

Message 001

Communication from the Commission - TRIS/(2026) 1847

Directive (EU) 2015/1535

Notification: 2026/0353/ES

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késésekét - Non fa decorrere la mora - Atidėjimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħx il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20261847.EN

1. MSG 001 IND 2026 0353 ES EN 10-07-2026 ES NOTIF

2. Spain

3A. Ministerio de Asuntos Exteriores, UE y Cooperación

DG Coordinación del Mercado Interior y Otras Políticas Comunitarias

SG Asuntos Industriales, Energéticos, de Transportes y Comunicaciones, y de Medio Ambiente

d83-189@maec.es

3B. Ministerio de Derechos Sociales, Consumo y Agenda 2030

Secretaría de Estado de Derechos Sociales

DG Derechos de los animales

areajuridicadgda@dsga.gob.es

4. 2026/0353/ES - C90A - Well-being of animals and pets

5. Draft royal decree establishing basic regulations for the management of zoological facilities for companion animals.

6. Establishments keeping companion animals.

7.

8. The royal decree establishes the basic regulations for the management of zoological facilities for companion animals. It regulates the facilities, hygiene and sanitation conditions, handling, animal welfare, and emergency plans, as well as the obligations of the owners, the minimum authorisation and registration requirements, and a national programme of official controls.

9. The regulation responds to the need to establish, specifically for zoological facilities that house companion animals, updated and uniform basic regulations. The general set of rules for the authorisation and registration of zoological facilities is currently contained in Decree 1119/1975, of 24 April, and its implementing regulations, which also cover establishments that keep production animals.

Since its approval, the legal framework has evolved substantially with Law 8/2003 of 24 April, on animal health, Law 7/2023 of 28 March, on the protection of animal rights and welfare, and the recently adopted Regulation of the European Parliament and of the Council on the welfare of dogs and cats and on their traceability. This evolution necessitates the establishment of specific basic regulations of zoological facilities for companion animals, adapted to current requirements regarding animal health and welfare.

9a. The draft royal decree is suitable for strengthening the health and welfare of zoological facilities for companion animals. The current regulations, which are general in nature and pre-date the current animal protection and welfare framework, do not specifically address the particularities of these establishments nor do they guarantee a uniform treatment throughout the national territory. The approval of specific basic regulations allows for their organisation to be adapted to current requirements regarding animal health and welfare, without prejudice to the powers of the autonomous communities.

9b. The current regulations do not allow for the establishment, specifically for zoological facilities for companion animals, of common basic conditions adapted to the current animal health and welfare framework. Maintaining the existing general regime or adopting non-binding instruments, such as recommendations or guidelines, would not guarantee a uniform application or allow for the enforcement of minimum requirements throughout the national territory.

The measure does not introduce significant restrictions to the internal market nor does it significantly affect cross-border trade or the provision of services, as it is applied in a non-discriminatory manner to owners of zoological facilities operating in Spain. It is limited to establishing basic rules and minimum requirements, without imposing obligations that exceed what is necessary for achieving the objectives pursued. It is therefore considered the least restrictive alternative for guaranteeing a uniform and appropriate regulation of these establishments.

9c. The obligations foreseen are considered proportionate to the importance of the animal health and welfare objectives pursued. The measure is limited to establishing basic requirements for the operation of zoological facilities for companion animals, applicable in a non-discriminatory manner and without imposing requirements that exceed those necessary for ensuring appropriate conditions for the housing, handling, and care of the animals.

The lack of updated basic regulations could hinder the guarantee of uniform conditions of animal welfare and health in these establishments. This detriment outweighs the burden arising from compliance with minimum requirements, which are considered appropriate and proportionate to the public interest objective pursued.

10. References to the basic texts: There are no basic texts.

11. No

12.

13. No

14. No

15. Yes

16.

TBT aspects: No

SPS aspects: No

European Commission

Contact point Directive (EU) 2015/1535

email: grow-dir2015-1535-central@ec.europa.eu