

우선 이 조사는 제 개인적으로 한 것이며, 각 법 조항에 대한 Summary 는 완벽하지 않음을 알려드립니다. 왜냐면 제가 법을 직접 공부한 것은 아니라서요..^^ 문서를 보고, 그 문서에 나온 법 조항을 제가 해석, 이해한 것에 한한 것이니, 착오가 있을 수 있음을 알려드립니다. 각 법 조항의 웹페이지주소를 첨부해 두었으니, 더 자세한 사항은 그 웹페이지에서 보실 수 있습니다.

The Universal Declaration of Animal Rights was solemnly proclaimed in Paris on 15 October 1978 at the UNESCO headquarters.

Universal Declaration of Animal Rights 는 1978 년 10 월 15 일에 파리의 UNESCO 본부에서 정식으로 제정했습니다. 그중 동물,(개를 포함) 의 권리에 대한 내용입니다. 세계의 많은 동물법및 동물 보호법에 근간이 되었다고 해도 무리가 아니라고 하는 선언이라고 합니다.^^

Universal Declaration of the Animal Right Law

Animal Dog Right 1

All animals are born the same before life and have the same rights of existence.

모든 동물은 태어나기 전이든 그 후든 존재가치로서의 권리를 가지고 있다.(생명존중권)

Animal Dog Right 2

Every animal has the right to be respected.

모든 동물은 존중 받아 마땅하다.

The human cannot have the right of killing other animals or exploiting them, violating this right. He has the obligation of placing his knowledge at the animal's service.

All animals have the right to the attention, care and protection by humans.

그러기에, 어떤 동물도, 사람으로 인해, 상해를 입거나(죽음에 이르게), 이용되거나, 폭력의 대상이 될 수 없다.

Animal Dog Right 3

No animal should be submitted to acts of cruelty.

어떤 동물도 학대의 대상이 될 수 없다.

If the death of an animal is necessary, it must be instant, painless and will not present anxiety for the victim.

만약, 동물의 죽음이 불가피하다면, 인도적인 차원에서, 공포를 느낄 새도 없을 만큼, 빠르고, 고통이 없는 죽음을 맞이하도록 해주어야 한다.

Animal Dog Right 4

Every animal that belongs to a wild species has the right to live freely in its own natural habitat and can reproduce freely as well.

Animal Dog Right 5

Every animal that belongs to a species that has traditionally lived in the human's environment has the right to live and grow at its own rhythm and in the conditions of life and freedom that belong to its species.

Any modification of such rhythm or conditions imposed by the man with mercantile ends is contrary of this right.

Animal Dog Right 6

Any animal that has chosen the man as its partner has the right that the duration of its life is according to its natural life span.

The abandonment of an animal is a cruel and degrading act.

Animal Dog Right 7

All working animals have the right to a reasonable limitation of time and work intensity, and a nourishing alimentation and rest.

Animal Dog Right 8

The experimentation with animals that implies the physical or psychological suffering is incompatible with the animal rights, even if we deal with medical experiments, scientific, commercial, etc.

Animal Dog Right 9

When an animal is raised for alimentation it must be nourished, installed, transported and sacrificed. The motive must not be anxiety or pain.

Animal Dog Right 10

No animal must be exploited for the spreading of the human. Animal exhibitions and spectacles are not compatible with the dignity of the animal.

Animal Dog Right 11

Every act that implies the death of an animal without necessity is biocide, a crime against life.

Animal Dog Right 12

Every act that implies the death of a large number of wild animals is genocide, a crime against the species.

The contamination and destruction of a natural habitat lead us to genocide.

Animal Dog Right 13

A dead animal must be treated with respect.

The scenes of violence in which animals are the victims should be prohibited in theaters and television, except those that are made to show the violations of the animal's rights.

Animal Dog Right 14

The protection organisms and safe guarding of the animals should be represented at a governmental level. The rights of the animal must be defended by the law, just like the human rights.

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미국에서 근래에 제정된 법안입니다. 강아지 보호법입니다. 이법이 중요하게 여겨지는 이유는, 강아지에 대한 동물 자체의 권리에 대해서 중점을 두었다고 하는것이네요. 암컷의 교배 나이를 1년이 넘어야 하며, 강아지가 다른 강아지들과 사회적 교류를 통해 인성 발달에 도움이 되도록 해야한다는 걸 골자로 하고 있습니다.

US Animal Legislation

H.R. 3058: Puppy Protection Act, 107th Congress, 2001-02 (defeated)

The amendment to Animal Welfare Act [\[4\]](#) known as the Puppy Protection Act, H.R. 3058; have protected animals living in laboratories as well as commercial breeding kennels and pet stores.

Senators Rick Santorum (R-PA) and Richard Durbin (D-IL) introduced this amendment ...which is based on S. 1478, known as the Puppy Protection Act [\[5\]](#) The PPA creates a *three strikes and you're out* system for the worst offenders and limits

the number of litters for breeding females, to give these dogs time to recover between litters, and mandates that female dogs be at least one year old before they are bred. It also requires that dogs be adequately socialized with other dogs and with people to enhance the dogs' well-being and to help prevent behavior problems in the future. The House-passed version of the Farm bill, H.R. 2646, did not contain the puppy mill provision. ^[6] See also [Puppy Mills](#).

캐나다의 온타리오의 강력한 동물법에 관한 뉴스입니다. 이곳에선 동물 복지법 (Provincial Animal Welfare Act)가 있구요, 올 3 월부터 이 강력한 법이 실행되기 시작했네요. 만일 동물에게 해를 입힐 경우, 최대 징역 2 년을 선고 받을 수 있으며, \$60,000 (캐나다 달러)적용 및 평생 동물을 키울 권리를 박탈당합니다. 이렇게 선고를 내릴 수 있도록, 법의 개정이 가능했던 이유는, 동물의 권리를 인정해 준 것이며, 동물도 인간과 같이 신체적 정신적 자유를 누릴 수 있어야 한다는 논리에 근거한다고 하네요. 즉 신체의 자유, 기본권이 인정되었기에 가능한 법 시정이라고 합니다^^ 동물 복지법에 엄청난 변화를 일으킨 법 재정이라고 합니다. 최초로 동물 권리를 인간과 같은 위치에서 바라보며, 동물 학대 및 동물 권리 박탈로 인해 인간에게 처벌을 내릴 수 있는 기반이 마련되었으니 말이죠. 바람직한 자세네요..~~

<http://www.google.co.nz/search?hl=en&q=animal+protect+laws+&btnG=Google+Search&meta=&aq=f&oq=>

McGuinty Government Includes Specific Coverage For Law Enforcement Animals

TORONTO, March 2 /CNW/ -

NEWS

Ontario now has the strongest animal protection law in Canada.

The Provincial Animal Welfare Act, which took effect on March 1, 2009:

- Establishes standards of care for all animals.
- Introduces penalties for causing harm to any animal including jail terms of up to two years, fines of up to \$60,000 and a potential lifetime ownership ban.
- Creates a specific offence for causing harm to a law enforcement animal, such as a police horse or dog.

Other key elements include:

- New provincial offences for causing or permitting distress to an animal.
- Authorizing the Ontario Society for the Prevention of Cruelty to Animals (OSPCA) to inspect places where animals are kept for entertainment, exhibition, boarding, sale or hire, including zoos, pet shops and circuses.
- Requiring veterinarians to report suspected abuse and neglect, and protecting them from personal liability for doing so.

>>

The act amends the OSPCA Act and marks the most significant changes to animal legislation in the province since 1919.

QUOTES

"As a society, we won't tolerate neglect or cruelty to any animal. The act recognizes that principle and extends protection to law enforcement dogs and horses that help rescue Ontarians, keep drugs out of our communities or patrol our parks and streets."

- Community Safety and Correctional Services Minister Rick Bartolucci
(http://www.mcscs.jus.gov.on.ca/english/about_min/bio/bio.html)

"Today is an historic day in animal welfare in our province. The Ontario government has clearly demonstrated their support for the life-saving work of the OSPCA. The society looks forward to working on behalf of Ontarians to address concerns for the well-being and humane treatment of all animals."

- [OSPCA](#) Chief Executive Officer Kate MacDonald

미국 캘리포니아에서 2009 년 3 월 18 일에 통과된 법안입니다. 젖소들의 꼬리를 짜르는 행위를 불법 행위로 간주하고, 법적 처벌이 가능하도록 이 행위를 금지 시킬 수 있는 근간을 마련한 법입니다. 젖소들의 신체적, 정신적 상해 대한 보상을 요구하며, 이들이 인간의 의지와 편의로 인해 마취도 하지 않고, 꼬리를 짜르는 행위는 범죄로 간주해야한다는 주장이 의회에서 받아들여졌습니다. 이로 인해, 미국의 많은 농장 동물들의 복지를 향상하는 입법 조치가 모범이 될 수 있을꺼라고 합니다.

<http://www.animalrightsblog.com/2009/03/18/california-legislation-to-protect-dairy-cows/>

[California legislation to protect dairy cows](#)

By admin | March 18, 2009

Submitted by [Animal Place Sanctuary](#)



There is a little known practice in the dairy industry that we hope will be eliminated from California dairy farms soon - tail docking.

The amputation of a cow's tail is a painful and unnecessary procedure done without the benefit of analgesics or anesthesia.

The American Veterinary Medical Association (AVMA), Canadian Veterinary Medical Association (CVMA) and the American Association of Bovine Practitioners all oppose tail docking as a management practice. The Netherlands, Germany, Denmark, Norway, Sweden and the UK have banned the practice altogether.

And now there is a bill before the California legislature that would ban this cruel practice in the state. [SB 135](#) authored by Senator Dean Florez would prohibit the docking of cattle in California. As the #1 dairy state with nearly two million cows, this bill is an important piece of legislation for improving animal welfare.

If you live in California, take a moment to write a letter of support and thanks to Senator Florez for introducing this bill. When the bill is assigned a committee date, we will ask you to write committee members as well.

Please send letters to:

The Honorable Dean Florez
State Capitol, Room 313
Sacramento, CA 94248-0001

Animal Place is proud to support this bill. Sadie (pictured above) is a former dairy cow with a docked tail. During the fly season (spring, summer and fall), she has a difficult time protecting herself from the biting insects. Supporters of tail docking claims tail docking reduces udder hygiene, increasing the chances for mastitis yet Sadie arrived at the sanctuary with a horrible case of mastitis that took 2-years to heal.

For more information on tail docking, see below:

호주와 뉴질랜드 동물 보호법 및 동물 복지법입니다. 이 법에서 인상 깊은건, 동물의 입장에서 많은 조항들이 설정되었다는걸 엿볼 수 있습니다. 특히 동물의 이상 행동이나, 폭력적 성향에 대해 주인의 책임을 묻고, 법적 처벌을 할 수 있다는 것입니다. 그리고 동물을 16 살이하의 아이나 청소년들에겐 선물이나 상품으로 주어질 수 없게 정해놓았는데, 이는 생명을 인격적으로 볼 수 있는 나이가 16 살이상이어야 가능하다는것에 기반을 두고 있다고 하네요. 생명존중 사상이 여실이 반영된 법이 인상적이구요, 동물 행동을 바탕으로 동물 문제를 조사 파악해 나갈 수 있는 근간이 있다는 것이... 대단한 것 같습니다. 그 조사가 동물 학대에 있어서 증거로 책정 될 수 있는 가능성이 있다는 것도 인상깊네요.(해당 법안 빨간색으로 칠해놨습니다.)

Animal Welfare Act 1999

<http://www.legislation.govt.nz/act/public/1999/0142/latest/DLM49664.html>

[Animal Welfare Act 2002](#)-Australia

<http://www.internationalwildlifelaw.org/ANIMALPROTECTIONACT.html>

Definition of physical, health, and behavioural needs

In this Act, unless the context otherwise requires, the term physical, health, and behavioural needs, in relation to an animal, includes—

- (a) Proper and sufficient food and water:
- (b) Adequate shelter:
- (c) Opportunity to display normal patterns of behaviour:
- (d) Physical handling in a manner which minimises the likelihood of unreasonable or unnecessary pain or distress:

(e) Protection from, and rapid diagnosis of, any significant injury or disease,—being a need which, in each case, is appropriate to the species, environment, and circumstances of the animal.

Compare: 1960 No 30 s 3(b)

Obligation to alleviate pain or distress of ill or injured animals

(1) The owner of an animal that is ill or injured, and every person in charge of such an animal, must, where practicable, ensure that the animal receives treatment that alleviates any unreasonable or unnecessary pain or distress being suffered by the animal.

(2) This section does not—

(a) Limit section 10; or

(b) Require a person to keep an animal alive when it is in such a condition that it is suffering unreasonable or unnecessary pain or distress.

Animal Welfare Act 2006

It makes owners and keepers responsible for ensuring that the welfare needs of their animals are met.

These include the need:

For a suitable environment (place to live)

For a suitable diet

To exhibit normal behaviour patterns

To be housed with, or apart from, other animals (if applicable)

To be protected from pain, injury, suffering and disease

The law also increases to 16 the minimum age at which a person can buy an animal and prohibits giving animals as prizes to unaccompanied children under this age.

Anyone who is cruel to an animal, or does not provide for its welfare needs, may be banned from owning animals, fined up to £20,000 and/or sent to prison.

제가 적극적으로 추천하는 사이트입니다. 사실 너무나 유용한 자료가 많은 웹페이지인데요, 함 직접 살펴보셨으면 좋겠어요. 왜냐하면, 동물법을 공부하는 법대생들을 위한 자료가 따로 모아져 있는 것도 있고, 실제 케이스 및 법 자체 분석에 대한 내용도 충실합니다. **Animal legal Defense Fund** 라는 사이트구요. 너무 자료가 많아서 다 오려서 볼힐 수가 없네요^^ 유용하게 이용하실 수 있지 않을까요..(제가 법은 잘 모르지만^^ 제 생각입니다만..) 함 봐주세요. 동물 보호법에 대한 책 자체도 발간을 했구요 (대략 줄거리는 있는데.., 책은 아마도, 직접 구입하셔야 할 것 같은 분위기..^^ 케이스만 모아둔 책도 발간했습니다. 것도..아주 충실해 보이는데..)



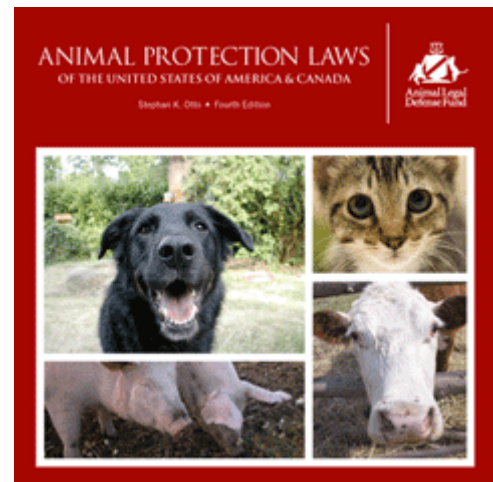
<http://www.aldf.org/article.php?id=259>

Animal Protection Laws of the United States of America & Canada

**NEW EDITION
NOW AVAILABLE!**

Animal Protection Laws of the United States of America & Canada — Fourth Edition by Stephan K. Otto, director of legislative affairs, is the must-have resource for lawyers, law professors, law students, legislators, other legal professionals, and anyone who wants the most comprehensive animal protection laws collection of its kind available.

Now more than 3,400 pages in length, the fourth edition of the compendium contains a detailed survey of the general animal protection and related statutes for all of the states, principal districts and territories of the United States of America, and for all of Canada; up-to-date versions of each jurisdiction's laws; easy, clickable navigation; and fully searchable content.



Categories presented in a quick reference table and full-text statutory sections:

- General prohibitions
- Animals covered by definition
- Classification of crimes
- Penalties (including a table of maximum penalties)
- Exemptions
- Counseling / Evaluations
- Protective Orders *[New in this edition]*
- Restitution / Reimbursement of Costs / Bonding & Liens
- Seizure / On-site Supervision
- Forfeiture / Possession
- Cross Enforcement / Reporting
- Veterinarian Reporting / Immunity
- Law Enforcement Policies
- Sexual Assault
- Fighting
- Full-text of all referenced statutes

요..부분..제가 보기엔 아주 좋은 예가 될 것 같습니다. 미국 각주를 나눠서 동물법이 잘되어있는 주와 동물법이 아주 저조한 주를 나눠서 상세히 설명하고 있습니다. 요 내용이 중요한 이유는..(제 생각으론..)동물법이 잘 되어있는 주의 특징은, 동물이 중심이 되어, 그들의 신체적 자유, 생명 존중권과 기본권이 철저히 보장되어 있다는 겁니다^^ 즉 동물 중심이며, 동물들을 인간과 같은 위치에서 법을 제정, 수정해 나가고 있다는 거죠. 간단한 예를 동물을 죽였을시, 이를 살인으로 간주한다든지, 동물에게 생명의 위협을 했을경우, 살인미수로도 법적용이 가능하다는 거죠. 제가 법 적용은 잘 모르지만..아마도 상황에 따라 다르겠지만.. 이렇게 사람과 같은 입장에서 법을 적용할 수 있다는것..~~ 획기적이지 않으리..짧은 제 소견입니다^^

2008 State Animal Protection Laws Rankings

December 16th, 2008

The Animal Legal Defense Fund announces the release of its annual report ranking the animal protection laws of every state based on their relative strength and general comprehensiveness. In addition to all fifty states, the District of Columbia, Puerto Rico, Virgin Islands and other U.S. territories are included this year. This report – the only one of its kind in the nation – is based on a detailed comparative analysis of each jurisdiction, researching fourteen distinct categories of animal protection laws throughout more than 3,400 pages of statutes. The ranking groups each jurisdiction into a top, middle or bottom tier, and includes a listing of the best five and worst five states.

“This year we see many states and territories that are continuing to make outstanding progress with their laws. Unfortunately, there are still many places where the laws are incapable of providing the legal protections that our country’s animals need and deserve,” says Stephan Otto, Animal Legal Defense Fund's director of legislative affairs and author of the report. “Even in those jurisdictions that have today’s best laws, there remain many opportunities for improvement. Especially important during our country’s current recession are laws that help to save limited community resources by reducing the costs of caring for abused animals and ensuring that those who are responsible for such crimes shoulder this burden instead of taxpayers and private interests. While animals certainly do not vote, those who love and care about them do, so we encourage lawmakers throughout the country to take heed and commit to working to improve these critical laws.”

Please contact your elected officials and encourage them to support improvements to the laws that protect animals. For additional information, see our [Model Animal Protection Laws](#) collection and [Animal Protection Laws of the USA & Canada](#) compendium.

[>> Download the full report \(PDF\)](#)

자 이부분을 유심히 보셔야 해요. 정보에 관한 것인데..실제 법과 그 케이스 및 법대생을 위한 자료가 따로 구분되어 있습니다. ^^

<http://www.aldf.org/article.php?list=type&type=5>

Resources



[When Your Companion Animal Has Been Harmed](#)

Whether by an acute act of violence or by chronic neglect, animal cruelty is a crime in all 50 states and the District of Columbia. Here are some resources to help you when your companion animal has been harmed.



[Other Issues Regarding Your Companion Animal](#)

Pet custody concerns during a divorce, dangerous dog declarations, landlord/tenant disputes over companion animals and how to include animals in your will are a few of the issues covered in this section.



[When You Witness Animal Cruelty](#)

It can be disturbing—and heartbreaking—to witness an act of animal cruelty. Whether it be an acute act of violence or chronic neglect, find out what you can do when you witness animal cruelty.



[Advocating For Animals](#)

Find the tools you need to effectively communicate with law enforcement and legislators about animal issues that are important to you.



[Laws & Cases](#)

A comprehensive collection of animal law pleadings, cases, ALDF reports and other resources addressing animal law issues.



[Law Professional & Law Student Resources](#)

The Animal Legal Defense Fund is the preeminent organization supporting law students, attorneys, prosecutors, law enforcement, and legislators. If you are putting your legal expertise to work on behalf of animals—or would like to learn how—ALDF has everything you need to get started.



[Animal Law Events & Opportunities](#)

Jobs, clerkships, pro bono opportunities, and animal law related events around the country offer a wide variety of ways for law students and professionals to participate in the growing field of animal law.



[Animal Law in the News](#)

Check out the most recent news from around the country about all things related to animal law.



[ALDF Publications](#)

Browse through the archives! Past issues of ALDF's quarterly newsletter, *The Animals' Advocate*, and our attorney newsletter, *Update*, are available in our online library.

스웨덴 동물법입니다. 또 개정될꺼라는 기사를 봤는데..아직 개정이 되었는지는 찾아볼 수가 없네요.--;; 다른 동물법들과 같이 동물상해나, 기본적인 권리를 제공하는 것을 주요 골자로 하고 있습니다. 그중 제 눈에 띄는건..(빨간색으로 해놨습니다.) 동물들에게 움직일 수 있는 공간을 안준다던지, 목줄을 너무 파악 쪼여놓던지..이런것 자체도 동물의 권리를 침해하는것이라 법에 제정해 놓았는데....감동입니다^^

THE ANIMAL PROTECTION ACT

Swedish Code of Statutes, SFS 1988:534

Promulgated on June 2, 1988.

The following is hereby provided by Act of Parliament.

Scope

Section 1

This Act applies to the care and treatment of domestic animals. It also applies to other animals if they are kept in captivity.

Basic provisions concerning the keeping and treatment of animals

Section 2

Animals shall be treated well and be protected from unnecessary suffering and disease.

Section 6

(1) **Animals must not be kept tied in a painful way or in a way that does not allow them necessary freedom of movement or sufficient shelter against wind and weather.**

Section 9

A sick or injured animal shall be provided with the necessary care without delay, unless the illness or injury is so severe that the animal must be destroyed immediately.

http://www.qp.alberta.ca/574.cfm?page=A41.cfm&leg_type=Acts&isbncln=9780779738564

Interpretation

(2) For the purposes of this Act, an animal is in distress if it is

(a) deprived of adequate shelter, ventilation, space, food, water or veterinary care or reasonable protection from injurious heat or cold,

(b) injured, sick, in pain or suffering, or

(c) abused or subjected to undue hardship, privation or

neglect.

RSA 2000 cA-41 s1;2005 c22 s2;2006 cP-3.5 s33

Prohibition against causing distress

2(1) No person shall cause or permit an animal of which the person is the owner or the person in charge to be or to continue to be in distress.

No person shall cause an animal to be in distress.

Animal care duties

2.1 A person who owns or is in charge of an animal

(a) must ensure that the animal has adequate food and water,

(b) must provide the animal with adequate care when the animal is wounded or ill,

(c) must provide the animal with reasonable protection from injurious heat or cold, and

(d) must provide the animal with adequate shelter, ventilation and space.

사우스 아프리카 동물보호법이네요. 이 법에는, 동물 학대에 대한 아주 자세한 조항들을 넣어두었다는게 다른 법들과 좀 다릅니다. 예를 들어, 동물이 이용할시, 너무 많은 짐을 싣어서 동물이 움직임에 어려움이 있거나, 동물을 정신적으로 놀래키고 학대시킬시, 이도 법적으로 처벌 받을 수 있게끔 정해져 있습니다.

<http://www.wetnose.org.za/AnimalProtectionAct.pdf> South Africa

2. OFFENCES IN RESPECT OF ANIMALS - (1) Any person who:

(a) overloads, overdrives, overrides, ill-treats, neglects, infuriates, tortures or maims or cruelly beats, kicks, goads or terrifies any animal; or

(b) confines, chains, tethers or secures any animal unnecessarily or under such conditions or in such a manner or position as to cause that animal unnecessary suffering or in any place which affords inadequate space, ventilation, light protection or shelter from heat, cold or weather; or

(c) unnecessarily starves or under-feeds or denies water or food to any animal; or
(d) lays or exposes any poisoned fluid or edible matter or infectious agents except for the destruction of vermin or marauding domestic animals or without taking reasonable precautions to prevent injury or disease being caused to animals; or
(e) being the owner of any animal, deliberately or negligently keeps such animal in a dirty or parasitic condition or allows it to become infected with external parasites or fails to render or procure veterinary or other medical treatment or attention which he is able to render or procure for any such animal in need of such treatment or attention, whether through disease, injury, delivery of young or any other cause, or fails to destroy or cause to be destroyed any such animal which is so seriously injured or diseased or in such a physical condition that to prolong its life would be cruel and would cause such animal unnecessary suffering; or
(f) uses on or attaches to any animal any equipment, appliance or vehicle which causes or will cause injury to such animal or which is loaded, used or attached in such a manner as will cause such animal to be injured or become diseased or to suffer unnecessarily; or
(g) save for the purpose of training hounds maintained by a duly established and registered vermin club in the destruction of vermin, liberates any animal in such a manner or place as to expose it to immediate attack or danger of attack by other animals or by wild animals, or baits or provokes any animal or incites any animal to attack another animal; or

(h) liberates any bird in such a manner as to expose it to immediate attack or danger of attack by animals, wild animals or wild birds; or
(i) drives or uses any animal which is so diseased or so injured or in such a physical condition that it is unfit to be driven or to do any work; or
(j) lays any trap or other device for the purpose of capturing or destroying any animal, wild animal or wild bird the destruction of which is not proved to be necessary for the protection of property or for the prevention of the spread of disease; or
(k) having laid any such trap or other device fails either himself or through some competent person to inspect and clear such trap or device at least once each day; or
(l) except under the authority of a permit issued by the magistrate of the district concerned, sells any trap or other device intended for the capture of any animal, including any wild animal (not being a rodent) or wild bird, to any person who is not a bona fide farmer; or
(m) conveys, carries, confines, secures, restrains or tether any animal
(i) under such conditions or in such a manner or position or for such a period of time or over such a distance as to cause that animal unnecessary suffering; or
(ii) in conditions affording inadequate shelter, light or ventilation or in which such animal is excessively exposed to heat, cold, weather, sun, rain, dust exhaust gases or noxious fumes; or
(iii) without making adequate provision for suitable food, potable water and rest for such animal in circumstances where it is necessary; or
(n) without reasonable cause administers to any animal any poisonous or injurious drug or substance; or

폴랜드의 동물보호법입니다. 동물의 자유를 박탈시 주인 권한을 즉각 박탈할 수 있다는것이 인상적입니다. 이 법에서도 동물들의 목줄에 관한 내용이 자세하게 나와있는데요, 짜악 쪼여서는 안되며, 이로 인해 상해를 입거나, 고통을 당하시 법적 처벌이 가능합니다.

<http://www.internationalwildlifelaw.org/PolandAnimalProtectionAct.html>

POLAND ANIMAL PROTECTION ACT

Article 7

1. The animal which is neglected in a gross manner or treated cruelly may be temporarily or permanently taken away from the owner or another person who is keeping it and on the basis of the decision of the administrator of the group of villages (mayor, town president) issued by rights or to the motion of the police, veterinary surgeon or an inspector of the Society for the Prevention of Cruelty to Animals in Poland or an authorized representative of another public organization with a similar statutory subject of activity, and handed over to the animal shelter or into care of another person or institution.

2. The decision referred to sections is immediately effective

Article 9

1. Those who keep domestic animals have the duty to provide it with a room protecting it against cold, heat and rain, with access to daylight and making it possible for it to change the position of its body, to have appropriate food and permanent access to water.

2. The leash on which the animal is kept cannot lead to injuries or suffering and must ensure necessary freedom of movement.

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실제 예)

몇가지 실제 사건의 법적 처리 사항입니다. 뉴질랜드에서 일어난 2 가지의 동물 학대 사법 처리와 동물 사법 처리에 관한 기사입니다.

처음 기사는 개를 죽인 약혼자에 관한 사례입니다. 약혼녀의 개를 잔인하게 살해한 이 약혼자는 법정에 서게 되는데요, 사람과 같은 징역을 선고받게 됩니다. 3 개월의 징역 살이와 \$50,000(뉴질랜드 달러) 을 지불해야할 처지에 놓였다는 기사구요.

뉴질랜드는 호주와 같이 최대 6 개월에서 1 년의 징역을 선고 받을 수 있으며 \$100,000 의 벌금을 지급할 수 있도록 법이 정해져 있습니다. SPCA 에선 캐나다와 같은 2 년 징역과 더 많은 벌금을 처벌해야 한다면 법 개정에도 노력하고 있습니다. 사실 3 개월의 징역은 그리 많은 것이 아니라며, SPCA 에서 분노를 감추지 못하고 있는데요, 그 이유가 이 개가 죽어간 그 과정 때문입니다. 너무 잔인했기 때문인데..3 개월의 징역은 너무 짧다는거죠. (개인적으로 사법처리의 기간이 길어야 한다는것에, 저도 동감합니다. 3 개월 좀 짧은듯...;;)

두번째 예는 두마리의 백조를 죽인 사냥꾼이 처벌에 위험에 처했다는 기사입니다.

뉴질랜드는 현재 오리 사냥 시즌인데요, 이 시즌에선, 오리만 사냥할 수 있는데..(금지되면 얼마나 좋겠어요..에휴...;;여하튼) 이 사냥꾼은 법적으로 보호받는

온갖 새들을 다 죽인거죠. 그래서, 담주에 법정에 서게되는데, 예정 징역은 3-4 개월에 벌금 \$100,000 을 예상하고 있는데, 아직 판결은 나지 않았습니다.

세번째 뉴스는, 유명 변호사가 동물에 관련된 사법처리에 적극 가담하게 되었다는 소식입니다. 이소식이 반가운 이유는, SPCA 에서 사법처리를 위해 쓰여진 모든 자금이 이제 동물들을 위해서 온전히 쓰여질 수 있기 때문이죠. 왜냐면, 이 변호사단에서 모든 법적 서비스에 대한 금액을 전액 SPCA 에 반환하기로 했기때문이죠, 즉 SPCA 는 이제 변호사단에 사법처리에 관련된 금액을 내지 않아도 된다는 것이죠.^^ 그리고 그 변호사단은 뉴질랜드에서 유명한 변호사 펌입니다.

Real case)

<http://www.stuff.co.nz/sunday-news/news/2363685/Dog-killers-jail-term-too-lenient>

1)Dog killer's jail term 'too lenient'

By TAMMY BUCKLEY - Sunday News

Last updated 05:00 26/04/2009

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A MAN who repeatedly beat his fiancée's dog with a metal pole then strangled it to death has been jailed for four months a sentence the SPCA says is too lenient.

Wayne Williams was sentenced at Manukau District Court on Thursday for killing fox terrier Gee Gee, in what Judge Charles Blackie described as a "callous" and "deliberate" attack.

The 34-year-old had earlier pleaded guilty to wilful ill-treatment of an animal causing death.

He was facing a maximum penalty of up to three years in prison or a \$50,000 fine or both.

The SPCA had hoped Williams would be sentenced with the full weight of the law for the killing it described as "one of the worst cases" of animal cruelty it had ever seen.

SPCA general manager David Lloyd-Barker said while he was happy Williams received a "significant" jail term, he had hoped it had been much harsher.

Williams beat Gee Gee with a long metal pole in November last year then attacked the dog again after it scurried under the Manurewa, south Auckland, home he shared with his former fiancée.

He then strangled the dog to death with his bare hands.

Williams lawyer Tudor Clee argued his client should be sentenced to community work or home detention.

She said the case had had a "monumental effect on his personal life".

Williams was supposed to be getting married this year but his five-year relationship had ended, Clee said.

Williams also lost his job with NZ Post due to the stress of the case.

"He has been held accountable in many ways outside of the court," Clee said.

Judge Blackie said the sentence had to "express society's abhorrence at this kind of act" and that a community-based sentence would be "inappropriate".

"It was callous and it was deliberate. It was your intention to kill this dog and indeed you did," Judge Blackie told Williams, who buried his face in his hands during the proceedings.

<SCRIPT

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Williams who never gave any explanation for the killing was also ordered to pay \$1123 to the Auckland SPCA.

=====

<http://www.stuff.co.nz/national/2381125/Opening-day-takes-heavy-toll>

2) Duck-shooting season opened on Saturday and claimed some early victims.

A North Island hunter was killed and another taken to hospital after being shot in the face.

In Canterbury, a breeding pair of protected white swans were also killed.

Fish and Game ranger Bob Loasby said the shooting of the swans was "one unfortunate person making a stupid mistake".

"It's quite disturbing," he said. "Personally, I'm gutted. To see these magnificent birds like this is unbelievable.

"I can't repeat what some of the other hunters were saying, they're annoyed to say the least.

A man will be prosecuted under the Wildlife Act for shooting a protected species, a crime that carries a fine of up to \$10,000.

Loasby said the man co-operated with rangers immediately but was unable to say if the birds had been shot while flying or as they rested on the private pond at the north Rakaia Huts where the man was shooting with friends.

Duck-shooting season runs until June 28.

North Canterbury Fish and Game grant up to 2000 duck-shooting licences each season.

Regional compliance officer Brian Ross said he was disappointed by the death of the two swans.

"It was a fairly isolated occurrence but it shows we don't muck about and we have to prosecute ... Hunters doing something stupid like this can expect consequences," he said.

"The future of duck shooting is in their own hands."

Napier man Michael Leslie Meehan, 47, died on Saturday when one of the two family members he was with accidentally shot him.

The accident happened about 10am in Waiohiki, 11 kilometres south-west of Napier.

<SCRIPT

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Fish and Game spokesman Ric Cullinane said accidental shootings during the season were "very rare".

The guns should always be treated as if they were loaded, he said.

Police had not decided whether charges would be laid over the death.

In a second incident, a 22-year-old man was hit in the face while shooting with friends at a private dam on a rural property near Waipukurau, Hawke's Bay.

The man suffered an eye injury and was taken to Wellington Hospital for surgery.

Police central communications said it received 15 calls on Saturday from people concerned about inconsiderate or thoughtless use of firearms at the opening of the season.

Sponsored links

3)Legal top dogs to act pro bono

By KIM RUSCOE - The Dominion Post

Last updated 05:00 05/05/2009

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JOHN SELKIRK/The Dominion Post

THEY'VE GOT CRUELTY LICKED: Stuart Grieve, QC, and SPCA dog Dancer. Mr Grieve and others will give their services free in cruelty cases.

Relevant offers

A team of top lawyers have offered their services for free to help the SPCA take animal abuse cases to court.

The scheme will see more than 20 Auckland QCs, senior barristers and partners of law firms become members of a "pro bono panel of prosecutors" that will take difficult cruelty cases.

SPCA inspectors are legally able to bring serious animal offenders before a court. However, the society has to foot the bill for the legal action.

From today, the team will do the work, saving the SPCA about \$40,000 a year.

Stuart Grieve, QC, who recently represented broadcaster Tony Veitch, said the initiative was a good cause and could provide some interesting work. "I wouldn't say I was an obsessional animal lover, but I do love dogs."

He believes the scheme should be rolled out in other areas, and would like lawyers in Christchurch and Wellington to join up.

Until now, Auckland lawyer Jo Wickcliffe has conducted initial prosecution of cases for free but charged for defended hearings, of which there were about seven last year. In these instances, the pro bono team will now step in.

As well as giving their time for free, the team is expected to be on call 24 hours a day, seven days a week.

"I hope they are ready for the level of work we generate," SPCA Auckland general manager David Lloyd-Baker said.

The money the branch saves on legal fees will go toward caring for the increasing number of animals surrendered to the society because of the recession.

About two animals a day are now given up to the branch, which is significantly more than the two a week seen before the global economic crisis.

나름대로 조사해 본 내용인데요..유용한 내용이 있으신가요? 도움이 되었으면 좋겠습니다. ^^ 동물법에 대한 서적들도 많은데..전자책으로 보기엔 그 분량이 엄청나서, 이곳에 첨부하지 못한것이 안타깝네요...시간이 좀 촉박해서..^^

여하튼 조금이나만 도움 드렸으면 합니다...

감사합니다.