(Text date: 22-01-2013)

**Fur Farming Prohibition Act**

**The bill for this act was passed on 4th January 2013, on the prohibition on fur farming**

We Beatrix […]

[*preamble:*]

considering that it is desirable to prohibit breeding, rearing, slaughter or transfer with the intent to slaughter of animals solely or primarily for their fur;

**Section 1**

The terms in this Act are defined as follows:

a. *mink pen:* confined area for rearing mink, comprised of one or more compartments and holding one or more enrichment items, with attached nesting boxes, which meets or exceeds the conditions stipulated in the Ordinance on Mink Welfare Standards (PPE) 2003, effective on January 17 2008;

b. *mink:* animal from the species Mustela vison;

c. *mink farm:* facility or part of a facility, as defined in section 1, sub 1, of the Animal Waste Act, for the purposes of rearing mink, assessed according to factual circumstances;

d. *Our Minister:* Our Minister of Economic Affairs, Agriculture and Innovation;

e. *animal for fur production:* animal that is solely or primarily kept for the production of its fur.

**Section 2**

Rearing, slaughter or transfer with the intent to slaughter of animals solely or primarily for the value of their fur is prohibited.

**Section 3**

**1.** Any person keeping mink as fur-bearing animals for fur production on the day this Act comes into force, must notify Our Minister of such fact within four weeks that this Act becomes effective, stating:

 a. the number of mink he is permitted to keep, in accordance with his license, as defined in section 8.1 of the Environmental Management Act;

 b. the number of pens, differentiated according to the number of pens for males, females and young animals, that are available at the time of notification;

 c. the number of mink kept by him at the time of notification, differentiated according to the number of males, females and young animals; and

 d. the location or locations where the mink are kept at the time of notification.

**2.** The first subsection shall apply mutatis mutandis to any person who, on the day this Act comes into force:

 a. does not keep mink as animals for fur production;

 b. is in possession of a license, as defined in section 8.1 of the Environmental Management Act, for the keeping of mink as animals for fur production; and

 c. has mink pens at his disposal.

**3.** The first subsection shall apply mutatis mutandis to any person who, after this Act has come into force, acquires a mink farm as a result of an extraordinary circumstance of the previous owner, providing that notification is given within four weeks after transfer of the mink farm.

**4.** An extraordinary circumstance as referred to in the third section is defined as the circumstance that the mink farmer suffers great financial losses due to:

 a. his sudden inability to work, resulting in an inability to continue the mink farming activities;

 b. the mink farm is part of an estate that is in the process of being divided and the mink farm, as an asset, must be liquidated in order to execute such division; or

 c. he has reached the age of 65 and is no longer willing or no longer able to continue the mink farm.

**Section 4**

Section 2 does not apply to any person referred to in section 3, subsections one through three, until 1st Januray 2024 in the event that he:

 a. has met the notification obligation specified in section 3;

 b. shelters the mink in mink pens;

 c. does not keep more mink than the number he has been licensed for, as referred to in Section 8.1 of the Environmental Management Act;

 d. does not keep more mink than the number of available mink pens suitable for that specific species of mink at the time of notification; and

 e. keeps mink at the location specified at the time of notification, or at another location provided that the previous location no longer houses mink and this change of location has been reported to Our Minister.

**Section 5**

**1.** Our Minister shall appoint by decree inspectors for the purposes of enforcing Sections 2, 3 subsections one through three and 4.

**2.** A decree such as referred to in the first subsection shall be published in the Official Gazette of the Kingdom of the Netherlands.

**Section 6**

A ministerial regulation shall define the provisions concerning notification and extraordinary circumstances as referred to in Sections 3 and 4.

**Section 7**

**1.** Specific provisions will be defined by an Order in Council concerning compensation for demolition or conversion of buildings used for keeping mink professionally, that lose their function as a consequence of the prohibition as referred to in Section 2.

**2.** The proposal for an Order in Council shall be made no sooner than four weeks after the concept thereto has been presented to both Chambers of the States General.

**Section 8**

[Cancelled per 15-01-2013]

**Section 9**

[Amends Economic Offences Act.]

**Section 10**

[Amends the Income Tax Act 2001.]

**Section 11**

Our Minister is authorized to offer compensation to any person who, on the day that this Act comes into force, keeps mink as an animal for fur production and is older than 55 years on 1st January 2014, for considerable injustices to his pension income plan as a result of the prohibition as referred to in Section 2.

**Section 12**

This Act will come into force on the day after the publication date of the Official Gazette of the Kingdom of the Netherlands in which it is published.

**Section 13**

This Act may be cited as: Fur Farming Prohibition Act.

Ordain and order that these shall be published in the Official Gazette of the Kingdom of the Netherlands and that all ministries, authorities, executive colleges and civil servants to whom this is relevant shall supervise its stringent execution.

Such stated in The Hague, 4th January 2013

Secretary of State for Economic Affairs, S. A. M. Dijksma

Beatrix

Published on 14th January 2013

The Minister of Security and Justice, I. W. Opstelten