

肆、附錄

D. Appendix

## 附錄 1 動物保護法

### 立法沿革

1. 中華民國八十七年十一月四日總統（87）華總（一）義字第 8700224370 號令制定公布全文 40 條；並自公布日起施行
2. 中華民國八十九年五月十七日總統（89）華總（一）義字第 8900118440 號令修正公布第 2 條條文
3. 中華民國九十年一月十七日總統（90）華總一義字第 9000007530 號令修正公布第 6、12、22、28 條條文
4. 中華民國九十年十二月二十一日總統（90）華總一義字第 9000252780 號令修正發布第 23 條條文
5. 中華民國九十三年一月七日總統華總一義字第 09200248361 號令修正公布第 12、14、31 條條文
6. 中華民國九十六年七月十一日總統華總一義字第 09600088031 號令修正公布第 30、31 條條文
7. 中華民國九十七年一月十六日總統華總一義字第 09700002551 號令修正公布第 3~5、7、9、10、12、13、15、16、18、20~23、25、27~33 條條文；並增訂第 14-1、20-1、22-1、22-2、25-1 條條文及第四章之一章名
8. 中華民國九十九年一月二十七日總統華總一義字第 09900020011 號令修正公布第 5、12、14、21、22-2、28 條條文；並增訂第 27-1 條條文
9. 中華民國一百年六月二十九日總統華總一義字第 10000136211 號令修正公布第 30 條條文；增訂第 14-2 條條文
10. 中華民國一百零四年二月四日總統華總一義字第 10400014321 號令修正公布第 2~6、12、14、19、22、22-2、23、25、27、29、30、31 條條文及第四章之一章名；並增訂第 6-1、6-2、22-3~22-5、23-1、23-2、30-1、33-1、33-2 條條文
11. 中華民國一百零五年五月十八日總統華總一義字第 10500042801 號令修正公布第 25-1 條條文
12. 中華民國一百零六年四月二十六日總統華總一義字第 10600050401 號令修正公布第 5、12、25、25-1、27、30、30-1、33-1 條條文；並增訂第 25-2 條條文
13. 中華民國一百零七年六月十三日總統華總一義字第 10700063001 號令修正公布第 3、6-1、26、29、31 條條文
14. 中華民國一百零七年十二月二十六日總統華總一義字第 10700140871 號令修正公布第 4、23 條條文；並增訂第 4-1 條條文
15. 中華民國一百一十年二月三日總統華總一經字第 11000008891 號令修正公布第 5 條條文
16. 中華民國一百一十年五月十九日總統華總一經字第 11000046551 號令修正公布第 1、3、14-1、22-1、30 條條文

## 第一章 總則

第 1 條 為尊重動物生命及保護動物，增進動物福利，特制定本法。

動物之保護，依本法之規定。但其他法律有特別之規定者，適用其他法律之規定。

第 2 條 本法所稱主管機關：在中央為行政院農業委員會；在直轄市為直轄市政府；在縣（市）為縣（市）政府。

直轄市及縣(市)政府應設機關專責動物保護，執行本法各項工作。

第 3 條 本法用詞，定義如下：

一、動物：指犬、貓及其他人為飼養或管領之脊椎動物，包括經濟動物、實驗動物、寵物及其他動物。

二、經濟動物：指為皮毛、肉用、乳用、役用或其他經濟目的而飼養或管領之動物。

三、實驗動物：指為科學應用目的而飼養或管領之動物。

四、科學應用：指為教學訓練、科學試驗、製造生物製劑、試驗商品、藥物、毒物及移植器官等目的所進行之應用行為。

五、寵物：指犬、貓及其他供玩賞、伴侶之目的而飼養或管領之動物。

六、寵物食品：指為供應經中央主管機關指定之寵物均衡營養之食料及其他物質。

七、飼主：指動物之所有人或實際管領動物之人。

八、寵物繁殖場：指為供商業用途而培育、改良或繁殖寵物之場所。

九、寵物食品業者：指經營寵物食品之製造、加工、分裝、批發、販賣、輸入或輸出之業者。

十、虐待：指除飼養、管領或處置目的之必須行為外，以暴力、不當使用藥品、器物、不作為或其他方法，致傷害動物或使其無法維持正常生理狀態之行為。

十一、運送人員：指以運送動物為職業者。

十二、屠宰從業人員：指於屠宰場宰殺經濟動物為職業者。

十三、展演：在公共場所或公眾得出入之場所以動物供展示、表演或與人互動。

## 第二章 動物之一般保護

第 4 條 中央主管機關應遴聘專家、學者、相關機關及立案之民間動物保護團體代表，研擬動物保護政策、動物保護教育、動物福利指標、動物福利白皮書，並每季檢討政策成效；其中專家、學者及立案之民間動物保護團體不具政府機關代表身分者，不得少於遴聘總人數之三分之二。

治療動物疾病之藥物不足時，經中央主管機關公告之人用藥物類別，得由獸醫師（佐）填入診療紀錄使用於犬、貓及非經濟動物。

前項人用藥物用於犬、貓及非經濟動物之使用、管理及其他應遵行事項之辦法，由中央主管機關會同中央衛生主管機關定之。

第 4-1 條 各級政府應普及動物倫理與動物保護法規相關之教育及學習，以提升國民動物保護知識，並落實於十二年國民基本教育課綱中。

第 5 條 動物之飼主為自然人者，以成年人為限。未成年人飼養動物者，以其法定代理人或監護人為飼主。

飼主對於其管領之動物，應依下列規定辦理：

- 一、提供適當、乾淨且無害之食物及二十四小時充足、乾淨之飲水。
- 二、提供安全、乾淨、通風、排水、適當及適量之遮蔽、照明與溫度之生活環境。
- 三、提供法定動物傳染病之必要防治。
- 四、避免其遭受騷擾、虐待或傷害。
- 五、以籠子飼養寵物者，其籠內空間應足供寵物充分伸展，並應提供充分之籠外活動時間。
- 六、以繩或鍊圈束寵物者，其繩或鍊應長於寵物身形且足供寵物充分伸展、活動，使用安全、舒適、透氣且保持適當鬆緊度之項圈，並應適時提供充分之戶外活動時間。
- 七、不得以汽、機車牽引寵物。
- 八、有發生危害之虞時，應將寵物移置安全處，並給予逃生之機會。
- 九、不得長時間將寵物留置密閉空間內，並應開啟對流孔洞供其呼吸。
- 十、提供其他妥善之照顧。
- 十一、除絕育外，不得對寵物施以非必要或不具醫療目的之手術。

飼主飼養之動物，除得交送動物收容處所或直轄市、縣（市）主管機關指定之場所收容處理外，不得棄養。

第 6 條 任何人不得騷擾、虐待或傷害動物。

第 6-1 條 任何人不得以動物進行展演。但申請經直轄市、縣（市）主管機關許可，或屬中央主管機關公告免經許可之展演動物類型、條件、方式或場所者，不在此限。

前項申請人，以具有社會教育機構、休閒農場、觀光遊樂業或其他經主管機關指定之資格者為限；且申請人或其僱用之相關人員曾因違反第二十五條、第二十五條之一第一項之規定經有罪判決確定者，直轄市、縣（市）主管機關應不予許可前項之申請。

第一項申請人應依直轄市、縣（市）主管機關之通知繳納保證金、投保責任保險或以其他方式擔保展演動物未獲得妥善飼養、照護或安置時，直轄市、縣（市）主管機關得以保證金、保險給付或擔保金額使用於妥善飼養、照護、安置或其他相關用途。

展演動物者應具備適當設施、專任人員、向主管機關申報展演動物相關資訊並接受主管機關之評鑑。評鑑不合格者，主管機關應令其限期改善；屆期未改善者，主管機關得廢止其許可。

第一項展演動物之申請條件、程序、應檢附文件、許可條件、許可期間、第二項申請人、相關人員資格、第三項繳納保證金、投保責任保險或其他擔保之方式、金額、用途、前項專任人員、設施、申報資訊、動物飼養照護、評鑑、廢止及其他應遵行事項之辦法，由中央主管機關定之。

本法中華民國一百零七年五月二十二日修正之條文施行前已展演動物者，得於修正施行之日起一年內繼續展演，不受第一項規定之限制。

第 6-2 條 各政府部門之檢疫犬、緝毒犬、警犬、搜救犬或國防軍犬，其每周工時、服務年限、終老送養與其他應遵行事項，由中央主管機關定之。

第 7 條 飼主應防止其所飼養動物無故侵害他人之生命、身體、自由或財產。

第 8 條 中央主管機關得指定公告禁止飼養、輸出或輸入之動物。

第 9 條 運送動物應注意其食物、飲水、排泄、環境及安全，並避免動物遭受驚嚇、痛苦或傷害。

經中央主管機關公告之動物種類，其運送人員應經運送職前講習結業，取得證書，始得執行運送業務。

前項運送人員經運送職前講習結業並執行業務後，每二年應接受一次在職講習；其運送人員講習、動物運送工具、方式及其他應遵行事項之辦法，由中央主管機關定之。

第 10 條 對動物不得有下列之行為：

- 一、以直接、間接賭博、娛樂、營業、宣傳或其他不當目的，進行動物之間或人與動物間之搏鬥。
- 二、以直接、間接賭博為目的，利用動物進行競技行為。
- 三、以直接、間接賭博或其他不當目的，而有虐待動物之情事，進行動物交換或贈與。
- 四、於運輸、拍賣、繫留等過程中，使用暴力、不當電擊等方式驅趕動物，或以刀具等具傷害性方式標記。
- 五、於屠宰場內，經濟動物未經人道昏厥，予以灌水、灌食、綑綁、拋投、丟擲、切割及放血。
- 六、其他有害社會善良風俗之行為。

第 11 條 飼主對於受傷或罹病之動物，應給與必要之醫療。

動物之醫療及手術，應基於動物健康或管理上需要，由獸醫師施行。但因緊急狀況或基於科學應用之目的或其他經中央主管機關公告之情形者，不在此限。

第 12 條 對動物不得任意宰殺。但有下列情事之一者，不在此限：

- 一、為肉用、皮毛用，或餵飼其他動物之經濟利用目的。
- 二、為科學應用目的。
- 三、為控制動物群體疾病或品種改良之目的。
- 四、為控制經濟動物數量過賸，並經主管機關許可。
- 五、為解除動物傷病之痛苦。
- 六、為避免對人類生命、身體、健康、自由、財產或公共安全有立即危險。

七、收容於動物收容處所或直轄市、縣(市)主管機關指定之場所，經獸醫師檢查患有法定傳染病、重病無法治癒、嚴重影響環境衛生之動物或其他緊急狀況，嚴重影響人畜健康或公共安全。

八、其他依本法規定或經中央主管機關公告之事由。

中央主管機關得公告禁止宰殺前項第一款之動物。

任何人不得因第一項第一款所定事由，有下列行為之一：

一、宰殺犬、貓或販賣、購買、食用或持有其屠體、內臟或含有其成分之食品。

二、販賣經中央主管機關公告禁止宰殺動物之屠體。

依第十四條第二項規定准許認領、認養之動物，不包括依第八條公告禁止飼養或輸入之動物。但公告前已飼養或輸入，並依第三十六條第一項辦理登記者，准由原飼主認領。

本法中華民國一百零四年一月二十三日修正之條文施行之日起二年內，收容於動物收容處所或直轄市、縣(市)主管機關指定之場所，經通知或公告超過十二日而無人認領、認養或適當處置之動物，得予以宰殺，不適用第一項規定。

第 13 條 依前條第一項所定事由宰殺動物時，應以使動物產生最少痛苦之人道方式為之，並遵行下列規定：

一、除主管機關公告之情況外，不得於公共場所或公眾得出入之場所宰殺動物。

二、為解除寵物傷病之痛苦而宰殺寵物，除緊急情況外，應由獸醫師執行之。

三、宰殺收容於動物收容處所或直轄市、縣(市)主管機關指定場所之動物，應由獸醫師或在獸醫師監督下執行之。

四、宰殺數量過賸之動物，應依主管機關許可之方式為之。

中央主管機關得依實際需要，訂定以人道方式宰殺動物之準則。

經濟動物之屠宰從業人員，每年應接受主管機關辦理或委託辦理之人道屠宰作業講習。

第 14 條 直轄市、縣(市)主管機關應依據直轄市、縣(市)之人口、遊蕩犬貓數量，於各該直轄市、縣(市)規劃設置動物收容處所，或委託民間機構、團體設置動物收容處所或指定場所，收容及處理下列動物：

- 一、由直轄市或縣（市）政府、其他機構及民眾捕捉之遊蕩動物。
- 二、飼主不擬繼續飼養之動物。
- 三、主管機關依本法留置或沒入之動物。
- 四、危難中動物。

前項收容動物無從辨識身分，或經依寵物登記或其他可資辨識之資料通知原飼主，自通知之日起超過七日未領回者，直轄市、縣（市）主管機關或動物收容處所得公告民眾認養，或予以絕育或其他收容管理之必要措施。

中央主管機關應編列經費補助直轄市、縣（市）主管機關設置動物收容處所，辦理絕育、認領及認養等動物保護相關工作；其設置組織準則及公立動物收容處所管理作業規範，由中央主管機關定之。

直轄市、縣（市）主管機關得訂定獎勵辦法，輔導並協助民間機構、團體設置動物收容處所。

動物收容處所或直轄市、縣（市）主管機關指定之場所提供服務時，得收取費用；其收費標準，由直轄市、縣（市）主管機關定之。

第 14-1 條 捕捉動物，不得使用下列方法：

- 一、爆裂物。
- 二、毒物。
- 三、電氣。
- 四、腐蝕性物質。
- 五、麻醉槍以外之其他種類槍械。
- 六、獸鈇。
- 七、其他經主管機關公告禁止之方法。

使用前項各款所定方法捕捉動物者，主管機關得逕予排除或拆除並銷毀之。土地所有人、使用人或管理人不得規避、妨礙或拒絕。

第 14-2 條 非經中央主管機關許可，任何人不得製造、販賣、陳列或輸出入獸鈇。

### 第三章 動物之科學應用

第 15 條 使用動物進行科學應用，應儘量避免使用活體動物，有使用之必要時，應以最少數目為之，並以使動物產生最少痛苦及傷害之方式為之。

中央主管機關得依動物之種類，訂定實驗動物之來源、適用範圍及管理辦法。

第 16 條 進行動物科學應用之機構，應設置實驗動物照護及使用委員會或小組，以督導該機構進行實驗動物之科學應用。

中央主管機關應遴聘學者、專家、相關機關及立案之民間動物保護團體代表定期監督及管理動物之科學應用；其中至少應含獸醫師及民間動物保護團體代表各一人。

實驗動物照護及使用委員會或小組之組成、任務及管理之辦法，由中央主管機關定之。

第 17 條 科學應用後，應立即檢視實驗動物之狀況，如其已失去部分肢體器官或仍持續承受痛苦，而足以影響其生存品質者，應立即以產生最少痛苦之方式 宰殺之。

實驗動物經科學應用後，除有科學應用上之需要，應待其完全恢復生理功能後，始得再進行科學應用。

第 18 條 高級中等以下學校不得進行主管教育行政機關所定課程綱要以外，足以使動物受傷害或死亡之教學訓練。

#### 第四章 寵物之管理

第 19 條 中央主管機關得指定公告應辦理登記之寵物。

前項寵物之出生、取得、轉讓、遺失及死亡，飼主應向直轄市、縣（市）主管機關或其委託之民間機構、團體辦理登記；直轄市、縣（市）主管機關應給與登記寵物身分標識，並應植入晶片。

前項寵物之登記程序、期限、絕育獎勵與其他應遵行事項及標識管理辦法，由中央主管機關定之。

第 20 條 寵物出入公共場所或公眾得出入之場所，應由七歲以上之人伴同。

具攻擊性之寵物出入公共場所或公眾得出入之場所，應由成年人伴同，並採取適當防護措施。

前項具攻擊性之寵物及其所該採取之防護措施，由中央主管機關公告之。

第 20-1 條 直轄市、縣（市）主管機關應提供適當之公共場地，供飼主攜帶寵物活動與使用。

第 21 條 應辦理登記之寵物出入公共場所或公眾得出入之場所無人伴同時，任何人均可協助保護送交動物收容處所或直轄市、縣（市）主管機關指定之場所。

前項寵物有身分標識者，應儘速通知飼主認領；經通知逾十二日未認領或無身分標識者，依第十二條及第十三條規定處理。

第一項之寵物有傳染病或其他緊急狀況者，得逕以人道方式宰殺之。

飼主送交動物收容處所或直轄市、縣（市）主管機關指定場所之寵物，準用前二項規定辦理。

#### 第四章之一 寵物繁殖買賣寄養及食品業者之管理

第 22 條 任何人不得販賣特定寵物。但申請經直轄市、縣（市）主管機關許可，並依法領得營業證照之業者，得經營特定寵物之繁殖、買賣或寄養；許可期間，以三年為限。

前項特定寵物之種類、繁殖場、買賣或寄養業者應具備之條件、設施、專任人員、申請許可之程序、期限與換證、撤銷或廢止許可之條件、寵物繁殖作業及其他應遵行事項之辦法，由中央主管機關定之。

第一項業者以外之特定寵物飼主應為寵物絕育，但飼主向直轄市、縣（市）主管機關申報並提出繁殖管理說明後得免絕育，如有繁殖需求亦應申報，並在寵物出生後依第十九條規定，植入晶片，辦理寵物登記。

直轄市、縣（市）主管機關得要求前項申報飼主，提供特定寵物飼養現況及受轉讓飼主資料。

依第二項所定辦法施行前，已經營該特定寵物之繁殖場、買賣或寄養業者，應自辦法施行公告之日起二年內，向直轄市或縣（市）主管機關申請許可；屆期未申請者，依第二十五條之一規定處理。

第 22-1 條 直轄市、縣（市）主管機關應定期查核及評鑑寵物繁殖場、寵物買賣或寄養業者；其查核及評鑑之辦法，由中央主管機關定之。前項查核報告應定期公開。

第 22-2 條 經營第二十二條特定寵物之買賣業者，其寵物來源，應由取得許可證之寵物繁殖場或寵物買賣業者供應之；並應於完成晶片植入後，始得買賣或轉讓他人。

經營第二十二條特定寵物買賣交易時，寵物繁殖或買賣業者，應備有登載寵物相關資訊之文件，並提供予購買者。

前項寵物繁殖場、寵物買賣或寄養業者，於電子、平面、電信網路及其他媒體進行廣告行銷宣傳時，應標示其許可證字號。

第 22-3 條 寵物食品製造、加工或輸入業者，應就所營之寵物食品向中央主管機關申報。

前項業者應申報之寵物食品種類、申報內容、方式、期限、程序、其他相關管理事項之辦法，由中央主管機關定之。

第 22-4 條 寵物食品有下列情形之一者，不得製造、加工、分裝、批發、販賣、輸入、輸出、贈與或意圖販賣而公開陳列：

- 一、染有病原微生物。
- 二、有害寵物健康物質之含量超出安全容許量。
- 三、逾有效日期。
- 四、未依規定標示、標示不明或標示不全。

前項病原微生物之種類、有害寵物健康物質之種類及其安全容許量之標準，由中央主管機關定之。

第 22-5 條 寵物食品應以中文及通用符號，顯著標示下列事項於容器、包裝或說明書 之上：

- 一、品名。
- 二、淨重、容量、數量或度量等；其淨重、容量或度量應標示法定度量衡單位，必要時，得加註其他單位。
- 三、所使用主要原料、添加物名稱。
- 四、營養成分及含量。
- 五、製造、加工業者名稱、地址及電話。輸入者並應加註輸入業者及國內負責廠商名稱、地址、電話及原產地。
- 六、有效日期或製造日期。
- 七、保存期限、保存方法及條件。
- 八、適用寵物種類、方法及其他應注意事項。
- 九、其他經中央主管機關公告指定標示之事項。

對於寵物食品所為之標示、宣傳或廣告，不得有不實、誇張或易生誤解之情形。

寵物食品容器、包裝有下列情形之一者，不得製造、販賣、輸入、輸出或使用：

- 一、有毒。
- 二、易生不良化學作用。
- 三、其他足以危害健康。

## 第五章 行政監督

第 23 條 直轄市、縣（市）主管機關應置專任動物保護檢查員，並得甄選義務動物保護員，協助動物保護檢查工作。

動物保護檢查員得出入動物比賽、宰殺、繁殖、買賣、寄養、展示及其他營業場所、訓練、動物科學應用場所，稽查、取締違反本法規定之有關事項。

對於前項稽查、取締，不得規避、妨礙或拒絕。

第二項之稽查，直轄市、縣（市）主管機關得委任、委託或委辦其他機關（構），法人、團體或個人辦理。

動物保護檢查員於執行職務時，應出示有關執行職務之證明文件或顯示足資辨別之標誌；必要時，得請警察人員協助。

直轄市、縣（市）政府警察局協助動物保護檢查員執行本法有關動物保護之工作，應經相關專業訓練。

為期本法之有效實施，主管機關應逐年編列預算，推動流浪犬族群控制、多元創新性認領養、工作犬、校園犬計畫及確保收容管理品質等動物保護有關工作。

第 23-1 條 直轄市、縣（市）主管機關得會同有關機關派員進入寵物食品業者之營業及相關場所，執行檢查或抽樣檢驗。

直轄市、縣（市）主管機關為前項檢查或抽樣檢驗，得命前項寵物食品業者提供生產、進貨、出貨或庫存管理等相關文件及紀錄。

檢查人員執行第一項檢查或抽樣檢驗時，應出示證明文件或顯示足資辨別之標誌。

對於第一項之檢查或抽樣檢驗，寵物食品業者不得規避、妨礙或拒絕。

第 23-2 條 寵物食品經檢查或檢驗確認含有或超過依第二十二條之四第二項所定標準中有關病原微生物種類或有害寵物健康物質安全容許量者，直轄市或縣（市）主管機關應命其限期回收、銷毀或為其他適當之處置。

第 24 條 直轄市或縣（市）主管機關對於違反第十五條、第十六條第一項、第十七條或第十八條規定之機構、學校，應先通知限期改善或為必要之處置。

## 第六章 罰則

第 25 條 有下列情事之一者，處二年以下有期徒刑或拘役，併科新臺幣二十萬元以上二百萬元以下罰金：

- 一、違反第五條第二項、第六條或第十二條第一項規定，宰殺、故意傷害或使動物遭受傷害，致動物肢體嚴重殘缺或重要器官功能喪失。
- 二、違反第十二條第二項或第三項第一款規定，宰殺犬、貓或經中央主管機關公告禁止宰殺之動物。

第 25-1 條 違反第五條第二項、第六條、第十二條第一項、第二項或第三項第一款規定，使用藥物、槍械，致複數動物死亡情節重大者，處一年以上五年以下有期徒刑，併科新臺幣五十萬元以上五百萬元以下罰金。

有前條或前項情形之一者，主管機關得公布其姓名、照片及違法事實。

第 25-2 條 違反第二十二條第一項規定，未經直轄市或縣（市）主管機關許可，擅自經營特定寵物之繁殖場、買賣或寄養業者，處新臺幣十萬元以上三百萬元以下罰鍰，並令其停止營業；拒不停止營業者，按次處罰之。

前二條之行為人所飼養之動物、前項供繁殖或買賣之特定寵物，直轄市、縣（市）主管機關得沒入之。

第 26 條 有下列情形之一者，處新臺幣五萬元以上二十五萬元以下罰鍰：

- 一、違反第六條之一第一項規定，以動物進行展演。
- 二、違反第八條規定，飼養、輸出或輸入經中央主管機關指定公告禁止飼養、輸出或輸入之動物。

前項第一款所涉動物，不問屬於何人所有，直轄市或縣（市）主管機關得沒入之。

第 27 條 有下列情事之一者，處新臺幣五萬元以上二十五萬元以下罰鍰，並得公布其姓名、照片及違法事實，或限期令其改善；經限期令其改善，屆期未改善者，得按次處罰之：

- 一、違反第十條第一款規定，驅使動物之間或人與動物搏鬥。
- 二、違反第十條第一款規定，與動物搏鬥。
- 三、違反第十條第二款規定，以直接、間接賭博為目的，利用動物進行競技。
- 四、違反第十條第三款規定，以直接、間接賭博或其他不當目的，進行動物交換與贈與。
- 五、違反第十條第六款規定，其他有害社會善良風俗之利用動物行為。
- 六、違反第十二條第三項規定，販賣、購買、食用或持有犬、貓之屠體、內臟或含有其成分之食品或經中央主管機關公告禁止宰殺動物之屠體。
- 七、寵物繁殖業者違反中央主管機關依第二十二條第二項所定辦法中有關寵物繁殖作業之規定。
- 八、違反第二十二條第三項規定，未為寵物絕育且未申報及提出繁殖管理說明，或未申報繁殖需求而繁殖寵物。
- 九、製造、加工、分裝、批發、販賣、輸入、輸出、贈與或意圖販賣而公開陳列有第二十二條之四第一項第一款或第二款情形之一之寵物食品。
- 十、違反第二十三條之二規定，未於直轄市或縣（市）主管機關所定期限內回收、銷毀或為其他適當處置。

第 27-1 條 散布、播送或販賣違反第六條、第十條或第十二條第一項之文字、圖畫、聲音、影像、電磁紀錄或其他物品，或公然陳列，或以他法供人觀賞、聽聞者，處一年以下有期徒刑、拘役或科或併科三萬元以下罰金。但為供學術研究或公益用途者，不在此限。

第 28 條 有下列情事之一者，處新臺幣四萬元以上二十萬元以下罰鍰及令其限期改善外，並得公布其姓名、名稱或照片；屆期不改善者，得按次處罰；經處罰三次者，廢止其許可：

- 一、特定寵物之繁殖、買賣或寄養業者違反中央主管機關依第二十二條第二項所定辦法中有關特定寵物繁殖場、買賣或寄養業者應具備之條件、設施、專任人員之規定。
- 二、寵物買賣業者違反第二十二條之二第一項規定，其寵物來源由未取得許可證之寵物繁殖場或寵物買賣業者供應，或未完成晶片植入即進行買賣、轉讓他人。

第 29 條 有下列情事之一者，處新臺幣三萬元以上十五萬元以下罰鍰：

- 一、違反第五條第三項規定，棄養動物。
- 二、違反第六條之一第五項所定辦法中有關保證金、投保責任保險或其他擔保方式、專任人員、設施、申報資訊、動物飼養照護之規定。
- 三、違反第十五條第一項、第十七條或第十八條規定，未依第二十四條規定限期改善或為必要之處置。
- 四、違反第十六條第一項規定，未成立實驗動物照護及使用委員會或小組。
- 五、違反第二十條第二項規定，無成年人伴同或未採取適當防護措施，使具攻擊性寵物出入於公共場所或公眾得出入之場所。
- 六、違反第二十三條第三項規定，規避、妨礙或拒絕動物保護檢查員依法執行職務。
- 七、製造、加工、分裝、批發、販賣、輸入、輸出、贈與或意圖販賣而公開陳列有第二十二條之四第一項第三款或第四款情形之一之寵物食品。
- 八、違反第二十二條之五第一項有關標示之規定，經限期令其改善，屆期未改善。
- 九、違反第二十二條之五第二項有關標示、宣傳或廣告不得有不實、誇張或使人產生誤解之規定。
- 十、違反第二十二條之五第三項規定，製造、販賣、輸入、輸出或使用有第二十二條之五第三項各款情形之一之寵物食品容器或包裝。
- 十一、違反第二十三條之一第四項規定，規避、妨礙或拒絕檢查人員之檢查或抽樣檢驗。

前項第二款或第三款所涉動物，不問屬於何人所有，直轄市或縣(市)主管機關得沒入之。

第 30 條 有下列情事之一者，處新臺幣一萬五千元以上七萬五千元以下罰鍰：

- 一、違反第五條第二項第一款至第十款各款之一或第六條規定，故意傷害或使動物遭受傷害，而未達動物肢體嚴重殘缺、重要器官功能喪失或死亡，或過失傷害或使動物遭受傷害，致動物肢體嚴重殘缺、重要器官功能喪失或死亡。
- 二、違反第五條第二項第十一款規定，寵物除絕育目的外，給予非必要或不具醫療目的之手術行為。
- 三、違反第十一條第一項規定，對於受傷或罹病動物，飼主未給與必要之醫療，經直轄市或縣(市)主管機關通知限期改善，屆期未改善。
- 四、違反第十三條第一項第一款規定，於公共場所或公眾得出入之場所宰殺動物。
- 五、違反第十三條第一項第四款規定，未依主管機關許可方法宰殺數量過賸之動物。
- 六、違反第十三條第二項規定，未依中央主管機關所定宰殺動物相關準則宰殺動物。
- 七、違反第十四條之一第一項規定，使用禁止之方法捕捉動物。
- 八、違反第十四條之二規定，未經中央主管機關許可，製造、販賣、陳列或輸出入獸鈹。
- 九、違反第二十二條之二第二項規定，寵物繁殖或買賣業者於寵物買賣交易時，拒未提供購買者有關寵物資訊之文件。
- 十、違反第二十二條之二第三項規定，寵物繁殖、買賣或寄養業者於電子、平面、電信網路及其他媒體進行廣告行銷宣傳時，未標示其許可證字號。

違反前項第一款至第八款規定之一，經裁罰處分送達之日起，五年內故意再次違反前項第一款至第八款規定之一者，處二年以下有期徒刑。

第 30-1 條 有下列情事之一者，處新臺幣三千元以上一萬五千元以下罰鍰，並得按次處罰之：

- 一、違反第五條第二項第一款至第十款規定，未達動物受傷狀況，經限期令其改善，屆期仍未改善。
- 二、違反第五條第二項第一款至第十款及第六條規定，過失傷害或使動物遭受傷害，而未達動物肢體嚴重殘缺、重要器官功能喪失或死亡。
- 三、違反第二十二條第四項，不提供其特定寵物飼養現況及受轉讓飼主資料，經限期令其改善，屆期仍未改善。

第 31 條 有下列情事之一者，處新臺幣三千元以上一萬五千元以下罰鍰，並得限期令其改善；經限期令其改善，屆期未改善者，得按次處罰之：

- 一、獸醫師（佐）違反第四條第二項規定，使用未經公告之藥物類別、使用於經濟動物，或任何人違反依第四條第三項所定辦法中有關應遵行事項之規定。
- 二、運送人違反第九條第二項規定，未經職前講習結業取得證書即執行動物運送業務。
- 三、運送人違反第九條第三項規定，每二年未接受主管機關辦理或委託辦理之在職講習。
- 四、運送人違反中央主管機關依第九條第三項所定辦法中有關運送工具或方式之規定。
- 五、違反第十一條第二項規定，未基於動物健康或管理上之需要施行動物醫療及手術。
- 六、違反第十三條第一項第二款規定，未具獸醫師資格非因緊急情況宰殺寵物。
- 七、違反第十三條第一項第三款規定，未由獸醫師或未在獸醫師監督下宰殺動物。
- 八、飼主違反中央主管機關依第十九條第三項所定辦法中有關辦理寵物之出生、取得、轉讓、遺失或死亡登記期限之規定。
- 九、飼主違反第二十條第一項規定，使寵物無七歲以上人伴同，出入於公共場所或公眾得出入之場所。
- 十、未依第二十二條之三第一項規定申報，或違反第二十二條之三第二項所定辦法中有關申報內容、方式、期限、程序及其他相關管理事項之規定，經限期令其改善，屆期仍未改善。

違反前項第四款至第七款規定之一，經裁罰處分送達之日起，二年內故意再次違反前項第四款至第七款規定之一者，處一年以下有期徒刑。

第 32 條 有下列情事之一者，直轄市或縣（市）主管機關得逕行沒入飼主之動物：

- 一、飼主違反第五條第二項規定，使其飼養之動物遭受惡意或無故之騷擾、虐待或傷害，情節重大且有致死之虞。
- 二、違反第五條第三項規定經飼主棄養之動物。
- 三、違反第七條規定，無故侵害他人之生命或身體，致造成他人生命或身體傷害之動物。
- 四、違反第七條規定，飼主經勸導拒不改善，而其飼養之動物再次無故侵害他人之自由或財產。
- 五、違反第八條規定，飼養、輸入、輸出經公告禁止飼養、輸入或輸出之動物。

違反前項各款規定之飼主，直轄市、縣（市）主管機關得禁止其認養自直轄市、縣（市）主管機關管轄之動物收容處所之動物，及不許可其申請經營寵物繁殖、買賣或寄養業。

第 33 條 有下列情事之一者，除依本法處罰外，直轄市或縣（市）主管機關應令飼主限期改善；屆期未改善者，得逕行沒入其動物：

- 一、違反第五條第二項規定，使動物遭受惡意或無故之騷擾、虐待或傷害。
- 二、違反第十條規定，利用動物。
- 三、違反第十一條第一項規定，未給與動物必要之醫療。
- 四、違反第二十條第二項規定，使具攻擊性寵物無成年人伴同或未採取適當防護措施，出入於公共場所或公眾得出入之場所。

違反前項各款規定之飼主，直轄市、縣（市）主管機關得禁止其認養自直轄市、縣（市）主管機關管轄之動物收容處之動物，及不許可其申請經營寵物繁殖、買賣或寄養。

第 33-1 條 有下列情事之一者，不得飼養依第十九條第一項應辦理登記之寵物及認養

依第十四條第一項收容之動物：

- 一、棄養動物。
- 二、將不擬繼續飼養之動物送交動物收容處所。
- 三、管領動物違反第五條第二項各款規定之一。
- 四、違反第六條規定，騷擾、虐待或傷害動物。
- 五、從事第十條各款之一所定行為。
- 六、違反第十一條第一項，對於受傷或罹病之動物，未給與必要之醫療。
- 七、違反第十二條第一項規定，任意宰殺動物，或違反第十二條第二項、第三項規定，宰殺犬、貓或經公告禁止宰殺之動物，或販賣、購買、食用或持有其屠體、內臟或含有其成分之食品。
- 八、經直轄市或縣(市)主管機關依第三十二條第一項或前條第一項規定沒入動物。

違反前項規定飼養寵物或認養動物者，處新臺幣三千元以上一萬五千元以下罰鍰；直轄市或縣(市)主管機關並應沒入其寵物或動物。

有第一項各款情形之一，或依第二十五條至第三十一條經判決有罪、緩起訴或處罰鍰者，直轄市、縣(市)主管機關應令其接受部分課程於動物收容處所參與實作之動物保護講習；其方式、內容、時數、費用收取及其他應遵行事項之辦法，由中央主管機關定之。

第 33-2 條 直轄市或縣(市)主管機關就違反第二十五條至前條規定者，應按季彙整並陳報中央主管機關。

中央主管機關應匯總前項資料，按季提供各直轄市或縣(市)主管機關及動物收容處所，以作為拒絕或同意認養，或依前條第二項規定處罰之依據。

因檢舉而查獲違反本法行為者，直轄市、縣(市)主管機關對於檢舉人身分及有關資料應予保密，並得酌予獎勵。

前項檢舉獎勵辦法，由中央主管機關定之。

第 34 條 本法所定之罰鍰，由直轄市或縣(市)主管機關處罰之。

第 35 條 依本法所處之罰鍰，經限期繳納，逾期仍不繳納者，移送法院強制執行。

## 第七章 附則

第 36 條 於中央主管機關依第八條指定公告前已飼養禁止輸入、飼養之動物者，應於中央主管機關規定期限內，向直轄市或縣（市）主管機關備查；變更時，亦同。

依前項規定辦理登記者，始得繼續飼養；非經中央主管機關指定公告者，不得自行繁殖。

違反前二項規定者，依第二十六條及第三十二條第三款規定處理。

第 37 條 依第十九條第一項公告前已經營應辦理登記寵物之繁殖、買賣或寄養者，應自依第二十二條第二項所定管理辦法施行之日起二年內，向直轄市或縣（市）主管機關申請許可；屆期未申請者，依第二十五條規定處理。

第 38 條 直轄市或縣（市）主管機關依第十九條第二項發給寵物身分標識、寵物之遺失認領及第二十二條第一項核發許可，應收取費用；其收費標準，由中央主管機關定之。

第 39 條 本法施行細則，由中央主管機關定之。

第 40 條 本法自公布日施行。

## **Appendix 1 Animal Protection Act**

### **Legislative History**

1. The 40 articles are enacted by the Legislative Yuan and promulgated by the President on November 4, 1998 by the Order of (87) Hua-Tsung-(1)-Yi-Tze-No.8700224370.
2. Article 2 amended by the Legislative Yuan and promulgated by the President on May 17, 2000 by the Order of (89) Hua-Tsung-(1)-Yi-Tze-No.8900118440.
3. Articles 6, 12, 22 and 28 amended by the Legislative Yuan and promulgated by the President on January 17, 2001
4. Article 23 amended by the Legislative Yuan and promulgated by the President on December 21, 2001 by the Order of (90) Hua-Tsung-1-Yi-Tze-No.9000252780.
5. Articles 12, 14 and 31 amended by the Legislative Yuan and promulgated by the President on January 7, 2004 by the Order of Hua-Tsung-1-Yi-Tze-No.09200248361.
6. Articles 30 and 31 amended by the Legislative Yuan and promulgated by the President on July 11, 2007 by the Order of Hua-Tsung-1-Yi-Tze-No.09600088031.
7. Article 14-1, Article 20-1, Title of Chapter IV-1, Article 22-1, Article 22-2, and Article 25-1 added, and Articles 3 to 5, Article 7, Article 9, Article 10, Article 12, Article 13, Article 15, Article 16, Article 18, Articles 20 to 23, Article 25, and Articles 27 to 33 amended by the Legislative Yuan and promulgated by the President on January 16, 2008 by the Order of Hua-Tsung-1-Yi-Tze-No.09700002551.
8. Article 27-1 added, and Articles 5, Article 12, Article 14, Article 21, Article 22-2, and Articles 28 amended by the Legislative Yuan and promulgated by the President on January 27, 2010 by the Order of Hua-Tsung-1-Yi-Tze-No.09900020011.
9. Article 14-2 added, and Articles 30 amended by the Legislative Yuan and promulgated by the President on June 29, 2011 by the Order of Hua-Tsung-1-Yi-Tze-No. 10000136211.
10. Articles 6-1, 6-2, 22-3~22-5, 23-1, 23-2, 30-1, 33-1, 33-2 added; Title of Chapter IV-1, Articles 2~6, 12, 14, 19, 22, 22-2, 23, 25, 27, 29, 30 and 31 amended by the Legislative Yuan and promulgated by the President on Feb 4, 2015 by the Order of Hua-Tsung-1-Yi-Tze-No. 10400014321.
11. Articles 25-1 amended by the Legislative Yuan and promulgated by the President on May 18, 2016 by the Order of Hua-Tsung-1-Yi-Tze-No.10500042801.
12. Article 25-2 added, and Articles 5, 12, 25, 25-1, 27, 30, 30-1 and 33-1 amended by the Legislative Yuan and promulgated by the President on April 26, 2017 by the order of Hua-Tsung-1-Yi-Tze-No. 10600050401.
13. Articles 3, 6-1, 26, 29, and 31 amended by the Legislative Yuan and promulgated by the President on June 13, 2018 by the order of Hua-Tsung-1-Yi-Tze-No. 10700063001.
14. Article 4-1 added, and Articles 4 and 23 amended by the Legislative Yuan and promulgated by the President on December 26, 2018 by the order of Hua-Tsung-1-Jing-Tze-No. 10700140871.
15. Articles 5 amended by the Legislative Yuan and promulgated by the President on February 3, 2021 by the order of Hua-Tsung-1-Jing-Tze-No. 11000008891.
16. Articles 1, 3, 14-1, 22-1 and 30 amended by the Legislative Yuan and promulgated by the President on May 19, 2021 by the order of Hua-Tsung-1-Jing-Tze-No. 11000046551.

## Chapter I General Provisions

- Article 1 1.1 This Act is hereby enacted out of respect for animal life so as to protect animals and improve animal welfare.  
1.2 This Act governs activities to protect animals. However, other laws may prevail if they contain specific applicable stipulations.
- Article 2 2.1 The term “competent authority” in this Act refers to one of the following: the Council of Agriculture of the central government, the municipal government of a special municipality, or a city/county government.  
2.2 A municipal, city/county government (hereinafter “local government”) shall set up an animal protection agency dedicated to the enforcement of this Act.
- Article 3 3.1 Definition of terms used in this Act:  
3.1.1 Animal: a dog, a cat or any vertebrate reared or tended by humans for its economic value, for laboratory use, as a pet or for other purposes.  
3.1.2 Economic animal: an animal reared and tended for the production of fur, meat, milk, or for other economic purposes such as labor.  
3.1.3 Laboratory animal: an animal reared and tended for scientific applications.  
3.1.4 Scientific application: a usage for the purpose of teaching, experiment; making biological products, trial agents, drugs, poison; or facilitating organ transplant.  
3.1.5 Pet: an animal, such as a dog or a cat, reared and tended for pleasure or companionship.  
3.1.6 Pet food: feed or substance to provide a balanced diet of nutrients to animals declared as pets by the central competent authority.  
3.1.7 Owner: the person having possession of, or actually tending, an animal.  
3.1.8 Pet breeding facility: a place to cultivate, refine or reproduce pets for commercial purposes.  
3.1.9 Pet food vendor: a person/business engaged in the manufacturing, processing, packaging, wholesale or retail, or import/export of pet food.  
3.1.10 Abuse: harming an animal or making it unable to function properly with violence, drug diversion, physical objects, acts of

omission, or other means, beyond what is necessary to rear, tend or dispose of an animal.

3.1.11 Transporter: someone whose job is to transport animals

3.1.12 Slaughterer: someone whose job is to slaughter economic animals at an abattoir.

3.1.13 Performing: using animals for display, performance or interaction with people in a public place or venue with public access.

## **Chapter II General protection of animals**

Article 4 4.1 The central competent authority shall form a panel – consisting of experts, scholars, officials from relevant agencies and representatives from legitimate animal welfare civic groups – to develop animal protection policies and education curriculum, as well as indicators and white paper for animal welfare, to be subject to a quarterly performance review. The number of experts, scholars and animal protection advocates combined – those not in official capacities – must not be less than two thirds of the panel.

4.2 When and if there is a shortage of animal drug to treat diseases, some categories of human drug declared by the central competent authority may be used in dogs, cats and non-economic animals as long as the veterinarian (or the vet's aid) enters a note in the medical record.

4.3 Regulations governing the use and management of human drug on dogs, cats and non-economic animals -- as described in Clause 4.2 -- shall be stipulated by the central competent authority in collaboration with the central health competent authority.

Article 4-1 Authorities at all levels shall promote education and studies relevant to animal ethics and animal protection regulations to enhance public awareness about animal welfare; also instill such knowledge through the 12-year basic education curriculum.

Article 5 5.1 Only adults are eligible in the case of natural-person ownership. The statutory agent or legal guardian of a minor keeping or tending animals shall be the owner on behalf of the minor.

5.2 Regarding animals tended under his care, an owner shall comply with the followings:

5.2.1 Providing proper, clean and harmless food as well as adequate and clean water which should be available at all times.

5.2.2 Providing a living environment that is safe, clean, well-

ventilated, non-flooding with proper and adequate shelter, lighting and warmth.

5.2.3 Providing necessary precaution against infectious animal diseases.

5.2.4 Preventing the animal from harassment, abuse or injury.

5.2.5 Providing adequate room for a caged pet to stretch and move about, while allowing sufficient out-of-cage activities.

5.2.6 For a pet kept on a leash and collar, using a leash longer than its body length allowing it to stretch and move about, and a collar that is safe, comfortable, breathable and of proper elasticity; also giving the pet sufficient outdoor activities whenever appropriate.

5.2.7 Must not tow the pet behind a car or motorcycle.

5.2.8 Moving the pet to a safe location with a chance to escape from a place with potential hazards.

5.2.9 Not confining a pet in an enclosed space for a long time; keeping the vent holes open to allow breathing.

5.2.10 Providing other proper care.

5.2.11 Other than neutering, a pet must not be subject to any non-essential or non-medical surgery.

5.3 An owner must not abandon any animal under his care unless it has been accepted for custody or disposal by an animal shelter, or a refuge designated by the local competent authority.

Article 6 One must not harass, abuse or injure any animal.

Article 6-1 6-1.1 One must not stage any animal performance, unless the local competent authority has granted a permit upon application, or the animal performance is of a permit-exempt type, condition, format or venue declared by the central competent authority.

6-1.2 For the permit in Clause 6-1.1, eligible applicants are social education organizations, leisure farms, tourist entertainment companies, or entities specified by the competent authority; the local competent authority shall reject the application in Clause 6-1.1 if the applicant or any of its employees has been convicted of an offense in Article 25 or Clause 25-1.1.

6-1.3 Upon notice by the local competent authority, the applicant in Clause 6-1.1 shall pay a monetary deposit, purchase liability insurance, or put up a surety bond which shall be forfeited to the local competent authority for proper care -- rearing, tending, placement or other means - - of performing animals in case the applicant fails to care for them properly.

6-1.4 The entity staging the animal performance shall provide proper facility, dedicated full-time staff, and report performing-animals' relevant information to the competent authority for assessments. The competent authority shall order the entity failing the assessment to take corrective actions before a specific deadline; the authority may revoke the permit if the entity fails to meet the deadline.

6-1.5 Application rules of animal performance permit in Clause 6-1.1 (conditions, procedure, documents to submit, review criteria and permit period), qualification of the applicant and relevant staff in Clause 6-1.2, monetary deposit, liability insurance or surety bond in Clause 6-1.3 (payment method, amount, and disbursement), as well as caring for animals in Clause 6-1.4 (dedicated staff, animal facility, information to report, rearing and tending, assessment, permit revocation) and other requirements are to be stipulated by the central competent authority.

6-1.6 Animal performances already in progress by May 22, 2018 – amendment date of relevant clauses in this Act – shall be exempted from Clause 6-1.1, and may continue until the first anniversary of the effective date of the amendment.

Article 6-2 Maximum weekly hours, maximum service years, old-age care and requirements for dogs owned by government agencies -- for quarantine, controlled-drug enforcement, police, rescue or national defense purposes – shall be stipulated by the central competent authority.

Article 7 An owner shall prevent his animal from infringing on the life, body, freedom, or property of others without due cause.

Article 8 The central competent authority may specify and declare the breed names of animals banned from being owned, imported or exported.

Article 9  
9.1 A transporter shall pay attention to food, water, excrement, surrounding conditions and safety of animals being transported, while keeping them from panicking, suffering or harm.  
9.2 Transporters shall receive pre-job training to obtain a certificate for transporting the type of animals declared by the central competent authority as requiring special handling.  
9.3 Transporters shall receive on-job training once every two years after obtaining the certificate described in Clause 9.2. Regulations governing transporter training, animal transport vehicles and protocols shall be stipulated by the central competent authority.

- Article 10 10.1 One must not do the followings to any animal:  
10.1.1 Conducting fights that pit an animal against another animal or human for direct/indirect gambling, entertainment, profit, business promotion or a dubious purpose  
10.1.2 Conducting animal races or contests for direct/indirect gambling.  
10.1.3 Abusing, swapping or giving away animals for direct/indirect gambling or a dubious purpose.  
10.1.4 Using excessive force or electric stunning to gather and drive animals, or causing harm when branding animals (with sharp tools) during their transport, auction or resting on the way to market/abattoir.  
10.1.5 Subjecting economic animals in the abattoir to force-feeding of water/food, tying, tossing, hurling, cutting and bleeding without humanly rendering them unconscious first  
10.1.6 Any act that deviates from social norms.
- Article 11 11.1 The owner shall provide necessary medical care to an injured or sick animal.  
11.2 Animals must not be subject to medical treatment or surgery unless it is necessary for the health or management of animals. The treatment or surgery shall be conducted by a veterinarian, unless it is for emergency, scientific application, or situations declared by the central competent authority.
- Article 12 12.1 No one shall be allowed to kill animals without due cause unless in any of the following situations:  
12.1.1 For obtaining meat, skin, fur, feather or other intended economic gain that animal is reared for.  
12.1.2 For scientific applications.  
12.1.3 For epidemic control or species improvement.  
12.1.4 For culling over-populated economic animals upon prior consent of competent authorities.  
12.1.5 For relieving animals' pain from injury or illness.  
12.1.6 For preventing an imminent danger to the life, body, health, liberty, or property of human, or to public security.  
12.1.7 For disposal at a shelter (or a designated local refuge) of an animal diagnosed by a veterinarian as having an incurable or notifiable infectious disease, causing unsanitary conditions, or posing hazards to human/animal health and public security  
12.1.8 For other circumstances in this Act or declared by the central

competent authority.

12.2 The central competent authority may declare the type of animals banned from slaughter in 12.1.

12.3 One must not do any of the following, even on pretext of Clause 12.1.1:

12.3.1 Killing a dog/cat, selling, buying, eating or possessing the remains (carcass or offal) or food containing ingredients thereof.

12.3.2 Selling the carcass of an animal banned from slaughter by the central competent authority.

12.4 Animals eligible for reclamation or adoption according to Article 14-2 shall exclude those animals declared as banned from ownership, or importation in Article 8. However, for an animal already owned/imported and duly registered according to Clause 36.1 before the declaration, the owner is allowed to reclaim it.

12.5 Within two years from January 23, 2015 when this revision of the Act becomes effective, animal shelters -- or designated local refuges -- may kill those animals yet to be reclaimed, adopted or disposed of, after 12 days from the date of notification or public announcement. Such shelters are not bound by Clause 12.1.

Article 13 13.1 Anyone killing animals for reasons in Clause 12.1 shall do so in a humane way to minimize animals' pain. Additional guidelines regarding animal killing are:

13.1.1 One must not kill animals in a public place or a venue with public access unless otherwise stipulated by the competent authority.

13.1.2 The act of putting a pet to death to relieve its pain shall be performed by a veterinarian unless in emergency.

13.1.3 A veterinarian shall personally conduct or supervise over the disposition of animals at an animal shelter or a designated local refuge.

13.1.4 Excess animals shall be culled in a way approved by the competent authority.

13.2 The central competent authority shall, based on actual needs, formulate protocols to put animals to death in a humane way.

13.3 Slaughterers of economic animals shall -- on an annual basis -- attend workshops on humane slaughter practices in training programs organized by the competent authority or a delegated entity.

Article 14 14.1 Based on demography of human and stray animal populations, local competent authorities shall set up animal shelters locally, or delegate private organizations/groups to set up animal shelters or

specific venues for harboring and handling of:

14.1.1 stray animals caught by local competent authorities or members of the public,

14.1.2 animals whom the owner no longer wish to keep,

14.1.3 animals detained or confiscated by competent authorities according to this Act, or

14.1.4 animals in distress.

14.2 For a sheltered animal described in Clause 14.1 whose ownership cannot be confirmed, or whose owner -- though identified (through pet registration or other information) and notified -- fails to reclaim the lost pet within seven days from the notification date, the competent authority or shelter may declare this animal eligible for adoption, or have it neutered, or subject to other necessary disposal measures

14.3 The central competent authority shall allocate budgets to subsidize local competent authorities in setting up animal shelters and carrying out animal protection tasks such as neutering, reclamation and adoption. Organization laws and operating procedures for public animal shelters shall be stipulated by the central competent authority.

14.4 Local competent authorities may devise incentive programs to supervise and assist private organizations/groups in setting up animal shelters.

14.5 Fees may be charged for services provided by animal shelters or designated local refuges. Fee standards are to be formulated by local competent authorities.

Article 14-1 14-1.1 One must not capture animals by any of the following means:

14-1.1.1 explosive material,

14-1.1.2 poison,

14-1.1.3 electricity,

14-1.1.4 corrosive substance,

14-1.1.5 firearms other than a tranquilizing gun,

14-1.1.6 traps, or

14-1.1.7 any method declared to be banned by competent authorities.

14-1.2 Competent authorities may remove, dismantle and destroy devices for any of the prohibited methods in Clause 14-1.1 without official consents. The landlord, user or person in charge must not evade, obstruct or refuse.

Article 14-2 One must not manufacture, sell, display, import or export animal traps without prior approval from the central competent authority.

### **Chapter III Scientific Application of Animals**

Article 15 15.1 One shall avoid using live animals for scientific application; when it cannot be avoided, one shall do so with the least number of animals and in a way inflicting the least pain or harm.  
15.2 The central competent authority may formulate regulations governing the source, application scope and management of lab animals based on the type of animals.

Article 16 16.1 The institution using animals for scientific application shall set up a panel for the care and use of lab animals for scientific application within the institution  
16.2 The central competent authority shall invite scholars, experts, officials from related agencies and registered civic animal welfare groups to regularly supervise and manage the scientific application of animals. There should be at least one veterinarian and one representative from a civil group on this list.  
16.3 Regulations governing the composition, mission and management of the animal care and use committee/panel in an institution shall be formulated by the central competent authority.

Article 17 17.1 One shall examine the conditions of a lab animal immediately after a scientific application is completed. Animals whose quality of life has been compromised from losing limbs, organs or pain shall be put to death in the least painful way.  
17.2 A lab animal must not be subject to additional use for scientific application before its physiological functions have fully recovered unless necessary for scientific purposes.

Article 18 Schools at or below the high school level must not conduct courses causing animal pain or death beyond the curriculum designated by the education competent authority.

### **Chapter IV Management of pets**

Article 19 19.1 The central competent authority may specify and declare the breeds of pets subject to compulsory registration with the government.  
19.2 The owner shall register the birth, acquisition, transfer, missing

and death of a pet described in Clause 19.1 with the local competent authority or the delegated private entity. The local competent authority shall issue an ID tag to each registered pet. Every pet shall get an ID microchip implant.

19.3 Procedure and deadline for the registration described in Clause 19.2, neutering incentives, other regulations governing ID tags/chips shall be stipulated by the central competent authority.

Article 20 20.1 A pet in a public place or venue with public access must have human company over seven years of age.

20.2 An aggressive pet showing up in a public place or venue with public access must have adult human company who shall take precaution to protect the public.

20.3 The central competent authority shall specify and declare the breed names of aggressive pets and relevant precaution to be taken in public space.

Article 20-1 Local competent authorities shall provide proper and adequate public facilities for activity of pets accompanied by their owners.

Article 21 21.1 When a pet subject to compulsory registration shows up without human company in a public place or a venue with public access, anyone may assist and guard the pet on the way to an animal shelter or a designated local refuge.

21.2 The owner shall be notified promptly if the pet in Clause 21.1 carries an ID tag or chip. If there is no ID tag/chip, or no one comes to reclaim the pet within 12 days, the pet will be disposed of according to Articles 12 and 13.

21.3 If the pet in Clause 21.1 has a contagious disease or is in distress, it may be put to death in a humane way.

21.4 Clauses 21.2 and 21.3 shall apply in a similar manner for a pet given up by its owner to an animal shelter, or a designated local refuge.

#### **Chapter IV-1 Management of vendors of pet breeding, trading, lodging service and pet food**

Article 22 22.1 No one shall be allowed to sell the specific breeds of pets.

However, vendors with permits from local competent authorities and legitimate business licenses may operate commercial breeding, trading and lodging of specific breeds of pets. Duration of the permit is three years.

22.2 The breed names of specific pets in Clause 22.1; qualifications for pet breeding, trading, and lodging vendors, their facilities and full-time staffs; application procedure for the permit and its duration; criteria for permit renewal, revocation or suspension; regulations governing pet breeding shall be stipulated by the central competent authority.

22.3 The owner of specific breeds of pets, other than the vendors specified in Clause 22.1, shall neuter their pets, unless a neutering waiver is obtained upon filing a breeding management plan with the local competent authority. The owner shall file for record with the authority if there is a need for breeding, and subsequently register for and implant chips on new additions according to Article 19.

22.4 Local competent authority may require the owner on file in Clause 22.3 to provide the status of specific breeds of pets under his care, and information about previous/subsequent owner whom the pet is transferred from or to.

22.5 Vendors already in breeding, trading or lodging business of specific breeds of pets before the regulations according to Clause 22.2 becomes effective, shall obtain permits within two years from the effective date. Failure to comply will result in penalties listed in Article 25-1.

Article 22-1 22-1.1 Local competent authorities shall conduct regular inspection and evaluation of pet breeding, trading, and lodging vendors; regulations governing inspection and evaluation shall be stipulated by the central competent authority.

22-1.2 Inspection reports defined in Section 22-1.1 shall be published on a regular basis.

Article 22-2 22-2.1 Traders of specific breeds of pets mentioned in Article 22 shall acquire such animals only from pet breeders or traders with permits; and must not trade or transfer such animals to a third party without ID microchip implants.

22-2.2 In transactions of specific breeds of pets described in Article 22, breeders or traders shall prepare and provide to the buyer documentations about the pets.

22-2.3 Vendors of pet breeding, trading or lodging services mentioned in Clause 22-2.2 shall indicate the permit number in electronic, print, telecommunication or other media for business promotion.

Article 22-3 22-3.1 Vendors in pet food manufacturing, processing or importation

business shall file for record with the central competent authority the type of pet food handled.

22-3.2 The central competent authority shall formulate regulations governing the type of pet food subject to filing for record, and the content, format, deadline, procedure and other aspects about the filing.

Article 22-4 22-4.1 One must not manufacture, process, repackage, wholesale, retail, import, export, give away for free, or display for sale a pet food in any of the following conditions:

22-4.1.1 contaminated with pathogenic microorganism,

22-4.1.2 with a pet health hazard exceeding the allowable level for safety,

22-4.1.3 beyond the expiration date, or

22-4.1.4 the labeling is non-compliant, unclear or incomplete

22-4.2 The type of pathogenic microorganism and animal health hazards mentioned in Clause 22-4.1, and their allowable levels are to be stipulated by the central competent authority.

Article 22-5 22-5.1 Chinese language and universal symbols shall be used on the container, package or instruction of pet food to indicate the followings:

22-5.1.1 product name,

22-5.1.2 net weight, volume, quantity or other measurement; net weight, volume or quantity shall be expressed in legal metrology units (other units could be used additionally when necessary),

22-5.1.3 names of primary materials and additives,

22-5.1.4 nutrients and their amounts,

22-5.1.5 the name, address and phone number of the manufacturer or processor; or the names, addresses, phone numbers of the importer and domestic company in charge and the country of origin for imported products,

22-5.1.6 expiration date or date of manufacturing,

22-5.1.7 shelf life, storage methods and conditions,

22-5.1.8 intended pet type, feeding method and other instructions, and

22-5.1.9 other information required by the central competent authority

22-5.2 Labeling, promotion material or advertisement for pet food must not include false, exaggerated or misleading information.

22-5.3 One must not manufacture, sell, import, export, or use a container or package for pet food that is:

22-5.3.1 poisonous,

22-5.3.2 prone to undesirable chemical reactions, or

22-5.3.3 imposing health hazards.

## **Chapter V Government supervision**

Article 23 23.1 Local competent authorities shall have full-time animal protection inspectors, and may recruit animal protection volunteers to assist in relevant tasks.

23.2 For verification and enforcement against offenses of this Act, animal protection inspectors may enter animal contest grounds, commercial venues where animals are slaughtered, bred, traded, lodged, displayed; or facilities for animal training or scientific applications

23.3 One must not evade, obstruct or refuse the verification or enforcement described in Clause 23.2

23.4 Local competent authorities may delegate the verification tasks in Clause 23.2 to third-party agencies, legal entities, groups or individuals.

23.5 To perform the duty, animal protection inspectors shall show relevant document, or paper for identification; police assistance could be obtained when necessary.

23.6 Municipal or city/county police forces assisting animal protection inspectors performing duties shall have had relevant technical training.

23.7 For this Act to be effectively enforced, competent authorities shall allocate funds in the annual budget year after year to facilitate animal protection tasks such as stray dog control, innovative adoption campaign, programs for service dogs and/or school dogs, and setting guidelines for shelter management.

Article 23-1 23-1.1 In collaboration with other authorities, local competent authorities may dispatch inspectors to business premises or related facilities of pet food vendors for inspection or sampling test.

23-1.2 For the inspection or sampling test in Clause 23-1.1, the local competent authority may require the pet food vendor to provide documents or records about production, inbound and outbound shipment, or inventory control.

23-1.3 When conducting inspection or sampling test in Clause 23-1.1, the inspector shall show authorization document or the badge for identification.

23-1.4 Pet food vendors must not evade, obstruct or refuse inspection or sampling test described in Clause 23-1.1.

Article 23-2 Pet food products confirmed to contain pathogenic microorganism or pet health hazards exceeding the allowable standards stipulated according to Clause 22-4.2, the local competent authority shall demand the offending products be recalled, destroyed, or otherwise properly disposed of before a deadline.

Article 24 Local competent authorities shall notify institutions or schools incompliant with Article 15, Clause 16.1, Article 17 or Article 18 to take corrective and necessary actions by a deadline.

## **Chapter VI Penalty**

Article 25 25.1 A jail term or penal servitude under two years, in conjunction with a fine over NT\$200,000 and under NT\$2,000,000 will be imposed for any of the following situations:

25.1.1 Killing, deliberate hurting, or causing injury of an animal in violation of Clause 5.2, Article 6, or Clause 12.1 resulting in mangled limbs, or vital organ failure of the animal.

25.1.2 Violation of Clause 12.2 or Clause 12.3.1, namely killing a dog/cat or an animal banned from slaughter as declared by the central competent authority.

Article 25-1 25-1.1 A jail term of no less than one year and up to five years in conjunction with a fine over NT\$500,000 and under NT\$5,000,000 will be imposed on a person in serious violation of Clause 5.2, Article 6, Clause 12.1, Clause 12.2 or Clause 12.3.1 with drugs or fire arms to cause death of multiple animals.

25-1.2 The competent authority may publicize the offender's name, photo and facts about any offense described in Article 25 or Clause 25-1.1.

Article 25-2 25-2.1 A fine of over NT\$100,000 and under NT\$3,000,000 will be imposed on anyone that operates breeding, trading and lodging business of specific breeds of pets in violation of Clause 22.1, namely without a permit issued by the local competent authority. In addition to the fine, the offender shall be ordered to close down the business. The offender shall be fined for each closure deadline extended but missed.

25-2.2 The local competent authority may confiscate the animal under the charge of the offender in violation of Articles 25 or Article 25-1, or the specific breed of pets for breeding or trading in Articles 25-2.1.

Article 26 A fine over NT\$50,000 and under NT\$250,000 will be imposed in any of the following situations:

26.1.1 Violation of Clause 6-1.1, namely staging an animal performance.

26.1.2 Violation of Article 8, namely owning, exporting or importing a breed of animals whose ownership, exportation and importation have been banned by the central competent authority.

26.2 The local competent authority may, regardless of ownership, confiscate the animal involved in Clause 26.1.1.

Article 27 27.1 A fine of over NT\$50,000 and under NT\$250,000 will be imposed – the offender’s name, photo, and fact of offense may be publicized; the offender may be required to take corrective actions by a deadline; the fine may be imposed for each deadline extended and missed – in any of the following situations:

27.1.1 Violation of Clause 10.1.1, namely facilitating fights that pit one animal against another or against human.

27.1.2 Violation of Clause 10.1.1, namely fighting against animals.

27.1.3 Violation of Clause 10.1.2, namely operating animal races for gambling directly or indirectly.

27.1.4 Violation of Clause 10.1.3, namely directly or indirectly offering animals for swaps or gifts in a gamble or illicit activity.

27.1.5 Violation of Clause 10.1.6, namely using animals in a manner deviating from social norms.

27.1.6 Violation of Clause 12.3, namely selling, buying, eating or possessing the remains -- carcasses, offal or food containing dog/cat parts, or carcasses of animals banned from slaughter as declared by the central competent authority.

27.1.7 Violation of regulations governing pet breeding as stipulated by the central competent authority in accordance with Clause 22.2.

27.1.8 Violation of Clause 22.3, namely -- after choosing not to neuter the animal -- failure to file a breeding management plan, or breeding an animal without prior filing for record of such a need.

27.1.9 The action to manufacture, process, repackage, wholesale, retail, import, export, give away for free, or display for sale a pet food in conditions described in Clause 22-4.1.1 or Clause 22-4.1.2.

27.1.10 Noncompliance of Article 23-2, namely failure to recall, destroy or properly dispose of tainted products by a deadline specified by the local competent authority.

Article 27-1 A jail term or penal servitude under one year, or a fine of under NT\$30,000, or both, will be imposed for an action to disseminate, broadcast, or sell text, picture, audio or video recording, electronic record that violates Article 6, Article 10, or Clause 12.1; or to display the above in public, or to allow others to watch and/or listen.

Article 28 28.1 A fine over NT\$40,000 and under NT\$200,000 will be imposed – the offender’s commercial name, personal name and photo may be publicized; the offender may be required to take corrective actions by a deadline; the fine may be imposed for each deadline extended and missed; the permit may be revoked after three offenses – in any of the following situations:

28.1.1 Failure to comply with qualifications for breeding, trading, and lodging vendors of specific breeds of pets, their facilities and full-time staffs, as stipulated by the competent authority according to Clause 22.2.

28.1.2 Violation of Clause 22-1.1, namely acquisition of specific breeds of pets from breeders or traders without permits; or trading or transferring such animals to a third party without implanting ID microchips.

Article 29 29.1 A fine of over NT\$30,000 and under NT\$150,000 will be imposed for any of the following situations:

29.1.1 Violation of Clause 5.3, namely animal abandonment.

29.1.2 Noncompliance of rules stipulated under Clause 6-1.5, namely those about monetary deposit, liability insurance or surety bond, dedicated full-time staff, animal facility, information reporting, and animal rearing/tending.

29.1.3 Noncompliance of Article 24, namely failure to take corrective actions or properly dispose of animals before a deadline upon violating Clause 15.1, Article 17 or Article 18.

29.1.4 Noncompliance of Article 16-1, namely failure to form a panel for proper care and use of laboratory animals.

29.1.5 Violation of Clause 20.2, namely allowing an aggressive pet to roam about in a public venue or a place with public access without adult supervision or proper precaution.

29.1.6 Violation of Clause 23.3, namely the action to evade, obstruct, or refuse enforcement by animal protection inspectors.

29.1.7 The action to manufacture, process, repack, wholesale, retail,

import, export, give away for free, or display for sale a pet food described in Clause 22-4.1.3 and Clause 22-4.1.4.

29.1.8 Failure to take corrective actions before a specific deadline for noncompliance of Clause 22-5.1 about labeling.

29.1.9 Noncompliance of Clause 22-5.2, namely making false, exaggerated, or misleading statements in labeling, promotion material or advertisement.

29.1.10 Nonconformance of Clause 22-5.3, namely the action to manufacture, sell, import, export or use containers or packages described therein for pet food.

29.1.11 Noncompliance of Clause 23-1.4, namely the action to evade, obstruct, or refuse inspection or sampling test by inspectors.

29.2 The local competent authority may, regardless of ownership, confiscate the animal involved in Clause 29.1.2 or 29.1.3.

Article 30 30.1 A fine of over NT\$15,000 and under NT\$75,000 will be imposed in any of the following situations:

30.1.1 Violation of any provision from Clause 5.2.1 to 5.2.10 or Article 6 with intention (to deliberately injure or cause injury to an animal, but short of leading to mangled limbs, loss of major organ functions or death), or out of gross negligence (thus accidentally injure or cause injury to an animal leading to mangled limbs, loss of major organ functions, or death).

30.1.2 Violation of Clause 5.2.11, namely subjecting a pet to any non-essential or non-medical surgery other than for neutering.

30.1.3 Failure to take corrective actions before a deadline specified by a local competent authority regarding a violation of Clause 11.1, namely not providing necessary medical care to an injured or sick animal.

30.1.4 Violation of Clause 13.1.1 namely killing animals in a public venue or a place with public access.

30.1.5 Noncompliance of Clause 13.1.4 namely failure to cull animals in a manner approved by the competent authority.

30.1.6 Noncompliance of Clause 13.2, namely failure to abide by the guideline for animal slaughter as stipulated by the central competent authority.

30.1.7 Noncompliance of Clause 14-1.1, namely capturing animals by a means that is banned.

30.1.8 Violation of Article 14-2, namely the action to manufacture, sell, display, import or export animal traps without prior consent of the central competent authority.

30.1.9 Noncompliance of Clause 22-2.2, namely refusal or failure of the breeder or trader to provide to the buyer documents about the pet in the transaction.

30.1.10 Noncompliance of Clause 22-2.3, namely failure of vendors of pet breeding, trading or lodging business to indicate the permit number in electronic, print, telecommunication or other media for business promotion.

30.2 A jail term up to two years will be imposed for a deliberate repeat offense of any clause from 30.1.1 to 30.1.8 within five years from the date the previous penalty notice is served on an offense of any clause in that group.

Article 30-1 30-1.1 A fine of over NT\$3000 and under NT\$15,000 will be imposed in any of the following situations; the fine may be imposed each time the offense occurs:

30-1.1.1 Failure to take corrective actions before a deadline after violating – but not causing injury to the animal -- any clause from 5.2.1 to 5.2.10.

30-1.1.1 Failure to take corrective actions before a deadline after violating – but not causing injury to the animal -- any clause from 5.2.1 to 5.2.10.

30-1.1.2 Violation of any provision from Clause 5.2.1 to 5.2.10 or Article 6 out of negligence (thus accidentally injure or cause injury to an animal but short of leading to mangled limbs, loss of major organ functions, or death).

30-1.1.3 Noncompliance of Clause 22.4, namely failure to take corrective actions before a specific deadline after being required to provide status report of the pet of a specific type, and the information about the previous/subsequent owners whom the pet is transferred from or to.

Article 31 31.1 A fine of over NT\$3000 and under NT\$15,000 will be imposed -- the offender may be required to take corrective actions before a specific deadline, and the fine may be imposed each time the deadline is extended but missed – in any of the following situations:

31.1.1 A veterinarian (or a vet's aid) administering drugs other than those in the declared categories, on economic animals in violation of Clause 4.2; or any person failing to abide by the rules stipulated under Clause 4.3.

31.1.2 Noncompliance of Clause 9.2 by a transporter, namely operating

animal transport business without completing a pre-job training to get a certificate.

31.1.3 Noncompliance of Clause 9.3 by a transporter, namely failure to get once-every-two-year on-job training offered by the competent authority or a delegated entity.

31.1.4 Violation by a transporter of guidelines for animal transport vehicles and processes stipulated by the central competent authority according to Clause 9.3.

31.1.5 Violation of Clause 11.2 namely conducting medical treatment or surgery for purposes other than animal health or management.

31.1.6 Violation of Clause 13.1.2, namely killing animals without a qualified veterinarian, or in a non-emergency situation.

31.1.7 Violation of Clause 13.1.3 namely animals killed by someone other than a qualified veterinarian, or without the supervision of a veterinarian.

31.1.8 The owner failing to meet registration deadlines – about birth, acquisition, transfer, missing or death of a pet – stipulated under Clause 19.3 by the central competent authority.

31.1.9 The owner violating Clause 20.1, namely allowing a pet to be in a public place or venue with public access without a human companion over seven years of age.

31.1.10 Failure to take corrective actions before a specific deadline regarding noncompliance of Clause 22-3.1 in filing for the record, or noncompliance of requirements stipulated according to Clause 22-3.2 for the content, format, deadline, procedure and other aspects of the filing.

31.2 A jail term under one year will be imposed for a deliberate repeat offense of any clause from 31.1.4 to 31.1.7 within two years from the date a previous penalty notice is served on an offense of any clause in the same group.

Article 32 32.1 The local competent authority may confiscate an owner's animals in any of the following situations:

32.1.1 Violation of Clause 5.2, namely an owner subjecting his animals to ill-intended or gratuitous harassment, abuse, or harm that potentially may lead to death.

32.1.2 Animals abandoned by an owner in violation of Clause 5.3.

32.1.3 Offense of Article 7, namely animals having caused unjustified death or bodily harm of human.

32.1.4 Owner's failure to take corrective actions after receiving advice

about the violation of Article 7, and the animal continues to infringe on freedom or property of others without due cause.

32.1.5 Violation of Article 8, namely owning, importing or exporting animals declared to be banned from being owned, imported or exported.

32.2 Owners violating any clause from 32.1.1 to 32.1.5 may be banned by the local competent authority from adopting animals from shelters under its jurisdiction, or be denied the permit to operate a pet breeding, trading or lodging business.

Article 33 33.1 The local competent authority shall demand the owner to take corrective actions before a deadline, in addition to imposing penalties according to this Act – failure to comply may result in confiscation of the animal – in one of the following situations:

33.1.1 Violation of Clause 5.2, namely the owner subjecting his animal to ill-intended or gratuitous harassment, abuse, or harm.

33.1.2 Using animals in a way violating of Article 10.

33.1.3 Noncompliance of Clause 11.1, namely failure to provide necessary medical care to an animal.

33.1.4 Violation of Clause 20.2, namely the owner allowing an aggressive pet to be present at a public place or a venue with public access without adult human company, and without necessary precautions.

33.2 Owners violating any clause from 33.1.1 to 33.1.4 may be banned by the local authority from adopting animals from shelters under its jurisdiction, or be denied the permit to operate a pet breeding, trading or lodging business

Article 33-1 33-1.1 No one shall be allowed to own a pet of specific breeds subject to compulsory registration in Clause 19.1, or to adopt a sheltered animal described in Clause 14.1 if he has previously committed any of the followings:

33-1.1.1 Animal abandonment,

33-1.1.2 Surrendering to shelter custody an animal he no longer wishes to keep,

33-1.1.3 Noncompliance of any clause in Clause 5.2 for animals under his care,

33-1.1.4 Violation of Article 6, namely the action to harass, abuse or injure an animal,

33-1.1.5 Any of the prohibited behaviors described in Article 10,

33-1.1.6 Failure to provide necessary medical care to an injured or sick animal in violation of Clause 11.1,

33-1.1.7 Violation of Clause 12.1, namely killing an animal without due cause, or violation of Clause 12.2 or Clause 12.3, namely killing dogs/cats or animals banned from slaughter, selling, buying, eating or possessing the carcass, offal or food containing parts of such animals,

33-1.1.8 Causing his animals to be confiscated by a local competent authority citing Clause 32.1 or Clause 33.1.

33-1.2 A fine of over NT\$3000 and under NT\$15,000 will be imposed on the person owning a pet or adopting animals in violation of Clause 33-1.1; the local competent authority shall also confiscate the pet or animal involved.

33-1.3 Anyone convicted of a crime, receiving a deferred prosecution or a monetary fine for any situation in Clause 33-1.1 or any clause from Article 25 to Article 31, may be required by the local competent authority to attend an animal protection course part of which is hands-on practice in an animal shelter. Regulations governing the format, content, fee collection and requirements of the training course shall be stipulated by the central competent authority.

Article 33-2 33-2.1 The local competent authority shall compile and submit a quarterly report to the central competent authority regarding violations of any clause from Article 25 to Article 33-1.

33-2.2 The central competent authority shall consolidate the reports described in Clause 33-2.1 and distribute to each competent authority and animal shelter as the basis for refusing/approving an adoption, or imposing penalty according to Clause 33-1.2.

33-2.3 Local competent authority shall keep confidential the identity and relevant information of a whistleblower who provides evidence leading to the discovery of any violation of this Act. The authority may offer rewards.

33-2.4 Guidelines for whistleblower rewards, as mentioned in Clause 33-2.3, shall be formulated by the central competent authority.

Article 34 The local competent authority shall be the agency to impose monetary fines stipulated in this Act.

Article 35 Failure to pay the fine – imposed according to this Act -- before a deadline will be referred to the court for mandatory enforcement.

## Chapter VII Supplementary Provisions

- Article 36 36.1 The owner shall file for record with the local competent authority before a deadline specified by the central competent authority if he has owned an animal banned from being imported or owned since before the central competent authority's declaration according to Article 8. The same rule applies to ownership changes if any.  
36.2 Only those owners who have filed for record according to Clause 36.1 are allowed to continue to own the animals. One must not breed such animals unless the central competent authority has announced a relevant permission.  
36.3 Violation of Clause 36.1 or Clause 36.2 shall be dealt with according to Article 26 and Clause 32.1.3.
- Article 37 Vendors having been operating breeding, trading or lodging business of pets subject to compulsory registration before the pet-registration requirement is announced according to Clause 19.1 shall apply for and obtain a permit from the local competent authority within two years from the effective date of regulations stipulated according to Clause 22.2. Those who fail to apply for and obtain the permit before the deadline shall be dealt with according to Article 25.
- Article 38 Local competent authorities shall charge fees for issuing pet ID tags according to Clause 19.2, for handling missing pets and returning them to owners, for issuing permits according to Clause 22.1. Fee standards for such services shall be stipulated by the central competent authority.
- Article 39 Enforcement rules of this Act shall be formulated by the central competent authority.
- Article 40 This Act shall come into force on the day it is promulgated.

## 附錄 2 實驗動物照護及使用委員會或小組設置及管理辦法 Appendix 2 Regulations on establishment and management of institutional laboratory animal care and use committee/group

### 法規沿革

1. 中華民國九十年七月十三日行政院農業委員會（90）農牧字第 900040248 號令訂定發布全文 8 條
2. 中華民國九十二年一月三十日行政院農業委員會農牧字第 0920040001 號令修正發布第 2 條條文
3. 中華民國九十五年十二月十九日行政院農業委員會農牧字第 0950041094 號令修正發布全文 8 條；並自發布日施行
4. 中華民國九十九年六月三日行政院農業委員會農牧字第 0990041068 號令修正發布全文 7 條及其名稱(原名稱動物實驗管理小組設置辦法)；並自發布日施行
5. 中華民國一百零二年八月二十六日行政院農業委員會農牧字第 1020043122A 號令修正發布全文 7 條及其名稱(原名稱實驗動物照護及使用委員會或小組設置辦法)
6. 中華民國一百零七年四月二十四日行政院農業委員會農牧字第 1070042565A 號令修正發布第 2~4 條條文

### 第 1 條

本辦法依動物保護法(以下簡稱本法)第十六條第三項規定訂定之。

### 第 2 條

進行動物科學應用之機構，應組成實驗動物照護及使用委員會或小組（以下簡稱照護委員會或小組）；由三人以上組成，其中應包括獸醫師及非隸屬於該機構之人士（以下簡稱外部委員）各一人以上。

前項之外部委員，應優先由非動物實驗研究背景者擔任，且不得具獸醫師資格。

第一項照護委員會或小組應置執行秘書一人，由經中央主管機關指定之動物實驗管理訓練十二小時以上，並取得合格證書之照護委員會或小組成員兼任，負責第三條第一項各款任務之整合、協調及執行，並擔任照護委員會或小組之聯絡窗口。

前項合格證書之有效期限，以三年為限。

照護委員會或小組未符合第一項至第三項規定者，視為未組成。

進行動物科學應用之機構應於照護委員會或小組組成後三十日內，將機構名稱、地址、成員名冊、符合第一項至第三項規定之證明文件及動物房舍地址報直轄市或縣（市）主管機關核轉中央主管機關備查；異動時亦同。照護委員會或小組裁撤時，應敘明裁撤原因併同年度監督報告，報所屬直轄市或縣（市）主管機關派員檢查後，核轉中央主管機關備查。

動物科學應用機構與其動物房舍位於不同直轄市或縣（市）者，該機構將照護委員會或小組成立、異動或裁撤等情形報請所在地直轄市或縣（市）主管機關核轉中央主管機關備查時，應副知動物房舍所在地直轄市或縣（市）主管機關。

### 第 3 條

照護委員會或小組之任務如下：

- 一、審核該機構進行實驗動物之科學應用。
- 二、提供該機構有關動物實驗設計之科學應用諮詢意見及訓練計畫。
- 三、提供該機構有關實驗動物管理標準作業程序及飼養設施之改善建議。
- 四、監督該機構實驗動物之取得、飼養、管理及是否確依審核結果進行動物科學應用。
- 五、提供該機構執行實驗動物科學應用之年度監督報告。
- 六、每半年應實施內部查核一次，查核結果應列為年度監督報告之附件，並應保存該查核結果六年以上備查。
- 七、使用猿猴、犬、貓進行科學應用時，應將審核通過之該等動物實驗申請表影本列為年度監督報告之附件。
- 八、受理該機構違反本辦法相關規定之動物科學應用爭議案件。
- 九、依中央主管機關所定實驗動物照護及使用指引，督導該機構之科學應用。

前項第五款之年度監督報告應於年度結束後三個月內報中央主管機關備查，並副知所屬直轄市或縣（市）主管機關。

第一項第六款之內部查核項目如下：

- 一、軟體查核：包括機構政策與職責、動物健康與照護及動物飼養管理。
- 二、硬體查核：包括動物飼養區域與供應區域、儀器與設備及動物手術或實驗場所。

#### **第 4 條**

照護委員會或小組審核該機構之動物科學應用時，應由利用實驗動物進行科學應用者事先提出申請，申請內容包括計畫名稱、計畫主持人、實驗動物種類、品種、數量、實驗設計、執行期限、負責進行動物實驗之相關人員名冊、依本法第十五條第一項規定所進行之替代、減量及精緻化之評估說明等資料，經照護委員會或小組審議核可，始得進行；經核可之內容變更時，亦同。

前項照護委員會或小組審議時，應優先建議使用非活體動物替代方式，並得依據科學應用影響動物生理程度，由一位以上具備與申請利用動物科學應用專業有關或實驗動物福利背景，且非隸屬於該機構之專家，提供諮詢意見。

#### **第 5 條**

照護委員會或小組發現該機構進行動物科學應用者違反本辦法相關規定，或未依前條核可內容辦理時，應勸導改善，經勸導仍未改善者，得終止其使用實驗動物；情節重大者應通報所屬直轄市或縣（市）主管機關依本法及相關規定處理，並副知中央主管機關。

#### **第 6 條**

未依本辦法規定組成照護委員會或小組之動物科學應用機構，由直轄市或縣（市）主管機關依本法第二十四條規定限期改善或為必要之處置，屆期未改善者，依本法第二十九條第三款規定處罰。

照護委員會或小組未執行第三條第一項各款所定任務之一者，依本法第二十四條規定，由直轄市或縣（市）主管機關通知該機構限期改善或為必要

之處置；屆期未改善者，由直轄市或縣（市）主管機關報中央主管機關函該機構之目的事業主管機關協助輔導改善，並得作為審查該機構相關計畫或評鑑等行政措施之參考。

## **第 7 條**

本辦法自發布日施行。

### 附錄 3 動物科學應用機構監督及管理執行要點

## Appendix 3 Regulations on supervision and management of the institutions

#### 法規沿革

1. 中華民國九十二年七月三十一日行政院農業委員會（九二）農牧字第 0920040505 號令訂定發布全文 7 點；並自發布日施行
2. 中華民國九十五年十一月十七日行政院農業委員會農牧字第 0950041083 號令修正發布全文 7 點；並自即日生效
3. 中華民國九十九年七月十三日行政院農業委員會農牧字第 0990041120 號令修正發布第 2~6 點規定；刪除第 7 點規定；並自即日生效
4. 中華民國一百零二年七月三十一日行政院農業委員會農牧字第 1020043028A 號令修正發布全文 6 點及其名稱；並自即日生效(原名稱：動物科學應用機構查核輔導要點)

一、行政院農業委員會（以下簡稱本會）為執行動物保護法（以下簡稱本法）第十六條第二項之規定，監督及管理動物之科學應用，特訂定本要點。

二、本會應邀集直轄市或縣（市）政府動物保護檢查員、實驗動物相關學者、專家、相關機關及立案之動物保護團體代表組成查核小組，以書面或實地查核方式，執行動物科學應用機構之查核。

前項實地查核，每年辦理四十場以上。

三、辦理實地查核時，本會應通知受查機構，指派該機構實驗動物照護及使用委員會或小組（以下簡稱照護委員會或小組）召集人於現場引導說明，並備妥下列文件：

(一)照護委員會或小組成立、異動、作業流程與規章及會議等相關文件。

(二)五年內之動物實驗申請表及審核紀錄。

(三)動物飼養管理基準作業程序相關文件。

(四)動物房舍及坪數一覽表。

(五)五年內之照護委員會或小組年度監督報告。

(六)五年內之動物科學應用機構內部或外部查核表。

四、實地查核時，發現受查機構違反本法第五條、第六條、第十一條、第十五條第一項、第十六條第一項、第十七條規定時，移由直轄市或縣（市）主管機關依法予以查處後，副知本會函知該機構之目的事業主管機關。

五、實地查核結果由本會彙整後，函請直轄市或縣（市）主管機關轉受查機構據以改善。

前項實地查核結果經評核分為優、良、尚可、較差四個等級。評核為較差等級者，列為隔年優先查核對象，並由直轄市或縣（市）主管機關依據實地查核結果之建議改善事項，督導受查機構於三個月內將改善後書面資料報送直轄市或縣（市）主管機關核轉本會。

受查機構未依前項規定期限報送書面改善資料或經審查仍不合格者，由本會函請該機構之目的事業主管機關協助輔導改善，並得作為審查該機構相關計畫或評鑑等行政措施之參考。

六、規避、妨礙或拒絕動物保護檢查員依本法第二十三條第二項規定執行職務者，移由直轄市或縣（市）主管機關依本法第二十九條第五款規定處罰。