

Animal Welfare Directive, 2073 (2016 A.D)

Ministry of Livestock Development

Singhadurbar

(Endorsed on 2073/12/24 by the Government of Nepal)

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Preamble

Whereas, it is expedient to ensure welfare and prevent cruelty of animals for management, development and quality purposes, pursuant to Rule 22 (A) of the Animal Health and Livestock Services Regulation, 2056 and under authority of the Animal Health and Livestock Services Act, 2055, the Government of Nepal (Ministry of Livestock Development) has issued the following directive.

Chapter 1 Preliminary

1. Short title and commencement:

1. This directive may be called “Animal Welfare Directive, 2073 (2016 A.D)”.
2. This directive shall come into force immediately from the date it is approved by the Government of Nepal, on the specific issues prescribed by Clause (2) of this directive.

2. Scope:

This directive shall be limited to pack animal and traction animals used for the following purposes: means of transportation or means of transporting goods; animals in commercial agricultural, industrial or occupation with a business and trade motive where weight is to be carried or pulled by the animals; it encompasses provision regarding working hours, weight of load, provision of minimum requirements regarding food, shelter, security, health and normal behaviors and prohibits cruel treatment towards working animals by ensuring welfare involved in labor works.

3. Definitions: Unless otherwise required by the subject or context in the directive:

- a) “Act” means Animal Health and Livestock Services Act, 2055.

- b) “Regulation” means Animal Health and Livestock Services Regulation, 2056 (2nd amendment).
- c) “Directive” means this legal document – the Animal Welfare Directive 2073, 2016 AD.
- d) “Ministry” means the Ministry of Livestock Development.
- e) “Department” means Department of Livestock Services under the Ministry of Livestock Development.
- f) “Local Administration” means Village Institutions, Municipalities, Sub-Metropolitan and Metropolitan.
- g) “Authorized Bodies for Animal Related Services” means Department of Livestock Services and subordinate bodies to which authority is delegated by the Department.
- h) “Veterinary Officer” means veterinary officer pursuant to provision Clause 25 of the ACT.
- i) “Animal owner” means natural person or jurist person having ownership over animals, including keepers, caretaker and handlers employed by such person or institution.
- j) “Working Animal” means the following animals (and their nursing offspring) used for transporting goods or people in agriculture, industry or other business purposes with commercial motive: horse, donkey, mule, mountain cow, oxen, buffalo, yak, sheep, goat, mountain goat, and elephant of all ages and sex.
- k) “Animal Welfare” means actions mentioned under provision clause 4 relating to mental and physical welfare.
- l) “Cruelty” means causing, through any act or omission, intentionally or recklessly, acts specifically noted under provision clause 15.
- m) “Harness material” include the halter, bridle, saddle, howdah, collar, breast strap, girth, leading rein, leash and any other equipment with similar purpose.
- n) “Prescribed” or “As Prescribed” means prescribed or as prescribed by the Ministry of Livestock Development pursuant to the provisions of this Directive.
- o) “Registered Veterinarian” means Veterinarian registered under the Nepal Veterinarian Council.

Chapter 2 Provision of Animal Welfare

4. Provisions related to animal welfare:

1. To ensure animal welfare the following requirement should be met:
 - a. Freedom from hunger, thirst and malnutrition,
 - b. Freedom from fear and distress,
 - c. Freedom from physical and thermal discomfort,
 - d. Freedom from pain, injury and disease, and
 - e. Freedom to express normal patterns of behavior.

5. Animals shall be put to work only after due care:

1. Working animals shall be used for carrying weights, pulling loads or put to works only after ensuring animal welfare and prevention of cruelty to animals pursuant to this directive.
2. Following safety measures must be ensured:
 - a. Animals must be put to work according to their age, sex, stage of development, body condition and state of health.
 - b. The minimum working age shall be as prescribed by Annex 1 of this Directive.
 - c. Working Animal shall be healthy if it is to be put to work. If the body condition of the working animal is poor or if it is obese, as defined by Annex 2, it should not be put to work.
 - d. Working animals with the following conditions should not be put to work: lame, deep wound, deep wound on body parts that would be covered by harness materials, blind, sick (such as swollen stomach, cough, loss of appetite, diarrhea or nasal discharge), abnormal temperature and showing any other systems of illnesses.

- e. Pregnant working animals should not be made to work in their third trimester; after delivery, they should be rested for the same amount of time as their third trimester.
 - f. Nursing offspring only dependent on mother's milk must not be separated from their mothers.
 - g. Animals with different physical structure and species shall not be made to work at the same pace.
3. Document containing details of species and number of the animals, name and address of the livestock owner as well as name and address of the user, should be carried by the owners and handlers when using working animals.

6. Farrier and Harnessing:

- 1. Animal owners and caretakers, before commencement of work and after completion, must examine the body of the animals including hoof, legs, shoulder, back, and joints and provide treatment in case of any injuries.
- 2. In respect to harnessing, following measures or precautions must be abided by:
 - a. Harness should be fitting.
 - b. Harness should not comprise of pointed, sharp or edgy objects.
 - c. The harness should be designed and placed in a manner that prevents injury, wounds, affect respiration and blood pressure.
 - d. The weight of the loads must be equally distributed and not centered at one point, arranged with precautionary care and should be tied with due care.
 - e. The harness must be removed with care after work and it must be checked after for any breakages or tearing; it shall be amended immediately.
- 3. The wheels of the carts, carriages or tanga (form of cart) should be of the same size.
- 4. Removal of or placing of horseshoe (or similar equipment) and trimming of hooves shall be performed by a veterinarian or by personnel specifically trained for this purpose.

7. Working climate and duration:

1. The working animals shall not be made to work under the following conditions:
 - a. immense heat, scorching Sun, heavy wind, heavy rainfall, thunderstorm, hailstorm, snowfall or during *occurrence* of other natural disasters.
 - b. in the dark or on terrain where the risk of losing the life of the animal is a high possibility.
 - c. more than 8 hours per day.
2. There shall be, at least, one complete rest day per week.

8. Appropriate Workloads:

1. Workload shall be determined in accordance to the provision in the sub-section below:
 - a. Animal shall never be made to carry weight exceeding 40 per cent of its body weight.
 - b. Younger, elderly and pregnant working animal's capacity should be considered and load should be decreased accordingly.
 - c. Workload shall be decreased in case of very high temperature or inclement weather.
 - d. Work shall be stopped immediately if any working animal stumbles or shows symptoms of inability to carry weight or work; workload should be reduced when such an animal is put back to work.

9. Appropriate Shelter Management:

1. While kept or tied at rest, working animals shall be provided with a clean environment that is dry, with even flooring, well ventilated and well lit.
2. While kept or tied at rest, working animals must be able to sit, stand and turn around.
3. Female animals shall not be kept (or tied) next to male animals.
4. Following measures shall be taken in order to protect the working animals from heat stress or cold stress:

- a. Animals shall not be kept in such a manner where high temperature or humid conditions affects them so that it results in short breaths, respiratory problems and swelling of nasal pores.
- b. Sufficient measures shall be taken to protect animals in order to protect them from hypothermia and freezing to death, by construction appropriate shelters with permanent or temporary covers or by covering the animal with blankets or cloths or natural materials.
- c. Ventilation and quality of air shall not be compromised in order to warm the shelter.

10. Feeding and provision of water:

1. Working animals must be provided a balanced, nutritious and adequate diet as prescribed by Annex 1.
2. The animal owners shall store food or seek alternatives solutions if there exists a situation which may give rise to food scarcity.
3. Animal owner shall stop work and provide the animals with food and water every three hours followed by a resting break.
4. While kept at rest, sufficient food and water must be within the reach of the working animal.

11. Handling during rest:

1. When tethering an animal, the owner shall ensure that equipment is designed in such a way that it cannot cut into the limb and cause injury or pain.
2. Tethered animals should be kept under close observation at regular intervals, in order to ensure that the animal does not injure itself or become tangled in the tethering rope.
3. Pregnant animals which are at labor stage or have just had delivery shall not be tethered.

12. Treatment and management practice:

1. In the event that an animal is showing signs of abnormal behavior the owner shall seek the advice of a registered veterinarian or authorized person, and act in accordance to the direction of the registered veterinarian or the authorized person.
2. The owner of an animal shall seek the assistance of a registered veterinarian or authorized person to obtain timely medications against parasites and periodic vaccinations; record of medications and vaccinations given must be noted.
3. An animal under veterinary treatment shall be put to work only after consulting a registered veterinarian or authorized person.
4. Animal owners shall adopt necessary biosecurity measures taking into consideration probable communicable diseases and specific health conditions; owners must take necessary measures to prevent and control the disease at source and medium.
5. First aid materials, pursuant to Annex 3, must be with the working animals' owners or person with duty of care, while engaging animals in work.

13. Management of Disease and Injuries:

1. If any animal is suspected of infectious disease, then such animal shall be kept separated from the herd and a local government veterinary authority or personnel authorized by vet authority must be contacted.
2. A blood sample of the animal that has been 'quarantined' in accordance 13(1) must be taken by a relevant registered vet or an authorized personnel and sent to the lab; additionally, necessary prevention and control measures must be carried out.
3. Animal owners shall adopt measures instructed by registered vet or an authorized personnel to prevent or control infectious diseases.

14. End of Working Life:

1. Animals incapable of working and old animals must be provided with necessary care by the animal owner.

Chapter 3 Cruelty Towards Animals

15. Acts construing Cruelty towards working animals.

1. The following activities are contradictory to the objective of this directive, if inflicted upon a working animal:
 - a. Using whiplashes, knife, axe, traps or electric shocks, chili powder or other painful substances to control animals.
 - b. Causing pain, discomfort or wound, by hobbling, tying, or hanging on nose or tail or legs.
 - c. Tying or breaking the tail.
 - d. Killing of new born.
 - e. Causing injury using sticks.
 - f. Omission of the obligation to treatment one's sick animal.
 - g. Castration without following the direction of the Department.
 - h. Abandonment of working animals.
2. Any act or omission, in contradiction of provision clause 4, of this direction, committed intentionally or recklessly, will be construed as cruelty towards animals.

16. Acts Not-Construing Cruelty to Working Animals

1. Acts under the following circumstances do not construe cruelty or inhumane behavior towards working animals:
 - a. Removal of horns, health examination, surgery or medical treatment carried out following due procedure by a registered vet or authorized person, as prescribed by law.
 - b. Capturing or killing (euthanizing), essential to relieve an animal from its misery of incurable disease or immobilizing disability or because of necessity to protect animal health, public health or public safety, conducted in a humane manner as advised by a registered vet or authorized person.

Chapter 4: Responsibility and Obligation to Animal Welfare

17. Mandatory Obligation:

In order to ensure animal welfare and prevent cruelty concerned Authorized Bodies for Animal Related Services, national and international government agencies, non-government or private entities using animals, registered vet, concerned owner and other individuals and institutions working the animals shall share the obligations, accountability and responsibility as prescribed by provisions clauses 18, 19, 20, 21, 22 and 23 of this Directive.

18. Obligation of Authorized Bodies for Animal Related Services:

1. To implement, monitor and enforce; to prepare drafts and submit to the Government of Nepal for approval for amendments of this directive.
2. To implement this directive, should conduct or facilitate awareness programs, on the provisions of this directive, among stakeholder.
3. Facilitate to build capacity and enhance the skills of the individuals within the respective authorized bodies, in order to ensure quality services and implementation of this directive.
4. Veterinary officer shall have the right to investigate provisions related to animal welfare during veterinary inspection of working animals and shall have the authority to delegate authority to veterinarians of private sector and supervise them for implementation of this directive.
5. Facilitate and coordinate with relevant governmental and non-governmental institutions or personnel, for the implementation of this directive.

19. Obligations of Other Governmental Institutions:

1. Governmental Institutions other than the Veterinary Authority to ensure animal welfare and prevent cruelty to working animals in their specific working area.
2. Authorities concerned with education shall consider including animal welfare of working animals in their curriculum.

20. Responsibility of Local Government Authorities:

1. Management of abandoned and dead stray working animals.
2. Cooperate and collaborate with other authorities and stakeholders to conduct public awareness programmes on the provisions within this directive.

21. Responsibility of Veterinary Officer:

1. Investigate on situation of animal welfare and prevention of cruelty to animals while making investigation pursuant to Rule 19 of Regulation and submit a report to the concerned Authority. Investigation regarding animal welfare should be monitored according to format as prescribed by Annex 4.
2. To conduct or facilitate public awareness programmes for the implementation of this directive.
3. Supervise and instruct junior personnel concerned with animal welfare services.
4. Act as a medium of communication between authorized bodies for animal related services, animal owners and concerned institutions to prevent animal cruelty and ensure animal welfare of working animals.
5. Facilitate in effective implementation, evaluation and collection of feedback on this Directive.
6. The registered veterinarians officer and institutions provided animal health and welfare services, shall be responsible for animal welfare and prevention of cruelty to animals. Private veterinary shall record animal welfare status as per Annex 4 when providing

treatment of working animal and the form must be handed over authorized bodies for animal related services.

22. Responsibility of Non-Governmental Organizations and International Organizations:

1. To raise awareness amongst the user group and the general public regarding animal welfare of working animals and prevention of cruelty against animals in co-ordination with registered veterinarians and authorized veterinary institutions.
2. Support to enhance capacity of farmers (owners of working animals) and related stakeholders who are working to ensure animal welfare.

23. Responsibility of Animal Owners and Users:

1. Ensure provisions of animal welfare pursuant to Clause 4
2. Take measures to ensure prevention of animal cruelty as defined Clause 15.
3. Register owned animal at local authority.
4. Implement instructions related to animal welfare as provided by Authorized Bodies for Animal Related Services.
5. Safely dispose of dead animal.
6. Assist in disease surveillance and control.
7. The animal owners (which including handlers) should have knowledge and be aware of the symptoms of commons illnesses/disease, stress and common injuries in the working animals they use.
8. The animal owners shall co-ordinate, cooperate or support in implementation of activities related to animal welfare.

Chapter 5: Animal Welfare Measurement Index

24. Animal Welfare Indicators:

1. Animal Welfare shall be determined as follows:
 - a. Annual report of 'Animal Welfare Inspection' drafted by District Livestock Service Office using data collected by private or government veterinarian.
 - b. Annual comparative study of 'Animal Welfare Indicators' shall be conducted by District Livestock Service.

25. Obligation as a result of this Directive:

Working animal shall not be worked contrary to the provisions of this Directive and cruel treatment towards working animals is-prohibited.

26. Discretion:

The Department, for the purpose of implementation of this directive pursuant to the Act and Regulation shall determine and implement procedures and amend the annexures of this Directive.

27. To be as per Prevailing Laws:

Where the directive is silent or ambiguous on a matter, the matter shall be decided as per the prevailing laws. If a clause of the directive is in contradiction with prevailing laws, than the clause must be considered void.

Annex 1 : Minimum age to begin work and balanced diet

Working animal	Beginning working¹ Age (yrs.)	Daily feed²
Horse/ Mule	3	4 kg
Donkey	3	2.5 kg
Oxen/ Buffalo	2	3 kg
Sheep/ Mountain Goat/ Goat	1	1 kg
Mountain Cow/ Yak	3	3 kg
Elephant	13	40 kg

¹ Minimum age means the age that a working animal can start work

² Daily feed means concentrated feed that excludes feed consumed by the animal while grazing and hay/grass.

Annex 2) Body Condition Score Sheet

Physical	NECK AND SHOULDERS	WITHERS	RIBS AND BELLY	BACK AND LOINS	HINDQUARTERS
1. POOR	Neck thin, all bones easily felt. Neck meets shoulder abruptly, shoulder bones felt easily, angular.	Dorsal spine of withers prominent and easily felt.	Ribs can be seen from a distance and felt with ease. Belly tucked up.	Backbone prominent, can feel dorsal and transverse processes easily.	Hip bones visible and felt easily (hock and pin bones). Little muscle cover. May be cavity under tail.
2. MODERATE	Some muscle development overlying bones. Slight step where neck meets shoulders.	Some cover over dorsal withers, spinous processes felt but not prominent.	Ribs not visible but can be felt with ease.	Dorsal and transverse processes felt with light pressure. Poor muscle development either side midline.	Poor muscle cover on hindquarters, hip bones felt with ease.
3. IDEAL	Good muscle development, bones felt under light cover of muscle/fat. Neck flows smoothly into shoulder, which is rounded.	Good cover of muscle/fat over dorsal spinous processes withers flow smoothly into back.	Ribs just covered by light layer of fat/muscle, ribs can be felt with light pressure. Belly firm with good muscle tone and flattish outline.	Cannot feel individual spinous or transverse processes. Muscle development either side of midline is good.	Good muscle cover in hindquarters, hip bones rounded in appearance, can be felt with light pressure.
4. FAT (show condition ?)	Neck thick, crest hard, shoulder covered in even fat layer.	Withers broad, bones felt with firm pressure.	Ribs dorsally only felt with firm pressure, ventral ribs may be felt more easily. Belly overdeveloped.	Can only feel dorsal and transverse processes with firm pressure. Slight crease along midline.	Hindquarters rounded, bones felt only with firm pressure. Fat deposits evenly placed.

<p>5. OBESE</p>	<p>Neck thick, crest bulging with fat and may fall to one side. Shoulder rounded and bulging with fat.</p>	<p>Withers broad, unable to feel bones.</p>	<p>Large, often uneven fat deposits covering dorsal and possibly ventral aspect of ribs. Ribs not palpable. Belly pendulous in depth and width.</p>	<p>Back broad, unable to feel spinous or transverse processes. Deep crease along midline bulging fat either side.</p>	<p>Cannot feel hip bones, fat may overhang either side of tail head, fat often uneven and bulging.</p>
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Annex 3 First Aid for Draught Animals

1. Cotton
2. Band-Aid
3. Povidine Iodine
4. Tincher Benzoine
5. Antiseptic Cream
6. Scissors
7. Dressing Forceps
8. Pottasium Permanganate

Annex 4: Measure Indicator Form

1. Detail of Animal owner:

- a. Name:
- b. Address:

2. Detail of working animal:

- a. Species:
- b. Age:
- c. Weight:
- d. Gender: Female Male

3. Pregnant: 1st trimester 2nd trimester 3rd trimester

4. Body Condition Score: 1 2 3 4 5

5. Condition of hoof: normal overgrown cracked abnormal

6. Wound: Yes or No

7. Severity of Wound: deep large small

8. Fitness condition -

9. Illnesses -

10. Vaccination record: Required vaccine given Required vaccine not given

11. Average Weight of Load carried by working animal:

12. How many working days/ hour:

13. Feed and amount of feed:

14. **Is the animal currently being worked:** Yes No

If observation is available

15. **Shelter:**

- a. open closed
- b. distance of leash (m):
- c. any contradicting acts observed:

16. **Details of Inspector:**

- a. Name:
- b. Address:
- c. Signature:
- d. Date: