

DRAFT ROYAL DECREE XX/2026, OF XX XXX, ESTABLISHING BASIC RULES GOVERNING ZOOLOGICAL FACILITIES FOR COMPANION ANIMALS

The growing population of companion animals, which live in close proximity to humans, has an impact both on animal protection and welfare and on animal health and public health, under the 'One Health' approach.

From a health perspective, Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health defines companion animals and lays down various obligations for the competent authorities and for the different sectors on authorisation and record-keeping, staff and training.

In addition, Commission Delegated Regulation (EU) 2019/2035 of 28 June 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for establishments keeping terrestrial animals and hatcheries, and the traceability of certain kept terrestrial animals and hatching eggs, provides for the obligations to be complied with by operators of certain types of establishments keeping, inter alia, terrestrial companion animals, and the approval requirements for centres and shelters for dogs, cats or ferrets moving to another Member State of the European Union.

Furthermore, in the specific field of the protection of companion animals, the European Convention for the Protection of Pet Animals, signed in Strasbourg on 13 November 1987 and ratified by Spain in 2017, stipulates in Article 8 that activities involving trade, breeding and boarding for commercial purposes, as well as animal shelters, must be declared to the competent authority and have adequate facilities and staff. This reinforces the need for specific regulations governing zoological facilities for companion animals, without prejudice to the powers of the autonomous communities in matters of animal protection and the management of the relevant registers.

Furthermore, the Regulation on the welfare of dogs and cats and their traceability requires Member States to bring their legislation into line with the provisions concerning establishments falling within its scope, in particular as regards authorisation and operating requirements, in order to ensure a high and uniform standard of animal welfare.

At national level, the regulations currently in force concerning establishments keeping animals for purposes other than agriculture, consisting of Decree 1119/1975 of 24 April 1975 on the authorisation and registration of zoological facilities, equestrian establishments, centres for the welfare and care of companion animals and similar establishments and the Order of 28 July 1980 laying down rules on zoological facilities, equestrian establishments, centres for

the welfare and care of companion animals and similar establishments, exclusively regulate health aspects and do not reflect either the new social realities or the obligations arising from our membership of the European Union. Furthermore, Law 8/2003 of 24 April 2003 on animal health has not been implemented with regard to zoological facilities for companion animals.

In the field of animal protection, Law 7/2023 of 28 March 2023 on the protection of animal rights and welfare defines zoological facilities for companion animals, establishes the Register of Zoological Facilities for Companion Animals and sets out the obligation to have such a facility in place for certain activities involving companion animals.

In order to update the national regulations in force and adapt them to EU and national regulations, and to harmonise the requirements and criteria for the registration of zoological facilities for companion animals throughout the national territory, it is necessary to develop basic rules governing zoological facilities for companion animals.

The regulations set out in this provision cover zoological facilities for all dogs, cats and ferrets, other companion animals included in the list of domestic companion species or in the positive list of companion animals, as well as farm animals which, having ceased to serve a productive purpose, the owner has decided to register as companion animals in the Register of Companion Animals and which are kept permanently in an animal protection centre until their death, without under any circumstances being able to be used or sold.

Chapter I deals with general aspects relating to the purpose and scope of the regulation, definitions, the classification of zoological facilities and the obligations of their operators.

Chapter II regulates the technical requirements applicable to zoological facilities, and specifically the conditions on their location and sanitary separation, on buildings, on hygiene and sanitary conditions and on animal management and welfare. Training requirements for zoological facility staff and emergency plans are also laid down.

Chapter III sets out the requirements for the authorisation and registration of zoological facilities, as well as the obligations relating to the log book.

Chapter IV lays down the system of official controls as well as the penalty system.

With regard to the final section, the first additional provision specifies the competent authorities in the case of zoological facilities involving animals assigned to the Ministries of Defence and the Interior, the second additional provision sets the deadline for submitting the first census declaration and annual report on official controls, the third additional provision covers the entry into the Register of Zoological Facilities for Companion Animals for those facilities already registered in the General Register of Livestock Holdings and

the fourth additional provision addresses the processing of personal data. Finally, the first transitional provision establishes a transitional period to facilitate the adaptation of the provisions of the Royal Decree to zoological facilities currently in operation, as well as for those activities which, until now, did not require authorisation; the second transitional provision establishes the obligation for the competent authority to determine the maximum number of animals of species other than dogs, cats and ferrets that may be kept at home, pending the approval of the ministerial order setting out such provisions; the third transitional provision establishes a transitional period for training requirements; and the fourth transitional provision sets the deadline by which the programme of official controls is to be drawn up.

A single repealing provision is included, repealing Decree 1119/1975 of 24 April 1975 and the Order of 28 July 1980 laying down rules on zoological facilities, equestrian centres, centres for the welfare and care of companion animals and similar establishments, in all matters relating to zoological facilities for companion animals.

The first final provision sets out the legal basis; the second final provision empowers the Ministry of Social Rights, Consumer Affairs and the 2030 Agenda to draw up or amend the provisions of the regulation, including its annexes; and the third final provision sets out the date of entry into force.

The royal decree respects the principles of good regulation referred to in Article 129 of Law 39/2015 of 1 October 2015, on the Common Administrative Procedure of Public Administrations.

Specifically, it serves the principles of necessity and effectiveness, as it is the most suitable instrument to guarantee that regulations apply uniformly throughout the national territory, which safeguards the public interest. It also complies with the principle of proportionality, since there is no other alternative that is less restrictive of rights or that imposes fewer obligations on the recipients. As regards the principles of legal certainty, transparency and efficiency, this regulation respects them because it is consistent with the rest of the legal framework and it involved stakeholder participation through the prior public consultation procedure and the public hearing and information procedure.

The autonomous communities and the cities of Ceuta and Melilla were consulted during the processing of this Royal Decree.

Similarly, in compliance with the provisions of Government Law 50/1997 of 27 November 1997, the draft Royal Decree has been submitted to a public hearing and information procedure and has been adapted to the principles of good regulation referred to in Article 129 of Law 39/2015 of 1 October 2015 on the Common Administrative Procedure in Public Administration.

It has also been subject to the information procedure in the area of technical rules and regulations relating to information society services provided for in

Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services, as well as that set out in Royal Decree 1337/1999 of 31 July 1999 regulating the transmission of information in the field of technical standards and regulations and of regulations on information society services.

By virtue thereof, at the proposal of the Minister for Social Rights, Consumer Affairs and the 2030 Agenda, with the prior approval of the Minister for Digital Transformation and the Civil Service, in agreement with the Council of State and after deliberation by the Council of Ministers at its meeting on XXXXXX

THE FOLLOWING IS DECREED:

CHAPTER I

General provisions

Article 1. *Scope and purpose*

1. The purpose of this Royal Decree is to:
 - a. establish the basic rules for governing zoological facilities for all companion animals ('zoological facilities') with regard to buildings, facilities, hygiene and sanitary conditions, management, animal welfare and emergency plans;
 - b. establish the obligations of the owners of zoological facilities;
 - c. establish the minimum requirements for the authorisation and registration of zoological facilities;
 - d. establish a national programme of official controls.
2. This Royal Decree shall apply to all zoological facilities for companion animals situated within the national territory, without prejudice to the provisions of regional and municipal regulations establishing more restrictive conditions, by virtue of their respective powers, subject to the exceptions set out in the following paragraph.
3. This Royal Decree shall not apply to:
 - a. establishments keeping farm animals as defined in Article 3(2) of Law 8/2003 of 24 April 2003 on animal health, except for those which, having ceased to serve a productive purpose, the owner has decided to register as companion animals in the Register of Companion Animals;
 - b. farms raising animals for animal feed;
 - c. establishments housing animals for scientific purposes, regulated by

Royal Decree 53/2013 of 1 February 2013, which lays down the basic rules applicable to the protection of animals used in experimentation and for other scientific purposes, including teaching;

- d. establishments at ports and airports or at border control posts;
- e. centres or homes that keep companion animals on a non-commercial, non-profit or non-breeding basis and which are not considered a private collection of companion animals;
- f. dog and cat shelters, in terms of their classification as zoological facilities;
- g. temporary, designated areas for community cats, as regulated by Royal Decree XX/2026, which approves the Regulations implementing Law 7/2023 of 28 March 2023 on the protection of animal rights and welfare;
- h. veterinary centres;
- i. centres for animal grooming care;
- j. centres where animal-assisted therapy is carried out;
- k. establishments that keep invertebrates exclusively as live feed for other companion animals;
- l. establishments keeping falconry birds.

Article 2. Definitions

1. For the purposes of this Royal Decree, the definitions established in Law 7/2023 of 28 March 2023 on the protection of the rights and welfare of animals and those contained in the applicable regulations on the identification of companion animals shall apply.
2. The following definitions shall also apply.
 - a. Competent authority: the competent bodies of the autonomous communities and the cities of Ceuta and Melilla, as well as local authorities, in respect of the functions set out in Law 7/1985 of 2 April 1985 regulating the bases of the local government system, and any other applicable legislation.
 - b. Establishment: a public or private centre or home where companion animals are kept and which constitutes a zoological facility in accordance with the categories set out in Article 3.
 - c. Foster home: a residence as defined in Article 3(l) of Law 7/2023 of 28 March 2023 which, in the case of dogs, cats or ferrets, provides foster care for a maximum of five dogs, cats or ferrets or a litter (with or without the mother) and a maximum of four dogs, cats or ferrets.
 - d. Centre: any facility or, in the case of outdoor rearing, any environment

or location where companion animals are kept on a temporary or permanent basis, and which constitutes a zoological facility.

- e. Home: the place of habitual residence of the owner of the animals, which includes the dwelling and the outdoor area surrounding it.
- f. Operator of the zoological facility: any natural or legal person who owns or is responsible for the animals housed there, and who is listed as such in the Register of Zoological Facilities for Companion Animals.
- g. Veterinarian responsible for a zoological facility: a registered veterinarian who is employed by a zoological facility – whether exclusively or not – on a temporary or permanent basis, to carry out the duties and tasks inherent to the veterinary profession, as well as to advise and inform the owner on the legal obligations and requirements relating to animal welfare, animal health, biosecurity, hygiene and sanitary conditions, animal feed and veterinary medicines and the development of the health programme.

Article 3. *Classification of zoological facilities*

1. Zoological facilities are classified, according to the activity they carry out and the species they house, into the types and categories referred to in paragraph 4.
2. A single establishment may have more than one type or category under the same zoological facility code, provided that the conditions and requirements laid down for each of them are met independently, without prejudice to any other applicable regulations. In any event, zoological facilities located at a home may not exceed the maximum number of animals laid down in regional or local regulations.
3. For the purposes of calculating the total number of animals, dogs, cats and ferrets over three months of age shall be taken into account.
4. The types and categories of zoological facility are as follows:

- a. Animal protection centre:

The categories of such facilities are as follows:

a.1) Companion animal shelter: these are the centres defined in Article 3(m) of Law 7/2023 of 28 March 2023 housing companion animals.

a.2) Permanent shelter for companion animals: these are the centres defined in Article 3(gg) of Law 7/2023 of 28 March 2023 which provide accommodation for farm animals that have ceased to serve a production purpose and which their owners have registered as companion animals in the Register of Companion Animals.

b. Assembly centre for dogs, cats or ferrets:

Establishment defined in Article 2(7) of Commission Delegated Regulation (EU) 2019/2035 of 28 June 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for establishments keeping terrestrial animals and hatcheries, and the traceability of certain kept terrestrial animals and hatching eggs.

c. Temporary accommodation centre:

Centre that temporarily accommodates companion animals, whether or not they stay overnight.

The categories for this type of establishment are as follows:

c.1) Boarding facility: a centre that accommodates, keeps and cares for companion animals while their owners are away.

c.2) Facility for training and sporting activities: a centre that carries out training or sporting activities involving animals.

d. Permanent accommodation centre for dogs or ferrets:

Centre where more than 10 dogs are kept.

The categories of such centres are as follows:

d.1) Centre for dogs or ferrets used for hunting in all the modalities established in its regulations.

d.2) Centre for dogs used in other recreational and sporting activities.

d.3) Centre for dogs used in other professional or specific uses.

e. Animal breeding establishment:

The categories for this type of establishment are as follows:

e.1) Home for breeding dogs, cats or ferrets: home housing a maximum of five breeding animals in total, and where a maximum of two litters per year are bred per zoological facility.

e.2) Centre for the breeding of dogs, cats or ferrets.

e.3) Home for the breeding of other companion animals.

e.4) Centre for the breeding of other companion animals.

f. Shop:

Centre which sells companion animals or which works in partnership with animal protection organisations to house and showcase companion animals available for adoption.

The categories of such centres are as follows:

- f.1) Companion animal shop.
- f.2) Distribution centre or wholesale business for companion animals.
- f.3) Companion animal import centre.
- f.4) Shop that works in partnership with an animal protection organisation to facilitate the adoption of companion animals.

g. Private collection:

Establishment where animals are kept by the owner for purposes other than breeding, commercial or profit-making, and are not on display to the public.

The categories for this type of establishment are as follows:

g.1) Collection of dogs, cats or ferrets:

Establishment that keeps more than 10 animals.

g.3) Collection of other companion animals:

Establishment that keeps animals included in the List of Domestic Companion Species or the Positive List of Companion Animals in numbers exceeding those set out in Annex I.

However, the competent authority may establish an obligation to authorise and register a private collection, regardless of the number of animals housed, taking into account health, environmental and welfare conditions.

Article 4. *Obligations of owners*

Notwithstanding the obligations arising from the application of other applicable regulations, the owners of zoological facilities shall do the following.

1. Register establishments in the Register of Zoological Facilities for Companion Animals in accordance with the provisions of Article 12. In the case of companion animal shelters that have foster homes, they must register these homes with the information referred to in Article 12.
2. Carry out only those activities, with those species and number of animals, for which authorisation has been granted.
3. Keep the log book up to date.
4. Provide the competent authority, in the manner specified by that authority and before 1 March each year, with a census declaration of the animals in its care as at 1 January, except in the case of assembly centres for companion animals, temporary accommodation centres and shops.
5. Allow the competent authority to carry out official controls to verify compliance with this regulation, including where the zoological facility is

registered at a private home. Failure to authorise the carrying out of official controls shall result in the withdrawal of the zoological facility's authorisation, following the appropriate administrative proceedings, without prejudice to the adoption of any necessary interim or precautionary measures, the imposition of the relevant penalties or any potential liabilities that may arise from such a refusal if it is likely to affect the welfare of the animals.

6. Notify the competent authorities of any changes to the information or the conditions on which the authorisation or registration as a zoological facility was based, within one month, including the temporary or permanent cessation of activities.
7. Ensure that the registration number of the zoological facility is accessible to the public, except in the case of private collections.
8. Have a veterinarian responsible for the zoological facility.
9. Have a health programme signed by the veterinarian responsible for the zoological facility, the minimum content of which is included in Annex II.
10. Ensure that staff and volunteers receive the required training.
11. Keep the reports of the advisory visits of the responsible veterinarian for a period of at least four years.
12. Operators of companion animal shelters shall ensure that their registered foster homes comply with the provisions of paragraphs 1, 2, 3, 5, 6, 7, 9 and 10 of Article 9.

CHAPTER II

Technical requirements for zoological facilities

Article 5. *General and specific requirements*

1. The zoological facilities covered by this Royal Decree must comply with the general requirements set out in this chapter.
2. In addition to those established in the previous paragraph, the following categories of zoological facility must comply with the specific conditions indicated below.
 - a. Animal shelters for dogs, cats or ferrets, temporary accommodation centres where animals stay overnight, permanent accommodation centres for dogs, centres for breeding dogs, cats or ferrets and shops working in partnership with animal protection organisations to facilitate the adoption of companion animals must comply with the specific conditions set out in Annex III.

- b. Animal shelters housing companion animals that were previously classified as farm animals must comply with all the specific requirements set out in the relevant health regulations.

In any event, where provided for by EU legislation, in the case of diseases subject to control or eradication programmes, the competent authorities shall apply measures other than culling or slaughter, such as isolation, confinement, enhanced biosecurity, veterinary surveillance and a ban on movement.

Furthermore, the competent authority may authorise these centres as confined establishments if they comply with the requirements set out in the current legislation, in accordance with Articles 95 and 178 of Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016.

- c. Establishments for breeding dogs, cats or ferrets must comply with the additional conditions set out in Annex IV.
 - d. Companion animal sales centres must comply with the specific conditions set out in Annex V. Furthermore, shops working in partnership with animal protection organisations to facilitate the adoption of companion animals must comply with the provisions of Annex III, with the exception of point 2 of section A.
 - e. Assembly centres for dogs, cats or ferrets must comply with the specific conditions set out in Annex I, Part 5 of Commission Delegated Regulation (EU) 2019/2035 of 28 June 2019.
3. In the case of companion animals other than dogs, cats and ferrets that are included in the List of Domestic Companion Species or in the Positive List of Companion Animals, the Ministry of Social Rights, Consumer Affairs and the 2030 Agenda, at the proposal of the Scientific and Technical Committee for the Protection of Animals, shall determine by ministerial order the specific conditions envisaged in this Royal Decree including, where applicable, the maximum number of animals permitted per category of zoological facility.

Article 6. *Conditions on location and sanitary separation.*

- 1. The competent authority may lay down the distances that must be maintained between zoological facilities or between zoological facilities and other premises, in particular facilities housing animals of epidemiological relevance, in such a way as to ensure compliance with current legislation, minimise risks to public health, animal health and the environment, and protect animal welfare.
- 2. The distances referred to in paragraph 1 shall be measured on a map, as

a topographical distance, and shall be taken from the point where the animals are housed that is closest to the facility in relation to which the aforementioned distance is to be established, up to the boundary of the public right of way, in the case of public roads, as set out in Article 13 of Law 38/2015 of 29 September 2015 on the Railway Sector, and in Article 29 of Law 37/2015 of 29 September 2015 on Roads.

3. Where sector-specific regulations lay down conditions regarding the location and sanitary separation of any of the species kept at the zoological facility, the provisions of those sector-specific regulations shall apply, including reciprocally where the zoological facility keeps epidemiologically related species, in accordance with the terms laid down by the competent authority.

Article 7. *General conditions relating to buildings*

1. The zoological facility shall be situated within a designated area that allows for the controlled entry and exit of people, animals and vehicles.
2. Buildings intended to house animals must, as a minimum, comply with the dimensions and space requirements set out for each use and species in the annexes corresponding to each type of zoological facility.
3. The materials used for the construction, in particular for enclosures, cages, equipment with which the animals may come into contact and feeders and waterers, must be easy to clean and disinfect, durable and not harmful to the animals, and must be constructed and maintained in such a way that they do not have any sharp edges or protrusions.
4. Ceilings and walls shall have a smooth surface and be made of durable materials. Floors shall be non-slip, of continuous and uniform surfaces and suitable for supporting the activity of the animals. They must be kept in good condition and be easy to clean and disinfect.
5. Animals kept outdoors must have a shelter area, with a covered surface and a structure that is suitable for protecting ~~all~~ animals from inclement weather and direct exposure to the sun and wind.
6. The layout of the accommodation shall allow for the individual inspection of each animal and any necessary treatment.
7. The zoological facility must have the following spaces or areas, with the exception of shops, the spaces for which are described in Annex V.
 - a. Exclusive spaces for the observation and isolation of animals that, for reasons of animal health or welfare, must be separated from the rest for an extended period of time. The isolation space may be used as an observation space in the absence of sick animals, provided that complete cleaning and disinfection has been carried out prior to this. In

the case of infectious diseases, the isolation space must ensure that the disease does not spread. It shall be visibly identified by an information poster and shall be cleaned and disinfected each time it is used.

- b. Area for handling, cleaning, disinfecting and storing tools and equipment used in the zoological facility, as well as biocidal, phytosanitary and animal health products.
 - c. Area for the storage of food intended for animals, ensuring its preservation in such a way as to prevent its alteration, deterioration and contamination and protecting it from access by animals. In the case of feed, it shall be labelled in accordance with the regulations in force.
 - d. Storage area for veterinary medicinal products, complying with the provisions of Royal Decree 666/2023 of 18 July 2023 regulating the distribution, prescription, dispensing and use of veterinary medicinal products, and allowing their proper conservation. The area must be clearly marked and have restricted access.
8. Zoological facilities located in homes shall be exempt from the obligations set out in this article, unless the animals are kept outside the dwelling, in which case they must comply with paragraphs 1 to 6.

Article 8. *Health and hygiene conditions*

1. Without prejudice to compliance with other legal requirements, zoological facilities must comply with the following requirements.
 - a. The water supply must come from the municipal water supply network. If the water comes from other sources, annual quality checks shall be carried out and, where necessary, the treatments required to make the water potable shall be applied.
 - b. In any event, there must be a storage system that guarantees a supply for at least 48 hours.
 - c. Measures shall be taken to ensure that water intended for uses other than animal feeding does not contaminate drinking water.
 - d. By-products from the zoological facility must be collected, transported, stored, handled, processed, used or disposed of in accordance with the procedures laid down by the competent authorities pursuant to the legislation in force and, in particular, Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption.
 - e. Facilities, equipment and tools, including those used for the supply of food and water, must be kept in good condition and undergo regular

cleaning and disinfection, in accordance with the provisions of the health programme.

- f. Clothing and footwear for use exclusively within the zoological facility shall be provided for its staff.
 - g. Cleaning log sheets must be completed, detailing the cleaning frequency of the facilities where the animals are usually kept.
 - h. Cleaning and disinfection products must be adequate, effective and safe. They must be used in accordance with the manufacturer's instructions and kept out of the reach of animals.
 - i. When an enclosure is vacated, before it is occupied by other animals, it must be sanitised using broad-spectrum disinfectants that are safe for both animals and people.
2. Zoological facilities located in homes are exempt from these obligations, unless the animals are kept outside the dwelling.

Article 9. *Conditions on handling and animal welfare*

1. Animals must have sufficient space according to their species, size, age, physiological status and ethological needs. In any event, animals must not be kept tethered for more than one hour, except where necessary for veterinary treatment or to take part in competitions.
2. Animals must be provided with food of sufficient quantity and quality, appropriate to their age, species and physiological and health status, in accordance with the guidelines laid down by the veterinarian responsible for the zoological facility.
3. They must have *ad libitum* access to water and a sufficient number of feeders and waterers, arranged in such a way as to prevent competition and ensure they are accessible to all individuals. Conventional waterers must be designed so that they cannot tip over. Waterers for the young must be shallow to make them more accessible and to prevent accidents or drowning. This section shall not apply to enclosures containing ornamental fish or aquarium animals.
4. To minimise stress on the animals, the facility must be laid out appropriately and, where animals of different species are housed, must be arranged in such a way that there is no physical or visual contact and, as far as possible, no olfactory contact, unless their physical characteristics and behaviour allow them to coexist in a manner that ensures their safety and their physical and mental welfare.
5. Animals shall be provided with adequate environmental enrichment, ensuring that the behavioural needs of each species can be met. In the case of dogs, they must be allowed outside for at least one hour a day.

6. In enclosed spaces, adequate air exchange must be ensured so that the temperature, relative humidity, dust levels and gas concentrations are maintained within a range suitable for the animals, in accordance with their species, age and physiological condition.
7. Enclosures for accommodating animals shall have natural or artificial lighting, ensuring that the appropriate periods of light and darkness are maintained to meet the biological and ethological needs of each species. In any case, they must have a source of artificial light to allow the inspection of the facilities during the night.
8. Without prejudice to the provisions of the previous paragraph, dogs and cats must be exposed to natural light for at least 7 hours a day and must be able to spend at least 8 hours a day without artificial light.
9. Enclosures must be cleaned and faeces removed daily in the case of dogs, cats and ferrets, and as often as necessary to keep the facilities clean for all other companion animals.
10. Staff at the zoological facility shall monitor the animals' condition on a daily basis and, should any animal show symptoms consistent with an illness or a significant injury, shall report the situation to the veterinarian so that the necessary action can be taken. They shall also attend more frequently to newborn animals and females in the late stages of pregnancy and the post-partum period.
11. Sufficient staff shall be available commensurate with the authorised capacity of the zoological facility. Such staff shall receive written instructions on the care and handling of animals, biosecurity measures and basic maintenance of facilities and equipment. Exceptions shall be made for homes and private collections where such tasks are carried out by the owners themselves and where no staff have been assigned to this purpose.
12. The veterinarian responsible for the zoological facility shall, except in foster homes, carry out advisory veterinary visits to assess animal welfare conditions; these visits shall be annual in the case of dogs, cats and ferrets. The conclusions of the visit, as well as the measures to be taken, shall be recorded in a veterinary report.

Article 10. Staff training

1. Staff who come into contact with animals must have completed a 20-hour training course, the minimum content of which is set out in Annex VI.
2. Furthermore, they must undertake refresher training courses lasting 8 hours to update their knowledge whenever there are new developments regarding technical advances or legislation relating to the work they carry

out.

3. Volunteers must receive the training specified by the competent authority in the areas of animal welfare, handling and animal health and public health, in accordance with the content and criteria set out in the current regulations. The completion of such training shall be documented.
4. The following are exempt from the provisions of paragraph 1:
 - a. people who hold a bachelor's degree in veterinary science;
 - b. people who hold the AGA781_3 'Assistance in animal protection centres' qualification from the National Qualifications Institute, or an equivalent qualification;
 - c. companion animal breeders who have completed the training required under the regulations implementing Law 7/2023 of 28 March 2023;
 - d. individuals who have completed vocational training courses or hold equivalent qualifications, and who can demonstrate that the minimum requirements are covered by the curriculum of the course they have undertaken;
 - e. people who can demonstrate they have acquired the required knowledge through relevant professional experience.

Article 11. *Emergency planning*

1. Zoological facilities must have an emergency plan that includes a list of eventualities that may endanger the safety and welfare of animals, indicating, in each case, the action plan, the resources available and the staff responsible.

CHAPTER III

Authorisation and registration of zoological facilities

Article 12. *Authorisation and registration*

1. Zoological facilities must be authorised by the competent authority, in accordance with the provisions of the regulations currently in force in the autonomous community or the cities of Ceuta and Melilla in which they are located.
2. Notwithstanding the provisions of paragraph 1, the submission of a self-declaration, containing the information set out in Annex VII, shall be required only in the following cases, without prejudice to any other requirements or licences that may apply:
 - a. shops with a net retail floor area not exceeding 750 square metres, in

accordance with Article 4 of Law 12/2012 of 26 December 2012 on urgent measures to liberalise trade and certain services;

- b. private collections of dogs, cats or ferrets comprising between 11 and 20 animals or of those species where the number of animals does not exceed twice the number specified for each type of animal in Annex I;
- c. homes for breeding dogs, cats or ferrets;
- d. homes for the breeding of species other than dogs or cats.

In the case of points (b), (c) and (d), the self-declaration must be accompanied by a certificate from a veterinarian confirming that all the requirements applicable to this type of zoological facility have been met.

The competent authority that receives the declaration shall register the facility in the Register ex officio within one month from the submission of the aforementioned declaration or, where appropriate, from when the declaration was rectified following a requirement in accordance with Article 68 of Law 39/2015 of 1 October 2015. If the declaration is not rectified, the declaration shall be deemed to have lapsed.

- 3. The competent authority shall assign an identification code to the zoological facility and register it in accordance with the provisions of the Royal Decree approving the Regulations under Law 7/2023 of 28 March 2023 on the protection of the rights and welfare of animals.
- 4. The competent authority shall specify in the authorisation the identification code, the type and category of the zoological facility, including the animal species in the case of mammals, or the groups of species for other animals, as well as the maximum capacity in each case.
- 5. The registration as a zoological facility for companion animals of an animal protection centre which houses companion animals that were previously classified as farm animals does not exempt it from complying with the registration obligations set out in the applicable regulations on animal health and traceability.
- 6. Failure by owners to comply with any of the requirements set out in this Royal Decree and in any other applicable legislation, as well as the disqualification of an owner from keeping animals as a result of administrative or criminal proceedings, shall entitle the autonomous communities and the cities of Ceuta and Melilla to refuse to register the zoological facility or initiate its removal from the register.
- 7. In the case of companion animal shelters which have foster homes, the competent authority shall record the following information in respect of those homes:
 - a. full address;

- b. animal species housed.

Article 13. *Log book*

1. Zoological facilities must keep a log book, the minimum content of which is set out in Annex VIII.
2. The log book may be kept in paper or electronic form and shall be made available to the competent authority.
3. The information contained in the log book shall be updated every 24 hours and kept available for a minimum period of five years.

CHAPTER IV
Official controls and penalties

Article 14. *Official controls*

1. The competent authority shall carry out periodic controls to verify compliance with the provisions of this Royal Decree and in accordance with the provisions of Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products.
2. The competent authority may access the zoological facility to carry out such actions, in accordance with Article 81 of Law 8/2003 of 24 April 2003 and Article 66(6) of Law 7/2023 of 28 March 2023. In the case of breeding homes and private collections, authorisation to grant access for controls shall be a requirement for maintaining registration as a zoological facility.
3. The competent authorities shall submit an annual report to the Ministry of Social Rights, Consumer Affairs and the 2030 Agenda by 1 March setting out the results of the official controls carried out during the previous year, including the number of inspections, instances of non-compliance and the actions taken for each category and type of zoological facility.
4. The Ministry of Social Rights, Consumer Affairs and the 2030 Agenda shall coordinate the implementation of these controls through a national programme, bringing together both the controls carried out by the competent regional authorities and those carried out in cooperation with the Civil Guard's Nature Protection Service or equivalent units within the other law enforcement agencies.

Article 15. *Penalties*

In the event of non-compliance with the provisions of this Royal Decree, the

system of infringements and penalties applicable pursuant to the provisions of Law 8/2003 of 24 April 2003 and Law 7/2023 of 28 March 2023 shall apply.

First additional provision. *Competences of the Ministry of Defence and the Ministry of the Interior.*

In accordance with the third additional provision of Law 8/2003 of 24 April 2003, where the provisions of these regulations relate to animals under the jurisdiction of the Ministry of Defence, the Ministry of the Interior and their public bodies, they shall be applied by the competent bodies designated by the heads of those departments, in accordance with their specific regulations, without prejudice to any applicable EU legislation.

Second additional provision. *Census declaration and annual report.*

1. The census declaration provided for in Article 4(4) must be made for the first time in the period between 1 January and 1 March of the year following the entry into force of this Royal Decree.
2. The annual report provided for in Article 14(3) must be drawn up for the first time following the expiry of the implementation period for the first national programme approved in accordance with Article 14(4), and in any event before 1 March of the year following the implementation of that programme.

Third additional provision. *Zoological facilities entered in the General Register of Livestock Holdings.*

1. All zoological facilities governed by this Royal Decree which, upon its entry into force, were registered in the Register of Zoological Facilities included in the General Register of Livestock Holdings provided for in Royal Decree 479/2004 of 26 March 2004, which establishes and regulates the General Register of Livestock Holdings, shall be automatically entered in the Register of Zoological Facilities for Companion Animals governed by this Royal Decree within 6 months from its entry into force, with such entries in the aforementioned General Register of Livestock Holdings consequently cancelled from that date.
2. The provisions of the preceding paragraph shall not apply to permanent animal shelters that keep farm animals that have not been registered as companion animals in the Register of Companion Animals.

Fourth additional provision. *Processing of personal data.*

The processing of personal data arising from the implementation of the Royal Decree shall comply with the provisions of Regulation (EU) 2016/679 of 27 April

2016, Organic Law 3/2018 of 5 December 2018 and all other legislation currently in force relating to the protection of personal data.

First transitional provision. *Zoological facilities in operation or without prior authorisation.*

1. The requirements relating to the dimensions of the enclosures set out in Annex III shall not be required of centres authorised and registered at the entry into force of this Royal Decree, unless there is a change in ownership or a modification of their facilities in terms of authorised capacity or activity, in which case it shall be necessary to adapt the centre to the dimensions required in this Royal Decree.
2. The provisions of paragraph 1 shall not apply to establishments breeding dogs, cats or ferrets or to shops working in partnership with animal protection organisations to facilitate the adoption of companion animals, which shall have a period of five years to comply with the provisions of this Royal Decree.
3. In the case of private collections which do not require authorisation upon the entry into force of this regulation and which are unable to comply with the provisions of this Royal Decree, authorisation may be granted for the animals to remain on the premises until the end of their lives, provided that an application for special authorisation is submitted within six months of the entry into force of this Royal Decree. That application must be accompanied by a veterinary certificate confirming that the conditions under which the animals are kept are deemed to be appropriate.

Second transitional provision. *Determining the maximum number of animals permitted at homes for breeding other companion animals.*

Until the ministerial order setting out the maximum number of animals permitted in homes for breeding other companion animals is approved, the competent authorities shall determine, on a case-by-case basis, the maximum number permitted for home breeding.

Third transitional provision. *Training.*

The training required under Article 10 shall become mandatory eighteen months after the entry into force of this Royal Decree.

Fourth transitional provision. *Official controls plan.*

Within 12 months of the entry into force of this Royal Decree, the plan of official controls laid down in Article 14 shall be drawn up.

Repealing provision. *Repealed regulations.*

Upon the entry into force of this Royal Decree, the following shall be repealed:

- a) Decree 1119/1975 of 24 April 1975 on the authorisation and registration of zoological facilities, equestrian establishments, centres for the welfare and care of companion animals and similar establishments, in all matters relating to zoological facilities for companion animals;
- b) the Order of 28 July 1980 laying down rules on zoological facilities, equestrian establishments, centres for the welfare and care of companion animals and similar establishments, in all matters relating to zoological facilities for companion animals.

First final provision. *Attribution of powers.*

This Royal Decree is issued under the provisions of Article 149(1)(13) and (16) of the Spanish Constitution, which grant the State exclusive power regarding the principles and coordination of general economic planning, and the principles and general coordination of health, respectively.

Second final provision. *Authority for development and modification*

The Minister for Social Rights, Consumer Affairs and the 2030 Agenda is authorised, within the scope of their powers, to issue the necessary provisions for the implementation of the provisions of this Royal Decree, and to amend the annexes.

Third final provision. *Entry into force*

This Royal Decree shall enter into force on the day following its publication in the Official State Gazette.

ANNEX I

Private collection of other companion animals, as provided for in Article 3(4)(g)(3)

Type of animals	Number
Invertebrates	Terrestrial: 50 Aquatic: 100
Ornamental aquatic animals	2 000 litres*
Amphibians**	

Type of animals	Number
	From 30 to 500 g: 20 Less than 30 g: 50
Chelonians**:	More than 10 kg: 6 From 1.5 to 10 kg: 20 Less than 1.5 kg: 50
Other reptiles**	More than 1 kg: 6 From 100 g to 1 kg: 20 Less than 100 g: 50
Birds**	More than 500 g: 6 From 100 to 500 g: 20 Less than 100 g: 50
Rodents or lagomorphs	15
Other mammals	5

*When calculating the volume in litres, the total volume of all containers at the establishment shall be taken into account.

**The weight ranges indicated in the table refer to the standard weight of the species in adult state according to the reference scientific literature.

ANNEX II

Minimum content of the health programme

1. Protocol for cleaning, disinfection, disinsection and deratisation.
2. Protocol for the application of compulsory and preventive treatments (deworming and vaccinations).
3. Protocol for the isolation and management of sick animals.
4. Protocol on the prudent use of veterinary medicines.
5. Protocol for the prevention and management of behavioural disorders.
6. Biosecurity measures adapted to the type of establishment.

ANNEX III

Specific conditions for shelters for dogs, cats or ferrets, temporary accommodation centres where dogs, cats or ferrets stay overnight, permanent accommodation centres for dogs or ferrets, centres for the breeding of dogs, cats or ferrets and shops working in partnership with animal protection organisations to facilitate the adoption of companion animals.

A. Facilities for dogs

1. The housing area per animal, including, where appropriate, the litter, shall have the minimum dimensions set out in the following table.

	Area in m ²					Height (m)
Height at withers in cm	<30	30–39	40–59	60–70	>70	2
Area per dog	4	4	5	8	10	
Area for each additional dog	3	3.5	4	5	6	

In the case of pedigree dogs, the height at the withers can be calculated on the basis of the breed's standard height at the withers.

If dogs of different heights are kept in the same enclosure, the dimensions corresponding to the tallest animal shall be taken into account.

2. With the exception of shops working in partnership with animal protection organisations to facilitate the adoption of companion animals, the minimum space required for the accommodation of each dog shall include:
 - a. a covered rest area with an enclosure and floor that guarantee adequate thermal insulation;
 - b. a recreational area, whether covered or not, which shall not replace suitable spaces for the animals to exercise.
3. In addition to the accommodation described in the previous paragraph, the facility must have an outdoor exercise area of a size appropriate to the centre's intended capacity, equipped with structural enrichment materials and designed to facilitate socialisation between individuals. Animals shall spend at least one hour a day in this area. Establishments where animals are walked for at least one hour a day shall be excluded from having this area available.

B. Facilities for cats

1. The housing area per animal, including, where appropriate, the litter, shall have the minimum dimensions set out in the following table.

	Minimum area	Minimum height in m
Area per cat (m ²)	3	2

Area for each additional cat (m²)	2	
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The area of the enrichment space for cats shall not be taken into account in this calculation.

2. The enclosure must have raised platforms at different levels, with individual resting cubicles for each cat, places for hiding and scratching, as well as a sufficient number of trays containing absorbent material.

C. Facilities for ferrets

1. The minimum dimensions of enclosures for ferrets, including, where appropriate, the litter, shall be 2 m² up to 2 animals and 0.5 m² for each additional animal. The height of the enclosure for each level shall be at least 60 cm.
2. Animal housing must be of sturdy construction and have a solid floor. It should also have boxes for sleeping, toys and places to hide.
3. There must be an exercise area independent of the housing with structural and cognitive environmental enrichment.

ANNEX IV

Additional conditions for establishments breeding dogs, cats or ferrets

1. The establishment shall have a birthing area which complies with the floor area requirements set out in Annex III and has the following characteristics:
 - a. the females shall be housed individually;
 - b. the mother should be allowed to separate from her young for grooming, exercise and socialisation;
 - c. adequate heating devices shall be provided to maintain a temperature between 22 and 28 degrees Celsius during the first 10 days of life for puppies and between 18 and 27 degrees Celsius from day 11 to day 21 of life for kittens.
 - d. Clean, dry beds shall be provided to house the females alongside their offspring during the gestation and lactation periods.
2. Puppies must not be permanently separated from their mothers before they are 8 weeks old, nor should kittens be separated before they are 12 weeks old, unless otherwise advised by a veterinarian.

ANNEX V

Specific conditions for establishments for the sale of companion animals

1. Companion animal shops must have the following separate areas.
 - a. Animal display area, which shall have the following characteristics:
 1. be positioned away from the shop window so that they are not directly visible from the outside;
 2. have physical barriers separating this area from the rest of the shop;
 3. the animals will only have direct contact with the public under the supervision of the establishment's staff.
 - b. Isolation zone for sick animals or acclimation zone for new animals. The isolation zone may be used as an acclimation zone provided there are no sick animals present and provided that it has first been thoroughly cleaned and disinfected. Otherwise, animals undergoing acclimation may be placed in the display area, in which case the public must be informed of this fact.
 - c. Product sales area.
 - d. Area for handling, cleaning, disinfecting and storing tools and equipment used in the zoological facility, as well as biocidal, phytosanitary and animal health products.
 - e. Area for the storage of food intended for animals, ensuring its preservation in such a way as to prevent its alteration, deterioration and contamination and protecting it from access by animals. In the case of feed, it shall be labelled in accordance with the regulations in force.
 - f. Storage area for veterinary medicinal products, complying with the provisions of Royal Decree 666/2023 of 18 July 2023 regulating the distribution, prescription, dispensing and use of veterinary medicinal products. The area must be clearly marked and have restricted access.
2. There shall be physical separation between the animal display area and the walkways, taking into account the physical layout and floor area of the shop, and this separation shall comply with the following requirements:
 - a. there must be physical barriers of any kind that create a distance or separation system to prevent the public from touching the panel, cage or glass enclosure housing the animal;
 - b. signage and furniture that look markedly different from the rest of the premises must be used so as to indicate the presence of an area housing live animals, and there must be a ban on entering and touching these facilities;
 - c. elements must be installed that reduce the animal's ability to see the outside from its housing, unless there are spaces or shelter elements

appropriate to the size of the animal that allow it to take shelter.

ANNEX VI

Minimum training content for zoological facility staff

1. Animal health and public health: animal diseases including those that are transmissible to humans; prudent use and resistance to treatments, including antimicrobial resistance and its consequences; hygiene and biosecurity requirements.
2. Animal traceability: identification and registration.
3. Animal welfare: ethology and behavioural needs; recognising the signs of stress; environmental enrichment and socialisation; good animal management practices (feeding and care).
4. Good breeding practices.
5. Zoological facility management: equipment, waste and by-product handling; recording of information and documentation to be kept on the zoological facility; animal transport.
6. Prevailing regulations at the EU, national, regional and local levels.

ANNEX VII

Content of the self-declaration as set out in Article 12(2)

1. Details of the operator of the zoological facility:
 - a. for natural persons: full name, address, telephone number, email address and tax identification number (NIF/NIE);
 - b. for legal persons: company name, tax identification number (NIF), address, telephone number and email address, as well as the full name of the representative and their tax identification number (NIF) or foreign national identification number (NIE).
2. Information about the zoological facility:
 - a. full address and/or geographical coordinates of the location of the zoological facility;
 - b. type and category of zoological facility.
3. The number of animals by species, specifying age, breed and weight in the case of dogs, cats and ferrets.
4. Description of the facilities.
5. In the case of homes for breeding animals, a declaration confirming that they are registered in the register of companion animal breeders.

6. Declaration of compliance with the requirements regarding animal handling and welfare set out in this Royal Decree.

7. Declaration of authorisation to carry out inspections in accordance with the provisions of Article 14(2).

ANNEX VIII

Minimum log book content

The log book linked to the zoological facility for companion animals shall contain at least the following information.

1. General information:

- a. code of the zoological facility corresponding to the Register of Zoological Facilities for Companion Animals;
- b. type and category of the zoological facility;
- c. geographical coordinates or address;
- d. first and last names or company name, NIF/NIE/passport number, telephone, email and full address;
- e. full name and professional registration number of the responsible veterinarian;
- f. species of mammals or groups of species of other animals it houses and maximum capacity for each of them.

2. Information on entries and exits:

- a. date of admission (including births), stating the reason and the location where the animal was taken in, in the case of animal shelters;
- b. date of departure: indicating the reason (taken out by its owner, adoption, death and its cause, transfer or sale) and the details of the new owner, if applicable;
- c. individual identification code, if applicable, species, sex and, in the case of animal shelters, health status.
- d. code of the zoological facility of origin or destination, where applicable, and details of the owner (name and tax identification number (NIF)).
- e. health certificate number, if applicable;
- f. in the case of temporary accommodation establishments, details of the owner of the animal.

Where animals are transferred between the companion animals shelter and each of its associated foster homes, the number and species of the animals transferred shall be recorded, along with their individual identification code, where applicable.

3. Official inspections and controls: date carried out and report number.
4. Information on health status and veterinary treatments.
 - a. Incidences of any infectious or parasitic disease, indicating the date of occurrence and identification of the affected animals.
 - b. Register of medicinal products used. The register must contain at least the following information for each treatment:
 1. date of first administration of the medicinal product and duration of treatment;
 2. name of the medicinal product;
 3. identification of the animal or group of animals;
 4. name and contact details of the prescribing veterinarian.
 - c. In the case of breeding establishments, the health and behavioural tests carried out.

If the information in the register of medicinal products used is available in the copy of the veterinary prescriptions, this information need not be recorded, except for the number of the veterinary prescription.

5. Dates of the advisory veterinary visits carried out by the responsible veterinarian.