

Impact of the Act

Among the areas of impact listed in Section 46(1) of Government of the Republic Regulation No. 180 of 22 December 2011 “Rules of good legislative practice and legislative drafting”, the proposed amendments do not entail direct and significant impact on state governance, information technology and the information society, national security, internal security, regional development, education, culture, sports, the environment or the social field. Only the direct social and economic impacts of the regulatory amendments are considered to be impacts of the Act. For all amendments, in addition to the impacts highlighted separately, there is also a direct impact on animal welfare.

The amendment made to Section 1(7) of the draft Act, the purpose of which is to bring the Wildlife Protection Code (WPC) into conformity with the Biocidal Products Act, is of a technical nature and does not have the effects listed in Section 46(1) of Government of the Republic Regulation No 180 of 22 December 2011 “Rules of Good Lawmaking and Regulatory Techniques”.

6.1. The inclusion of engaging in sexual intercourse with an animal and committing other acts of a sexual nature, as well as transferring, showing or otherwise making available to another person photographs or video recordings containing such material, in the list of acts prohibited in relation to animals (Draft Act, Section 1, points 1 and 2)

Area of impact: environmental impact

Target audience: potential offenders (individuals who commit sexual acts with animals or possess and distribute material depicting such acts)

Impact on land, its extent and frequency

The impact of the ban on zoophilia is negligible in Estonian society, as zoophilia is a sexual abnormality, which occurs very little. A message that unequivocally and understandably condemns such a deviation will have a greater impact. Since the extent and frequency of the impact is low, the amendment does not entail any significant risks or negative side effects.

Risk of adverse effects: The risk of undesirable effects is low, as there are no negative effects.

Conclusion on the significance of the impact: There is no significant impact.

6.2. Prohibition on keeping dogs on a leash (Draft Act, Section 1(3))

It will henceforth only be permitted to keep a dog on a chain temporarily for special medical purposes, for reasons of animal security or if the adult animal is aggressive or dangerous to another animal or to a person. The amendment will affect dog owners who will take on a dog born later than 1 January 2027. A dog kept on a chain at the time the Act comes into force, which was born before 1 January 2027 and which, if kept in any other manner, may be aggressive or dangerous to itself or to another animal or person, may be kept on a chain until 1 January 2032.

Impact area: economy, social affairs and public governance

Financial impact

For a pet owner who wishes to keep a dog in future, the legislative amendment may entail a one-off cost for building a fence or enclosure and for training the dog. However, in view of the total costs associated with animal keeping, this one-off cost is relatively low. If you need to take your dog for repeated consultations with a behaviourist or a vet, the cost may end up being somewhat higher.

Social impact

Allowing a dog to be kept temporarily on a chain has an impact on the well-being and living environment of the dogs and increases caring for the animals. Although a dog on a chain appears to be separated from people, research has shown that keeping a dog on a chain at all times leads to behavioural problems, including attacks on people, which can result in injury or even death. With the amendment stipulating that dogs may only be kept on a chain on a temporary basis, the proportion of aggressive animals in society should decrease, and it is hoped that the mental, physical and financial harm caused to people – resulting from both dog attacks and inappropriate keeping conditions – will also be significantly reduced.

Impact on national authority

The impact on the national authority is minimal, as keeping dogs on a chain has attracted negative attention in society and, as a result, fewer and fewer people are keeping their dogs on a chain. Local authorities may need to provide further clarification to property owners who are not aware of the changes. This means that there will be a slight increase in the administrative burden on local authorities in rural areas. On the other hand, it is important that the AFB (Estonian Agriculture and Food Board) can give an explicit legal basis in the future to an order to an animal owner who keeps his dog on a chain and therefore does not comply with the animal husbandry requirements.

Target audience: persons planning to get a dog in the future, current dog owners, and the AFB

Impact on land, its extent and frequency

The impact on pet owners is minimal, as many already keep their dogs in kennels or indoors and take them for regular walks. The AFB estimates that currently about 20% of dogs kept in Estonia are kept permanently in chains. The extent of the impact is greater in rural areas where animals are kept for the purpose of guarding the home. Dogs kept for this purpose are usually of a larger breed and kept permanently outdoors. However, many animal owners have switched to keeping their animals free-range in the garden or in an enclosure for the sake of their welfare.

The amendment will affect a person who intends to take a dog in the future and must therefore be aware that, on grounds of animal welfare, it is no longer permitted to keep them on a chain. For pet owners, this involves a one-off investment in a decent enclosure or, for example, a dog cage of the right size, so that the dog can be kept temporarily indoors in the cage.

Resulting risk of undesirable effects

There is a risk that not all people will understand the word ‘temporary’ in the same way. To avoid this, the explanatory memorandum to the draft bill sets out a number of examples, both positive and negative, which will help both the animal keeper and the AFB to decide, depending on the circumstances, whether keeping the animal on a chain is temporary or not. Another risk is a sudden change in the housing conditions of dogs kept on the current permanent chain, which may lead to additional problems. To avoid this risk, provisions have been put in place allowing dogs to be kept on a chain temporarily, provided this complies with the requirements set out in the legislation. To avoid the aforementioned risks, it is also important to inform all

local authorities of the legislative change well in advance so that they, in turn, can pass on the information to dog owners.

Conclusion on the significance of the impact: the impact is negligible and directly affects only dog keepers.

6.3. Licensing requirements for animal shelters, shelters responsible for placing stray animals in temporary accommodation, and shelters involved in the transport of cats, dogs and ferrets to another Member State (Draft Act, Section 1(4))

The Draft Act regulates the requirements for the economic activity of both the keeper of a shelter, the keeper of a shelter performing the function of placing stray animals in storage homes and the keeper of a shelter moving dogs, cats and ferrets to another Member State referred to in point b of Commission Delegated Regulation (EU) 2019/2035. The aforementioned animal shelters are required to hold an operating licence, and the conditions of this licence, the requirements for staff, and the requirements for keeping animals at the shelter are set out.

Area of impact: economy, social affairs, public authorities

Target audience: approximately 70 animal shelter operators, veterinarians, pet owners, the AFB, and the local council

Impact, extent and frequency: moderate impact and scale.

Financial impact

The amendments will lead to a moderate increase in the administrative burden for the holder of asylum, including the keeper of a shelter who is engaged in the accommodation of stray animals or the movement of dogs, cats and ferrets to another Member State in his or her shelter. The aforementioned keeper of a shelter must comply with the established requirements for economic activities at their shelter and fulfil their licensing obligations. At present, there are already a number of larger animal shelters that transport dogs, cats and ferrets to other Member States, having fulfilled this licensing requirement in accordance with European Union law and the requirements of the Veterinary Act. The draft provides for a transitional provision pursuant to which, in the case of a keeper of a shelter who has complied with the permit obligation in accordance with § 25(2)(3) of the Veterinary Act, the permit obligation in accordance with § 5⁴(1) of this Act is considered to have been fulfilled. An increase in the administrative burden also arises for keepers of shelters responsible for placing stray animals in temporary shelters, as they too must apply for an operating licence. All persons operating within this type of establishment are subject to additional financial operational requirements, such as requirements relating to the shelter building or premises, requirements concerning persons working at the shelter, the requirement for a written biosecurity plan, and the requirement to declare the number of animals kept. The authorisation is granted for an unlimited period, so the effect is one-off.

Impact on national authority

The impact on the national authority is small. The AFB's workload will increase mainly in connection with the issuing of operating licences and the carrying out of additional inspections. The AFB must reassess the majority of shelters operating in Estonia, with the exception of those whose operators are deemed to have already fulfilled their licensing obligations. At the same time, the number of inspections that are currently conducted on the basis of "Animal Non-Compliance Complaints" is expected to be lower. The workload should become more balanced after the expiry of the transitional period associated with the operating licence.

Social impact

With shelters offering consistently good living conditions, people are more likely to feel confident about adopting a pet; furthermore, the licensing requirement helps to meet society's expectation that all animals in shelters are provided with good living conditions. In the long term, this could lead to a reduction in the number of stray animals.

Risk of undesirable effects

To avoid any undesirable consequences, the drafters of the bill have involved animal shelters – including non-profit organisations operating as shelters – local authorities, the Association of Estonian Cities and Municipalities, and the Estonian Veterinary Association in the discussions. The changes should not entail significant financial costs for accommodation providers, and a sufficient transition period should be provided, under which accommodation providers operating at the time the Act enters into force must hold the relevant licence from 1 January 2028, will help them make the necessary changes within their organisations to comply with the requirements set out.

This has an adverse impact on keepers of shelters who are unable to bring the conditions in which animals are kept at the shelter into line with the new requirements. In such cases, they will not be granted a licence to operate as a shelter, and a situation may arise where the animals housed in such a shelter will need to be rehomed urgently. The various shelters and rescue groups operating in Estonia that might be interested in helping to find a home for these animals contribute to reducing this risk. Unfortunately, the occurrence of such undesirable effects is inevitable, since the welfare of animals in such an establishment must be unconditionally fulfilled.

Conclusion on the significance of the impact: moderate impact, no significant impact.

6.4. Euthanasia (draft bill, section 1, points 5 and 6)

The Draft Bill regulates the division of responsibility between the veterinarian and the owner of the animal in making the decision to carry out the euthanasia of an animal, and allows the veterinarian to decide on the euthanasia of a stray animal, if necessary, if the further life of the animal would cause suffering to the animal or if its species-specific way of life proves impossible.

Area of impact: social impact

Target audience: – approximately 400 veterinarians, pet owners

Impact on land, its extent and frequency

Social impact

The impact on consumers is moderate, as there are many pet owners who need to make such a decision. The impact is positive as this decision will no longer have to be taken by the animal owner alone and the veterinarian will have the right to express his/her opinion more courageously. To ensure animal welfare, decision-making authority must lie both with the animal owner, who is able to assess the animal's condition over the long term, and with the veterinarian, who assesses the current situation based on their medical expertise.

Risk of undesirable effects

The risk of undesirable effects is low, but does exist in certain situations. An example of this might be a situation where, in the opinion of a veterinarian, euthanasia is the only way to ensure the animal's welfare, but the owner refuses to agree to it, even after consulting several veterinarians. On the other hand, an animal owner may have a problem that prevents him from keeping an animal, but the veterinarian is not willing to humanely kill such an animal. To mitigate such impacts, the explanatory memorandum sets out alternative measures that could be taken in addition to the proposed measures in various situations.

Conclusion on the materiality of the impact

The significance of the effect on the owner of the animal is average, because the decision on the euthanasia of the animal must be made rarely, but the decision itself is very difficult. The significance of the impact for the veterinarian is average, providing him/her with clearer rights and guidance in very difficult situations.

6.5. Divestiture of animals by way of substitute enforcement (Draft Act, Section 1, points 8-10)

Amending the provisions on the transfer of animals under the substitute ownership procedure will make it possible to divest all animals to the person who held the animal under the substitute ownership procedure, as well as to other persons.

Area of impact: social sector, government agency

Target group for the impact: animal keepers and the AFB

Impact on land, its extent and frequency

The impact of allowing the divestiture of animals is negligible, as the number of animals divested of by the AFB is generally less than 1,000 per year, which represents a very small proportion of the animals kept in Estonia.

The impact on the public authority is moderate, as the amendment makes it easier for the AFB to dispose of poorly treated animals and extends the options according to the condition of the animal to choose where it is appropriate to dispose of such animal.

Risk of undesirable effects

Since the extent and frequency of the impact is low, the amendment does not entail any significant risks or negative side effects.

Conclusion on the materiality of the impact

The impact of the change on society is generally negligible. On the other hand, this has a significant impact on animal welfare, particularly for animals that need to be rehomed.

6.6. Increasing penalty levels (draft bill Section 1, points 11 and 12)

Area of impact: economy

Target group: operators dealing with animals, including the keeping, transport or killing of animals

Impact and scope: The economic impact is moderate

Financial impact

The impact of the revised penalty rates on the economy is moderate. The impact targets all operators involved in keeping, slaughtering or transporting animals. According to Agricultural Registers and Information Board (ARIB) data, there are 14,427 premises registered in the database where farm animals are kept. According to data on the AFB website¹, 139 transport licences had been issued as of 29 April 2025. In addition, 38 establishments where the slaughtering of farm animals is carried out are registered in the ARIB register. All undertakings operating in those undertakings must conduct their activities with a view to ensuring that they do not infringe the obligations imposed on them under the Wildlife Protection Code. It can be assumed that the majority of those involved in animal husbandry are law-abiding, but the current levels of fines are outdated; consequently, there is a significant risk that, if penalties are too lenient, operators may begin to cut corners at the expense of animal health and welfare. Sales revenue for agricultural businesses is on the rise and has increased by 60% compared to 2018². If, for example, a business operator breaches the requirements set out in the WPC regarding the transport of animals, the current maximum fine of €3,200 is not effective, given the turnover and sales revenue of such businesses. With the implementation of the updated penalty rates, it is expected that the impact on these companies will be one-off and targeted at individual persons. It can be assumed that increasing the levels of penalties will have a positive effect, as individuals will behave in a more law-abiding manner and refrain from committing offences, given that the maximum fine for an offence will henceforth be €320,000 instead of the current €3,200. It can be assumed that the introduction of higher penalties will encourage people to become more aware of the requirements for keeping animals, regarding animal competitions and public displays, the transport of animals, the slaughter and killing of animals, the administration of medication and the performance of veterinary procedures, and the requirements applicable to animal testing.

It is not possible to forecast the significant costs and benefits associated with updating penalty rates. The introduction of the possibility to impose higher fines will not necessarily lead to higher administrative penalties; furthermore, a higher rate may provide an incentive for persons to commit fewer administrative offences.

The impact of the amendments on animal welfare is of significant importance. The penalty rates for WPC hitherto in force have been unchanged for more than 10 years. In the area of animal protection, the AFB has not imposed any penalties in 2022. This is not due to a lack of interest in the proceedings from an animal welfare perspective, but rather to various organisational considerations. The priority in every case is to restore animal welfare as quickly as possible through an order or some other form of intervention, so that we can move on to addressing the next animal health or animal welfare issue. Discouraging a person from committing an established misdemeanour is not critical to animal welfare as compared to resolving a time-critical problem relating to the next animal. However, the annual increase in the number of reports of offences and the public's growing interest in resolving animal welfare issues have led to a need to investigate cases of animal abuse and, where necessary, impose penalties for such behaviour. The penalty must reduce the number of infringements and, in addition to ensuring compliance with the animal welfare requirements set out in the WPC, help to prevent animal suffering. There must be sufficient time to carry out the procedures involved in administrative offence proceedings; only then will the penalty be sufficiently effective. The levels of fines imposed under the WPC for various infringements must be effective, proportionate and dissuasive. Given the public interest in animal welfare and society's heightened expectations

¹ ARIB database [e-database]. <https://pta.agri.ee/riiklikud-registrid-ja-andmekogud#loom>

² Overview of agriculture, fisheries and the food industry: first half of 2023 Field overview Ministry of Regional Affairs and Agriculture 2023, <https://www.agri.ee/sites/default/files/documents/2023-09/v%C3%A4ljaanne-2023-p%C3%B5kat-2023-01.pdf>

regarding the protection of animal welfare, it is justified to adjust the maximum fine amounts for all offences specified under the WPC.

Under current law, an operator of a livestock farm who neglects sheep to such an extent that they die may be fined up to €3,200. If he has failed to identify the sheep with ear tags by the deadline, the maximum fine that can be imposed under the Veterinary Act is 32,000 euros. An economic operator already operating in the same field has, by reading the legislation, received the message what he was to do as the first one. First, he tags the sheep and records them in the register; only then does he check whether the sheep is dying or in pain. In practice, competent animal keepers, animal protectors, enforcement officers and, in general, all people do not want the animals to suffer, and there is no need to increase the level of fines to confirm this. However, where penalty rates have been established in this sector, they must reflect animal welfare as an important and protected public value.

Stricter penalties can be expected to send a clear signal that animal welfare is important in a healthy society. Society has agreed upon certain standards, compliance with which must be effectively monitored, and for breaches of which penalties may, where necessary, be imposed that are fair, proportionate and serve as a deterrent. Keeping animals and looking after them requires certain skills and expertise. In this context, it makes no difference whether we are talking about pets or farm animals. When you take in an animal, you also take on a responsibility. If animal welfare requirements are not observed, animals may end up straying and causing damage to the living environment and the natural environment: they may destroy or damage people's property or green spaces, or even be involved in traffic accidents, the consequences of which can be serious. To date, the AFB has imposed few penalties for breaches of animal welfare requirements, instead issuing orders; where such orders have not been complied with, the obligation to ensure the proper care of the animal has been taken over by a third party under a substitute enforcement procedure, as the current fines are very low. It can be assumed that a private person or legal entity violating the animal husbandry requirements will pay the penalty but will continue its actions. Updated penalty rates will help to change this situation.

Risk of undesirable effects: there will be no undesirable effects from increasing the level of penalties.

Conclusion on the significance of the impact: the impact is medium.

6.7. Impact on administrative and operational workload

Impact on the administrative burden on businesses and private individuals: In summary, it can be noted that the amendments will result in a moderate increase in the administrative burden on various types of accommodation providers, who must comply with the established requirements for economic activities at their accommodation facilities and fulfil their licensing obligations. At present, there are already a number of larger animal shelters that transport dogs, cats and ferrets to other Member States, having fulfilled this licensing requirement in accordance with European Union law and the requirements of the Veterinary Act. The amendments to the asylum system proposed in the draft bill have been agreed in advance with all stakeholders. The administrative burden will also increase for the dog keeper, who will have to rearrange the conditions for keeping his dog due to the ban on keeping the dog on a chain. However, there are fewer and fewer such dog keepers in Estonia and the restructuring of the conditions for keeping a dog entails a one-off cost.

Public sector workload: The changes set out at will lead to an increase in workload, as the workload of the AFB will rise due to the issuance of various operating licences for asylum providers. The AFB must reassess all accommodation facilities operated by various providers in Estonia, with the exception of those where the licensing requirement is deemed to have already been met. This means an increased workload. The number of inspections to be carried out after the issuance of the authorisation will hopefully be lower, which will help to balance the workload.

At the same time, the changes will also help to reduce the AFB's workload, as they will enable the AFB to organise the removal of mistreated animals under the substitution procedure in a more flexible manner. The amendments also provide a clearer legal basis for imposing penalties for acts of cruelty to animals and for issuing orders to dog owners who keep their dogs on a chain.