

## **Decree of the Flemish Government on the conditions governing the import from abroad of stray or shelter dogs and cats intended for adoption**

### **Legal basis**

This Decree is based on:

- Article 32 of the Flemish Animal Welfare Code of 17 May 2024.

### **Procedural requirements**

The following formal requirements have been met:

- The Inspectorate of Finance issued its opinion on 27 May 2026.
- The Flemish Supervisory Committee for the Processing of Personal Data issued advisory opinion ... (number) on ... (date).
- The Council of State gave opinion xxxxx/x (opinion number) on ... (date), pursuant to Article 84(1)(1)(2) of the laws of the Council of State, consolidated on 12 January 1973.

### **Legal framework**

This Decree is consistent with the following regulations:

- the Royal Decree of 27 April 2007 setting out recognition conditions for animal establishments and conditions on the sale of animals;
- the Decree of the Flemish Government of 24 May 2024 on the identification and registration of dogs;
- the Decree of the Flemish Government of 24 May 2024 on the identification, registration and sterilisation of cats.

### **Initiator**

This Decree is proposed by the Flemish Minister for Budget and Finance, the Flemish Periphery of Brussels, Immovable Heritage and Animal Welfare.

After deliberations,

THE FLEMISH GOVERNMENT HEREBY DECREES THE FOLLOWING:

Chapter 1. Definitions

**Article 1.** In this Decree, the following definitions apply:

- 1° shelter dog or cat: a stray, lost, abandoned, surrendered, neglected, seized or confiscated dog or cat that is under the direct supervision of a responsible person and is kept in a shelter or any other establishment authorised to take in such animals in their country of origin;
- 2° stray dog or cat: a dog or cat that is roaming freely, is not under the direct supervision of a responsible person, and is not restricted in its freedom of movement;
- 3° association: a not-for-profit organisation that imports stray or shelter dogs and cats from abroad for adoption.

Chapter 2. Registration of associations

**Article 2.** Before the association imports stray or rescue dogs or cats from abroad, it must register with the Department.

**Article 3.** Section 1. Associations register using the electronic form made available by the Department on its website.

Section 2. The electronic form referred to in paragraph 1 already contains the following information:

- 1° the following details of the association:
  - a) name;
  - b) business registration number;
  - c) address;
  - d) telephone contact details;
  - e) email address;
- 2° the following details for the association's contact person:
  - a) first and last name;
  - b) address;
  - c) telephone contact details;
  - d) email address;
- 3° the animal species being imported;
- 4° the countries from which the dogs or cats are being imported;
- 5° the following details of the establishments from which the association sources animals:
  - a) name;
  - b) address;
  - c) telephone contact details;
  - d) email address.

Whenever there is a change to any of the details set out in the first paragraph or in paragraph 3, a new form must be submitted within one month.

Section 3. The following documents must be attached to the electronic form referred to in paragraph 1:

- 1° the articles of association referred to in Article 5;

- 2° the internal rules referred to in Article 5, specifying, inter alia, the solution in accordance with Article 12;
- 3° the model questionnaire referred to in Article 8(1);
- 4° the model of the adoption contract referred to in Article 9.

Section 4. The Flemish Minister responsible for animal welfare may, on his own initiative, revoke the registration if the association does not, or no longer, meets the conditions set out in this Decree. The Flemish Minister responsible for animal welfare may also impose restrictions on the association regarding the species, breeds and number of animals.

**Article 4.** The Department publishes the names and company registration numbers of the registered associations on its website.

Chapter 3. Conditions for associations wishing to import dogs and cats from abroad for adoption.

**Article 5.** Section 1. The association has legal personality and has articles of association that define the purpose of the association.

The association shall have internal rules indicating that the conditions set out in Articles 6, 8, 12 and 13 have been met.

Section 2. For each dog or cat brought in from abroad, the association shall keep a record consisting of all of the following documents:

- 1° the adoption contract referred to in Article 9;
- 2° the completed questionnaire referred to in Article 8(1).

The association shall retain the documents referred to in the first paragraph for up to two years after the date on which the dog or cat is handed over to the adopter.

Section 3. During the two years prior to registration, the association or its administrator has not received any official report for breaches of the Flemish Animal Welfare Code of 17 May 2024 or its implementing decrees.

**Article 6.** The association shall only supply dogs or cats that meet all of the following conditions:

- 1° they must be at least one year old;
- 2° all the animal's teeth have been replaced.

The association only accepts dogs or cats that are able to interact positively with other animals and people.

The association shall not import a dog or a cat from abroad until an adoption contract as referred to in Article 9 has been concluded.

**Article 7.** The association shall designate a location where the dogs and cats are handed over to the adopter.

**Article 8.** Before concluding an adoption contract as referred to in Article 9, the association shall:

- 1° verify with a questionnaire whether the prospective adopter is able to provide the dog or cat with adequate housing and care, in accordance with the ethological and physiological needs of the individual animal;
- 2° inform the adopter about any medical conditions and specific behavioural traits the cat or dog may have, and the necessary care or treatment required as a result of these conditions and behavioural traits. The adopter shall not be entitled to reimbursement of the veterinary costs resulting therefrom.

**Article 9.** The association shall conclude an adoption contract with the adopter in accordance with the model set out in the Annex to this Decision.

The adoption contract shall be drawn up in two copies, one for each party, and shall be signed by the adopter and the representative of the association.

The association provides the adopter with written guidelines, either on paper or digitally, on feeding, housing and caring for the cat or dog, and on helping it settle into its new home.

**Article 10.** The dog or cat shall be registered in the name of the adopter in accordance with the Decree of the Flemish Government of 24 May 2024 on the identification and registration of dogs or the Decree of the Flemish Government of 24 May 2024 on the identification, registration and sterilisation of cats.

**Article 11.** The association remains available to the adopter after the adoption on working days from at least 9.00 am to 5.00 pm.

**Article 12.** The association guarantees a solution if, within six months of the handover of the dog or cat brought in from abroad, the adopter indicates that they can no longer care for the animal. For this purpose, the association may:

- 1° conclude an agreement with the establishment of origin guaranteeing the return of the animal to that establishment;
- 2° conclude an agreement with an animal shelter or with a host family that guarantees the care of the animal.

**Article 13.** The association shall keep a register of the dogs or cats referred to in Article 12. The register shall contain at least the following information:

- 1° the microchip number of the dog or cat and, where applicable, the European passport number;
- 2° the date of acceptance of the animal by either the animal shelter or host family, the new adopter or the establishment of origin referred to in Article 12(1);
- 3° the particulars of either the animal shelter or the host family, or the new adopter, or the establishment of origin, referred to in Article 12(1).

Chapter 4. Amendment to the Royal Decree of 27 April 2007 setting out recognition conditions for establishments for animals and conditions on the trade in animals.

**Article 14.** A second paragraph is added to Article 20(1) of the Royal Decree of 27 April 2007 laying down the conditions for the approval of animal establishments and the conditions governing the trade in animals, as amended by the Royal Decrees of 18 March 2009 and 15 November 2010, which reads as follows:

‘Notwithstanding paragraph 1, animal shelters may be registered in accordance with the Decree of the Flemish Government of (date) on the conditions governing the import from abroad of stray or shelter dogs and cats intended for adoption.’

#### Chapter 5. Final provisions

**Article 15.** This Decree shall enter into force on 1 July 2027.

**Article 16.** The Flemish Minister responsible for animal welfare is tasked with implementation of this Decree.

Brussels, (date).

The Minister-President of the Flemish Government,

Matthias DIEPENDAELE

The Flemish Minister for Budget and Finance, the Flemish Periphery of Brussels,  
Immovable Heritage and Animal Welfare,

Ben WEYTS

Annex. Model adoption contract referred to in Article 9

1. The adopter:

|                                     |  |
|-------------------------------------|--|
| first and last name                 |  |
| date of birth                       |  |
| address                             |  |
| telephone or mobile<br>phone number |  |
| email address                       |  |

and

2. the person in charge of the association

declare that the animal listed below

3. Adopted animal:

name:

description:

- microchip number:
- date of birth:
- sex: male/female
- sterilised: yes/no
- coat (type and colour):
- special features:
- place and country of origin:

number in the attached vaccination booklet or passport:

was entrusted to the adopter after payment of the following fees:

contribution:

veterinary costs:

costs for identification and registration:

administration costs:

miscellaneous:

total:

Where applicable, the association will hand over the animal's passport to the adopter at the time of adoption.

The adopter agrees to:

- 1) adapt the diet, care and housing to ensure the welfare of the animal;
- 2) to notify the administrator of the animal database within eight working days of the animal's death;
- 3) to notify the administrator of the animal database immediately in the event of the loss of the animal and, in cooperation with the registered association, to take all necessary measures to locate the animal;
- 4) not breed with the animal.

The person in charge of the association guarantees a solution if, within six months of the handover of the dog or cat brought in from abroad, the adopter indicates that they can no longer take care of the animal. For this purpose, the association may:

- 3° conclude an agreement with the establishment of origin guaranteeing the return of the animal to that establishment;
- 4° conclude an agreement with an animal shelter or with a host family that guarantees the care of the animal.

The parties declare that they have reviewed the following documents together:  
(*Tick or cross as appropriate*)

- ☐ the list of questions to be asked before acquiring the animal
- ☐ this adoption contract

and therefore have taken note of certain particulars of the animal.

Drawn up in two copies, one of which was handed over to the adopter and the other to the person in charge of the association.

In .....

Date: .....

Adopter: .....

Person in charge of the association: .....

To be annexed to the Decree of the Flemish Government on the conditions governing the import from abroad of stray or shelter dogs and cats intended for adoption.

Brussels, (date).

The Minister-President of the Flemish Government,

Matthias DIEPENDAELE

The Flemish Minister for Budget and Finance, the Flemish Periphery of Brussels,  
Immovable Heritage and Animal Welfare,

Ben WEYTS