



MHH
Medizinische Hochschule
Hannover

**CRUELTY TO ANIMALS LAW
(ANIMAL PROTECTION), 5754 – 1994**

**PREVENTION OF CRUELTY TO ANIMALS LAW
(EXPERIMENTS ON ANIMALS) 5754 – 1994**

**PREVENTION OF CRUELTY TO ANIMALS RULES
(EXPERIMENTS ON ANIMALS) 5761 – 2001**

**DREI IN ISRAEL
RELEVANTE GESETZESTEXTE
FÜR TIERVERSUCHE,
IHR BEZUG ZUM 3R-KONZEPT
UND ETHISCHE ERWÄGUNGEN**

I N H A L T


Hier finden sie die in Israel relevanten Gesetzestexte für Tierversuche.

1. ANIMAL WELFARE ACT CRUELTY TO ANIMALS LAW (ANIMAL PROTECTION), 5754 – 1994	01
2. PREVENTION OF CRUELTY TO ANIMALS LAW (EXPERIMENTS ON ANIMALS) 5754 – 1994	11
3. PREVENTION OF CRUELTY TO ANIMALS RULES (EXPERIMENTS ON ANIMALS) 5761 – 2001	21

! LEGENDE

Um Ihnen das Auffinden der jeweiligen Gesetzesstellen zu erleichtern, finden Sie in der Folge die relevanten Paragraphen mit Verlinkung zu den Inhalten.

 Gelb markiert (1. Abschnitt) sind die Teile der Gesetze, die sich direkt auf das 3R-Konzept beziehen.

 Blau markiert (2. Abschnitt) sind ethische Fragestellungen, die sich aus den Tierversuchen und der Anwendung des 3R-Konzepts ergeben.

1. ANIMAL WELFARE ACT CRUELTY TO ANIMALS LAW (ANIMAL PROTECTION), 5754 – 1994

■ 8. (a) Seizure of Animal	02
■ 10. (a) Restriction on Return of Animal	03
■ 17a. (a) Injunction	06

2. PREVENTION OF CRUELTY TO ANIMALS LAW (EXPERIMENTS ON ANIMALS) 5754 – 1994

CHAPTER THREE: EXPERIMENTS ON ANIMALS

■ 8. (b) (c) Experiments on animals	14
■ 9. Experiments on animals are prohibited where there are alternatives	14
■ ■ 13. (b) (3) Committee for the grant of permits for experiments on animals	15

SCHEDULE (SECTION 8(d))

■ 2. SCHEDULE (Section 8(d))	19
------------------------------------	----

3. PREVENTION OF CRUELTY TO ANIMALS RULES (EXPERIMENTS ON ANIMALS) 5761 – 2001

■ Introduction	21
■ ■ 9. (e) (3) Training course for the minimalization of suffering	23
■ 9. (e) (7) Training course for the minimalization of suffering	23
■ 10. (b) (1) Additional training methods	24

CRUELTY TO ANIMALS LAW (ANIMAL PROTECTION), 5754-1994¹

1. Definitions:

In this Law -

"Animal Protection Organisation" - a registered co-operation whose object and activities are the protection of animals, prevention of suffering by them and the concern for their welfare;

"The Controller" - a veterinary doctor, an employee of the Veterinary Service of the Ministry of Agriculture, appointed by the Director for the purposes of this Law;

"The Director" - the Director of the Veterinary Service of the Ministry of Agriculture;

"Shelter" - a facility as provided in Section 8 (c) in which animals are kept and receive care;

"Animal Trustee" - one appointed to be an animal trustee in accordance with Section 7;

"The Fund" - The Fund for Animals established under Section 14.

2. Prohibition of Cruel Treatment [2000 Amendment]:

- (a) No person shall torture, treat cruelly or in any way abuse any animal.
- (b) No person shall incite one animal against another.
- (c) No person shall organise a contest between animals.
- (d) No person shall cut into a live tissue of an animal for cosmetic purposes.

3. Prohibition on Working Animals:

- (a) No person shall work any animal, which is not fit to work because of its physical condition.
- (b) No person shall work any animal to exhaustion.

4. Prohibition of Killing Poison:

No animal shall be killed by strychnine or by any other poison designated by the Director in a notice in Reshumot, unless the Director shall have granted a permit therefor.

¹ Passed the Knesset 28 Tevet 5754 (11 January 1994).

Bill and Explanation published in Bills 2127 of 6 Adar 11 5752 (11 March 1992), p.298. Amendment passed the Knesset 11 Av 5754 (19 July 1994).

5. Appointment of Supervisors:

The Director shall appoint, from among civil servants and employees of local authorities supervisors for the purpose of this Law.

6. Powers of Entry and Investigation:

- (a) If the Controller, a supervisor or a policeman shall have reasonable grounds to suspect that an offence under this Law has been committed they may enter any place and carry out a search therein provided that entry into the premises of any person may not be affected without a search warrant issued by a Magistrates Court;
- (b) The Controller and a supervisor as aforesaid shall have power to investigate offences under this Law; in the exercise of such power -
 - (1) They shall have the powers of a policeman under Section 2 of the *Criminal Procedure Rules Ordinance (Arrest and Search) [New Version] 5729-1969*².
 - (2) They may use all the powers given to a Police officer of the rank of inspector under Section 2 of the *Criminal Procedure Ordinance (Evidence)*³, and Section 3 of the said Ordinance shall apply to any notice given by them by virtue of this power.

7. Animal Trustee:

The Minister for the Environment, with the consent of a district Commissioner of Police, may appoint any person to be an Animal Trustee. An Animal Trustee, so appointed, may, after producing his or her Certificate of Appointment, require, for the purposes of filing a complaint, that anyone, who has committed an offence under this Law, disclose to his or her identity; one so required to disclose his or her identity must do so.

8. Seizure of Animal:

- (a) The Controller, a policeman or a supervisor may seize any animal in respect of which they have reasonable grounds to suspect that an offence has been committed under Sections 2 and 3, provided that no animal is to be seized in the premises of any person except under an order of a Judge of a Magistrates Court.

² *Laws of the State of Israel*, New Version 12, p. 284 Statutes 5750 p. 16.

³ *Statutes of Palestine*, Vol. A, Chapter 34, Statutes 5725, p. 53.

- (b) Seizure of an animal under Subsection (a) may also be effected in accordance with the order of a Judge of a Magistrates Court by an Animal Trustee as empowered by the Controller.
- (c) An animal seized under Subsections (a) or (b) shall be transferred to a shelter recognised by the Director and operating in accordance with conditions imposed by him or her.

9. Notice of Seizure and Release:

- (a) If an animal is transferred to a shelter, the person in charge of the shelter, or one authorised by him or her, shall give notice thereof to its owner or to the person in possession of it, all in accordance with the circumstances of the case.
- (b) If the owner or possessor of an animal held in a shelter requests the return of the animal to his or her custody, it shall be returned to him or her after the following conditions have been satisfied:
 - (1) The animal is in fit physical condition to be returned;
 - (2) The person making the request has paid the expenses imposed on him or her under Section 11;
 - (3) The person making the request has deposited with the Controller an undertaking, in the form determined the Director, that he or she will not infringe the provisions of this Law.

10. Restriction on Return of Animal:

- (a) Notwithstanding the provisions of Section 9, the person in charge of a shelter, who has reasonable grounds to believe that the owner, or possessor, of an animal will commit an offence under Sections 2 or 3, may, with the approval of a supervisor, refuse to return the animal to the owner or possessor and return retain the same in the shelter: the person in charge shall notify the owner or possessor accordingly.
- (b) (1) The owner or possessor may apply to the Magistrates Court, within 20 days from the date of the receipt of the notice, and claim return of the animal.
 - (2) If such a claim has been lodged the animal shall be held in the shelter until the conclusion of the proceedings before court.

- (3) The court shall have the power to make a decision in regard to the expenses of keeping the animal in the shelter.
- (4) If the court decides that the animal should not be returned to the plaintiff, the provisions of Section 12 shall apply.

11. Payment of Expenses:

The owner or possessor of an animal, which has been brought to a shelter under Section 8 shall bear the expenses of its transfer to the shelter, its food and treatment, as determined by the Director in Rules and the person who has actually paid the said expenses, or someone on his or her behalf may recover the same from the owner or possessor.

12. Transfer of Ownership:

- (a) If a notice has been given in accordance with Section 9(a) and the owner or possessor has not applied for the return of the animal within 20 days from the date on which the notice was given to them, the animal shall be regarded as ownerless and the Controller may hand it over to another; if it was not possible to give the said notice, the said 20 days shall run from the date the animal was transferred to the shelter.
- (b) If the animal is handed over to another he or she shall be given a Certificate of Ownership on a form determined by the Controller, and the ownership of the animal by anyone else shall lapse, provided that a Magistrate Court, for special reasons, which shall be recorded, may restore the animal to its previous owner.
- (c) If the animal is of value - it shall be handed over in return for such payment, as the Controller shall determine.
- (d) The amount of the payment received under Subsection (c), after deduction thereof of expenses under Section 11, shall be at the disposal of the former owner or possessor and notice of it shall be given to them; if the said owner or possessor are not to be traced, or if they shall not claim the sum at their disposal within 30 days, it shall be forfeited to the Fund.

13. Enforced Treatment or Slaughter:

- (a) If the public Controller, or a veterinary doctor in public services empowered by the Controller, is convinced that an animal is sick or suffering, and is not receiving proper

medical treatment, he or she may transfer it to a shelter or order that it be slaughtered, all according to its medical condition.

- (b) The slaughter of an animal shall be carried out without causing unnecessary suffering and the owner or the possessor shall bear the costs thereof.

14. Animal Fund:

- (a) There is hereby established a fund for animals within the framework of the Ministry of the Environment.
- (b) The object of the Fund is the co-ordination of financial means, which will serve education, information, training and assistance to Animal Protection Organisations and the promotion of the purposes of this Law.
- (c) The monies of the Fund shall come from the State budget, contributions and fines under Section 17.
- (d) The Minister for the Environment shall determine in Regulations, the composition of the Fund, its powers and the procedure for its operation and he or she shall report, at the end of each financial year, to the Knesset Education and Culture Committee on the Fund's operations, its income and its expenditures.

15. Criminal Complaint:

An Animal Protection Organisation - approved by the Minister for the Environment after consultation with the Minister of Agriculture - may, after it has received the approval of the District Attorney, file a complaint in court as provided in Section 68 *Criminal Procedure Law [Consolidated version] 5742-1982*⁴, in respect of an offence under this Law.

16. Position of the State:

For the Purposes of this Law the legal position of the State is the same as that of any other person.

16a. Restriction of Application to Security Establishment:

- (a) In this clause -

⁴ Statutes 5742, p. 45.

"Security Establishment" - The Ministry of Defence and its support units, Israel Defence Force or any other institution operating for security purposes and authorised for the purposes of his Law by the Minister of Defence.

"Military Area" - Land seized permanently or temporarily by the security establishment and any area serving it as a training area.

- (b) Notwithstanding the provisions of Clauses 6, 8 and 16, entry into a Military Area and the seizure of animals kept by the security establishment shall be carried out only by one so authorised by the Minister of Defence.

17. Penalties and Destination of Fines:

- (a) A person who commits an offence under Section 2 is liable to imprisonment for three years.
- (b) A person who commits an offence under Sections 3 or 4 is liable to imprisonment for one year.
- (c) If an offence is committed under Section 3 a charge shall be brought also against the owner or possessor of the animal, unless he or she has proved that the offence was committed without his or her knowledge and that he or she took all reasonable steps to prevent it.
- (d) A person, who does not disclose his or her identity, after being required so to do under Section 7, is liable to a fine.
- (e) A fine imposed in respect of an offence under this Law shall be paid to the Fund.

17a. Injunction:

- (a) If a prosecutor, the Director or an Animal Protection Organisation has reasonable grounds to believe that an offence under Sections 2 or 4 has being committed, or that such an offence is about to be committed, he, she or it may apply to the Magistrates Court for the issue of an injunction restraining the carrying out, or the continued carrying out of the acts in respect of which the application is made.
- (b) The court may grant an injunction under this Clause *ex-parte*; if an injunction is granted *ex-parte*, a hearing in the presence of both parties shall be held as soon as possible, and no later than seven days after the date of the granting of the injunction.

- (c) When a hearing has been fixed under Subsection (b) the Court may extend the period of the injunction, revoke it or make changes in its terms, even if the party bound by it does not appear at the hearing.
- (d) The period of an injunction under this Section shall not exceed one year.
- (e) The court may attach conditions to the granting of an injunction under this Section, or make it conditional on the posting of a bond.
- (f) If the Court has refused an application for an injunction made by an Animal Protection Organisation, and has determined that the application manifestly unjustified, it may make the applicant liable for the costs of, and for compensation to, anyone prejudiced by the making of the application.
- (g) A person against whom an injunction is granted, a prosecutor, the Director or an Animal Protection Organisation may apply to the Court for further consideration of an injunction granted, if the circumstances alter and this is likely to change the previous decisions of the Court.
- (h) A person against whom an injunction is granted, a prosecutor, the Director or an Animal Protection Organisation may appeal against a decision of the Court under Subsections (a) or (g). The appellate court shall consider the appeal before a single judge.
- (i) For the purpose of this Section -
 - "Prosecutor" - as defined in Section 12 of the *Criminal Procedure Law [Consolidated Version]* 5742-1982;
 - "Animal Protection Organisation" - an Animal Protection Organisation approved by the Minister for the Environment after consultation with the Minister of Agriculture.

18. Preservation of Laws:

- (a) This Law does not derogate from the provisions of the *Rabies Ordinance*, 1934⁵, *Animal Diseases Ordinance [New Version]*, 5745-1985, *Wildlife Protection Law* 5715-1955, *National Parks, Nature Reserves, National Sites and Memorial Sites Law* 5752-1992, *Fishing Ordinance* 1937⁶, *Plants Protection Law* 5716-1956 and *Public Health Ordinance* 1940⁷.

⁵ Official Gazette 1934, Schedule 1, p. 272.

⁶ Official Gazette 1937, Schedule 1, p. 137.

⁷ Official Gazette 1940, Schedule 1, p. 19.

- (b) A person carrying out the instructions of the Government Veterinary Doctor under the Rabies Ordinance 1934 or under Animal Diseases Ordinance [New Version] 1985 shall not be regarded as committing an offence under Section 2.

19. Implementation and Regulations [2000 Amendment]:

The Minister of Agriculture is appointed to carry this Law into effect, and he or she may, with the approval of the Knesset Education and Culture Committee, and having regard to the needs of agriculture, enact regulations for its implementation and for the purposes of the attainment of the object of this Law, including in regard to -

- (1) Conditions of keeping animals, including keeping animals in pet shops;
- (2) Conditions of transporting animals;
- (3) Means of killing of animals except for the slaughter of animals for food for humans;
- (4) Training animals;
- (5) Animal exhibitions, performances and contests;

20. Amendment of the Criminal Procedure Law - No. 17:

In the second Schedule to the *Criminal Procedure Law [Consolidated Version] 5742-1982*, after Paragraph (16) shall come:

"(17) *Cruelty to Animals Law 5754-1993* with the restrictions contained in Section 15 of the said Law".

21. Repeal:

Section 495 of the *Penal Law 5737-1977* is hereby repealed.

22. Restriction on Application:

This Law shall not apply to -

- (1) Slaughter of animals carried out for the purposes of food for humans;
- (2) Experiments on animals carried out under the *Cruelty to Animals Law (Animal Experiments)*, 5754-1994.

23. Commencement:

The commencement of Section 15 is six months after the date of publication.

Yitzhak Rabin

Yaacov Tzur

Prime Minister

Ezer Weizmann
President of State

Minister of Agriculture

Shevah Weiss
Chairman of Knesset

PREVENTION OF CRUELTY TO
ANIMALS LAW (EXPERIMENTS ON
ANIMALS) 5754-1994

PREVENTION OF CRUELTY TO
ANIMALS RULES (EXPERIMENTS
ON ANIMALS)
5761-2001

correct as of December 1, 2005

PREVENTION OF CRUELTY TO ANIMALS LAW (EXPERIMENTS ON ANIMALS) 5754-1994

CHAPTER ONE: INTRODUCTION

Definitions

1. In this Law -

"prevention of cruelty to animals society" - a registered body corporate, the purpose and activity of which is the protection of animals, the prevention of their suffering and concern for their welfare;

"animal facility" - a place where animals are raised for experimental purposes;

"animal house" - the location and infrastructure, in which animals are kept before, during and after the performance of experiments;

"animal" - any vertebrate, other than a human being;

"kill" - killing an animal while preventing unnecessary suffering;

"the Director" - the Director of Veterinary Services in the Ministry of Agriculture;

"supervising veterinarian" - the person appointed as responsible for supervision under section 5(b);

"qualified researcher" - the employee of an institution, whom the director of the institution authorized to carry out experiments on animals, and who was trained in the minimalization of suffering of the laboratory animals, as the Council prescribed in Rules;

"educational institution" - an educational institution, within its meaning in the Compulsory Education Law 5709-1949;

"institute of higher education" - an institution given recognition as an institution of higher education under section 13 of the Council of Higher Education Law 5718-1958;

"institution" - a scientific, research, medical, industrial, educational institution or an institution of higher education, in which experiments on animals are carried out, including an animal house;

"defense establishment" - the Ministry of Defense and its attached units, the Israel Defense Forces or any other institution that operates for a defense purposes and which, for purposes of this Law, was approved by the Minister of Defense;

"experiment on animals" - an experiment on animals, for one of the following purposes:

(1) the advancement of health and of medicine and the prevention of suffering;

(2) the advancement of scientific research;

(3) testing or producing materials or objects;

(4) education and teaching;

"veterinarian" - a veterinarian with a degree as specialist in the medicine of laboratory animals or a veterinarian whom the Director authorized for the purposes of this Law;

"public servant" - a State employee or a municipal employee;

"the Minister" - the Minister of Health.

CHAPTER TWO: THE COUNCIL

Council for Experiments on Animals

2. (a) A Council for Experiments on Animals is hereby established (hereafter: the Council); the Council shall have twenty-three members who shall be appointed by the Minister, as follows:
- (1) six representatives of the National Academy of Science, of them two from the sphere of the life sciences or medicine, and four from the spheres of social science, liberal arts, exact science and law, one from each sphere;
 - (2) the director of a school of veterinary medicine;
 - (3) two deans of schools of medicine or their deputies;
 - (4) a representative of the scientific council of the Israel Medical Association;
 - (5) a representative of the scientific council of the Israel Veterinarians Association, who is a veterinarian;
 - (6) a representative of the Israel Manufacturers Association;
 - (7) a representative of the Minister of Health;
 - (8) a representative of the Minister of Education, Culture and Sport;
 - (9) a representative of the Minister of Science, Arts and Technology;
 - (10) a representative of the Minister of Justice;
 - (11) a representative of the Minister of Religious Affairs;¹
 - (12) a representative of the Minister of the Environment;
 - (13) the chairman of the Committee on Animal Experiments in the defense establishment;
 - (14) the Director or a person authorized by him;
 - (15) three representatives recommended by the roof organization of prevention of cruelty to animals societies, and when there is no roof organization - from among persons recommended by prevention of cruelty to animals societies.
- (b) The Minister may veto the candidacy of a representative, except for the representatives under paragraphs (2) and (13), if he is convinced that the appointment is liable to have a substantial adverse effect on the functioning of the Council.
- (c) If the candidacy of a representative was vetoed, then in his place the Minister shall appoint another, recommended by the same body, which the representative whose candidacy was vetoed represented.

¹ After the Ministry of Religious Affairs was dissolved, this power passed to the Minister of Health (YP of 5764, p. 1642)

- (d) The term of a Council member's service is four years; a Council member may be reappointed.
- (e) The Minister shall appoint one of the Council members, who was appointed under subsection (a)(1) to be chairman of the Council.

Termination of a Council member's term of office

3. (a) A Council member shall cease serving before the end of his term of office when one of the following occurs:
 - (1) he resigned by delivering a letter of resignation to the Minister;
 - (2) he is permanently unable to exercise his position or his continued membership is liable to have a real adverse effect on the functioning of the Council, and the Minister - after consultation with the chairman of the Council - removed him from his position by written notice;
 - (3) he was convicted of an offense that, in the opinion of the Attorney General, is heinous;
 - (4) he no longer holds a position in the body, on behalf of which he was appointed.
- (b) When an indictment has been brought against a Council member for an offense which, on the face of it, is heinous, then the Minister may - in consultation with the Attorney General - suspend him from his position until final judgment on his case is handed down.
- (c) If a Council member is absent from three consecutive meetings, then he shall cease being a member of the Council, unless he was absent because of illness or service in the Israel Defense Forces, or by written permission from the chairman of the Council, given in advance.
- (d) When the term of office of a Council member has been terminated, the Minister shall appoint another in his place from the same body, which the member whose term of office was terminated represented.

The Council's functions

4. The Council is in charge of the subject of experiments on animals, and without derogating from its other functions -
 - (1) it shall prescribe Rules, with the Minister's approval, for the grant of permits to carry out experiments on animals, and on the way the experiments are to be carried out, all in order to ascertain that suffering caused to animals is minimized, and to prevent the conduct of superfluous experiments;
 - (2) it shall prescribe Rules, with the Minister's approval, about training in the sphere of minimizing the suffering of laboratory animals;
 - (3) it shall initiate information programs on subjects within the scope of its activity, as well as training and guidance programs for scientists on subjects connected to experiments on animals;
 - (4) it shall prescribe Rules, with the Minister's approval, for the maximum number of experiments that may be carried out on one animal;
 - (5) it may prescribe, with approval by the Minister and the Knesset Finance Committee, fees for applications and for permits granted under this Law; the amounts of the fees shall be used for the Council's activities and for other activities under this Law, and they shall be expended according to the Council's decisions.

Appointment of officers

5. (a) After consultation with the chairman of the Council, the Minister shall appoint an employee of the Ministry of Health to be the secretary responsible for the Council's administrative work.
- (b) After consultation with the Council the Minister shall appoint a veterinarian, who will be responsible for the supervision in institutions.

Visits by Council members

6. Council members may - with permission from the chairman of the Council or according to arrangements prescribed by him - visit every place where experiments on animals are carried out, on condition that the Council members take the common precautions necessary in order to prevent interference with the experiment.

Meetings and procedures

7. (a) The Council shall convene at least three times a year, and also at the demand of one third of its members.
- (b) A majority of Council members shall constitute a quorum for the approval of Rules.
- (c) The Council shall determine its own procedures, as far as they have not been prescribed by this Law.

CHAPTER THREE: EXPERIMENTS ON ANIMALS

Experiments on animals

8. (a) Experiments on animals shall only be carried out under this Law.
- (b) The number of animals in any experiment shall be limited to the minimal number required for the performance of the experiment.
- (c) Experiments on animals shall be carried out with close attention to minimizing the pain and suffering caused to them.
- (d) Experiments on animals shall be carried out as said in the Schedule.

Experiments on animals are prohibited where there are alternatives

9. No permit shall be granted for the conduct of any experiment on animals, if the objective of the experiment can be attained by reasonable alternate means.

Experiments to test cosmetic preparations and cleaning materials

10. No experiment shall be carried out to test cosmetic preparations, unless it be for reasons of health, and to test cleaning materials, except under a permit given for them by the Council plenum.

Qualified researcher

11. (a) Experiments on animals shall only be carried out by qualified researchers at institutions approved by the Council, in accordance with Rules prescribed by it.

- (b) If a researcher carries out an experiment for a purpose other than teaching alone, then he must keep records according to a procedure, which the Committee set up under section 13 will prescribe, and when the experiment is concluded he shall report the results of the experiment to it.
- (c) (1) Notwithstanding the provisions of subsection (a), students at an educational institution or at an institution of higher education may carry out experiments in the presence and under the supervision of a qualified researcher;
- (2) for the purposes of this Law, all educational institutions shall be deemed a single institution, the director of which is the Director General of the Ministry of Education, Culture and Sport.

Institutional permit

- 12. The Council shall have the authority to permit experiments to be carried out at an institution, for which all the following hold true:
 - (1) the institution prepared a set of written guidelines, which obligate the employees and which was approved by the Council, on how animals are to be kept, on work procedures at the institution, on safety procedures, methods of anesthesia, the handling of animals, killing them, disposing of them in compliance with all statutes while paying attention to the prevention of damage to the environment, and on training for employees;
 - (2) the institution employs a veterinarian, who supervises the health and welfare of the animals and provides medical treatment for them, is in charge of disease prevention, of the minimization of the animals' suffering before, during and after the experiments and - when necessary - their euthanasia, and who instructs staff members on these subjects.

Committee for the grant of permits for experiments on animals

- 13. (a) The Council shall appoint a Committee from among its members, which will be authorized to permit experiments on animals; it shall have at least three members, among them a veterinarian who shall serve as chairman, a researcher from the sphere of the life sciences or medicine, and a member who is not from the sphere of the life sciences or medicine.
- (b) An application to the Committee, for approval of an experiment, shall include, inter alia -
 - (1) general information on the purpose of the experiment and its planned conduct;
 - (2) a detailed proposal of the plan for the experiment;
 - (3) reasons why the experiment is necessary and possible alternatives, if available.
- (c) Notwithstanding the provisions of subsection (b), when the sole purpose of the experiment is educational, then the permit may be granted for the method of the experiment and its principles, and for any change therein.
- (d) The Committee is authorized to permit an experiment on animals after it considered the matter and concluded that it complies with

the requirements of sections 8, 9 and 11, and with the Rules of the Council.

- (e) A permit may be granted by the Committee for a program of experiments that includes more than one experiment.
- (f) The Committee's permit shall be subject to the provisions of this Law and to the Council's Rules, which were prescribed thereunder.

Internal committee

- 14. (a) Notwithstanding the provisions of section 13, a Government Ministry, an institution of higher education, an educational institution or institution approved by the Council for this purpose, may set up an internal committee, one of its members being a veterinarian, and for that institution it shall perform the functions of the Committee set up under section 13.
- (b) The committee shall act in compliance with the Council's Rules, or under internal rules, which the institution made for itself and which the Council approved.
- (c) The committee shall report to the Council every six months about the experiments it permitted.
- (d) If the chairman of an internal committee in a Government Ministry or in an institution of higher education concludes that - if an experiment is not carried out - there is an immediate danger to public health or to the health of animals, and that it is not possible to convene the committee urgently, then he may permit the experiment.

Supervision of institutions

- 15. The supervising veterinarian or a public servant whom he appointed for this purpose may - after he so informed the Council - enter at any time any institution and any animal facility, on condition that he take the necessary steps to prevent interference with an experiment, and he may read any document, in order to check whether the provisions of this Law are complied with.

Control Committee

- 16. (a) The Council shall appoint a Control Committee headed by the representative of the Minister of Justice, and the Director or his representative and a researcher from the sphere of medicine or the life sciences shall be its members.
- (b) If the supervising veterinarian or the public servant appointed for that purpose concludes that an experiment was carried out in deviation from the permit granted under this Law, then he shall recommend to the Committee that the permit granted to the institute or for the experiments be canceled or suspended.
- (c) After the Committee has heard the institution's arguments, it may cancel or alter the permit that was granted to the institution, and it also may set any condition it finds proper for the continuation of the experiments.

- (d) If the Committee concludes that - under the circumstances of the case - the provisions of this Law were severely violated, then it may order that the experiments be stopped temporarily, even if it has not heard the institution's arguments.
- (e) When a decision said in subsection (d) was adopted, then a hearing shall be held in the presence of the institution's representative at the earliest possible time and no later than seven days after the temporary decision was made.
- (f) After it has heard the arguments, the Committee may adopt a final decision on the matter.
- (g) If the institution's representative did not appear, even though he had been duly summoned, then the Committee may decide the matter in his absence.
- (h) Any person injured by a decision of the Committee may contest it before the Council.
- (i) The Committee shall report its recommendations under subsection (b) and its decisions to the Council.

Reporting to the Council

- 17. (a) Once a year - and no later than on February 28 - an institution shall give the Council a written report about -
 - (1) particulars of the experiments with which it dealt in the course of the preceding year;
 - (2) the name of the veterinarian employed by the institution under section 12(2).
- (b) An institution shall give the Council a written report about every special problem or mishap that occurred, as soon as possible after the event.
- (c) Notwithstanding the provisions of subsection (a)(1), whoever reports to the Council about experiments under section 13(c) shall report only about the method, principles and extent of the experiments that were carried out.

CHAPTER FOUR: EXPERIMENTS ON ANIMALS IN THE DEFENSE ESTABLISHMENT

Committee on animal experiments in the defense establishment

- 18. The Minister of Defense shall appoint a Committee for Experiments on Animals in the Defense Establishment (in this Chapter: the Committee), which shall be headed by a veterinarian, and its members shall be a researcher from the sphere of the life sciences, a licensed physician within its meaning in the Physicians Ordinance [New Version] 5737-1976, a legal jurist, the holder of an academic degree in the social sciences or liberal arts, and a public representative who is not a state employee and does not engage in experiments on animals, who shall be appointed after consultation with the Council.

The Committee's powers

19. The tasks and powers of the Council and of the committees that were established under section 13 and 16 on all aspects of experiments on animals in the defense establishment shall be vested in the Committee.

Council Rules

20. The Committee shall, as far as possible, be guided by the Rules prescribed by the Council, but it shall be entitled to digress from the said Rules and from regulations made under this Law if it is convinced - by arguments that shall be recorded - that the digression is essential because of reasons of national security.

Supervisor of experiments in the defense establishment

21. (a) The comptroller of the defense establishment shall appoint a veterinarian as supervisor of experiments on animals in the defense establishment.
- (b) The powers under section 15, as far as they relate to experiments on animals in the defense establishment, are vested in the supervisor appointed under subsection (a) or in a person he appointed for that purpose.

CHAPTER FIVE: PENALTIES AND MISCELLANIOUS PROVISIONS

Maintaining confidentiality

22. Any person who holds any position by virtue of this Law shall reveal any information or the content of any document which reached him by virtue of his position only by permission from the chairman of the Council; this provision shall not prevent disclosure on a demand from the Attorney General for purposes of a criminal trial, or on the demand of a Court.

Penalties

23. If a person committed one of the following, then he shall be liable to one year imprisonment, and in the case of a continuing offense - to an additional fine - at one half of the rate stated in section 61(c) of the Penal Law 5737-1977 - for every day on which the offense continues:
- (1) he carried out experiments on animals without a permit, or he digressed from a permit granted to him;
 - (2) he disclosed information or the content of a document, in violation of section 22.

Transitional provision

24. (a) The Minister shall appoint the first Council within ninety days after this Law was adopted by the Knesset.
- (b) The Council shall prescribe Rules within six months after its appointment; if the Council did not prescribe Rules by that date, then the chairman of the Council shall - with the Minister' consent and with approval by the Knesset Education and Culture Committee - make Rules in its stead.
- (c) This Law shall not apply to experiments on animals, which were begun before it went into effect, or to experiments on animals,

which were begun before the Council's Rules under section 4 were prescribed.

Implementation and regulations

25. (a) The Minister is charged with the implementation of this Law, and with approval by the Knesset Education and Culture Committee he shall make regulations on anything related to its implementation, including the determination of law procedure in appeals under section 16(h).
- (b) The Minister of Agriculture shall, in consultation with the Minister of Health, make regulations on keeping animals and caring for them in animal facilities.

The State

26. For the purposes of this Law, the State shall be treated like every other person.

NOTE: Section 27 amends various other Laws; here its translation is consequently omitted.

Effect

28. This Law - except for sections 24 (a) and (b) and 27 - shall go into effect one year after its adoption.

Publication

29. This Law shall be published in Reshumot within thirty days after its adoption.

SCHEDULE (Section 8(d))

1. Experiments that cause pain or suffering shall be carried out only under local or general anesthesia or under analgesia; performance of an experiment under general muscle relaxation shall be carried out only together with general anesthesia, unless the use of anesthetics negates the experiment, or when anesthesia will cause greater suffering than is expected of the experiment; in aforesaid cases alternate methods for the minimization of pain and suffering shall be used.
2. The kind of animals used in an experiment shall be limited to those on the lowest philogenetic level, which makes it possible to conduct the experiment without a negative effect on its objectives.
3. If it becomes necessary to kill an animal after an experiment, then it shall be killed, as far as that is possible, before it regains consciousness; animals liable to or exposed to strong pain or prolonged

suffering after the experiment shall be killed, even if the objectives of the experiment were not achieved.

PREVENTION OF CRUELTY TO ANIMALS RULES (EXPERIMENTS ON ANIMALS) 5761-2001

By virtue of its powers under section 4(1), (2) and (4) of the Prevention of Cruelty to Animals Law (experiment on animals) 5754-1994 (hereafter: the Law) and with the approval of the Minister of Health, the Council for Experiments on Animals (hereafter: the Council) hereby makes these Rules in order to ascertain minimization of the suffering caused to animals and to prevent unnecessary experiments:

Definitions

1. In these Rules -
 - "the Committee" - the Committee that issues permits for experiments under sections 13, 14 or 19 of the Law, as the case may be;
 - "institutional permit" - a permit to conduct experiments issued to an institution, as said in section 12 of the Law;
 - "NRC Rules" - the booklet "Guide for the Care and Use of Laboratory Animals", published by the National Research Council of the United States (NRC), which is available to the public at the library of the Ministry of Health in Jerusalem, and on the Internet sites of the National Research Council of the United States and the Ministry of Health of the Israel Government, as updated from time to time;
 - "experiment" - the smallest possible series of acts performed on an animal, which is necessary in order to achieve the objective of the experiment;
 - "experiment that involves little suffering" - each of the following:
 - (1) biopsy or other small surgical operation without subsequent significant pain;
 - (2) keeping awake animals in movement restricting cages for up to ten minutes;
 - (3) behavioral experiments accompanied by minimal stress;
 - (4) installing small permanent implants;
 - (5) other acts, in the course of which no greater a level of suffering is caused, than in those said in paragraphs (1) to (4).

Institutional permit

2. (a) An application for an institutional permit shall be submitted to the Council, in writing, by the director of the institution; the application shall include the name of the veterinarian employed as said in section 12(2) of the Law, and the set of guidelines required by section 12(1) of the Law shall be attached to it.
- (b) The Council shall grant the institution a permit after it approved the set of guidelines that was attached to the application and after it received certification from the Council veterinarian that - on a visit he made to the institution - he found that the conditions under which animals are kept at the institution comply with the requirements of section 4.

Permit for an experiment

3. (a) An application for a permit to conduct an experiment on animals shall be submitted to the Council on the Form in the Schedule.
- (b) An aforesaid application for a permit for an experiment shall be submitted by the head researcher, who will be in charge of the experiment for which the permit is requested.
- (c) The Committee may demand additional particulars from the applicant, such as it deems necessary in order to decide whether to grant a permit for the experiment.
- (d) The Committee may grant a permit for the experiment as proposed in the application, reject the application or approve it with changes, on conditions or with restrictions.
- (e) The Committee shall grant a permit for an experiment only if it is convinced that the provisions of the Law and of these Rules will be complied with in the proposed experiment.

Conditions in the animal house

4. Animals in an animal house shall be kept under the conditions specified in the NRC Rules.

Conducting experiments

5. The NRC Rules shall apply to the following acts:
 - (1) the acquisition and transport of animals;
 - (2) the physical restraint of animals;
 - (3) the identification of pain;
 - (4) tranquilization and anesthesia;
 - (5) euthanasia of the animals.

Additional experiment on an animal that already underwent an experiment

6. The Committee shall not grant a permit for an additional experiment on an animal, on which one experiment already was carried out, unless one of the following applies:
 - (1) The Committee is convinced that the experiment already carried out involved little suffering; when application is made to permit an additional experiment on an animal on which more than one experiment already was carried out, then the Committee shall consider whether the aggregate of previous experiments does not justify rejecting the application;
 - (2) the animal will be anesthetized at the beginning of the additional experiment and will be killed at its conclusion, without regaining consciousness in its course.

Economic considerations

7. The Committee shall not give a permit for an additional experiment on an animal only because using an additional animal would involve a considerable monetary outlay.

Examination of permits in the Council

8. Every year the Council shall hold a special session for an examination of the permits for additional experiments under section 6, which had been issued in the preceding year, in order to weigh whether a change of these Rules is necessary.

Training course for the minimalization of suffering

9. (a) Training in the minimalization of suffering of laboratory animals, which is a condition for authorization by the Institute director of an institute employee as a qualified researcher, shall be by means of a course that will be held at the institute, or in one of the ways said in section 10.
- (b) The Council shall approve a course after it received the curriculum from the institution that conducts it and after it is satisfied that the course can train the researcher in the minimalization of suffering by the laboratory animals, on which he will conduct experiments after he is qualified.
- (c) The person who conducts the course will decide at its conclusion - on the basis of academic criteria - whether each of the participants met the requirements of the course.
- (d) The course will qualify its participants to conduct experiments on the kinds of animals with which the course dealt, and they will have to undergo additional training to become qualified for experiments on other varieties of animals.
- (e) The course shall include at least the following subjects:
 - (1) the definition of environmental and microbiological factors that affect the behavior and the biology of laboratory animals, and how they work;
 - (2) a survey of the main genetic groupings of laboratory animals and their influence on the research;
 - (3) detailed ethical rules on the use of animals - the contribution to scientific research, the fundamental principles of minimizing the number of animals in an experiment, finding alternatives to experiments with animals, moderation of experimental methods, legal principles, and the ethical system in the country and in the institution;
 - (4) description of the animal varieties, with which the course deals;
 - (5) the significance of having different kinds of equipment and means for the enhancement of research;
 - (6) the biology and behavior of animals and the importance of different anatomical variables;
 - (7) particulars of materials, dosages and methods for the minimization of suffering, for reduction of pain, for anesthesia and euthanasia;
 - (8) particulars of methods for injections and for taking blood samples.
- (f) The chairman of the Council shall appoint two council members with academic appointments for the constant supervision of standards of study at the course; this provision shall not apply to a course under academic supervision.

Additional training methods

10. (a) Under exceptional circumstances the director of an institution may award qualification to an employee of the institution, if he is convinced that that employee has many years of experience in the conduct of experiments on animals and consequently is skilled in the sphere of minimizing the suffering of laboratory animals.
- (b) The director of an institution may award qualification to an employee of the institution, if successfully passed special training by a qualified head researcher who engages in the same research (hereafter: the head researcher), in coordination with the veterinarian employed by that institution under section 12(2) of the Law; such training shall include at least the following:
- (1) explanations on the correct handling of laboratory animals, the use of alternatives, and minimization of the suffering of animals used in experiments;
 - (2) a practical demonstration of the experiment on animals, in which the employee will engage;
 - (3) the conduct of at least two experiments on animals by the head researcher in the employee's presence.
- The said qualification shall be only for a six month period, after the head researcher signed an undertaking that every experiment on animals carried out by the employee will be under his supervision and on his responsibility, and it cannot be extended or renewed.
- (c) The director of the institution may grant an employee qualification, if he is convinced, on the basis of documents, that the training on the minimalization of suffering of laboratory animals, which the employee underwent abroad, is an equivalent of the training in the course said in section 9.

Effect and validity

11. (a) These Rules shall go into effect 30 days after their publication (hereafter: day of effect).
- (b) Section 10(b) is in effect during three years after the day of effect.

SCHEDULE

(Section 3(a))

Application for the Conduct of Experiments on Animals

(omitted)



BESUCHEN SIE UNSERE UND
ANDERE OERs IM OER-PORTAL
NIEDERSACHSEN

WWW.TWILLO.DE