



## Regulation of professions

# Animal welfare

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### Introduction

Under the Agreement on the Free Movement of Persons (AFMP<sup>1</sup>), professionals from the EU can have their qualifications recognised if the profession for which they are qualified in their country of origin is regulated in Switzerland.

This document aims to describe the Swiss regulations in the sector concerned. Regulated professions are those that are subject to specific training requirements and where access to the profession in question is only possible for professionals holding a specific qualification that is defined in relation to the Swiss education system. Foreign professionals can only access a regulated profession or occupation once their qualifications have been recognised.

If holders of foreign professional qualifications wish to pursue a profession or occupation other than those described in this document, they are free to do so without obtaining recognition of their qualifications (non-regulated profession). In this case, it is the job market which will dictate their chances of finding employment or being awarded jobs in the case of self-employed persons.

The specific aspects of the procedure relating to **service providers** (as opposed to cases of permanent establishment in Switzerland) are described at the end of this document.

## 1. Scope

The present information sheet describes the various regulated professional activities relating to animal welfare. These activities are regulated substantially by the Animal Protection Act <sup>2</sup> and implementing ordinance<sup>3</sup>.

<sup>1</sup> Bilateral agreement of 21 June 1999 between the Swiss Confederation and the European Community and its Member States on the free movement of persons, SR 0.142.112.681.

<sup>2</sup> Animal Protection Act (AniPA), SR 455.

<sup>3</sup> Animal Protection Ordinance (AniPO), SR 455.1.

It does not cover special activities carried out by the official veterinary service, which includes various positions such as official head veterinarian, official veterinarian, official animal welfare expert, official animal health expert, official meat assistant, official animal welfare assistant, official primary livestock

## 2. Regulated activities

The table below describes the various regulated professional activities relating to animal welfare. It indicates the legal basis for regulation ("Regulation" column) and the training required in order to carry out the activity in question ("Training required"). This document also provides additional explanations concerning the different types of training required.

Activity	Regulation	Training required	Authority responsible for recognition of foreign qualifications
Keeping tame animals (+10 LU <sup>4</sup> )	31 AniPO	Farmers (level 2 vocational qualification or other qualification)	SERI
		Farmers (university degree in agronomy)	SERI
		Equivalent training in a specialised agricultural profession (194 para. 1 let. d et 194 para. 2 AniPO)	Cantonal veterinarian (FOAG for direct payments)
Keeping tame animals (max. 10 LU)	31.4 AniPO	198 AniPO (certificate of competence)	Cantonal veterinarian
Keeping tame animals (+11 horses)	31.5 AniPO	197 AniPO	Cantonal veterinarian
Painful interventions on animals	32.2 AniPO	198 AniPO (certificate of competence)	Cantonal veterinarian
Trainer of dog owners under the terms of Art. 203 AniPO	68 AniPO	197 AniPO	Cantonal veterinarian
Training on how to protect dogs used in sports competitions	74 AniPO	Training provided only by organisations recognised by FSVO	Cantonal veterinarian
Keeping wild animals in an establishment subject to a permit	85.1 AniPO	Animal caretaker (195 AniPO)	SERI
Keeping wild animals in a small establishment	85.2 AniPO	197 AniPO	Cantonal veterinarian
Keeping wild animals for personal reasons	85.3 AniPO	198 AniPO (certificate of competence)	Cantonal veterinarian
Keeping wild animals for professional reasons <sup>5</sup>	85.1 AniPO	Animal caretaker (195 AniPO)	SERI

<sup>4</sup> Livestock unit.

<sup>5</sup> Zoos, circuses, transit parks, animal parks, wildlife parks, small zoos, dolphinariums, aviaries, aquariums, terrariums, temporary animal exhibitions as well as similar institutions that may be visited for a fee or free of charge, if they are operated in connection with profit-oriented businesses such as restaurants, shops or amusement parks, establishments that keep wild animals for professional reasons, for medical treatment, for the production of eggs, meat, fur or other similar reasons, establishments where wild animals are raised for hunting and fishing (Art. 90 para. 2 let. a-c AniPO).

Commercial fisherman	97.1 AniPO	196 AniPO (Fisherman) –fishery guardian holding a level 1 professional qualification (tertiary level)	SERI
		Equivalent training confirmed by the competent cantonal authority or at least three years of work experience.	Cantonal veterinarian
Raising or keeping fish, shrimp and crabs for professional purposes	97.2 AniPO	197 AniPO	Cantonal veterinarian
Marking, keeping, raising or killing of breeding fish, shrimp and crabs	97.3 AniPO	Training set forth in Art. 5a FFO <sup>6</sup> or AniPO	Cantonal veterinarian
Taking care of, treating, raising and keeping of animals	102.1 AniPO	Animal caretaker	SERI
Taking care of, treating, raising and keeping of animals (pensions et refuges de 19 places max)	102.2 AniPO	197 AniPO	Cantonal veterinarian
Taking care of, treating, raising and keeping of animals (pensions et refuges de 5 places max)	102.3 AniPO	Training required to keep the animal species being taken care of	Cantonal veterinarian
Trimming of hooves of cows and horses	102.5	197 AniPO	Cantonal veterinarian
Using animals in professional trade or advertising	103 let. a AniPO	Animal caretaker	SERI
Animal caretaker in animal retail shops	103 let. b AniPO	Animal caretaker or level 2 vocational qualification in animal retail (upper-secondary level) + specific training leading to FSVO certification	SERI or FSVO
Livestock trade	103 let. c AniPO	Livestock trader license under the terms of EzDA <sup>7</sup> .	Cantonal authority
Organiser of a temporary show or advertising event where animals are used	103 let. d AniPO	198 AniPO (certificate of competence)	Cantonal veterinarian
Trade in food fish, bait fish or breeding fish, shrimp and crabs	103 let. e AniPO	197 AniPO	Cantonal veterinarian
Animal keeper (animal experimentation)	115 AniPO	197 AniPO (training in laboratory animal science)	Cantonal veterinarian
Animal keeper (experimentation animal retail shops without bloodlines or strains containing a disabling phenotype, or other animals with special needs)	115 AniPO	Animal caretaker	SERI
Experienced animal caretaker	116 AniPO	Animal caretaker	SERI

<sup>6</sup> Ordinance of 24 November 1993 to the Federal Act on Fish and Fisheries (FFO, SR 923.01).

<sup>7</sup> Epizootic Diseases Act of 1 July 1966 (EzDA, SR 916.40).

Director of animal experimentation	129 .1 AniPO	132 AniPO (university degree showing that the holder has a basic knowledge of anatomy, physiology, zoology, ethology, genetics, molecular biology, hygiene and biostatistics, and certificate showing that the holder has undergone initial training leading to certification in animal experimentation. In order for this initial training to be recognised, the director must have completed training as an animal experimenter and have three years of work experience conducting experiments on animals.	Recommendation made by the Swiss Association of Cantonal Veterinarians (ASVC) followed by authorisation from cantonal veterinarian
Animal experimenters	134 AniPO	197 AniPO	Cantonal veterinarian
Driver or manager of company that transports animals	150 AniPO	197 AniPO	Cantonal veterinarian
Slaughterhouse staff (killing of animals)	177 AniPO	197 AniPO	Cantonal veterinarian
Trainer on how to keep animals	203 AniPO	197 AniPO combined with didactic and legal knowledge, adult education and organisation of courses.	Cantonal veterinarian
Trainers in surgical interventions with anaesthesia	204 AniPO	Formation de veterinarian	Activity reserved to veterinarians

The website of the FSVO provides a great deal of additional information about regulations and training required under animal welfare legislation: [www.osav.admin.ch](http://www.osav.admin.ch) > Topics > Animal welfare.

### 3. Types of training required

The training required is listed in the table above and is described below:

Farmer: someone who underwent training in agriculture and obtained one of the following qualifications:

- Level 2 vocational qualification in agriculture (upper-secondary level),
- Level 2 professional qualification in agriculture (tertiary level)
- University degree in agronomy,
- Any level 1 or level 2 vocational qualification combined with training leading up to certification in agriculture, completed within two years of having taken responsibility for a livestock unit; or combined with at least three years of work experience on a farm.

Animal caretaker: someone who has obtained the following qualification:

- Level 2 vocational qualification<sup>8</sup> in animal caretaking, or
- Level 2 vocational qualification issued by virtue of legislation governing animal welfare training<sup>9</sup>.

Training under Art. 197 or 198 AniPO: specific training provided outside the framework of vocational and professional education and training (Art. 197) or training giving rise to certification of competences (Art.198). These are various training courses supervised by the the FSVO and regulated by legislation governing animal welfare training<sup>10</sup>.

Fishing professional: someone who has obtained the following qualification:

- Level 1 professional qualification in fisheries, tertiary level (196 b AniPO), or
- Equivalent training confirmed by the competent cantonal authority or at least three years of work experience (196 c AniPO).

#### 4. Continuing training

The above-mentioned professionals are generally subject to the obligation to undergo continuing training. This obligation is set forth in Art. 190 AniPO.

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8 In Switzerland, a distinction is drawn between “vocational qualifications” at upper-secondary level and “professional qualifications” at tertiary level. The level 1 vocational qualification is called the Federal VET Certificate (*eidgenössisches Berufsattest EBA - attestation fédérale de formation professionnelle AFP - certificato federale di formazione pratica CFP*) and is awarded upon successful completion of two years of training at upper-secondary level. The level 2 vocational qualification is called the Federal VET Diploma (*eidgenössisches Fähigkeitszeugnis EFZ - certificat fédéral de capacité CFC - attestato federale di capacità AFC*) and is awarded upon successful completion of three years of four years of training at upper-secondary level. At tertiary level, there are two federal examinations: the federal examination for a level 1 professional qualification is called the *eidgenössische Berufsprüfung BP - examen professionnel fédéral EP - esame federale di professione EP* and leads to issuance of an *eidgenössischer Fachausweis - brevet fédéral - attestato professionale*. The federal examination for a level 2 professional qualification is called an *eidgenössische höhere Fachprüfung HFP - examen professionnel fédéral supérieur EPS - esame professionale federale superiore EPS* and leads to issuance of an *eidgenössisches Diplom - diplôme fédéral - diploma federale*. The latter qualification can also be obtained through attendance of a federally recognised course of study at a tertiary-level professional college.

9 FDHA Ordinance of 5 September 2008 on Training on the Keeping and Treatment of Animals, SR 455.109.1.

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## 5. Specific details for EU/EFTA citizens who wish to provide services in Switzerland

### *Basic principle*

In accordance with the Agreement on the Free Movement of Persons (AFMP), professionals who are legally established in the EU/EFTA may provide services in Switzerland without permanently establishing themselves in the country. In such cases, the duration of service provision is limited to 90 days per calendar year.

If the profession they wish to pursue is regulated, they can take advantage of a fast-track verification procedure for their professional qualifications, as set out in EU Directive 2005/36/EC<sup>11</sup> and the DRPA<sup>12</sup>. The service provision **must be declared in advance to SERI**<sup>13</sup>.

### *Other obligations*

**In all cases**, persons intending to provide services **must also register with the State Secretariat for Migration** ([www.sem.admin.ch](http://www.sem.admin.ch) > Entry & Residence > Notification procedure for short-term work in Switzerland). This obligation also applies to non-regulated professions.

### *Who is a service provider?*

Service provision is an economic activity that is practised on a self-employed basis or without conclusion of an employment contract with a Swiss employer. It is remunerated work of a temporary or occasional nature (limited to 90 working days per calendar year) carried out in Switzerland by an individual who is established in a member state of the EU or EFTA. If you require further information, SERI provides a more detailed note on the service provider concept on its website.

Persons who are not service providers within the meaning of the AFMP will not be able to take advantage of the fast-track procedure for the verification of qualifications. They should instead contact the competent authority to seek recognition of their qualifications under Title III of directive 2005/36/EC.

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<sup>11</sup> Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications, OJ L 255 of 30.9.2005, p. 22, in the current version in accordance with the agreement on the free movement of persons and the revised EFTA Convention.

<sup>12</sup> Federal Act of 14 December 2012 on the Declaration Requirement and the Verification of Service Provider Qualifications in Regulated Professions, SR 935.01.

<sup>13</sup> [www.sbf.admin.ch/edeclaration](http://www.sbf.admin.ch/edeclaration)