

THE LEGAL STATUS OF ANIMALS IN THE SLOVAK REPUBLIC

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The legal status of animals in the Slovak Republic

The author of this article deals with the legal status of animals in the Slovak Republic. Author in the introduction of article evaluates the legal status of animals in the Slovak Republic and compares this with the neighboring countries of the European Union. Subsequently, the author discusses the legislation in force to the status of animals in the Slovak Republic and critically express an opinion on the lack of rules for the status of animals in the Slovak Republic, stressing the need for adoption of legislative changes. In another aspect of application problems associated with the current legislation in this area. At the end comprehensively assesses the status of animal legislation in the Slovak Republic, highlighting key problems and offers suggestions of possible future legislation.

Právne postavenie zvierat v Slovenskej republike

Autor sa v tomto článku venuje právnomu postaveniu zvierat v Slovenskej republike. Autor v úvode článku hodnotí právne postavenie zvierat v Slovenskej republike a toto komparuje s okolitými krajinami Európskej únie. Následne autor rozoberá platnú právnu úpravu postavenia zvierat v Slovenskej republike a kriticky vyjadruje svoj postoj k nedostatočnej právnej úprave postavenia zvierat v Slovenskej republike, pričom zdôrazňuje nutnosť prijatia legislatívnych zmien. Ďalej sa venuje aplikačným problémom spojeným so súčasnou právnou úpravou v tejto oblasti. V závere komplexne hodnotí právnu úpravu postavenia zvierat v Slovenskej republike, pričom poukazuje na základné problémy a ponúka návrhy budúcej možnej právnej úpravy.

Der Rechtsstellung von Tieren in der Slowakischen Republik

Dieser Artikel handelt von der Rechtsstellung von Tieren in der Slowakischen Republik. In der Einführung des Artikels wird die Rechtsstellung von

Tieren in der Slowakischen Republik bewertet und auch mit den herumliegenden Ländern der Europäischen Union verglichen. Weiter wird die Rechtsregelung der Stellung von Tieren in der Slowakischen Republik erörtert und der Autor äußert seine kritische Einstellung zur mangelnden Rechtsregelung der Stellung von Tieren in der Slowakischen Republik, wobei die Notwendigkeit der legislativen Änderung betont wird. Weiter werden Anwendungsprobleme geschildert, die mit der heutigen Rechtsregelung in diesem Bereich zusammenhängen. In der Schlussfolgerung wird die Rechtsregelung der Stellung von Tieren in der Slowakischen Republik komplex bewertet, wobei es auf grundlegende Probleme hingewiesen wird und Vorschläge für mögliche künftige Rechtsregelung angeboten werden.

Keywords: the legal status of animals, problems in the application practice, future legislation

Kľúčové slová: právne postavenie zvierat, problémy v aplikačnej praxi, budúca právna úprava

Schlüsselbegriffe: Rechtsstellung von Tieren, Probleme in der Anwendungspraxis, künftige Rechtsregelung

1. Introduction

The reason to write this scientific paper was a long-term and continuous debated issue, both discussed by general public and professional community – the legal status of animals in the Slovak Republic, as well as the related application problems in practice that occur in the field of legal status of animals, animal protection and ownership and possession of animals.

In the beginning it should be noted, that in the past there have been several attempts to change the legal status of animals in the Slovak Republic, but to this day all these efforts have been unsuccessful.

I dare to say, that the need for change in legislation and legal status of animals in Slovak Republic is not only a moral issue (which is preferred by those who draw attention to the fact that the animal is a living creature and has a soul), but it is also legal and pragmatic issue, since as it is pointed out in this article the lack of legislation causes significant problems.

Topicality of the issue and need for legislation changes is also given by the fact, that this issue affects general public, i.e. pet owners, as well as municipalities and state authorities, which perform many duties in relation to the animals.

This scientific article focuses solely on the legislation status of animals on national level in Slovak Republic, while its evaluation is also based on comparison of neighboring countries of EU.

Furthermore, it focuses on application problems associated with the current legislation in this field, while it draws more attention to a number of acute problems related to the legal status of animals in Slovak Republic.

In conclusion it comprehensively evaluates the legislation status of animals in Slovak Republic, highlighting key problems and offers suggestions of possible future legislation.

2. The legal status of animals in the Slovak Republic

Comprehensive legislation on legal status of animals in Slovak Republic is absent. Under comprehensive legislation I understand definition of animal as a term and determining specific legal status of animals, identifying requirements and conditions for the protection of animals from torture, rights and obligations of individuals and legal entities in the field of animal protection, system, functions and powers of bodies performing state administration in the area of animal welfare, as well as measures and sanctions used to ensure sufficient protections of animals in Slovak Republic.

The legal status of animals in Slovak Republic, as well as the definition of an animal in Slovak Republic, is not explicitly set by any legislation. Despite the fact that in Slovak Republic the term animal is not defined, several laws contain the term animal and attribute it certain rights and obligations.

For example, I would like to state Act No. 40/1964 Coll. Civil Code as subsequently amended (hereinafter “Civil Code”)¹, Act No. 300/2005 Coll. Criminal Code as subsequently amended (hereinafter “Criminal Code”)², Act No. 39/2007 Coll. on Veterinary care as subsequently amended (hereinafter “Veterinary Act”)³ and many other legislations.

According to the Slovak legal system an animal is legally considered a thing. This legal status of animals in Slovak Republic, despite numerous legislative efforts and legislative proposals, is very unfortunate. This legal

¹ § 127 of Civil Code, quote: „(1) The owner of a thing must omit all that inadequately bothers another person or that seriously jeopardises the exercise of his rights. Therefore, the owner must in particular not jeopardise the neighbour's building or plot by arrangements of his plot or by arrangements of his building placed thereon without taking sufficient measures for stiffening of the building or plot; furthermore, the owner must not inadequately bother the neighbours with noise, dust, ashes, smoke, gases, vapour, smells, solid or liquid waste, light, shading and vibrations; he must not let bred animals intrude the neighbour's plot and carelessly or in an unsuitable season remove roots of trees from his soil or remove branches of trees exceeding to his plot.“

² § 378a of Criminal Code, quote: „Any person who from negligence causes death or permanent injuries to more animals in their possession or of which he is obliged to take care of and neglects necessary care of these animals, shall be liable to a term of imprisonment of up to two years.“

³ § 22 sec. 1 of Veterinary Act, quote: „The owner or keeper of the animal is required when breeding or keeping animals to ensure their protection and well-being, which means the achievement of such a relationship between the environment and each individual animal, which given by the nature of the animal, its degree of development, adaptation and domestication ensures its good health status, physiological and behavioral needs, sufficient freedom of movement, social relations, developing its predispositions and physiological behavior manifestations.“

status of animal as a thing comes both from legal literature and from Civil Code and Criminal Code, in which on § 130 sec. 1 letter a) defines the term thing like, „*a movable or immovable thing, dwelling or non-residential premises, or animal, unless the relevant provisions of this Act provide otherwise*“. The legal status of the animal causes many legal problems in practice, regardless of the moral aspect of perceiving animal as a thing.

Given the above statement, animal is perceived as a thing. Therefore the legal status of animals in Slovak Republic, as well as the rights and obligations relating to animals in Slovak Republic, is governed by the legislation of things.

Despite the claim, that animal in Slovak Republic is defined as a thing, and that the legislation of animals is subject to rights and obligations and legislation of things, I would argue that an animal in present day has a specific position unlike thing as it is defined by the Civil Code.

Example of specificity of the legal status of animals can be seen in the Criminal Code. Criminal Code, as was indicated above already, considers animal as a thing. According to § 130 of Criminal Code, a thing is among others also an animal. It is therefore clear that the animal has the same status as the thing. It should also be noted that the Criminal Code does not define the term animal, yet still handles this term differently than as with the term thing and gives to the term animal different set of rights and obligations than as it gives to a thing. This fact is apparent in two provisions of Criminal Code, namely § 378⁴ and § 378a⁵. From abovementioned provisions, it is clear that, although Criminal Code:

1. does not define the term animal,
 2. in accordance with § 130 considers animal as a thing
- constitutes in § 378 and § 378a of Criminal Code, which relate specifically only to animals, and absolutely do not apply to things.

Defining the legal term of animal, as well as adjustment of its new legal status is not a simple act, but due to the fact that in neighboring countries this term is defined and also the legal status of animal is different, it is possible to get inspired by foreign legislation. It seems as a good option to get inspired by the legislation of Czech Republic.

Under the provisions of § 494 of Act No. 89/2012 Coll. Civil Code of Czech Republic, as subsequently amended (hereinafter „Civil Code CZ“),

⁴ § 378 sec. 1 of Criminal Code, quote: „Any person who ill-treats an animal

a) in spite of having been sanctioned for the similar offence during the past twelve months, or convicted for the same offence during the past twenty-four months,

b) in a particularly cruel and brutal manner, or

c) to the point of death, shall be liable to a term of imprisonment of up to two years.“

⁵ § 378a of Criminal Code, quote: „Any person who from negligence causes death or permanent injuries to more animals in their possession or of which he is obliged to take care of and neglects necessary care of these animals, shall be liable to a term of imprisonment of up to two years.“

quote: „*A living animal has a special significance and value as a living creature endowed with senses. A living animal is not a thing, and the provisions on things apply, by analogy, to a living animal only to the extent in which they are not contrary to its nature.*“

Furthermore, according to the provisions of § 1 sec. 1 of Act No. 246/1992 Coll. on the protection of animals against cruelty of subsequently amended, quote: „*animals, which are living beings capable of experiencing pain and suffering, against cruelty, damage to their health and killing without any reason whatsoever, if caused by man, even if by negligence.*“

In the Czech Republic they adopted a legal definition of animal, as well as to adjusting particular legal status of animal within the law.

From the quoted provision of § 494 of Civil Code CZ it is clear that the animal is defined as a living creature endowed with senses. It is also important that the animal in Czech Republic is not a thing, but has a special legal status. The provision of § 494 of Civil Code CZ clearly defined that the animal is not a thing and that the legal status of rights and obligations related to things can be applied only when two conditions are met:

1. absence of specific legislation on animal,
2. it is not contradictory to nature.

From above mentioned it is possible to state the conclusion that in Czech Republic the animal is legally defined, it has its special legal status, which is based on subsidiarity application of provisions relating to things, in case there is no specific legislation on animals.

In the Czech Republic they also adopted a specific legislation on animals, e.g. in case of losing of an animal, or in case of real-estate leasing and the tenant keeps an animal.

Should the legislation on animal in Slovak Republic be inspired by Czech Republic legislation, it would come to a huge advance in the legal status of animals in Slovak legal system and it would require many other legislation changes, both in the Civil Code of Slovak Republic and in other specific legislation laws. Of course, the most appropriate option is also to adopt a new law regarding animal protection in Slovak Republic, which would reflect the new legal status of animal, but I discuss this further in the next part of the article.

Modifying and changing the legal status of animal in Slovak Republic from the position of a thing to a specific position of a separate legal status within the subjects of law is a significant issue, which needs to be solved in the near future. Only after this step it is possible to change particular rights and obligations, which are specific to animals and prevent problems to arise in application practice, to which this article refers to in the next section.

3. Problems in the application practice

Based on the fact that the animal is under the Slovak Republic legislation perceived as a thing and the fact that according to Slovak Republic legislation the animal is subjected to legislation of things and rights and obligations relating to things, it causes enormous amount of problems in application practice. The matter of this section of article is not to point out all application problems associated with legal status of animals in Slovak Republic, but to draw attention on those application problems that cause great complications.

The greatest and most widespread legal problem arising from the legal status of animal as a thing is the problem of a lost animal, and thus a lost thing.

First of all, I would like to mention that, according to § 22 sec. 7 and 8 of Veterinary Act, quote. *„The state and municipalities establish, operate and are involved in operating shelters and quarantines for animals. Municipalities are required to ensure the capture of stray animals in the territory of municipality.“* Municipalities are required to ensure the capture of stray animals in the territory of municipality. This obligation may municipality conduct itself or through a third party. In the vast majority of municipalities this obligation – catching stray animals in the territory of municipality – is not ensured directly by the municipalities, but through third parties, due to the material and financial costs and necessary technical equipment for catching stray animals.

If the catching will be carried out as mentioned above, the third party (legal entity or natural person, which is authorized to perform catching of stray animals, usually a civic association) will catch the stray animal under contract/contractual relationship with the municipality, which has the obligation to do so by Veterinary Act. The third party, which carried out catching the animal then has many other responsibilities – to ensure the protection of animal health, and to ensure the continued ownership position of caught animal (e.g. finding the owner and returning the animal to its owner).

And here we come to a difficult legal situation. The municipality as a self-governing body is obliged by the Veterinary Act to perform catching of stray animals on its territory. Municipality will sign a liability relationship contract for this particular activity with a third party, which will according to this contract carry out catching stray animals on territory of the said municipality. The third party catches an animal on the territory of municipality, and under the legislation this animal will be taken as a lost thing. According to § 135 sec. 1 of Civil Code, quote: *„A person who finds a lost thing must give it off to the owner. Unless the owner is known, the finder must give the thing over to the competent state authority. Unless the*

owner applies for the thing within one year after it was given over, the thing shall pass to the ownership of the state.“ Following the quoted provision of Civil Code, it is clear that in the case when the third party (which carried out the catching of stray animal for the municipality) finds the owner and returns the animal to the owner, has the situation under legislation and order been resolved. However, the situation is problematic, if the owner is not found. Then there is a situation, where the third party (which carried out the catching of stray animal for the municipality) is obliged to give this animal to the competent state authority, which in this case is the district office. Then the district office is required to take care of the animal for one year and if the owner of the animal is not found within one year, the new owner of the animal becomes the state and it can later sell or donate the animal.

From experience it is clear that this does not happen and the third party performing the catching of stray animals in the event when the owner is not found, the animals are not given to the competent state authority, they are not taken care of and thus the state doesn't become the new owner. In most cases third parties are trying to find the owner, they are taking care of the animal for some period of time and then give the animal to the new owner that shows interest in the animal. We thus get into a situation, when the third party that was obliged to carry out the catching of stray animal and that is not the owner of the animal, gives this animal to a new subject of possession, in many cases even gives ownership, although the third party is not entitled to do so.

In this case there are two essential problems, which should be by the specific legal status of animal eliminated:

1. animal should not be given as a lost thing to the competent state authority,
2. time limit for finding the owner should be shortened.

In Czech Republic in relation with animals, this has been specifically dealt with, about this I write in section “Future legislation”.

The second greatest problem is because of the animal perceived as a thing. According to the Slovak legislation, if the non-owner finds out or sees that on property of another (thing belonging to the third party) damage is occurring, he/she can take action to prevent damage, if their actions do not cause even more damage⁶.

Similarly it is with the current legal status of animals. For example, when I see an animal locked inside a car during a hot summer day, how it is struggling to breathe and is having problems because of high temperatures, I

⁶ Example: We see that someone's house is burning, so we break the window to get inside, causing damage on the window for few euros, but put out the fire and prevent far greater damage – this action is allowed. We see that in a car someone's chocolate bar is melting on direct sunlight, so we break the window, causing damage for 300,- €, but save the chocolate bar worth 2,- € – this action is not allowed.

should not take action and break the window of the car, because by breaking the window of the car I could cause more damage than rescuing the animal – a thing inside a vehicle, of which value can be low. In this case, given the special legal status of the animal, the liability for damage should be adjusted differently as it is with liability for damage in case of a thing.

4. Animal abuse and application problems

If we want to evaluate the legal status of animals comprehensively, we must also evaluate the status of animals as the object of committed offense, respectively an object of committed crime.

The Criminal Code recognizes two offenses in which the object of the offense is an animal – the offense of animal abuse⁷ and the negligence of animal care⁸.

The position of the object of an offense the Slovak legislation also recognizes offense of animal abuse⁹.

No other legislation in Slovak Republic does ensure the protection of animals. From this perspective it is therefore possible to evaluate the legislation status of animals in Slovak Republic as insufficient.

For example, in Czech Republic and in many other EU countries they have adopted specific legislation regarding animal protection. In Czech

⁷ § 378 sec. 1 of Criminal Code, quote: „Any person who ill-treats an animal

a) in spite of having been sanctioned for the similar offence during the past twelve months, or convicted for the same offence during the past twenty-four months,

b) in a particularly cruel and brutal manner, or

c) to the point of death, shall be liable to a term of imprisonment of up to two years.“

⁸ § 378a of Criminal Code, quote: „Any person who from negligence causes death or permanent injuries to more animals in their possession or of which he is obliged to take care of and neglects necessary care of these animals, shall be liable to a term of imprisonment of up to two years.“

⁹ § 22 sec. 2 of Veterinary Act, quote: „It is prohibited to abuse animals, which is any action, except based on health and approved experimental reasons, that

a) causes the animal a permanent or long-term damage to health,

b) without the use of anesthetics, if necessary, causes the animal a permanent or long-term damage to non-renewable parts of the body, except for sterilization of females and neutering males, sharpening beaks and castration of roosters,^{105a}) tail docking of dogs in accordance with recognized breed features to the age of 14 days after birth and tail docking of small ruminants born in Slovak Republic to the age of 8 days, dehorning of domestic ruminant juveniles to the age of 8 weeks under the conditions which prevent the spread of diseases and in addition to the removal of dew-claws on dogs that may be performed only by a person in accordance with § 10 sec. 2,

c) causes the animal a permanent or long-term behavioral disorder,

d) exceeds the biological capabilities of the animal or which causes the animal an excessive pain, injury or suffering,

e) limits food and animal feeding, which is harmful to its health,

f) causes the animal unnecessary suffering or pain by, that the terminally ill, weak or exhausted animal for which survival is more associated with persistent pain and suffering, is issued on a purpose other than immediate painless kill,

g) causes the animal pain and suffering by using it as live bait.

Republic such legislation is Act No. 246/1992 Coll. on the protection of animals against cruelty, while the purpose of this Act is, § 1 sec. 1 on the protection of animals cruelty, quote: „*The purpose of this Act is to protect animals, which are living beings capable of experiencing pain and suffering, against cruelty, damage to their health and killing without any reason whatsoever, if caused by man, even if by negligence.*“ This legislation is in Czech Republic effective from 15th April 1992. In Slovak Republic, such a comprehensive animal protection legislation is absent. However, it is possible to say that this legislation is partly included in the Veterinary Act legislation. It is not possible to say that the animal protection legislation included in the Veterinary Act legislation is sufficient – on the contrary, it can be evaluated as insufficient.

Animal protection law in Czech Republic, among other things, regulates the protection of animals at killing procedure, use of anesthetic substances, protection of animals in public performances, protection of animals during transport, protection of livestock animals, wild animals protection and protection of experimental animals.

In many European countries the legislation on animal protection went even further and have adopted legislation on animal welfare. Laws protecting animal welfare, so called “Animal Welfare Act” were adopted, e.g. in England, Wales, Northern Ireland, Finland, Germany, Greece, Netherlands, Norway, Switzerland. Animal Welfare Act provides legal protection for domesticated animals, animals in public performances and also to wild animals.

In Slovak Republic there hasn't been to this day adopted law regarding animal protection or law for protection of animal welfare.

One of the biggest problems in the legal status of animals and animal protection is to be considered the protection of animals at public performances. In the Slovak Republic there is no statutory regulation on protection of animals at public performances. For example, in Czech Republic there is a clearly defined scope of rights and obligations for public performances of animals. In many European countries it has even been prohibited to put animals in public performances. Among countries, which have an absolute ban on public performances of animals, is also Estonia, whereas many other European countries have strict rules for public performances of animals. Often the rules for public performances of animals are so strict, that in these countries there are almost no public performances of animals.

For these reasons, and also for the reasons of no legislation regarding public performances of animals in Slovak Republic, there is an absurd situation in which many previously foreign circuses are now registered in Slovak

Republic and Slovak Republic is now considered to be the largest home of circuses in Europe.

In light of abovementioned facts I propose in the field of animal protection in Slovak Republic and animal welfare in Slovak Republic an adoption of law on animal protection, which will regulate the protection of animals at killing, protection of animals in public performances, protection of animals during their transport, protection of livestock animals, protection of wild animals and protection of experimental animals.

Given the fact that the Slovak legislation does not include statutory legislation about animals in public performances, I propose in the future to fully implement a ban on selected species of animals from public performances, and for other species adjust the rights, obligations and control of animals in public performances as a necessary foundation for the legal status of animals in public performances.

As a minimum requirement for natural person or legal entity, which organizes or holds a public performance, it is an obligation to ensure that at the public performance there is a person present who is able to

- a) recognize the obvious signs of deterioration in health of animals,
- b) identify changes in animal behavior,
- c) specifying, whether the overall environment is suitable for maintaining health and welfare of animals,
- d) safely handle the particular animal species,
- e) provide organizational arrangements for animal protection when holding a public performance.

Additionally, natural persons or legal entities which organize or hold public performances, are obliged to

- a) notify at least 14 days prior to public performance to the regional veterinary administration and particular municipality
 1. time and place,
 2. species and number of animals, which will attend the public performance,
 3. data allowing the identification according to section 2,
- b) together with the notification according to letter a) present a list of activities with animals,
- c) instruct the persons, which are actively involved in the public performance of animals, how they should handle the animals, prepare tools and other equipment and to familiarize them with the principles of protection and well-being of animals according to this law and check whether during a public performance of animals they comply to these instructions and laws,
- d) notify the violations of animal protection by the participant of public performance to the regional veterinary administration.

5. Future legislation

Firstly, in the future it is necessary to create a legal definition of the term animal. The point of this article is not to create this legal definition, but to draw attention on the fact, that without a legal definition of term animal we will hardly achieve any specific legal status of animals in Slovak Republic.

For defining the term animal in our legislation we can be inspired by the legislation of Czech Republic. According to the provision of § 494 of Civil Code CZ, quote: *„A living animal has a special significance and value as a living creature endowed with senses. A living animal is not a thing, and the provisions on things apply, by analogy, to a living animal only to the extent in which they are not contrary to its nature.“*

The Czech legislation also defined other terms, which given to the comprehensive legal provisions seem appropriate. These terms are – wild animal¹⁰, captive animal¹¹, domestic animal¹², tamed animal¹³, animal kept in a zoo¹⁴. To the various species of animals the Czech Republic confers different and specific rights and obligations.

Furthermore, I consider it particularly urgent to change the rights and obligations in an event when an animal is found, which of course must be treated differently from found thing. Fundamental difference in legislation of found animal compared to the legislation of found thing should be, that in the event of found animal the finder should no longer give this animal to the appropriate state authority. The second significant change should be reduction of the time period during which the original owner of the animal can apply for found animal from 1 year to 2 months, and after 2 months period the finder or the municipality shall acquire the ownership of the animal. The third significant change would be the fact that after the 2 months period the animal will not become a property of the state, but the property of finder, which then is free to do anything with the animal (within rights).

¹⁰ § 1046 sec. 1 of Civil Code CZ, quote: *„A wild animal is masterless as long as they are free (at large).“*

¹¹ § 1046 sec. 2 of Civil Code CZ, quote: *„A captive animal becomes a masterless animal once it becomes free and its owner fails to promptly and consistently pursue or search for the animal in an attempt to recapture it. However, such an animal shall not become masterless if it is marked in such a way that its owner can be identified.“*

¹² § 1048 of Civil Code CZ, quote: *„A domestic animal is considered abandoned if circumstances clearly show the owner's intention to get rid of or drive off the animal. This also applies to pet animals.“*

¹³ § 1047 sec. 1 of Civil Code CZ, quote: *„A tamed animal which is not pursued by its owner and which, although not prevented to do so by anyone, does not return to the owner by itself within a reasonable period, becomes a masterless animal, and it may be appropriated by the owner of the private tract of land if found on the private tract of land or by anyone if found on a public thing. It is conclusively presumed that a reasonable period for an animal to return to its owner is six weeks.“*

¹⁴ § 1049 of Civil Code CZ, quote *„Animals kept in a zoo and fish in a pond or a similar facility which is not a public thing are not masterless.“*

Similar is the legislation of Czech Republic, where the finder of the animal is not obliged to hand over the animal to appropriate state authority, but is only required to report the finding to the municipality. This legislation to me seems appropriate, because the municipality has much wider options to find the owner of found animal (e.g. because of registration for excise duty for the dog), but the finder is not obliged to hand over the animal to the municipality.

Next, I consider it absolutely essential to adjust the issue relating to animal newborn, which the animal gives birth to, as well as the issue of insemination of an animal by another animal. As for the first issue, in this case I am fully inclined and think that the owner of an animal that gives birth to newborn is also the owner of the newborn. Regarding the second issue, it is more challenging and the rules of ownership should be adjusted to newborn animals, if the insemination occurs among animals, whose owner is not known, as it is also important to adjust the appropriate reward for insemination of the animal.

Finally, it is necessary to adjust the damage caused by the animal and the liability for such damage, while I propose to divide it to two types of liability – damage caused by animal as a damage in general and damage which was caused when the animal was used to perform the profession.

6. Conclusion

The point of this article was not to propose solutions to all the problems in the field of legal status of animals in Slovak Republic, but to comprehensively draw attention on the problem of legal status of animals in Slovak Republic.

For this purpose were selected some of the most important problems, which we face in this area, especially the problem of defining the term animal, problem with legal status of animals in Slovak legislation as a thing a from that consequent problems, problem with liability based on negligence, problem with compensation in case of damage done to the animal or damage caused by animal, problems with liability of the owner or keeper of the animal and last but not least the problem of a lost animal.

The selected issues of the legal status of animals in Slovak Republic were compared with foreign legislation and subject to critique.

Given the fact that Slovak Republic is one of the last countries of EU in which the regulation on legal status of animals is not adjusted, nor are there specifically adjusted the rights and obligations of animals, in conclusion I urge to address this situation, while it is necessary to pay particularly close attention to each individual problem.

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