

## FRIULI VENEZIA GIULIA REGION LAW 20/2012 (Animal protection)

In Italy there are several rules which protect animals. Some of them are contained in the criminal code some others are contained in specific laws. The central government has delegated the authority to issue laws protecting animals to every single region. So, every region has its own law. There are no substantial differences from one law to another. As far as our region is concerned, the law everybody has to refer to is L. 20/2012.

The intent of the law is to educate and promote the respect and the care of the animals, condemning their maltreatment and their abandonment. Based on the law, not only the owner is responsible of the care of the animal but also whoever has the custody, temporarily too, of the said animal.

Art. 4 of the law focuses on the duties of the person who owes or possesses the animal:

- provide an adequate shelter with regard to the species
- provide food and water
- ensure physical wellbeing, prevention and medical care
- allow specific exercise
- prevent the animal to escape and respect the rules which impose to use the leash and the muzzle
- adopt all the cautions to protect people and/or other animals from being assaulted
- make sure the environment where the animal lives is clean
- transport the animal in a proper way

The regulation implementing the law specifically provides the rules that have to be applied to determine if an animal is properly taken care of. In case it should be ascertained that an owner does not comply with the below rules and that his/her dog is kept in bad condition, the Mayor can order that the dog be brought to a shelter at the owner's expenses.

The regulation has several sections every one of which applies to specific species.

With reference to dogs it provides that dogs, especially the ones living in apartments, have to be brought out for a walk, at least two times a day whether the ones who are kept in a yard or in a "box" (meaning a fenced area for the dog use only inside a bigger space) must, at least, be brought out one time a day. This rule does not apply if the area where the dog is kept measures 120 square meters.

On the gate though, a specific sign that warns for dog has to be attached.

Dogs cannot be kept in a balcony, basement or garage without the possibility for them to freely enter the house.

They also cannot be kept in crates, both inside or outside of the house for long periods of time.

When walking with a dog, the owner has to keep him on a leash that has to be no more than 1.5 meters long. If there is the risk that the dog can harm someone, he has to have the muzzle as well. It is mandatory for the owner to always have the muzzle with him when he walks the dog on a public street or property.

It is also mandatory for owners of a dog to have with them, and show it upon request of the law enforcement authority, all it is needed to collect faeces.

Big size dogs can be walked in public areas only by a person who is older than 18 years old.

**IT IS PROHIBITED TO USE SHOCK COLLARS.**

In areas, which are specifically indicated to be used by dogs, it is possible for them to move freely without lash and/or muzzle although it is always the owner responsibility to watch over them to avoid they might harm someone or some other dog.

Art. 5 of the law specifically prohibits:

- To abandon animals or leave them alone for long periods of time
- To keep in such number or conditions which might create hygienic or sanitary problems
- To keep them on a chain for more than 8 hours a day. It is possible to keep a dog on a chain (for no more than 8 hours) only if the chain is, at least, 13,15 ft. long attached to an aerial rope of the same length (the height of the rope from the ground has to be at least 6.5 ft.). The chain must have at both ends rotating spring catches to allow the dog move freely. The dog must be able to easily reach a shelter in the shadow with food and water.

In case an owner cannot, for serious and proved reasons, continue to keep his/her dog, he/she informs the Town hall where the dog is register (of course U.S. military member's dog are not registered in Italy but it may be possible to contact the Italian authority to see if it applies to them too) to obtain to have the dog brought to a shelter where he can be adopted by someone. This does not automatically exempt the owner from the payment of the costs related to the support for the dog.

The fines, for the violations of the rules above reported, goes from euro 60.00 up to euro 300.00.

## PROVISIONS OF THE ITALIAN CRIMINAL CODE

In addition to the above, there are provisions of law contained in the criminal code which are aimed to further protect the animals and punish the offenders.

**Art. 544 bis** that punishes the killing of animals with confinement for from 4 months up to 2 years.

**Art. 544 ter** that punishes the maltreatment of animals with confinement for from 3 months up to 18 months or with the fine from euro 5.000,00 up to euro 30.000,00. If the maltreatment

results in the death of the animal, the punishment is raised by ½. It is always ordered the seizure of the animal unless it belongs to a person who has nothing to do with the crime.


**Art. 727** that punishes whoever abandons animals with the arrest up to 1 year or with a fine from euro 1.000,00 up to euro 10.000,00. The same punishment is provided for whoever keeps animals in conditions which are not compatible with their nature and which causes them serious sufferings.

## PROVISIONS OF THE TRAFFIC CODE

**Art. 189** (Behavior in case of accident) a new paragraph was added to this article in 2012; it provided that: «The driver, in case of accident which can be connected to his behavior, and which led to a damage to one or more pets, or farm animals or protected animals, has the obligation to stop and take the measures aimed to a prompt aid to the animals injured. Whoever does not comply with this obligation will be punished with the administrative sanction of the payment from euro 413 up to euro 1.656. People involved in an accident which causes injuries to the above mentioned animals has to take all possible measures to assure a prompt help to them. Whoever does not comply will be punished with the administrative sanction of the payment from euro 83 up to euro 331».

Finally there are provisions aimed to protect whoever is assaulted by a dog and needs to be reimbursed for injuries sustained or for the damages. For example, a dog escaped from an open gate or a broken fence causing a driver to swerve not to hit him and damaging his car. This is the reason why it should be imperative for whoever possesses an animal, to have an insurance which covers the damages caused by the animal to third parties. Here in Italy, usually the home insurance for liability against third parties also cover possible damages and /or injuries caused by the animals.

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