

Questionnaire

Country: Romania
The Country is: EU Member State
Author of the Questionnaire: Vier Pfofen, Veronica Tulpan
Note: –

Question	Article	Note
I. DATA AND DOCUMENTS		
What is the number of companion animals and/or stray animals in your country? Do you have any other data (e. g. rate of companion animals per inhabitant)?	–	Not known.
Does the country have a specific animal welfare legislation?	–	Yes.
Which other laws and ordinances refer to animal welfare?	–	Not known.
Are there any specific regulations concerning dogs/cats within the law?	–	Yes.
Is there a list of banned or dangerous animals?	–	The dangerous dogs are making the subject of another regulations government ordinance 55/ 2002 and law 60/ 2003,(see links in the annex) but there is no list of banned dogs
II. GOVERNANCE		
<i>BASIC ETHICAL CONCEPT IN THE POLITICAL SYSTEM</i>		
What is the basic ethical concept in your political system concerning animal welfare?	–	Not known.
Is the animal welfare act based on animal welfare as the principle value of the legislation?	Art. 5 f) – law 160/ 1998	The vet can perform his job in the filed of protection of domestic and wild animals
Do animals have a right to life?	–	Not known.

Questionnaire

Which reasonable causes have to be met for an official permission to kill a healthy animal?	Chapter V	National Veterinary Authority can order the slaughtering or the killing of a sick or hurt animal for sparing it of unnecessary physical or psychical sufferance, within the conditions settled through a order of the president of National Sanitary Veterinary and Food Safety Authority. Chapter V: Art. 19 - The animals will not be subjected to the useless suffering in case of sacrificing or killing. Art. 20 - Sacrificing and killing of animals will be made in accordance with the specific laws. Art. 21 - The dispositions of the article 20 are not applied to the animals that, because of accidents or illness, have to be immediately sacrificed of killed.
CONSTITUTION		
Is animal welfare part of the constitution?	–	No.
ANIMAL WELFARE IN PARLIAMENT		
Is there an animal welfare committee in the parliament?	–	No.
ANIMAL WELFARE IN GOVERNMENT		
Are there any official animal welfare bodies in the government? (e. g. Ombudsman, Commissioner)	–	No.
Which ministry/ministries is/are responsible for animal welfare?	–	Through different legislative acts, the responsible Ministries are: <ul style="list-style-type: none"> - Ministry of Agriculture and rural development - http://www.madr.ro/ - Ministry on Environment and Forests - http://www.mmediu.ro/ - Ministry of Administrative and Internal Affaires - for enforcing the penalties - www.mai.gov.ro
ANIMAL WELFARE IN AUTHORITIES		
How is the status of competent authorities for animal welfare legislation and are they/is it linked to a ministry and which ministry is it?	–	Not known.
ANIMAL WELFARE STRATEGY, BIRTH CONTROL AND SCHOOL PROGRAMMES		

Questionnaire

Does the country have a national animal welfare strategy?	–	No.
Is there an obligation for the government to do and publish an annual or biannual animal welfare report?	–	No.
Are there legal or administrative measures which provide birth control of animals?	–	Through sterilization programs of local administrative authorities, but this is not stipulated in animal protection law – it is the decision of local councils
Are there (mandatory) school programmes on animal welfare?	Art. 27	(1) The Romanian Radio and Television Broadcasting station promotes animal protection programs. (2) The Ministry for Education, Research and Youth shall promote animal protection actions within the classes of civic education

III. DOGS/CATS IN LEGISLATION

DEFINITIONS

Does the law or another enactment include a definition of animals as “sentient beings”?	–	There is no definition of “animal”.
Are animals defined as goods (object/chattel)?	Art. 473	Through their nature, there are mobile, the things that can be transported from a place to another, as well as the ones that can move by themselves such as the animals
Does the law include definitions of companion animals, abandoned animals and/or stray animals?	–	There is no definition of “animal”.

ETHICAL CONSIDERATION OF DOGS IN THE LEGISLATION

Can an animal be treated like an asset (e. g. in insolvency, confiscation, divorce, separation)? May an animal be used as an evidence in a court procedure?	–	There is no specification in the Code of civil procedure but depends on each case and on the lawyer ability - see the Note
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Questionnaire

Is winning of a bet or any other gain from an action which causes pain and/or suffering of an animal punishable?	–	No. Only through law 9/ 2008 - animal protection law
May an animal be obtained as a prize?	–	Yes, there is no law that stipulates that this is fobbed
IDENTIFICATION AND REGISTRATION		
Is identification and registration of animals mandatory and where are they registered and what is registered? What about costs?	–	Animal protection law does not stipulate that registration and identification of the dogs is mandatory but... It is mandatory to identify and registry the dogs as companion animals only if the dogs are breed dogs recognize by Romanian Kennel Club – according to internal regulations - http://www.ach.ro/regulamente.htm For the stray animals that are captured and sterilized the identification and registration are mandatory - law 227/ 2002 – law for approving the government ordinance 155/ 2001 – for the approval of the stray dogs population management - http://www.ansvsa.ro/documente/1%20Lege_227_2002-aprobarea_programului_de_gestionare_a_cainilor_fara_stapan_209ro.pdf
BREEDING		
Are there any clauses on breeders and is there a national register for breeders?	–	No.
Does the law proscribe the minimum care obligations for animals at breeders?	Art. 5	(1) The animal owners have the obligation to provide for their animals, according to ethological needs, species, bred, sex, age and production category, the following: a)an adequate shelter; b)sufficient food and water; c)possibility of sufficient space d)to move around; e)medical care (2) The animal owners are forbidden to apply wrongful treatment or cruelty towards animals.
Is breeding of defects punishable?	–	No.
Does the law provide for limitations on animals mutilations? (e. g. tail docking, ear cropping, devocalization, declawing, obligation to use anaesthesia.)	Art 6 (2)-i Law 9/ 2008	Yes, surgical interventions meant to modify the aspect of an animal or for other non-curative purposes, such as tail cutting, ear cropping, sectioning of vocal folds, claws ablation, beak and teeth cutting

Questionnaire

Which reasonable causes have to be met for an official permission to kill a healthy animal by a breeder?	Chapter V	National Veterinary Authority can order the slaughtering or the killing of a sick or hurt animal for sparing it of unnecessary physical or psychical sufferance, within the conditions settled through a order of the president of National Sanitary Veterinary and Food Safety Authority. Chapter V: Art. 19 - The animals will not be subjected to the useless suffering in case of sacrificing or killing. Art. 20 - Sacrificing and killing of animals will be made in accordance with the specific laws. Art. 21 - The dispositions of the article 20 are not applied to the animals that, because of accidents or illness, have to be immediately sacrificed or killed.
TRANSPORT, TRAVEL, SELL OF DOGS (TRADE)		
Is withholding of food and/or water from the animal(s) during a long transport punishable?	–	No. Only through law 9/ 2008 - animal protection law
Must a companion animal be quarantined upon arriving in your country?	Chapter 5.3	Only if the veterinarian inspector decides this
Is it allowed to sell dogs/cats at a pet shop?	–	Not mentioned.
Is there a ban on markets, shows, exhibitions or other events where one can buy an animal?	–	The markets, shows and exhibitions have to be authorized by Veterinarian Authorities
Is there an age-limit for children to buy an animal?	–	There is no stipulation on this
KEEPING AND LIMITS OF KEEPING		
Does the law proscribe the minimum care obligations for animals at keepers?	Art. 5	(1) The animal owners have the obligation to provide for their animals, according to ethological needs, species, bred, sex, age and production category, the following: a)an adequate shelter; b)sufficient food and water; c)possibility of sufficient space d)to move around; e)medical care (2) The animal owners are forbidden to apply wrongful treatment or cruelty towards animals.
Is there a special regulation which rules keeping of companion animals?	–	No. Only for the stray dogs shelters - Law 227/2002
Is there a list of banned or dangerous animals?	–	No.

Questionnaire

May a landlord forbid a renter to keep an animal?	–	Not mentioned.
May neighbours file complain against an owner, e. g. if he/she dies not inhibit his/her animal from (ceaseless) noises?	–	Yes.
Which reasonable causes have to be met for an official permission to kill a healthy animal by a private person?	Chapter V	National Veterinary Authority can order the slaughtering or the killing of a sick or hurt animal for sparing it of unnecessary physical or psychical sufferance, within the conditions settled through a order of the president of National Sanitary Veterinary and Food Safety Authority. Chapter V: Art. 19 - The animals will not be subjected to the useless suffering in case of sacrificing or killing. Art. 20 - Sacrificing and killing of animals will be made in accordance with the specific laws. Art. 21 - The dispositions of the article 20 are not applied to the animals that, because of accidents or illness, have to be immediately sacrificed of killed.
Is a private owner obliged to pay tax for his/her companion animal?	–	In animal protection law the taxes are not specified. The taxes are mandatory for the breed dogs that are registered at Romanian Kennel Club

KILLING

Which reasonable causes have to be met for an official permission to kill a healthy animal (also to get products of animal origin, e. g. for animal testing purposes or food supply)?	Chapter V	National Veterinary Authority can order the slaughtering or the killing of a sick or hurt animal for sparing it of unnecessary physical or psychical sufferance, within the conditions settled through a order of the president of National Sanitary Veterinary and Food Safety Authority. Chapter V: Art. 19 - The animals will not be subjected to the useless suffering in case of sacrificing or killing. Art. 20 - Sacrificing and killing of animals will be made in accordance with the specific laws. Art. 21 - The dispositions of the article 20 are not applied to the animals that, because of accidents or illness, have to be immediately sacrificed of killed.
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Questionnaire

Can animals be kept in shelters indefinitely? If not, is there specific time frame (for a vet) to kill an animal kept in a shelter?	Art. 4 - law 227/2002 Art. 7' - law 9/2008	In the authorities shelter the stray animals are kept for 14 days. The euthanasia of dogs, cats and other animals is forbidden, with the exception of animals with diseases beyond cure, ascertained by a veterinary doctor.
<i>ABUSE OF ANIMALS</i>		
Does the law address cruelty to animals? If so, does it provide for sanctions?	–	Yes, through animal protection law 9/2008, see answers below , chapter III
Does the law ban organized fights of animals?	Art. 6	(2) Within the meaning of this law, by cruelty towards animals it is understood: c) organization of fights between animals or with animals
Is sexual abuse of animals punishable?	–	Not mentioned.
Is maltreatment and/or suffering of animals perceived as a criminal offense? If so, what sanctions are foreseen?	–	No. Only through law 9/ 2008 - animal protection law and though National College of Veterinarians regulations, depending on each case
<i>UN-OWEND ANIMALS, SHELTERS, ABANDONED ANIMALS</i>		
Are there regulations on lost/found animals?	–	No.
Who is owner of an abandoned animal?	–	There is no specification in any law
May a private person establish an animal shelter?	–	No, only juridical persons. There are another law that stipulates this -law 227/ 2002 for the approval of the stray dogs population management
Can animals be kept in shelters indefinitely? If not, is there specific time frame (for a vet) to kill an animal kept in a shelter?	Art. 4 - law 227/2002 Art. 7' - law 9/2008	In the authorities shelter the stray animals are kept for 14 days. The euthanasia of dogs, cats and other animals is forbidden, with the exception of animals with diseases beyond cure, ascertained by a veterinary doctor.

Questionnaire

Is local community financing activities of collecting of abandoned and lost animals?	–	Frequently private persons are taking care of stray dogs on their own financial resources. The stray animals shelter, that involve animals capturing, sterilization, registration, medical treatments and transportation are financed by local city halls.
Must a finder of a stray and/or abandoned animal report the finding to a competent authority?	–	The finder CAN report this to a competent authority but this is not a MUST
Are there possibilities to adopt an abandoned animal?	Art 7 (3) – law 227/2002	Yes.
Are there legal or administrative measures which provide birth control of stray animals?	–	Through sterilization programs of local administrative authorities, but this is not stipulated in animal protection law – it is the decision of local councils
VETERINARIANS		
Is negligence (of a vet or a veterinary assistant) punishable?	–	No. Only through law 9/ 2008 - animal protection law and through National College of Veterinarians regulations, depending on each case
Does the law provide for limitations on animals mutilations? (e. g. tail docking, ear cropping, devocalization, declawing, obligation to use anaesthesia.)	Art 6 (2)-i Law 9/ 2008	Yes, surgical interventions meant to modify the aspect of an animal or for other non-curative purposes, such as tail cutting, ear cropping, sectioning of vocal folds, claws ablation, beak and teeth cutting
Which reasonable causes have to be met for an official permission to kill a healthy animal by a veterinarian?	Chapter V	National Veterinary Authority can order the slaughtering or the killing of a sick or hurt animal for sparing it of unnecessary physical or psychical suffering, within the conditions settled through an order of the president of National Sanitary Veterinary and Food Safety Authority. Chapter V: Art. 19 - The animals will not be subjected to the useless suffering in case of sacrificing or killing. Art. 20 - Sacrificing and killing of animals will be made in accordance with the specific laws. Art. 21 - The dispositions of the article 20 are not applied to the animals that, because of accidents or illness, have to be immediately sacrificed or killed.

POLICY OF BIRTH CONTROL FOR OWNED AND UN-OWNED ANIMALS

Questionnaire

Are there legal or administrative measures which provide birth control of animals?	–	Through sterilization programs of local administrative authorities, but this is not stipulated in animal protection law – it is the decision of local councils
IV. ENFORCEMENT		
List of case studies and / or relevant court decisions.	–	Not known.
V. PRACTICAL INFORMATION		
List of veterinary organisations in your country.	–	National College of Veterinarians http://www.cmvro.ro/
List of animal welfare organisations in your country.	–	See attached.
What about travelling with dogs?	–	Not known.
What about dogs in hotels?	–	Not known.

(27th May 2013)