



THE ROMANIAN GOVERNMENT

DECISION

**to approve the implementing regulations to the Government Emergency Ordinance no. 155/2001
approving the stray dogs management programme**

By virtue of Article 108 of the Romanian Constitution, as republished, and of Article III and Article V of Law no. 258/2013 amending and supplementing the Government Emergency Ordinance no. 155/2001 approving the stray dogs management programme,

the Romanian Government has adopted this decision.

Sole article – The implementing regulations to the Government Emergency Ordinance no. 155/2001 approving the stray dogs management programme, as approved with amendments and supplementations by Law no. 227/2002, as amended and supplemented, provided for in the annex which is an integral part of this decision, are hereby approved.

**PRIME MINISTER
VICTOR - VIOREL PONTA**

**Implementing regulations to the Government Emergency Ordinance no. 155/2001 approving the
stray dogs management programme**

**CHAPTER I
General Provisions**

Article 1. – (1) These implementing regulations regulate the measures necessary to enforce the Emergency Government Ordinance no. 155/2001 approving the stray dogs management programme, as approved with amendments and supplementations by Law no. 227/2002, as amended and supplemented.

(2) The purpose of these regulations is to reduce the number of stray dogs, improve the health and welfare of shelter dogs, stop uncontrolled breeding of mongrels, prevent dog abandonment and loss, facilitate the recovery of lost dogs, promote responsible dog ownership, reduce the chances for rabies and other zoonotic diseases, reduce human health risks, prevent human and animal aggressiveness, and reduce animal illegal trade and trafficking.

Article 2. – For the purpose of these implementing regulations, the following terms and phrases shall have the following meaning:

- a) *public shelter* - shelter for stray dogs, which belongs to administrative units and serves them, and it is managed by the operators of specialized stray dogs management services;
- b) *private shelter* – shelter for stray dogs, which belongs to a legal person, association or foundation that carries out activities for animal welfare;
- c) *adoption* – procedure of taking ownership of shelter stray dogs by natural or legal persons;
- d) *long distance adoption* – procedure whereby natural or legal persons take responsibility to sponsor stray dogs in public and private shelters at their own expenses;
- e) *catching* – dog catching operation performed by the operators of specialised stray dogs management services;
- f) *aggressive dog* – any dog as this is defined in the Government Emergency Ordinance no. 55/2002 on the rules of possession of dangerous or aggressive dogs, as approved with amendments by Law no. 60/2003;
- g) *dangerous dog* – any stray dog that belongs to a dangerous breed according to the Government Emergency Ordinance no. 55/2002;

- h) *working dog* – any dog used by the police, military units, customs, security, guarding and protection services, people with disabilities, non-governmental organisations for educational, therapy, search, rescue and public service actions, and any dog used in case of disasters;
- i) *mongrel* – any dog that cannot be assigned to a certified breed;
- j) *medical examination* – procedure performed by a legally established freelance veterinarian whereby health condition is determined;
- k) *stray dogs management* – set of operations and procedures aimed at controlling the stray dog population;
- l) *animal welfare association or foundation* – non-governmental organisation established by virtue of the Government Ordinance no. 26/2006 regarding associations and foundations, as approved with amendments and supplementations by Law no. 246/2005, as amended and supplemented, which carries out activities and actions to protect animals, whose statutes provides for purposes and activities related to animal protection and welfare;
- m) *specialised stray dogs management service* – public service established at the level of administrative units by the local council, by the General Council of the Bucharest Municipality, respectively, with the purpose of managing stray dogs within the jurisdiction of the respective administrative unit;
- n) *operator of specialised stray dogs management services* – legal person, private or public, association or foundation which has the competence and the capacity of carrying out activities for animal protection, and is the concessionaire or the delegate, subject to the law, of the management of stray dogs;
- o) *identifying device* – any device, such as a microchip, tag, tattoo, or collar, which includes information necessary to identify the owner of the dog, the public service, respectively, that has managed the dog;
- p) *identification* – operation whereby the dog is attached an identifying device, as well as the operation of reading the identifying device and establishing the identity data of its owner or place of origin;
- q) *registration* – operation whereby data marked on the identifying device of the animal, as well as other data, are entered in the dog records;
- r) *microchip* – certified electronic identifying device placed under the skin of the animal, between the shoulder blades, containing a small encrypted number in the form of a barcode that can be read with an electronic device;
- s) *neutering/spaying* – operation whereby the reproductive function of the dog is suppressed;

- t) *neighbours* – owners of residences that have at least one joint wall with the residence where dogs adopted directly from public shelters are to be sheltered;
- u) *corpse collection unit and animal waste neutralization unit* – units defined at Article 2 let. h) and j) of the Government Ordinance no. 47/2005 on rules to neutralize animal waste, as approved with amendments by Law no. 73/2006, as amended.

CHAPTER II

Public Stray Dogs Management Authorities

Article 3. - (1) Specialized stray dogs management services established in compliance with Article (1), par. (1) of the Government Emergency Ordinance Nr. 155/2001 shall manage stray dogs exclusively within the jurisdiction of the administrative units and their subdivisions for which they have been established. According to possibilities, collaboration protocols can be signed with counties in their vicinity.

(2) The service provided for at par. (1) shall mandatorily bear the name Stray Dogs Management Service, followed by the name of the administrative unit for which it has been established.

(3) The service provided for at par. (1) shall be organised as a part of the public services managed by the local councils.

Article 4. - The veterinary staff employed by the specialized stray dogs management services in compliance with Article 2 par. (2) of the Government Emergency Ordinance no. 155/2001, as amended and supplemented, shall have the following duties:

- a) supervise caught and sheltered animals;
- b) collect documents prepared by the staff involved in catching, handling and transporting animals;
- c) record data about caught animals in the stray dog records, included in the individual catching form, whose template is shown in Annex 1 to these implementing regulations;
- d) perform simple medical-veterinary works with the consent of the legally established freelance veterinarian to whom the medical-veterinary activity has been concessioned.

CHAPTER III

Public Shelters and Stray Dog Shelters Belonging to Animal

Welfare Associations

Article 5. - (1) Public stray dog shelters established according to Article 2 par. (1) of the Government Emergency Ordinance no. 155/2001, as amended and supplemented, shall belong to the administrative units that establish them, they shall be managed by the established stray management public services or its concessionaire, and they shall comply with the health-veterinarian legislation in force.

(2) It shall be prohibited to accommodate stray dogs in public shelters which do not comply with the minimal operating requirements provided for by Annex 1 to the Government Emergency Ordinance no. 155/2001, as amended and supplemented.

(3) The operators of specialized stray dogs management services shall have the obligation to ensure staff who serve public stray dog shelters permanently with a view to supervising dogs 24/7, extra watering dogs, feeding puppies two or three times a day, in compliance with Annex 1 to the Government Emergency Ordinance no. 155/2001, as amended and supplemented.

(4) Public stray dog shelters shall be located within the jurisdiction of the administrative units which establish them or complying with the following exceptions:

- a). within the jurisdiction of the county in the vicinity;
- b). The public shelters established by the General Council of the Bucharest Municipality may be located outside Bucharest, maximum 35 km far.

(5) Public shelters may accommodate stray dogs caught within the jurisdiction of the administrative units that have established them or caught in the counties from the vicinity, according to art. 5, par.4; the operators of the special managing services shall transport and accommodate the dogs only inside the shelters that they manage.

(6) Sheltering the stray dogs from the neighbouring towns, under the conditions of art. 5, par. 4, will be done after closing collaboration protocols according to art. 3, par. 1, that will also be communicated to The National Veterinary Authority.

(7) Ill or injured animals should be isolated in proper cages where they should be properly attended throughout their accommodation period. All shelters shall have a sufficient number of isolating cages for ill or injured dogs. It shall be prohibited to accommodate several ill dogs in the same cage.

Article 6. - (1) Specialized stray dogs management services and operators of specialized stray dogs management services shall have the obligation to establish the visiting schedule and allow people's access to public shelters Monday to Friday between 10:00 a.m. and 6:00 p.m.

(2) Saturday and Sunday, and on legal holidays, public shelters shall be opened for adoptions between hours established by the local council.

(3) Stray dogs may be claimed throughout the period of access to public shelters, period provided for at par. (1).

(4) Visitors' access to public stray dog shelters during the working schedule provided for at par. (1) shall be ensured subject to observance of the Internal Regulation.

(5) Visitors shall be allowed to take photos and video recordings of the dogs in public shelters.

Article 7. - (1) Private stray dog shelters belonging to animal welfare organizations and foundations should provide stray dogs with the minimal conditions provided for by Annex 1, let. A to D of the Emergency Government Ordinance no. 155/2001, as amended and supplemented.

(2) The shelters provided for at par. (1) should have a visiting schedule of at least four hours a day.

CHAPTER IV

Concession of Specialised Stray Dogs Management Services

Article 8. - The specialized stray dogs management services shall be concessioned by local councils, by the General Council of the Bucharest Municipality, respectively, under observance of the Government Emergency Ordinance No. 34/2006 on the award of public procurement contracts, public works concession contracts and service concession contracts, as approved with amendments and supplementations by Law no. 337/2006, as amended and supplemented.

Article 9. - Local councils and the General Council of the Bucharest Municipality and operators of specialized stray dogs management services shall have the obligation to contract, within 60 days after the enforcement of these implementing regulations, veterinary services for the specific activities provided for by these regulations, according to legal provisions.

CHAPTER V

Catching, Transporting and Sheltering Stray Dogs

Article 10. Specialized stray dogs management services, and the operators of specialized stray dogs management services shall have the obligation to catch dogs in the following order:

a) dogs that wander, without attendant, around schools, kindergartens, playgrounds, parks, and public squares;

b) dogs that wander, without attendant, in any public place;

c) dogs that wander, without attendant, in the periphery areas of towns.

Article 11. – (1) Specialized stray dogs management services and operators of specialized stray dogs management services shall have the obligation to perform, within 30 days after the publication of these regulations, an assessment of the number of stray dogs located within the jurisdiction of the administrative unit where they operate, and to prepare an action plan to manage them.

(2) The action plan provided for at par. (1) should include at least the following elements:

- a) a presentation of the territory (surface area, number of inhabitants);
- b) an assessment of the number of neutered/spayed stray dogs within the jurisdiction of the territory;
- c) a presentation of the necessary material resources (number of means of transport and their capacity, the total accommodation capacity, the accommodation capacity assigned to long distance adopted dogs);
- d) a presentation of the necessary staff resources (transportation staff, catching staff, caring staff);
- e) a presentation of actions to be carried out;
- f) a plan of actions (annual action schedule, broke down by months);
- g) detailed maps of the territory including the distribution of the stray dog population;
- h) precise deadlines for implementing measures;
- i) deadlines for re-assessing the number of stray dogs within the jurisdiction of the territory to be assessed half-yearly.

Article 12. - (1) The catching, handling and loading of stray dogs into vehicles and their transportation shall be performed under observance of Annex 2 to the Government Emergency Ordinance no. 155/2001, as amended and supplemented, of Article 14 par. (1) of Law no. 205/2004 on animal protection, as amended and supplemented, of Article 3 of the 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, of Annex I Chapter I point 1, point 2 let. (a), point 5 and Chapter III Article 1 point 1.8 let. a), b), c), d) to Regulation (EC) no. 1/2005, as well as Article 6 par. (10) of the Implementing Regulations to Law no. 205/2004 approved by Order of the President of the National Sanitary Veterinarian and Food Safety Authority and of the minister of interior and administrative reform no. 31/523/2008.

(2) The means of transport of stray dogs should be visibly marked with the name of the stray dogs management service, its telephone number, and the identification number of the vehicle and fitted with individual cages properly secured to avoid their movement during transport.

(3) Persons who catch stray dogs shall have the obligation to observe specific occupational safety rules.

(4) Incapacitating stray dogs by using stupeficient and psychoactive agents from a distance, by means of utility weapons, should take place in the presence of a legally established freelance veterinarian.

(5) Using stupeficient and psychoactive agents to incapacitate stray dogs shall only take place in compliance with the legal provisions in force in the field.

Article 13. - 1). The following shall be prohibited during the catching, transport and accommodation of stray dogs:

- a) hitting, stinging, injuring, mutilating the dogs;
 - b) lifting or dragging the dogs by grabbing them by their head, neck, back head, ears, legs, tail or fur, or handling them in a way that causes them useless pain or suffering;
 - c) shooting caged or chained dogs with a tranquillizer gun or a blowgun;
 - d) catching dogs that are not highly aggressive, suspected of having rabies or not in inaccessible spaces, by using stupeficient and psychoactive agents from a distance;
 - e) transporting dogs without individual transport cages;
 - f) transporting dogs in vehicles improperly ventilated;
- 2) When sheltering the dogs, the following are prohibited:
- a) failing to meet the obligation to feed puppies between 6 and 12 weeks of age three times a day;
 - b) failing to meet the obligation to feed puppies between 12 weeks and 12 months of age twice a day;
 - c) depriving ill or injured dogs of medical care;
 - d) accommodating bitches with puppies alongside mature dogs;
 - e) accommodating dogs without separating them according to the size and aggressiveness criteria provided for by Annex 1 to the Government Emergency Ordinance no. 155/2001, as amended and supplemented;
 - f) accommodating dogs in enclosures and cages where the floor is covered with water;
 - g) throwing disinfecting agents on dogs while cleaning the cages.

Article 14. - Upon catching stray dogs, the specialized staff shall fill in the individual catching form according to the template in Annex 1 including the minimal information on the stray dogs caught, immediately after capturing the dogs.

Article 15. - (1) Upon entry in the public shelter, the veterinary staff shall take over individual forms from the teams having caught and transported the stray dogs, they shall check whether the dogs are identified through a legal identifying device, and record the minimal information about stray dogs entering the shelter provided for in Annex 2 in the Stray Dogs Records.

(2) Stray dogs caught in the same area and brought to the public shelter on the same day shall be accommodated in common cages.

(3) All shelter cages shall be individualized and marked with a sole number, which shall be visibly written on a resistant material plate visibly fixed on the cage wall.

(4) Each cage shall be applied a table prepared according to the template in Annex 3.

(5) After registration, stray dogs shall be submitted to a medical examination.

(6) After the veterinarian examines the dogs, according to Article 13⁵ of the Government Emergency Ordinance no. 155/2001, as amended and supplemented, a recovery shall be initiated of all clinically healthy dogs, dogs suffering from easily curable diseases, non-aggressive dogs, irrespective of their gender and size, as well as of special condition dogs, which shall be isolated from the rest of the animals and accommodated separately to avoid disease or aggression through contact with other dogs.

(7) The operators of specialized stray dogs management services shall have the obligation to provide all animals accommodated in public shelters with enough food and water, freedom of movement, medical care and attention in compliance with Article 5 of Law no. 205/2004, as amended and supplemented, and with Annex 2 to the Government Emergency Ordinance no. 155/2001, as amended and supplemented.

CHAPTER VI

Informing the Population about Claiming and Adopting Stray Dogs.

Notifying Owners.

Article 16. - Specialized stray dogs management services and operators of specialized stray dogs management services shall have the obligation to promote adoption and claim, and to permanently inform the population about the working schedule of public stray dog shelters, ensuring transparency.

Article 17. - With a view to meeting their obligation provided for at Article 16, specialized stray dogs management services and operators of specialized stray dogs management services shall carry out the following activities:

a) display special boards and posters at the entrance in public stray dog shelters and in visitors' areas inside public shelters; posters should include at least the following information:

1. date and place where each batch of dogs was caught, and the number of cages where the respective dogs are accommodated;
2. address of the specialized stray dogs management service, address of public shelters, email addresses and telephone numbers;
3. visiting schedule of public shelters and the stray dog claiming schedule.

b) create Websites for public access to the information provided for at let. a);

c) organize regular stray dog adoption fairs.

Article 18. - Specialized stray dogs management services and operators of specialized stray dogs management services may conclude partnerships with animal welfare organisations interested in promoting adoption and neutering/spaying of dogs.

Article 19. - (1) If a stray dog entering the public shelter is identified by a legally approved identifying device, specialized stray dogs management services and operators of specialized stray dogs management services shall have the following obligations:

a) determine the identity of the owner based on the identification data of the dog in the Owned Dogs Records;

b) notify the owner of the dog by telephone, email or other means based on the data registered in the Owned Dogs Records.

(2) Owners who find out that their dog is missing or are notified by the operators of specialized stray dogs management services that their animal is in their custody shall have the obligation to go to the public shelter, to claim and take over their dog within 7 days from the date of the notification.

Article 20. - (1) Upon recovering their dog, owners shall pay an amount equal to the expenses made during its stay in the shelter, in a quantum determined by decision of the local council or by decision of the General Council of the Bucharest Municipality.

(2) All amounts shall be paid within a period established by decision of the local council or by decision of the General Council of the Bucharest Municipality.

CHAPTER VII

Claim and Adoption

Article 21. - (1) Public shelter dogs shall be claimed based on the commitment statement whose template is shown in Annexes 4 and 5 to the Government Emergency Ordinance no. 155/2001, as amended and supplemented.

(2) Specialized stray dogs management services and operators of specialized stray dogs management services shall have the obligation to return claimed dogs immediately after registering and verification of the claiming application, according to the working program hours.

(3) Stray dogs may be claimed throughout the entire period of their stay in public shelters.

(4) In the first seven working days of stay of the stray dog in the public shelter, the claiming owner shall have priority over the person trying to adopt the same dog, if the claiming application and the adoption one are submitted on the same day.

(5) After the expiry of the seven working days of stay of the dog in the shelter, if the unclaimed dog has already been adopted, its owner shall be entitled to recover the dog from the adopter if they prove they were unable to submit the claiming application in the first seven working days.

Article 22. - (1) Public shelter dogs shall be adopted free of charge based on the commitment statement whose template is shown in Annexes 4 and 5 to the Government Emergency Ordinance no. 155/2001, as amended and supplemented.

(2) Applications for adoption may be submitted immediately after the dog has been accommodated in the public shelter, and the adopter may take over the dog eight working days after the dog is accommodated in the shelter, unless it has been claimed.

Article 23. - (1) In case the adopted dog is to be kept in open air, the adopter should give proof of existence of a land surface that enables the arrangement of paddocks or cages, under observance of Article 6 par. (4) and par. (6) of the Implementing Regulations to Law no. 2005/2004 approved by Order of the President of the National Health-Veterinary and Food Safety Authority and of the minister of interior and administrative reform no. 31/523/2008.

(2) In case the adopted dog is to be accommodated in the adopter's house, they should give proof of existence of a living surface of at least 2.5 sqm for each adopted dog.

Article 24. - (1) A person who adopts more than two dogs from public shelters and accommodates them in an apartment building where there is a landlords association, when submitting the adoption application, should also submit the consent of the landlords association.

(2) A person who adopts more than two dogs from public shelters and accommodates them in a building, other than an apartment building provided for at Article 25 par. (1), where several people live, when submitting the adoption application, should also submit the consent of their neighbours.

(3) Animal welfare associations that have shelters, as well as natural and legal persons with the office or domicile abroad, that intend to accommodate animals abroad, shall be exempted from the obligation to submit their neighbours' consent.

CHAPTER VIII

Long Distance Adoption of Stray Dogs.

Extension of Shelter Accommodation Period for Dogs Unclaimed, Not Directly Adopted and Not Adopted at Long Distance

Article 25. - (1) Starting with the 8th day of accommodation in the public shelter, stray dogs may be adopted at long distance by natural or legal persons from Romania or abroad.

(2) Long distance adoption shall be performed by filling in a commitment statement whose template is shown in Annex 5 to these implementing regulations.

(3) The form provided for at par. (2) may be filled in and signed electronically without an obligation for adopters to be present.

(4) Long distance adopted dogs should be identified, registered in the Owned Dogs Records, deloused, vaccinated, neutered/spayed and relocated in specifically designed cages.

(5) After filling in the long distance adoption form and identifying dogs adopted by this procedure, specialized stray dogs management services and operators of specialized stray dogs management services shall have the obligation to extend the accommodation period for adopted dogs for the period in which the adopter complies with the financial obligations undertaken under the long distance adoption statement.

(6) The operators of specialized stray dogs management services shall have the obligation to inform, within two working days, the long distance adopter on any circumstances arising in the health condition of the dog they have adopted.

Article 26. - (1) People who adopt stray dogs at long distance shall incur all expenses necessary to support the dogs in the shelter. Support expenses, except for medical care, shall be paid in advance for a period of at least 30 days.

(2) Public shelter support expenses for long distance adopted dogs shall be established by decision of the local council or by decision of the General Council of the Bucharest Municipality.

(3) When establishing the amount provided for at par. (2), the following cost elements shall be considered by bill of quantities: dry food, veterinary medicines, and staff, public services and materials expenses.

(4) The National Health-Veterinary and Food Safety Authority shall public and update on its official Website, within 30 days, a list of estimate costs for dry food, veterinary medicines and certain materials, according to their market prices, as information for the public.

(5) The costs of potential medical therapies shall be notified to long distance adopters by operators of specialized services before they are incurred. The decision to treat the dog and, implicitly,

to incur the expenses is on the adopter, following that potential expenses be paid within 5 days after the therapy is finished. The adopter's decision to treat the dog must be taken within 24 hours from the notifications.

(6) Specialized stray dogs management services and operators of specialized stray dogs management services shall have the obligation to use donations made by long distance adopters only to support and, as applicable, treat the dogs adopted by this procedure.

(7) The long distance adoption may be terminated by specialized stray dogs management services and operators of specialized stray dogs management services if the adopter fails to meet, for 14 consecutive working days, their obligations undertaken under the long distance adoption statement.

(8) The number of dogs that may be adopted at long distance by a person shall be unlimited.

Article 27. - (1) Specialized stray dogs management services and operators of specialized stray dogs management services shall have the obligation to approve long distance adoption applications up to the limit of the accommodation capacity.

(2) Until all dogs in the administrative unit have been caught, the number of long distance adopted dogs may not exceed a third of the places available in shelters.

(3) During their stay in public shelters, long distance adopted stray dogs may be taken over anytime by their adopters or they may be adopted subject to Article 23 with the consent of the long distance adopter.

Article 28. - (1) Specialized stray dogs management services and operators of specialized stray dogs management services may extend the period of accommodation beyond the 14 working days for dogs that have not been claimed, adopted or adopted at long distance, if there is enough room to accommodate them and sufficient financial resources to support them.

(2) The accommodation period shall be extended by decision of the mayor's representative for each and every dog.

CHAPTER IX

Participation of Animal Welfare Associations and Foundations in the Activities of Stray Dogs Management Services

Article 29. - (1) Interested animal welfare associations and foundations shall participate in the stray dogs catching, accommodation, delousing, vaccination, neutering/spaying and claiming or adoption actions carried out by specialized stray dogs management services and operators of specialized stray dogs management services based on a written application.

(2) Specialized stray dogs management services and operators of specialized stray dogs management services, as well as managers of private shelters having concluded partnerships with local councils or the General Council of the Bucharest Municipality, respectively, shall have the obligation to record applications and provide their written approval to participate in the actions provided for at par. (1).

(3) The representatives of animal welfare associations and foundations who participate in the medical examination should have attended specialized education.

(4) The information about the actions provided for at par. (1) should be communicated to the interested animal welfare associations which wanted to take part of the actions provided for at par (1) via electronic mail/means published on the Websites of specialized stray dogs management services.

(5) The activities provided for at par. (1) shall be carried out in the absence of the representatives of animal welfare associations and foundations under the following circumstances:

a) There is no application submitted according to par. (2) and (3) by animal welfare associations and foundations.

b) The representatives of interested animal welfare associations and foundations have not appeared in the location and time range when the respective actions had been scheduled.

(6) The representatives of animal welfare associations and foundations who participate in the activities provided for at par. (1) shall have the obligation to not disturb the smooth development of the respective activities.

(7) In case there are requests to fit an online live streaming video monitoring system in public shelters coming from natural or legal persons who make sure they incur the costs for the purchase, fitting and operation of the system, the operators of specialized stray dogs managements services may allow such system.

CHAPTER X

Medical Examination of Incurably Ill Dogs

Article 30. - (1) Stray dogs that show clinical signs of disease shall be registered and medically examined with priority when they enter the shelter. The health condition of stray dogs accommodated in shelters shall be assessed periodically or whenever necessary.

(2) The legally established freelance veterinarian shall assess the health condition of dogs accommodated in shelters.

(3) The documents showing the performance of medical examinations, and the test results shall be archived alongside the clinical record of the stray dog and kept for at least three years.

(4) Incurably ill dogs shall be euthanized within 48 hours.

Article 31. - The representatives of interested animal welfare associations and foundations may assist the medical examination of the dogs based on an application submitted to the specialized stray dogs management services or to operators of the specialized stray dogs management services, as well as to managers of private shelters having concluded partnership with local councils or the General Council of the Bucharest Municipality, respectively.

CHAPTER XI

Euthanizing Stray Dogs and Neutralizing Corpses

Article 32. - Dogs diagnosed with incurable diseases following a medical examination may be euthanized under observance of Annex 3 to the Government Emergency Ordinance no. 155/2001, as amended and supplemented.

Article 33. - If the animal diagnosed with an incurable disease is identified, it may be euthanized only with the consent of its owner.

Article 34. - It shall be prohibited to euthanize stray dogs that do not suffer from incurable diseases before the expiry of the 14 working day period after they are accommodated in the shelter.

Article 35. - (1) The decision to euthanize dogs not claimed, not adopted, not adopted at long distance or kept in the shelters, after the expiry of the 14 working day period after their accommodation, shall be issued by the mayor's representative filling in the special form whose template is shown in Annex 6 to these implementing regulations.

(2) The representative of the mayor may only issue euthanization decisions for stray dogs in public shelters managed by specialized stray dogs management services or by the operators of specialized stray dogs management services.

Article 36. - (1) Dogs shall only be euthanized by legally established freelance veterinarians under observance of Annex 1 let. B point 6 to the Government Emergency Ordinance no. 155/2001, as amended and supplemented.

(2) The Veterinarian Medical College shall prepare lists of legally established freelance veterinarians following to perform the euthanization procedures. Such lists shall be prepared for each and every county, and for Bucharest.

(3) Shelter dogs may only be euthanized by legally established freelance veterinarians whose names are on the lists provided for at par. (2).

Article 37. Dogs shall be euthanized according to the animal euthanization guide approved by the Veterinarian Medical College in compliance with the guidelines of the World Animal Health Organization.

Article 38. - (1) The corpses of euthanized dogs, of those who have died in the shelter for other reasons or collected from the streets shall be transported and disposed under strict observance of the Regulation (EC) no. 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) no. 1774/2002, and of the Order of the President of the National Health-Veterinary and Food Safety Authority no. 80/2005 approving the Health-veterinary and food safety regulation regarding the preparation of documents and records necessary to carry out the neutralization of animal waste, as amended and supplemented.

(2) Each dog shelter should conclude a contract with an authorized corpse collection/neutralization unit or have its own incineration plant certified according to Regulation (EC) no. 1069/2009.

CHAPTER XII

Neutering/Spaying and Vaccinating Dogs. Hygiene Maintenance by Owners

Article 39. - (1) Natural or legal persons, and animal welfare associations and foundations that own mongrels on the territory of the country shall have the obligation to neuter/spay them until 1st of January 2015.

(2) Stray dogs that are not mongrels shall not be neutered/spayed if they are claimed.

(3) Specialized stray dogs management services and operators of specialized stray dogs management services shall have the obligation to neuter/spay mongrels claimed, adopted or kept in the shelter, as well as pregnant females.

(4) Pregnant females, and females claimed, adopted or kept in the shelter shall be spayed with priority.

(5) Mongrels claimed, adopted or kept in public shelters shall be mandatorily neutered/spayed. Males shall be neutered through orchidectomy, and females shall be spayed through oophorohysterectomy.

(6) As an exception from par. (5), the neutering can also be chemical, using EU homologated products.

(7) Owners of females not spayed shall have the obligation to declare pregnancies, litters and the number of puppies to any legally organized freelance veterinarian or to a freelance veterinarian empowered according to Article 15 par. (2) of the Government Ordinance no. 42/2004 on the organisation of health-veterinary activities and food safety, as amended and supplemented.

(8) Pregnancies shall be declared immediately after being acknowledged by the owner, and litters and the number of puppies shall be declared within 10 days after the birth.

(9) Legally organized freelance veterinarians or, as applicable, freelance veterinarians empowered according to Article 15 par. (2) of the Government Ordinance no. 42/2004, as amended and supplemented, who receive the declarations provided for at par. (6) shall record the data and register them in the Owned Dogs Records.

Article 40. - The neutering/spaying operation shall be recorded in the health record of the dogs and in the Owned Dogs Records by legally established freelance veterinarians.

Article 41. (1) Local councils may subsidize in whole or in part the neutering/spaying of owned mongrels located within the jurisdiction of the administrative unit, by concessioning, subject to Article 8, the neutering/spaying operations to one or several legally established freelance veterinarians.

(2) Mongrel owners who want to benefit from subsidies for the neutering/spaying of their dogs shall submit an application to local councils.

(3) Local councils shall send to persons having submitted the application according to par. (2) the address of freelance veterinary clinics which received the concession for neutering/spaying operations alongside an order ticket showing the name and address of the dog owner, which shall be stamped and signed by the veterinarian after performing the neutering/spaying surgery.

Article 42. - (1) It shall be prohibited to neuter/spay mongrels whose health condition is not suitable for performing such medical surgery, as well as working dogs.

(2) The medical reasons for not neutering/spaying the dogs shall be recorded by the legally established freelance veterinarian in the health record of the dog and in the Owned Dogs Records.

(3) Mongrels may also be neutered/spayed by means of mobile veterinary clinics.

Article 43. (1). The health book of the dog must be in the possession of the dog owner, when the dog is being walked in public spaces.

(2). Health books must contain micro chip number and neutering state (for dogs which are not pure breed). If there is an exception from the neutering obligation, the medical reasons must be written in the health book.

Article 44. - (1) In order to maintain hygiene in public areas, dog owners shall have the following obligations:

a) collect the excrements discharged by their animals from public areas, neighbouring areas of public areas, hallways and access routes of residence areas;

b) not throw animal excrements in public areas, neighbouring areas of public areas, hallways and access routes of residence areas.

CHAPTER XIII

Stray Dogs Management Control

Article 45. – (1) For the purpose of verifying the implementation of the Government Emergency Ordinance no. 155/2001, as amended and supplemented, by specialized stray dogs management services and operators of specialized stray dogs management services, the representatives of the National Health-Veterinary and Food Safety Authority and of county health-veterinary and food safety divisions, and of the Bucharest Municipality, shall have access to shelters, therapy rooms, corpse storages, food storages, other appurtenances, as well as the right to request and receive any documents and to check any equipment of public services and shelters, vehicles, utility weapons, and food, medicine and disinfecting agent stocks.

(2) The National Health-Veterinary and Food Safety Authority and county health-veterinary and food safety divisions, and of the Bucharest Municipality shall prepare control plans to check the development of stray dog population management prepared and implemented by the specialized stray dogs management services and by operators of specialized stray dogs management services.

(3) The National Health-Veterinary and Food Safety Authority shall make available for local councils and for the General Council of the Bucharest Municipality the schedule for evaluating the feasibility of the action plans provided for at Article 12.

CHAPTER XIV

Mandatory Records for Stray Dog Public Shelters and Animal Welfare Associations and Foundations

Article 46. - (1) All public and private stray dog shelters should keep the records of all medical therapies and dead animals.

(2) The legally established freelance veterinarian should mandatorily record the following data in special registers: the date and place of the catch, the date and time of accommodation in the shelter, the individual characteristics of the animal, the number of stray dogs caught, claimed, adopted, kept in the shelter, adopted at long distance, or euthanized, the reason for euthanization, the substance used for euthanization, the name of the euthanizer, the identification number, the number of the adoption record, the date of delousing, the date of anti-rabies vaccination, the date of neutering/spaying, and the name of the persons having conducted such operations.

(3) The special registers where the data provided for at par. (2) are recorded shall be managed according to the procedures established by the National Health-Veterinary and Food Safety Authority.

(4) In addition to the provisions of par. (1) and (2), the following records should also be kept in public and private stray dog shelters: register of medicine consumption, immunological register, register of noxious substance consumption, register for the management of substances used for euthanization, and disinfection documents.

(5) Public and private stray dog shelters should observe the Order of the President of the National Health-Veterinary and Food Safety Authority no. 80/2005 approving the Health-veterinary and food safety regulation regarding the preparation of documents and records necessary to carry out the neutralization of animal waste, as amended and supplemented.

(6) The registers provided for at par. (2) and (4) should be kept for at least three years, and they should be made available for the relevant authorities when official inspections are performed or at their request.

CHAPTER XV

Punishments

Article 47. - The following deeds are offences, and they shall be punished as follows:

a) failure to observe the provisions of Article 5 par. (8), Article 6 par. (5), Article 13, Article 39 par. (7) and (8), Article 43, Article 50 par. (1), Article 52 par. (1) by fine between 2,000 RON and 5,000 RON;

b) failure to observe the provisions of Article 3 par. (1), Article 5 par. (7), Article 6 par. (1) and (3), Article 9, Article 11, Article 17, Article 27 par. (1) by fine between 5,000 RON and 10,000 RON;

c) failure to observe the provisions of Article 33 and Article 34 by fine between 10,000 RON and 20,000 RON.

Article 48. - (1) Offences shall be determined and punishments shall be enforced by the empowered representatives, according to their working duties, of the National Health-Veterinary and Food Safety Authority, of county health-veterinary and food safety divisions, and of the Bucharest Municipality, and of the Minister of Internal Affairs.

(2) The persons provided for at par. (1) may determine infractions and they may enforce civil punishments according to the legal provisions in force in the field.

(3) The inspectors of specialized stray dogs management services of administrative units may determine the offences and inform the relevant authorities provided for at par. (1) with a view to enforcing punishments.

Article 49. - For the offences provided for at Article 48, the Government Ordinance no. 2/2001 on the legal status of offences shall apply.

CHAPTER XVI

Transitory Provisions

Article 50. – Stray dogs that, on the date of enforcement of these implementing regulations, have been identified, neutered/spayed and taken over under signature by landlord communities, according to the Government Decision no. 955/2004 approving the framework regulations for the enforcement of the Government Ordinance no. 71/2002 on the organization and operation of public services managing local interest public and private areas, which are kept in enclosed areas by any kind of legal title, authorized by the local council, shall not be caught by the specialized stray dogs management services and operators of specialized stray dogs management services.

Article 51. – On the effective date of these implementing regulations, they shall be applicable also to dogs that are already in public shelters.

Article 52. (1) If the identity of the captured dogs' owner can be established by other means than the micro chip, the representatives of the public services have the obligation of noticing the owner within 24 hours.

(2). The provisions of par. (1) are valid until 1st of January 2015.

CHAPTER XVII

Final Provisions

Article 53. – (1) Stray dogs management services shall have the obligation to report on a quarterly basis to county health-veterinary and food safety divisions, and of the Bucharest Municipality the number of stray dogs caught, claimed, adopted, adopted at long distance, kept in shelters and euthanized.

(2) Private shelters shall have the obligation to report on a quarterly basis to health-veterinary and food safety divisions the number of dogs entered in the shelter, adopted and euthanized, as well as the number of dogs existing in the shelter on the reporting date.

Article 54. – With the occasion of each re-evaluation of the number of stray dogs within the jurisdiction of the territory, stray dogs management services shall report their up to date situation to health-veterinary and food safety divisions within whose jurisdiction they operate.

Article 55. – (1) The National Health-Veterinary and Food Safety Authority and the Minister of Internal Affairs, by their competent bodies, in collaboration with representatives of animal welfare organizations, shall monitor the implementation of these implementing regulations.

(2) For the purpose of conducting controls on the implementation of these regulations, mixed control teams may be established of persons empowered according to their working duties, from within the National Health-Veterinary and Food Safety Authority and within the Minister of Internal Affairs.

(3) For the purpose of implementing these regulations, the persons empowered according to their working duties, from within the National Health-Veterinary and Food Safety Authority and within the Minister of Internal Affairs shall have access to buildings, shelters and other places where animals are kept, as well as the right to request any information and documents necessary to conduct the control operation.

Article 56. – Annexes 1 to 6 shall form an integral part of these implementing regulations.

INDIVIDUAL CATCHING FORM

1. Information about the dog

- a. Breed
- b. Gender: M F
- c. Colour:
- d. Particular signs
- e. Size: - Small (below 10 kg)
 - Medium (11-20 kg)
 - Large: (over 20 kg)
- f. General condition very bad
 bad
 moderate
 good
 very good

2. Information about the catch:

- a. Day _____ Month _____ Year _____
- b. Place of catch: Zone/neighbourhood _____ Street _____

- c. Time of catch:

3. Information about the catching team

Vehicle identification number _____

Last name _____ First name _____

Signature _____

**MINIMAL INFORMATION ABOUT STRAY DOGS
ENTERED IN THE SHELTER**

1. date of catch;
2. date and time of accommodation in the shelter;
3. individual characteristics of the animal;
4. sole number of the cage;
5. health condition of the animal
 - a) clinically healthy
 - b) clinical signs
6. reason for euthanization;
7. substance used for euthanization;
8. name of euthanizer;
9. identification number;
10. number of adoption record;
11. date of delousing;
12. date of anti-rabies vaccination;
13. date of neutering/spaying;
14. persons conducting operations.

**TEMPLATE OF THE TABLE PROVIDED FOR AT ARTICLE 15 PAR. (5) OF THE
IMPLEMENTING REGULATIONS**

No.	Date of catch	Gender	Address	Characteristics	Microchip/tag	Notes

COMMITMENT STATEMENT FOR LOG DISTANCE ADOPTION

Nr. /

Legal person

The undersigned,, with the office in, str. nr., sector/county, telephone, e-mail address, registered with under no., represented by, in the capacity of, identified with ID series no., issued by on the date of,

Natural person

I, the undersigned,, with the domicile in, str. nr., sector/county, telephone, e-mail address, identified with ID series no., issued by on the date of,

undertake to adopt at long distance the dog having the identification number or the microchip with number, recorded in the health record, sheltered by the **specialized stray dogs management service**, under the following conditions:

1. Incur the public shelter support expenses established by decision of the local council.

2. The long distance adopted dog may be taken over at any time by the adopter, or it may be directly adopted with the consent of the long distance adopter.

In case the adopter fails to observe, for 14 consecutive working days, the conditions undertaken under point 1, the long distance adoption shall be terminated.

Date

Signature of long distance adopter,

.....

Signature of the representative of the specialized stray dogs management service

.....

Annex 5
to implementing regulations

LOCAL COUNCIL.....

Specialised Stray Dogs Management Service

EUTHANIZATION DECISION

No...../.....

Having regard to the expiry of the period of 14 working days after the catch, in compliance with the Government Emergency Ordinance no. 155/2001 approving the stray dogs management programme, as approved with amendments and supplementations by Law no. 227/2002, as amended and supplemented, in which the dog has not been claimed, adopted, adopted at long distance or kept in the shelter, it is hereby decided to euthanize within the dog bearing the identification number or the microchip with number, caught by the Public stray dog management structure on the date of

Date

Empowered representative of the mayor,

Last and First Name

Signature