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NOTE

From: Presidency
To: Delegations

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Subject: Proposal for a Regulation of the European Parliament and of the Council on the protection of animals during transport and related operations, amending Council Regulation (EC) No 1255/97 and repealing Council Regulation (EC) No 1/2005

- *Revised Presidency text on Articles 36a, 36b, 37 and 38 in Chapter VIII of the Regulation*
- *New Recitals 20a, 20b and 20c supporting the changes in Chapter VIII of the Regulation*

With a view to the Working Party on Animals and Veterinary Questions (Animal Welfare) meeting on 4-5 November 2025, delegations will find attached as follows:

- in Annex I: revised Presidency text on Articles 36a, 36b, 37 and 38 in Chapter VIII;
- in Annex II: new Recitals 20a, 20b and 20c supporting the changes in Chapter VIII.

In Annex I, changes to the Commission text compared to the previous document (11903/25 INIT) are marked as follows:

- new insertions: **bold and underline**
- new deletions: ~~striketrough~~
- insertions already introduced in the previous document: **bold without underlining**
- deletions already introduced in the previous document: [...].

CHAPTER VIII
TRAINING COURSES¹ AND OBLIGATIONS OF COMPETENT
AUTHORITIES

Article 36a

Basic training course

1. ~~Transporters, keepers and operators at the place of departure and of assembly centers, control posts and handling facilities at ports and airports shall ensure that persons, other than farm staff, who handle terrestrial and aquatic animals during road, rail, sea and air transport and related operations entrust the handling of animals during transport and related operations² only to persons who have completed a basic training course, except farm staff involved only in catching, loading or unloading animals at the,~~
2. The basic training³ course shall cover at least the following competences, knowledge and skills:
 - a) basic assessment of fitness for transport;
 - b) the species-specific behavior of animals and their physiological and ethological needs during a journey;
 - c) the handling requirements in ~~points 3~~ 2 to 4 of Chapter III of Annex I and ~~points 2, 3, 5 and 7~~ 2, 3, 5 and 7 of Annex II and best practices for moving ~~and driving~~ animals;

¹ See new Recitals presented in Annex II of this document:

1. Recitals 20a and 20b clarify the scope of the basic and advanced training courses and which actors should complete them.

2. Recital 20c stresses the flexibility of Member States to decide on the structure, planning and execution of the basic and advanced training courses.

² ~~Examples (e.g. catching and loading into containers) to be added in a recital.~~

³ ~~More detail on the objective, e.g. to obtain awareness of animal welfare to be added in a recital.~~

- d) recognition of expressions of animals' positive and negative emotions, including any sign of suffering and ways to prevent their suffering;
 - e) methods for monitoring indicators in accordance with Article 26.
3. The basic training course shall include in-person training. **The basic training course shall be completed after a test to verify the competences, knowledge and skills gained through the course.**
 4. The provider of the training course shall issue a certificate of completion of the basic training course using the template set out in Section 3a of Annex V⁴. The certificate shall be made available to the competent authority upon request.
 5. The European Union Reference Centers for Animal Welfare designated in accordance with Article 95 of Regulation (EU) 2017/625 shall develop and regularly update models of training plans and materials, quality standards and recommendations to be available for training providers of training courses for the purpose of this Article.
 6. **The provider of the basic training course shall develop and conduct the training course taking into account the training plans and materials, quality standards and recommendations referred to in paragraph 5.**
 7. **If a provider of a basic training course is not a public body or authority, it shall be approved by the competent authority in accordance with Article 37(1b).**

Article 36b

Advanced training course

1. Transporters shall entrust the responsibilities of attendant and animal welfare officer only to persons who hold a certificate of competence relevant to the animal species for which these persons are responsible.
2. In order to obtain a certificate of competence, the attendants and the animal welfare officers shall:

⁴ **Section 3a of Annex V to be created.**

- a) complete a basic training course as referred to in Article 36a and an advanced training course as referred to in paragraph 3; and
 - b) pass a final examination referred to in Article 37(1a) ~~point e~~.
3. The scope of the advanced training course may be limited to one or several species and shall cover at least the following competences, knowledge and skills:
- a) the obligations for attendants and animal welfare officers set out in this Regulation;
 - b) use and basic maintenance of equipment for:
 - i) handling and accommodating animals in the means of transport;
 - ii) maintaining and monitoring the welfare of animals;
 - iii) loading and unloading of animals;
 - iv) in case of road transport, recording the position of the vehicle.
 - c) ways to address possible contingencies and practical use of the contingency plan;
 - d) for animal welfare officers, methods of performing emergency killing in accordance with Regulation (EC) No. 1099/2009/1099.
- 3a. The scope of the certificate of competence shall be limited to the species covered by the advanced training course.
4. The European Union Reference Centers for Animal Welfare designated in accordance with Article 95 of Regulation (EU) 2017/625 shall develop and regularly update models of training plans and materials, quality standards and recommendations to be available for training providers of training courses for the purpose of this Article.

- 5. The provider of the advanced training course shall develop the training course taking into account the training plans and materials, quality standards and recommendations referred to in paragraph 4.**
- 6. If a provider of an advanced training course is not a public body or authority, it shall be approved by the competent authority in accordance with Article 37(1b).**

Article 37

Responsibilities of ~~national~~ the competent authorities in relation to ~~Trainings~~

1. For the purposes of Articles 10 ~~36a and 36b~~, Member States shall designate the The competent ~~national~~ authority responsible for shall:
- (a) **ensure** that ~~developing~~ basic and advanced training courses **are available, taking into account recommendations provided for in accordance with Article 36a(5) and 36b(4)** are available for drivers, attendants and animal welfare officers involved in the transport of animals relevant to the species and categories of animals concerned;
 - (b) keeping a list of **approved providers of basic and advanced** training courses and **making make it publicly** available to drivers, attendants and animal welfare officers responsible for animal welfare during transport;
 - (c) ~~organising~~ **organise** an independent final examination **for the advanced training course**, to test the drivers', attendants' and animal welfare officers' knowledge, the content of which shall be relevant for the categories of animal concerned and shall correspond to the stage of transport concerned; (d) **and** delivering certificates of competence attesting the passing of ~~that~~ independent final examination;
 - (e) ~~determining~~ the content of the training courses referred to in point (a) and the modalities of the examination referred in point (b).

1a. The competent authority shall organise an independent final examination for the advanced training course. Upon decision of the competent authority, a provider of the advanced training course that is a public body or authority or an approved provider may be allowed to organise an independent final examination for the advanced training course.

1ab. The national competent authority may approve delegate the responsibilities in points (a) and (e) of paragraph 1 of this Article to approved the providers of basic and advanced training courses. In such a case, the competent authority shall approve the providers if the providers they comply with the following conditions:

- (a) to have at their disposal staff with relevant educational background and experience, and**
- (b) to base their training programme and materials on the training plans and materials, quality standards and recommendations referred to in Article 36a(5) and 36b(4).**

~~The national authority shall keep and publish a list of approved basic and advanced training providers.~~

~~2. The training courses referred to in paragraph 1 shall cover at least the following competences, knowledge and skills:~~

- ~~(a) the animal welfare obligations, in particular those set out in Annexes I and II;~~
- ~~(b) the species-specific behaviour of animals and their physiological and ethological needs during a journey;~~
- ~~(c) ways to minimise animal welfare risks during a journey;~~
- ~~(d) recognition of expressions of animals' positive and negative emotions, including any sign of suffering during a journey;~~
- ~~(e) use and maintenance of equipment used for animals accommodated in the means of transport;~~
- ~~(f) methods for monitoring indicators in accordance with Article 26; and~~
- ~~(g) contingency plans in Article 8.~~

Article 38

Grant, renewal, ~~suspension~~ and withdrawal of the ~~C~~certificate of competence

1. The ~~national~~ **competent** authority shall grant a certificate of competence to attendants and animal welfare officers provided that the following conditions are fulfilled:
 - a) the applicant has [...] passed the final examination referred to in Article 37(1a) ~~point (e)~~; **and**
 - b) ~~the national authority is not aware that the applicant is not prohibited from handling animals by a competent authority, including a competent authority in another any Member State, for which~~ the applicant has provided a written declaration [...].
2. — [...]
3. The certificate of competence shall include the information set out in Section 4 of Annex V. It shall be valid for a period of not more than ~~5~~ **10** years from the date of issue.
- 3a. ~~In order to~~ **The competent authority shall renew the certificate of competence, if the attendant or the animal welfare officer holding that certificate shall provide the national authority with evidence of completion of a refresher course passes a final examination referred to in Article 37(1a).**
4. ~~Member States~~ **The competent authority** shall recognise valid certificates of competence of attendants and animal welfare officers granted in another Member State.

5. ~~A Member States~~ **The competent authority** may recognise qualifications obtained for other purposes as equivalent to the **basic or advanced training courses** [...], provided they have been obtained under conditions equivalent to those laid down in Articles 36a and 36b. **In such case, the Member State competent authority shall allow the attendant or the animal welfare officer concerned to take the final exam referred to in Article 37 (1a)(e) [...].**

6. **The** competent ~~The national~~ authority shall withdraw [...] a certificate of competence [...] **of attendant or animal welfare officer** where the person holding that certificate no longer **meets the conditions referred to in paragraph 1** shows sufficient competence, knowledge or awareness of his/her ~~their~~ tasks. **The national competent authority shall record the reasons for the withdrawal without delay.**

~~**In case the certificate of competence is withdrawn, the person holding that certificate shall complete the advanced training course and pass the independent final examination in order to obtain a new certificate of competence.**~~

New recitals regarding training courses

20a. Persons who handle [terrestrial and aquatic] animals during road, rail, sea and air transport and related operations should have the necessary knowledge, skills and competences on animal welfare. Various operations associated with the transport of animals have different levels of impact on welfare of animals transported. Therefore, it is appropriate to set up a two-level training system for this purpose. The primary objective of the basic training course is to raise general awareness on animal welfare. Regular farm staff, who take part in the daily care of the animals, are assumed to have such awareness based on other training obligations and experience and should therefore be exempted from this requirement. However, where operators at the place of departure hire external persons for activities such as catching and crating birds or loading animals, those persons should be covered by the basic training requirement. Similarly, for livestock vessels, the members of the crew, who are handling animals on the vessels, should be covered by the basic training requirements and transporters should ensure that they are trained.

20b. The advanced training course targets persons whose roles have a greater impact on the welfare of animals during transport and are therefore required to demonstrate more in-depth competence, knowledge and skills. The objective of the advanced training course is to familiarise the participants with the relevant provisions of the Regulation, develop their capacity to properly handle and care for the animals, and test their competence.

20c. This regulation does not interfere with the Member states' national training regulatory environment and practice. Therefore, Member States can decide on the structure, planning and execution of the basic and advanced training courses, provided that the courses are developed taking into account the training plans and materials, quality standards and recommendations from the relevant EU Reference centers on animal welfare (EURCAW). To this end Member States remain free to set a minimum duration of the courses and develop training courses which go beyond the minimum requirements of the Regulation. In order to ensure that training courses are available, the competent authority can use the proxy of another authority within the Member State responsible for training, approve providers of training under certain conditions, or make use of training providers approved by another Member State or of different authorities.
