the State Provincial Office of the province where the zoo or permanent animal show is located.
- (3) The zoo must make its own contribution to the protection of wild fauna and preservation of biological diversity. For this purpose the zoo must provide information to the public on the species displayed and their natural living conditions. In addition the zoo must participate in:
 - 1) research promoting the protection of animals;
 - 2) education relating to skills in protecting animal species;
 - 3) exchange of information relating to the protection of species; or
 - 4) where appropriate, raising animal species in captivity, replanting of populations or restoration of species to the nature.
- (4) In addition to the provisions of section 39 on inspections, the State Provincial Office has the right to inspect the compliance with the requirements mentioned in subsection 3 in zoos.

Section 20 a (13.3.2003/220) - *Circuses and travelling animal shows*

- (1) Animals may only be used in circuses and similar performances where skills taught to the animals are displayed or kept on display in travelling animal shows subject to the permit of the State Provincial Office. If, according to the available knowledge, it is not possible to arrange for acceptable conditions for a certain animal species in terms of animal protection in a circus or similar performance or a travelling animal show or if, according to the available knowledge, using a certain animal species in a circus or similar performance cannot be considered acceptable in terms of animal protection, using the animal species in a circus or similar performance or displaying it in a travelling animal show may be prohibited by Decree of the Ministry of Agriculture and Forestry.
- (2) The permit for keeping a Finnish circus or similar performance or a travelling animal show must be applied for from the State Provincial Office of the province where the permanent place of residence of the owner of the circus or similar performance or show is located. The permit for keeping a foreign circus or similar performance or a travelling animal show must be applied for from the State Provincial Office of the province in whose territory the circus, similar performance or the travelling animal show enters the country.

Section 20 b (13.3.2003/220) - *Application, granting and revoking a permit concerning a zoo, a permanent or travelling animal show or a circus*

- (1) The application for a permit concerning a zoo, a permanent or travelling animal show or a circus must show:
 - 1) species and numbers of animals concerned;
 - 2) account of the animal premises; and
 - 3) account of how the care of animals is to be arranged.
- (2) In addition to the provisions of section 1, the application for a permit concerning a zoo must show the activity related to the protection of wild fauna and preservation of biological diversity referred to in section 20(3) to which the establishment will participate. The application for a permit concerning a circus must be accompanied by a description of the numbers to which the animal will participate and an account of what kinds of tricks the animals will perform in the show.
- (3) A permit for keeping a zoo, a permanent or travelling animal show or a circus is granted if the activity fulfils the requirements for the animal premises and the care of animals laid down in this Act and under it. In addition, the granting of a permit concerning a zoo is subject to the

condition that the requirements laid down in section 20(3) are fulfilled, and a permit concerning a circus is subject to the condition that the requirements for the treatment of animals laid down in this Act and under it are fulfilled. Necessary conditions as regards animal protection may be attached to the permit. The permit may be revoked and the establishment or part of it may be closed down if the operator in an essential way violates the animal protection requirements laid down in this Act or under it or the conditions of the permit or if the activity no longer fulfils the conditions for granting the permit and the operator does not remedy the shortcomings within a reasonable time period set by the control authority. However, the permit may be revoked and the establishment or part of it may be closed down immediately if this is absolutely necessary to ensure the welfare of the animals. The State Provincial Office must inspect a zoo, permanent animal show, travelling animal show and circus before the activity is started and before a permit is revoked or other matter which significantly alters the content or period of validity of the permit is settled. The State Provincial Office must control the compliance with the conditions of the permit through regular inspections.

- (4) Further provisions may be issued by Decree of the Ministry of Agriculture and Forestry concerning:
 - 1) animal protection requirements to be set for the animal premises and care and treatment of animals kept in a zoo, a permanent or travelling animal show or a circus;
 - 2) content of the activities to promote the protection of wild fauna and preservation of biological diversity laid down in section 20(3) in further detail.

Section 21 - *Production farms of meat, eggs and breeding animals*

- (1) The wild species of mammals and birds which may be farmed for the purpose of producing meat or eggs or breeding animals for their production are specified by Decree.
- (2) When farming wild mammals or birds or their progeny which are born in captivity and belong to a wild species for the production of meat or eggs or breeding animals for their production the operator must well on time before starting or terminating an activity or when the activity changes in a significant way give notification of this in writing to the State Provincial Office of the province in which the farm is located.
- (3) Further provisions on the notification to be given to the State Provincial Office and the accompanying documents are issued by Decree. Where necessary, the Ministry of Agriculture and Forestry may order that a notification also be made on farming other than that referred to in this section.

Section 22 - *Prohibition of farming*

- (1) For animal protection reasons, farming of animals for production purposes may be prohibited by Decree.

Section 23 - *Game management farms*

- (1) A person who practises farming of wild mammals or birds or their progeny which are born in captivity and belong to a wild species for game management purposes must well on time before starting or terminating the activity or when the activity changes in a significant way make a notification of this in writing to the State Provincial Office of the province in which the farm is located.
- (2) Further provisions on the on the notification to be made to the State Provincial Office and the accompanying documents are issued by Decree.

Section 24 - *Professional or other large-scale keeping of pet and hobby animals*

- (1) A person who practises professional or other large-scale sale of dogs, cats and other pet or hobby animals must well on time before starting or terminating the activity or when the activity changes in a significant way make a notification of this in writing to the State Provincial Office of the province in which the activity is practised.
- (2) The provisions of subsection 1 on the sale of animals also apply to the provision, renting, raising and training of animals and taking of animals for keeping and care and provision of teaching in the use of animals.
- (3) Further provisions on which activities are to be considered professional or such that they are practised on a large scale may be issued by Decree.
- (4) Further provisions on the on the notification to be made to the State Provincial Office and the accompanying documents are issued by Decree.

Section 25 - *Regulations on activities which are subject to notification and prohibition of an activity*

- (1) The State Provincial Office may, after having inspected a notification referred to in sections 21, 23 and 24, give regulations necessary to prevent damages relating to animal protection to the operator. If the activity does not fulfil the requirements laid down in this Act or under it and the operator does not remedy the shortcomings in the activity within the set time period, the State Provincial Office may, after hearing the operator, prohibit the activity.

Section 26 (13.3.2003/220) - *Keeping of records*

- (1) An operator must keep up-to-date records on animal species and animals which are subject to activities referred to in sections 20, 20 a, 21, 23 and 24. Upon request the records must be presented to the control authorities and animal protection supervisor referred to in Chapter 3. Further provisions on the keeping of records and information to be entered may be given by Decree of the Ministry of Agriculture and Forestry.

Section 26 a (13.3.2003/220) - *Register of henhouses*

- (1) Hen's eggs intended for human consumption may be produced to be placed on the market only in production establishments that are entered to the register kept by the Information Centre of the Ministry of Agriculture and Forestry for the control of henhouses (*register of henhouses*). The register of henhouses is a sub-register of the Rural Business Register referred to in the Act on the Rural Business Register (1515/1994).
- (2) To enter the production establishment to the register of henhouses the owner of the establishment referred to in subsection 1 must notify to the rural business authority of the municipality where the establishment is located:
 - 1) name and address of the production establishment;
 - 2) name and address of the owner of the production establishment;
 - 3) name and address of the natural person who is responsible for the laying hens (*keeper of hens*) if this is other than the owner of the establishment;
 - 4) farming method of the establishment (free range eggs, barn eggs, eggs from caged hens, organic production); and
 - 5) maximum number of birds that may be kept in the production establishment at the same time and, if different farming methods are being used, the maximum number of birds that may be kept in the production establishment in each farming method.
- (3) When entering the information referred to in subsection 2 above to the register the Information Centre of the Ministry of Agriculture and Forestry assigns the production establishment the distinguishing number referred to in Commission Directive 2002/4/EC on the registration of establishments keeping laying hens, covered by Council Directive 1999/74/EC, which is entered to the register of henhouses. If there are several production establishments, a distinguishing number is assigned to each of them.

- (4) The production establishment must be registered without delay when the information required under subsection 2 has been delivered to the keeper of the register. Any changes in the information entered to the register must be notified without delay to be entered to the register. Information that has been entered to the register is removed from the register after one year from the notification of the termination of the activity concerned.
- (5) The Act on the Rural Business Register applies to the register of henhouses. In addition to the provisions of section 3 of the Act on the use of the register, the control authority referred to in this Act has the right to use of register for control purposes. If hen's eggs intended for human consumption are placed on the market from a production establishment which is not registered, the control authority under the Food Act may take coercive action for the part of the eggs concerned, following the procedure set down in Chapters 8 and 10 of the Food Act.

Section 27 - *Itinerant trading*

- (1) Trading of animals as itinerant trading is prohibited.

Section 28 - *Import of animals*

- (1) The Ministry of Agriculture and Forestry may prohibit the import of animals for animal protection reasons. Import may be prohibited if acceptable conditions as regards animal protection cannot be arranged for the animals or if the keeping of an animal may otherwise cause distress to it. The Ministry of Agriculture and Forestry may also prohibit the sale and possession of animals whose import is prohibited.
- (2) An animal which has been imported in violation of the prohibition referred to in subsection 1 above, the animal must be returned or killed at the cost of the owner or possessor of the animal or action approved by the Finnish Food Safety Authority must be taken as regards the animal (28.4.2006/300)
- (3) The Finnish Food Safety Authority or the State Provincial Office may order the measures referred to in subsection 2 taken at the cost of the owner or possessor of the animal. Otherwise the provisions of the Act on Conditional Imposition of a Fine (1113/1990) apply, as appropriate, to ordering actions taken at the defaulter's expense. (28.4.2006/300)

Sections 29-30 have been repealed by the Act of 29.12.2006/1430

Section 31 has been repealed by the Act of 20.1.2006/63

Section 32 - *Killing of animals*

- (1) The killing of animals must be performed as quickly and painlessly as possible.
- (2) Further provisions on the killing of animals may be issued by Decree. It may also be provided by Decree that the Ministry of Agriculture and Forestry may issue further provisions on it.

Section 33 - *Slaughter and related procedures*

- (1) No undue distress, pain or suffering may be caused to the animal when it is handled or kept at the slaughterhouse, place of slaughter or other place in connection with slaughter, stunning or bleeding. The animal must be appropriately stunned or killed before bleeding. However, for religious reasons a special method of slaughter where bleeding is started simultaneously with the stunning of the animal is allowed as set down in further detail by Decree. No other procedures related to the slaughter may be performed on the animal before it is dead.
- (2) Approved slaughterhouses and places of slaughter must have an appropriate facility for stunning and bleeding of animals which are significantly ill or injured.
- (3) Further provisions on the qualifications of the persons who perform the slaughter and procedures preceding it, facilities for handling animals at the slaughterhouse or place of

slaughter, treatment and handling of animals in connection with slaughter and stunning and bleeding may be issued by Decree. It may also be provided by Decree that the Ministry of Agriculture and Forestry may issue further provisions on them.

Chapter 3 - **Authorities**

Section 34 (28.4.2006/300) - *Ministry of Agriculture and Forestry*

- (1) The Ministry of Agriculture and Forestry is the supreme authority in steering and controlling the enforcement of and compliance with this Act and provisions issued under it.

Section 34 a (28.4.2006/300) - *Finnish Food Safety Authority*

- (1) The Finnish Food Safety Authority is the central government authority in steering and controlling the enforcement of and compliance with this Act and provisions issued under it.

Section 35 (28.4.2006/300) - *State Provincial Office*

- (1) The State Provincial Office sees to the enforcement of and compliance with this Act and provisions issued under it within the territory of the province.

Section 36 - *Local authorities*

- (1) The municipal veterinarian, authority responsibility for municipal health protection control and police control the compliance with this Act and provisions and regulations issued under it within the territory of the municipality.

Section 37 - *Veterinary officer for meat inspection and border control*

- (1) The veterinary officer for meat inspection controls the compliance with this Act and provisions and regulations issued under it at slaughterhouses and places of slaughter approved under the [Meat Hygiene Act (511/94)]
- (2) The veterinary officer for border control controls the compliance with this Act and provisions and regulations issued under it at a border crossing, exit point and veterinary border control point. (20.12.1996/1194)

Section 38 (28.4.2006/300) - *Animal protection supervisor*

- (1) Under conditions established by the State Provincial Office it may grant the right to perform inspections referred to in section 39 as an animal protection supervisor to a person who possesses sufficient competence on the species concerned and the animal protection requirements for its keeping acquired through training or practical experience and who has passed the animal protection supervisor course concerning the performance of animal protection inspections organised by the Finnish Food Safety Authority. According to the competence of the animal protection supervisor, the right of inspection may concern either one or several animal species. An animal protection supervisor does not have a right to perform an inspection that violates domiciliary peace.
- (2) An animal protection supervisor is liable for any damage caused in an inspection as set down in the Tort Liability Act (412/1974) and he or she must have an insurance against the liability for any damages caused in an inspection. The provisions on public liability under the criminal law apply to the animal protection supervisor when performing an inspection under this Act.
- (3) The State Provincial Office may revoke a right it has granted if the animal protection supervisor neglects the compliance with the conditions established by the State Provincial Office or otherwise in an essential way violates the obligations concerning an inspection. The right may also be revoked for other justified cause.

Chapter 4 - Control

Section 39 (29.12.2006/1430) - *Inspection*

- (1) If there is reason to suspect that an animal is cared for, treated or used in a way that violates this Act or provisions or regulations issued under it, the State Provincial Office, municipal veterinarian, municipal official responsible for the supervision of health protection, police and animal protection supervisor has the right to perform an inspection.
- (2) The State Provincial Office, municipal veterinarian, municipal official responsible for the supervision of health protection, police and animal protection supervisor has the right, even without suspicion, to perform an inspection in a circus, zoo, permanent and travelling animal show, animal competition, events referred to in section 16(4), as well as a performance or show which involves animals and where an activity referred to in sections 21, 23 or 24 is practised. A veterinary officer for meat inspection has the right, even without suspicion, to perform an inspection in all animal facilities at a slaughterhouse or place of slaughter.
- (3) The person who performs an inspection has the right to enter all animal premises and take samples necessary for the inspection without compensation. The inspection may concern an animal, the premises as well as feed, drink, equipment and implements intended for the animal.
- (4) In a facility that is subject to domiciliary peace an inspection referred to in this section may be performed and a sample may be taken only by an official authority and an inspection may be performed and a sample taken only if this is necessary to clarify the points that are subject to the inspection and there is cause to suspect that the owner or possessor of the animal is guilty of a procedure that violates this Act and is subject to penalty under the law. Where necessary, an animal protection supervisor may, within his or her right of inspection, assist an official authority in performing an inspection in a facility that is subject to domiciliary peace.

Section 40 - *Advice*

- (1) The person who performs an inspection must aim to promote animal welfare and contribute to having any minor shortcomings regarding animal welfare found in the inspection remedied by means of advice given to the owner or possessor of the animal.
- (2) A veterinary officer for meat inspection must give the advice referred to in subsection 1 to the person on the premises of a slaughterhouse or place of slaughter who is responsible for the arising of the shortcomings.

Section 41 - *Notifications*

- (1) If an animal protection supervisor detects in an inspection that this Act or provisions or regulations issued under it have been violated, he or she must notify this to the State Provincial Office, municipal veterinarian, municipal official responsible for the supervision of health protection or police, who must, where necessary, take the actions referred to in sections 42-44.
- (2) If a veterinary officer for meat inspection suspects that this Act or provisions or regulations issued under it have been violated in animal premises which supply slaughter animals, he or she must notify this to the State Provincial Office of the province in whose territory the animal premises are located.

Section 42 - *Prohibitions and orders*

- (1) If it is detected in an inspection referred to in section 39 or otherwise that this Act or provisions or regulations issued under it have been violated, the State Provincial Office, municipal veterinarian, municipal official responsible for the supervision of health protection, veterinary officer for meat inspection, veterinary officer for border control or police may

prohibit the owner or possessor of the animal from continuing or repeating a procedure that violates this Act or provisions or regulations issued under it or order the owner or possessor of the animal to fulfil his or her obligations within a specific time period.

Section 43 - Conditional imposition of a fine and threat of having actions taken at the defaulter's expense

- (1) The State Provincial Office may on its own initiative or at the request of a municipal veterinarian, municipal official responsible for the supervision of health protection, veterinary officer for meat inspection or police intensify a prohibition or order issued under section 42 by a conditional imposition of a fine or threat of having the neglected action taken at the defaulter's expense.
- (2) Otherwise the provisions of the Act on Conditional Imposition of a Fine apply to the conditional imposition of a fine and threat of having actions taken at the defaulter's expense.

Section 44 - Urgent measures

- (1) If required for animal protection reasons, the State Provincial Office, municipal veterinarian, municipal official responsible for the supervision of health protection, veterinary officer for meat inspection, veterinary officer for border control or police may, by derogation from the provisions of section 42, take immediate action to ensure the welfare of an animal. For this purpose, care or a person to care for the animal or feed or other substances necessary for the welfare of the animal may be acquired from elsewhere or, if this is not possible or feasible, the animal may be killed or sent to be slaughtered or sold by auction or otherwise at the current price.
- (2) *Repealed by the Act of 29.12.2006/1430*

Section 45 - Hearing

- (1) Before making a decision referred to in sections 42 and 43, the owner or possessor of the animal must be given the opportunity to be heard. Before action referred to in section 44 is taken, the owner or possessor of the animal must be given the opportunity to be heard only if he or she can be reached without delay. The owner or possessor of the animal must be notified of the decision.

Section 46 - Taking into possession and disposal

- (1) The State Provincial Office, municipal veterinarian, municipal official responsible for the supervision of health protection, veterinary officer for meat inspection and police has the right to take into possession an implement, piece of equipment or substance referred to in section 12. The provisions of section 45 apply, as appropriate, to the hearing of the owner or possessor of the implement, equipment or substance before making the decision on taking into possession and notification of the decision.
- (2) If a control authority referred to in this Act other than the police has performed the taking into possession referred to in subsection 1, the implement, equipment or substance which has been taken into possession must be handed over to the police without delay.
- (3) An official who has the right of seizure may verifiably dispose or have disposed of an implement, piece of equipment or substance referred to in section 12 which can be confiscated if it is likely that the implement, equipment or substance would be declared forfeit to the State, and it has no significant value.

Section 47 (26.10.2001/891) - Seizure

- (1) The provisions of the Coercive Measures Act (450/1987) apply to the seizure of an animal and an implement, piece of equipment and substance referred to in section 12. Notwithstanding the provisions of Chapter 4, section 10 of the Coercive Measures Act concerning the keeping of a seized object, an animal which has been seized may be killed, sold or otherwise given away immediately if it is of small value or if arranging for its care is not possible or feasible.

Section 48 - *Surveys and studies*

- (1) For the purpose of controlling the compliance with this Act or provisions issued under it or fulfilling the obligations of an international agreement binding Finland or if required by the legislation of the European Community, the Finnish Food Safety Authority and State Provincial Office may order the veterinary officers to perform surveys and studies in animal premises where animals are kept for economic purposes as well as in slaughterhouses and places of slaughter. (29.12.2006/1430)
- (2) A person who conducts a survey or study has the right to enter the animal premises as well as stores and other facilities related to the keeping of animals. The owner and possessor of the animal premises as well as slaughterhouse or owner or possessor of the place of slaughter is obligated to assist the person who conducts the survey or study and, where necessary, give the requested information in writing.
- (3) The provisions of subsections 1 and 2 on the right of veterinarians to enter the animal premises, slaughterhouse or place of slaughter concerned in the study or survey also applies to foreign inspectors when this is required under an international agreement binding Finland or legislation of the European Community. (29.12.2006/1430)

Section 49 (29.12.2006/1430) - *Performance of inspections, surveys and studies*

- (1) Inspections, surveys and studies referred to in this Act should be performed so that they do not cause undue disturbance or damage to the animals, owner or possessor of the animal premises or operations of the premises.

Section 50 - *Executive assistance*

- (1) Where necessary, the police must provide executive assistance to the control authority and animal protection supervisor in the supervision of this Act and provisions and regulations issued under it, if they are obstructed from performing their control duty and removing the obstacle requires the use of the authority of the police.
- (2) In addition, the Finnish Customs is obligated to provide, upon request, executive assistance to the veterinary officer for border control in performing tasks under this Act and provisions and regulations issued under it. (20.12.1996/1194)
- (3) Where necessary, the municipal veterinarian must provide executive assistance to the execution officer in executing a forfeiture which concerns an animal. (26.10.2001/891)

Chapter 5 - **Appeal**

Section 51 (20.12.1996/1194) - *Appeal*

- (1) A decision of the Finnish Food Safety Authority, State Provincial Office, municipal veterinarian, municipal official responsible for the supervision of health protection, veterinary officer for meat inspection, veterinary officer for border control and police made under this Act is appealed to the Administrative Court as set down in the Administrative Judicial Procedure Act (586/1996). (28.4.2006/300)
- (2) Appeals concerning decisions made under this Act must be processed as urgent.

Section 52 (2.9.2005/710) - *Enforcement*

- (1) It may be ordered in a decision made under sections 28, 42-44 and 46 of this Act that the decision must be followed in spite of an appeal, unless otherwise ordered by the appellate authority. A decision of the Administrative Court which concerns only the enforcement by which the enforcement of a decision which has been appealed has been prohibited or interrupted may be appealed to the Supreme Administrative Court only in connection with the principal matter.

Chapter 6 - Sanctions

Section 53 (24.7.1998/594) - *Cruelty to animals*

- (1) Punishment for animal welfare offence and petty animal welfare offence is set down in Chapter 17, sections 14 and 15 of the Penal Code.

Section 54 (29.12.2006/1430) - *Animal welfare infringement*

- (1) A person who intentionally or through negligence
 - 1) treats an animal in a way that violates against sections 3-6, 8, 32 or 33 or provisions or regulations issued under them;
 - 2) uses an implement, piece of equipment or substance referred to in section 12 whose use is prohibited;
 - 3) performs a procedure referred to in sections 7 or 9-11 in a way that violates these sections; or
 - 4) imports or tries to import an animal in a way that violates the prohibition referred to in section 28,must be sentenced to a fine for *animal welfare infringement*, unless the deed is to be punished under Chapter 17, sections 14 or 15 of the Penal Code or a more severe punishment is set down in other law.
- (2) A sentence for animal welfare infringement may also be imposed to a person who intentionally or through negligence
 - 1) violates a prohibition concerning manufacture, import, sale or provision referred to in section 12 or prohibition referred to in section 7(3), section 13(1) section 16(3) or sections 18, 19, 22, 25 or 27 or under these provisions;
 - 2) violates a prohibition concerning keeping of animals or acts as an agent in evading such prohibition; or
 - 3) fails to comply with an obligation referred to in section 13(2), section 14, section 16(1), section 17, section 20(2), section 20a(2), section 21(2 or 3), sections 23, 24 or 26 or section 64 or issued under these provisions.

Section 55 - *Prohibition to keep animals*

- (1) Provisions on prohibition to keep animals are set down in Chapter 17, section 23(1) of the Penal Code. (24.7.1998/594)
- (2) *Repealed by the Act of 24.7.1998/594*
- (3) If a prohibition to keep animals has been issued, the court of justice must send a copy of the minutes concerning the matter to the Finnish Food Safety Authority. (28.4.2006/300)

Section 56 has been repealed by the Act of 21.5. 1999/662

Section 57 (26.10.2001/891) - *Forfeiture*

- (1) Provisions on forfeiture concerning an animal adjudged in connection with establishing a prohibition to keep animals are set down in Chapter 17, section 23(2) of the Penal Code.

- (2) The provisions of Chapter 10, section 1, section 5(1), section 8(1 and 3) and section 11(3) of the Penal Code apply to a forfeiture concerning an animal adjudged due to a violation of a prohibition to keep animals.
- (3) Otherwise the provisions of Chapter 10 of the Penal Code shall apply.

Chapter 7 - **Miscellaneous provisions**

Section 58 - *Costs*

- (1) The owner or possessor of the animal must pay for the costs due to measures referred to in sections 42 and 44. If an animal has been sold or delivered to be slaughtered or other income has been derived from the animal, the costs must be deducted from the sale price or other income derived from the animal and the remainder must be given to the owner or possessor of the animal.
- (2) For special reason the costs due to measures referred to in section 44 above may be paid in advance from the funds allocated to veterinary service in the State budget. The owner or possessor of the animal is responsible for the final payment of the costs as set down in subsection 1. (28.4.2006/300)
- (3) Costs may be recovered without a sentence and decision as provided regarding the recovery of taxes and charges through execution. If the costs cannot be recovered, they are reimbursed from State funds.

Section 59 - *Fees*

- (1) The municipal veterinarian is entitled to collect a fee and compensation for an inspection performed under section 39 as provided in Decree on Veterinarians' Commissions (1269/89).
- (2) A veterinarian appointed by the Finnish Food Safety Authority and State Provincial Office who has performed a survey or study referred to in section 48 has a similar right. (28.4.2006/300)

Section 60 has been repealed by the Act of 29.12.2006/1430

Section 61 - *Compensation for damages*

- (1) The State is responsible for possible damages caused by a municipal veterinarian or municipal official responsible for the supervision of health protection when controlling the compliance with this Act or provisions and regulations issued under it as set down regarding the vicarious liability of public corporations in the Tort Liability Act (412/1974).
- (2) The provisions concerning the right recourse of an employer directed to an employee set down in the Tort Liability Act apply, as appropriate, to the right of the State to recover the amount of compensation paid to the injured party from the municipal veterinarian and municipal official responsible for the supervision of health protection .
- (3) The provisions of subsections 2 and 3 also apply to the compensation of possible damages caused by a veterinarian appointed by the Finnish Food Safety Authority or State Provincial Office to perform tasks referred to in this Act and to the recovery of the compensations. (28.4.2006/300)

Section 62 (21.5.1999/662) - *Provision of confidential information*

- (1) Notwithstanding the secrecy obligation set down in the Act on the Openness of Government Activities, when controlling the compliance with this Act or provisions or regulations issued under it or performing a survey or study referred to in section 48, information on the economic status or business or professional secret of a private individual or corporation or the private life of a person may be given to
 - 1) control authority for performing tasks under this Act;

- 2) prosecuting, police and customs authority for solving an offence; and
- 3) foreign bodies and inspectors required by virtue of an international agreement binding Finland or judicial system of the European Community if this is required under the agreement or judicial system concerned.

Section 63 - *Notification obligation*

- (1) If there is cause to suspect that the Animal Welfare Act or provisions or regulations issued under it has been violated, the control authority referred to in this Act must notify this to the police without delay.

Section 64 - *Supervision obligation*

- (1) Persons who have the care and custody of a child and other persons who have children less than 15 years of age under their supervision must ensure that the child does not treat animals in a way that violates this Act or provisions and regulations issued under it.

Section 65 - *Further provisions*

- (1) Further provisions on the implementation of this Act are given by Decree

Chapter 8 - **Entry into force and transitional provisions**

Section 66 - *Entry into force*

- (1) This Act enters into force on 1 July 1996.
- (2) This Act repeals the Animal Welfare Act of 27 January 1971 (91/1971) with subsequent amendments and Decree on Itinerant Trading of Animals of 10 May 1968 (280/1968) with subsequent amendments.
- (3) The Decree on Animal Experimentation of 20 December 1985 (1076/1985) issued under section 9(1) and 11(2) of the repealed Act remains in force.
- (4) Matters pending at the time of entry into force of this Act are dealt with in accordance with the provisions in force at the time of entry into force of this Act.
- (5) Measures necessary for the implementation of this Act may be undertaken before the Act's entry into force.

Section 67 - *Transitional provisions*

- (1) A person who upon the entry into force of this Act practises an activity referred to in section 21(2), section 23(1) or section 24(1) must give a notification on the activity to the State Provincial Office within one year from the entry into force of the Act.
- (2) An operator who upon the entry into force of this Act transports animals for gainful purpose must apply for a permit referred to in section 30 within six months from the entry into force of this Act.
- (3) The municipality must see to the organisation of the care of animals referred to in section 15(1) within two years from the entry into force of this Act.