

**Law no. 258 of 26 September 2013 amending and supplementing Government Emergency Ordinance no. 155/2001 approving the program management of stray dogs.**

Parliament of Romania adopts the present law

**- ARTICLE I (Art. I)**

Government Emergency Ordinance no. 155/2001 approving the program management of stray dogs, published in the Official Gazette of Romania, Part I, no. 794 of 13 December 2001, approved with amendments and completions by Law no. 227/2002, as amended, is amended and supplemented as follows

**Article 1 is amended to read as follows:**

**Article 1**

(1) Local councils respectively the Bucharest General Council are obliged to establish, as required, within 60 days from the date of entry into force of this emergency ordinance, specialized services for the management of stray dogs.

(2) Specialized services for the management of stray dogs in the established municipalities will manage the database held at their level.

(3) At the level of specialized services for the management of stray dogs is established Register of stray dogs captured across administrative - territorial units.

(4) The National Sanitary Veterinary and Food Safety Authority by County Sanitary Veterinary and for Food Safety and Directorates or Bucharest, verify the application of the provisions of this ordinance by administrative units.

2. After Article 1 introduces a new Article, article 1<sup>1</sup>as follows:  
Article 1<sup>1</sup>

For the purposes of this ordinance, the term "stray dog" has the following meaning: any dog rose, housed, kept the public in public places or in adjacent areas, outside the property master or owner

thereof, uncontrolled, unsupervised, free, abandoned, including those identified by microchipping or other alternative means of identification established by the National Sanitary Veterinary and Food Safety Authority. "

**1. Article 2 is amended to read as follows:**

**Article 2**

(1) Local Councils, namely the General Council of Bucharest are required to arrange and supplement its own funds as needed, as provided in Annex. 1 public shelters for stray dogs.

(2) Local Councils, namely the General Council of Bucharest are required to fit the specialized services for the management of stray dogs at least a veterinary technician for tracking and surveillance.

(3) The local councils, namely the Bucharest General Council are obliged to provide the specialized veterinary services, performing veterinary activities under the laws sanitary-veterinary and identification and registration of stray dogs with veterinarians' free practice, organized by law.

(4) Specialized services for the management of stray dogs can be granted only to legal persons, associations or foundations operating in the field of animal protection. They will contract veterinary services, according to legal regulations

(5) The work program of public relations shelters stray dogs will be daily from Monday to Friday between the hours 10.00 to 18.00.

**4. Article 3 is amended to read as follows:**

**Article 3**

(1) In shelters belonging to associations and foundations for animal protection can accommodate stray dogs that will be subjected to veterinary actions as required by law and will be identified by microchipping or other alternative means of identification established by the National Sanitary Veterinary and Food Safety Authority.

(2) The shelters under par. (1) must be provided by contract veterinary care.

3) The standard forms for claims and adoptions are completed at shelters of associations or foundations for animal protection are transmitted to the free practice veterinarian, organized under the law of contract holder supplies, services, within 48 hours the date of claim/adoption, to record their Register of dogs with owner.

## **5. Article 4 is amended to read as follows:**

### **Article 4**

(1) Stray dogs will be accommodated in shelters for stray dog's management services for a period of 14 working days. People should be informed about existing shelter, visiting program, the possibility of adoption or claim, by posting at the shelter and specialized services.

(2) The minimum requirements for the operation of shelters for dogs are provided in annex nr.1.

(3) Capture, transport, housing, feeding, deforming, vaccination, sterilization and control of dogs in shelters respect the rules and sanitary-veterinary measures provided in annex no. 2.

(4) Special services for the management of stray dogs have the obligation as soon as the owner has been identified, it should be notified within the period provided by art. 7 paragraph (1). a) or, where appropriate, by the deadline stipulated in art. 7 paragraph (1). b)

(5) The owner shall bear the costs of the value of maintaining the dog in the amount established by resolution of the council.

## **6. Article 5 is amended to read as follows:**

### **Article 5**

(1) Sick incurable animals, declared as such after a medical examination performed by a veterinarian, exam that can assist representatives from non-governmental organizations for the

protection of animals, based on the observation form, will be euthanized immediately.

(2) Euthanasia is an act of sacrificing through quick and painless procedures of dogs stipulated in par. (1).

(3) Euthanasia is the only procedure allowed the suppression of animal life subject to this ordinance.

**7. Article 6 is amended to read as follows:**

**Article 6**

(1) Dog euthanasia is performed only by a free practice veterinarian, organized under the law, as stated in Annex no. 3. (2) It is prohibits to killing dogs by persons other than those provided for, in this law or by methods other than euthanasia.

**8. Article 7 is amended to read as follows:**

**Article 7**

(1) The period referred to in art.

Article 4 alin (1) captured and registered dogs with shelters can be claimed or adopted as follows:

a) Within 7 working days from the date of registration in the records of shelters, dogs can be claimed by the owners;

b) after the expiry of the term provided to lit a) until the expiry of 14 working days, dogs can be claimed or adopted by individuals or legal entities, from the country or abroad, under the conditions of the law;

c) Claim and adoption are free.

(2) Unclaimed and not adopted dogs will be euthanized, based on a decision issued by a person authorized to do so by the mayor, the deadline set by this decision. Term will be determined taking into account the capabilities of accommodation and budget availability. This period may be modified motivated.

(3) Euthanasia decision is issued for each dog after it was found to have taken all the steps provided by this law.

(4) Pending the completion of the procedure of euthanasia, dogs can be claimed or adopted.

(5) Expenses necessary to comply with the procedures prescribed by this law shall be borne by the local budget and/or other sources.

**9. Article 8 is amended to read as follows:**

**Article 8**

(1) Dogs to claim custody and adoption are only after they have been consulted by free practice veterinarian, dewormed, vaccinated against rabies, neutered and identified by microchipping or other means of identification established by the National Veterinary Services Food Safety Authority. Claimed or adopted dogs will be sterilized, except for dogs with special conditions, as defined in the rules for the application of this ordinance.

(2) Claiming dogs and adoption by the applicants are based on a statement of commitments, the model of which is set out in the Annexes 4 and 5.

(3) Adoption of dogs in shelters is made in compliance with the following conditions:

a) Presentation of evidence by the adopter space showing proper growing conditions and housing of dogs;

b) The presentation of evidence by the adopter of material for the growth and maintenance of dogs;

c) Presentation by adoptive granted to owners or, where appropriate, the neighbours, the adoption of more than two dogs;

d) Recording immediately after adoption of dogs in the Register of dogs with owner.

4) Owners of dogs, natural or legal persons are obliged their identification of dogs by microchipping or other means of

identification established by the National Sanitary Veterinary and Food Safety Authority.

**10. Article 9 is amended to read as follows:**

**Article 9**

The bodies of dogs euthanized or those collected from the streets will be incinerated in compliance with sanitary-veterinary rules, prohibiting their use for the production of skin, fat, meat, flour protein and other products.

**11. Article 10 is amended to read as follows:**

**Article 10**

Public shelters within specialist services for the management of stray dogs and shelters animal welfare associations and foundations related special registers targeted by the free practice veterinarian, organized under the law, which states the following: date of capture, time of choice of shelter, individual characteristics of the animal, the number of dogs caught, claim, adopt, return and euthanized, why euthanasia, the substance used and the name of the person who performed euthanasia, microchip number of alternative means of identification established by the National Sanitary veterinary and Food Safety Authority, adoptive sheet number, deworming date, date rabies vaccination, sterilization date, data of the delivering bodies to execute incineration companies and people who have deal with these manoeuvres.

**12. Article 11 is amended to read as follows:**

**Article 11**

(1) Share catching, holding, deworming, vaccination, sterilization claim/adoption is made in compliance with the rules and sanitary measures - conditions for the protection of animals, and they will attend the representatives of associations and foundations for animal protection.

(2) Representatives of animal protection associations and foundations will participate in actions under par. (1) both in public

shelters within specialist services for the management of stray dogs and in private shelters that are in partnership with local councils.

**13. Article 12 is amended to read as follows:**

**Article 12**

Public services for managing local stray dogs and shelters belonging to animal welfare organizations and foundations are required to communicate monthly to the County Sanitary Veterinary and Food Safety Directorates and Bucharest the number of dogs registered and microchip number or alternative means of identification established by the National Sanitary Veterinary and Food Safety Authority. All data are centralized at national level by the National Sanitary Veterinary and Food Safety Authority.

**14.** After article 13, there are introduced 6 new articles, the articles 13<sup>1</sup>-13<sup>6</sup>, with the following content:

Article 13<sup>1</sup>

The legal persons of public law or private law which grow or hold provisional the dogs are directly responsible, by their legal representative, for respecting of sanitary-veterinary legislation in force and prescriptions of this emergency ordinance.

Article 13<sup>2</sup>

It is mandatory the sterilization of dogs with or without owner that belong of common breed, their half breeds, with exception of specimens with special regime from methodological norms for application of this emergency ordinance.

Article 13<sup>3</sup>

- (1) The owners, temporarily holders, physical persons and legal persons of public law or private law, public shelter and shelters of associations and foundations for protection of animals which give dogs for claim and adoption have the obligation to register them in the register for evidence of dogs with owner.
- (2) The registered medical veterinary units which perform the action of microchip of dogs have the obligation to

communicate to the register for evidence of dogs with owner, within 5 days after implant, the number of microchip.

- (3) The number of microchip is completed about the veterinarians in the book of dog health and dog passport, after case, the both documents having unique series and numbers, according with norms established by The National Sanitary Veterinary Authority and Food Safety.
- (4) The register for evidence of dogs with owner is managed by the College of Veterinarians.
- (5) The identification of dogs with owner is mandatory and is supported by belonging.

#### Article 13<sup>4</sup>

The action of anti-rabies vaccination of dogs with owner and dogs are to give to adoption is performed after their identification.

#### Article 13<sup>5</sup>

In the shelters of services for managing of dogs without owner, after their examination by veterinarians, the clinical healthy, nonaggressive and with treatable diseases specimens will be recovered with the difference of gender, age, waist but and the specimens with special regime.

#### Article 13<sup>6</sup>

The owners, temporarily holders have the obligation to maintain the hygiene in the public spaces, in the adjacent spaces, in the halls and gateways of rental spaces.

**15.** The article 14 will be modified and have the following content:

#### Article 14

- (1) The following facts represent the contraventions and will be punished as:
  - (a) Non-compliance with dispositions in art. 4, (4) and art. 13<sup>3</sup>, with fine between 2000-5000 ron;
  - (b) Non-compliance with dispositions in art. 4, (1)-(3), art. 6 (1), art. 7 (5), art. 8 (1), (4), art. 13<sup>1</sup>, 13<sup>2</sup>, 13<sup>4</sup>, 13<sup>5</sup>, 13<sup>6</sup> and conditions mentioned in declaration-commitment, with



- exception of abandonment, with fine between 5000-10000 ron;
- (c) Non-compliance with dispositions in art. 2, (1), (2) and art. 10, with fine between 10000-20000 ron;
  - (d) Preventing of participation of representatives of associations and foundations for animal protection at the actions mentioned in art. 11, with fine between 10000-20000 ron.
- (2) The following facts represent the offences and will be punished as:
- (a) Non-compliance with dispositions in art. 6, (2) and the cruelties to animals mentioned in art. 6, (2) in Law nr. 205/2004 concerning protection of animals, with the following modifications and completions, with prison between 6 months-3 years or criminal fine between 1000-10000 ron and confiscation of dogs;
  - (b) Non-compliance with dispositions in art. 9, with prison between 1-3 years;
  - (c) Non-compliance with dispositions in art. 13, with prison between 2-5 years.

**16.** The article 15 will be modified and have the following content:

#### Article 15

The finding of contraventions and application of sanctions will be done, after case, by authorized persons, according with service attributions, from The National Sanitary Veterinary Authority and Food Safety, The Ministry of Internal Affairs and inspectors of specialized services for managing of dogs without owner from administrative-territorial units, according of methodological norms for application of this emergency ordinance.

**17.** In the annex no. 1 letter A, point 3 will be modified and have the following content:

The floor must be sloping, with the drain to external or in canalization, in order to prevent the accumulation of water on access areas. The floors must be made by materials can be cleaned and disinfected easy.

**18.** In the annex no. 1 letter A, point 9 will be modified and have the following content:

It must be a control related by heating, ventilation and corresponding moisture in order to assure the comfort of animals.

**19.** In the annex no. 2 letter A, point 5 will be modified and have the following content:

The dogs very aggressive, situated in inaccessible spaces and suspected by rabies, can be immobilized by adequate methods, with respecting of sanitary veterinary legislation.

**20.** In the annex no. 3 letter A, points 1, 2 and 3 will be modified and have the following content:

The dogs mentioned in art. 5, 7 of this emergency ordinance will be euthanized.

The euthanasia of dogs will be performed by the veterinarians, organized in conditions of law.

The euthanasia of dogs will be performed according the guide for euthanasia of animals, approved by the College of Veterinarians.

**21.** The annex no. 4 will be modified and have the following content: FORMULAR OF REVENDICATION/ADOPTION.

**22.** The annex no. 5 will be modified and have the following content: FORMULAR OF REVENDICATION/ADOPTION.

Art. II

At the date of entry into force of this law, any contrary disposition will be repealed.

Art. III

(1) In term of 60 days after the date of entry in force of this law, the Government will approve, by decision, the methodological norms of application of Emergency Ordinance of Government no. 155/2001 concerning the approval of the program for managing of dogs without owner, approved with modifications and completions by Law no. 227/2002, with the following modifications, and with the

modifications and completions made by this law, at the proposal of The National Sanitary Veterinary Authority and Food Safety.

(2) The National Sanitary Veterinary Authority and Food Safety will emit the norms concerning identification and registration of dogs without owner, in term of 45 days after the date of entry in force of this law.

#### Art. IV

The Emergency Ordinance of Government no. 155/2001 concerning the approval of the program of managing of dogs without owner, published in Official Monitor of Romania, part I, no. 794 since 13<sup>th</sup> of December 2001, approved with modifications and completions by the Law no. 227/2002, with the following modifications, but and the modifications and completions made by this law, will be published in Official Monitor of Romania, part I, giving a new numbering of texts.

#### Art. V

In term of 15 days after the date of entry in force of this law, The National Sanitary Veterinary Authority and Food Safety will emit the norms for application of Emergency Ordinance of Government no. 155/2001 concerning the approval of the program of managing of dogs without owner, approved cu modifications and completions by the Law no. 227/2002, with the following modifications, and with modifications and completions made by this law.

.....  
This law was adopted by the Parliament of Romania, in conditions of art. 147 (2), with respecting of provisions art. 75 and art. 76 (1) of Constitution of Romania, republished.

