

## **MINISTRY OF AGRICULTURE AND IRRIGATION**

Ministerial Resolution No. 259-2017-MINAGRI

### **CONSIDERING THAT:**

Articles 3 and 4 of Legislative Decree No. 997, Legislative Decree that approves the law on the Organization and Functions of the Ministry of Agriculture, amended by Article 3 of Law No. 30048, determine that the Ministry of Agriculture and Irrigation - MINAGRI, designs, establishes, executes, and supervises national and sectoral policies in agricultural matters; exercises authority over these and ensures compliance by all levels of government; and has jurisdiction over, among other things, fauna and livestock breeding;

According to Article 5 of the aforementioned Legislative Decree, MINAGRI performs general functions related to its role as the governing body of the National Agricultural Policy, including technical, regulatory functions such as: "5.2.1 Approving normative provisions within its competence"; "5.2.2 Enforcing and ensuring compliance with agricultural regulations, exercising the corresponding sanctioning authority"; and "5.2.4 Other functions as provided by law";

The objective of Law No. 30407, Law on Animal Protection and Welfare is to protect the life and health of vertebrate animals, whether domestic or captive wildlife, and prevent mistreatment or cruelty caused directly or indirectly by humans, which results in unnecessary suffering, injury, or death; as well as to promote respect for animal life and welfare through education. Additionally, it aims to ensure their welfare to prevent harm to their populations and transmission of diseases to humans and to encourage the participation of public and private entities, as well as all social actors involved, in compliance with constitutional and legal frameworks;

Article 9.1 of Law No. 30407 establishes that the Ministry of Agriculture and Irrigation, as the governing body, regulates through supplementary norms the protection and welfare of farm animals and captive wildlife, as well as their use in experimentation, research, teaching, conservation, and commercialization. It also shares responsibility with the Ministry of the Environment for regulating and defining guidelines on wild fauna;

Article 9.2 of Law No. 30407 states that the Ministry of Agriculture and Irrigation channels contributions from other sectors in the area of animal protection and welfare, including: "a. The Ministry of Production, for vertebrate aquatic animals, kept in captivity and when used for experimentation, research, teaching, and commercialization, together with the Ministry of the Environment; b. The Ministry of Health, when human health is at risk; c. The Ministry of the Environment, on biodiversity within its competence; d. The Ministry of Education,

regarding teaching about environmental care, promoting respect, protection, and animal welfare";

Article 35 of Law No. 29158, Organic Law of the Executive Power, indicates that Executive Branch Commissions are bodies created to fulfill oversight, monitoring, proposal, or reporting functions. However, the Executive Power may also create Working Groups for other functions;

In this context, it is necessary to create a temporary Sectoral Working Group responsible for drafting the Regulation of Law No. 30407, Law on Animal Protection and Welfare, and identifying the necessary complementary regulations for the effective application of said law;

In accordance with Law No. 29158, Organic Law of the Executive Power; Legislative Decree No. 997, Legislative Decree approving the Law of Organization and Functions of the Ministry of Agriculture, amended by Law No. 30048, Ministry of Agriculture and Irrigation; and its Organization and Functions Regulation approved by Supreme Decree No. 008-2014-MINAGRI, and its amendments;

#### **IT IS RESOLVED:**

#### **Article 1.- Creation and Purpose of the Sectoral Working Group**

The creation of a temporary Sectoral Working Group under the Ministry of Agriculture and Irrigation is established with the following responsibilities:

a) Draft the regulations and define guidelines concerning wild fauna, as per Law No. 30407, Law on Animal Protection and Welfare. b) Draft complementary regulations for the protection and welfare of farm animals and captive wildlife and those used in experimentation, research, teaching, conservation, and commercialization.

#### **Article 2.- Composition**

The Working Group will consist of:

a) The Vice-Minister of Agricultural Policies, who will preside. b) The Vice-Minister of Agricultural Development and Irrigation Infrastructure. c) The Director General of the Directorate General of Agricultural Policies of MINAGRI. d) The Director General of the Directorate General of Livestock of MINAGRI. e) The Executive Director of the Rural Agrarian Productive Development Program - AGRO RURAL. f) The Executive Director of the National Forestry and Wildlife Service - SERFOR. g) The Executive Director of the National Agricultural Health Service - SENASA.

The members of the Sectoral Working Group will serve on an ad honorem basis.

### **Article 3.- Designation of alternate representatives**

The members of the Working Group will designate their alternate representatives through written communication to the Technical Secretariat of the Working Group within five (5) working days following the publication of this Ministerial Resolution in the Official Gazette "El Peruano."

### **Article 4.- Functions**

The Sectoral Working Group, in pursuit of its purpose, will exercise the following functions:

a) Approve the work schedule. b) Draft the proposed Regulations of Law No. 30407, Law on Animal Protection and Welfare. c) Analyze, identify, and formulate the necessary complementary regulations for the effective application of Law No. 30407, Law on Animal Protection and Welfare. d) Report monthly to the Minister's Office of the Ministry of Agriculture and Irrigation on progress made. e) Other tasks required to achieve the objectives of the Sectoral Working Group.

### **Article 5.- Technical Secretariat**

The Technical Secretariat of the Working Group will be led by the National Forestry and Wildlife Service (SERFOR). This public entity will provide the necessary technical and administrative support for the optimal functioning of the Working Group.

### **Article 6.- Participation of other entities or individuals**

Upon agreement, the Working Group may invite representatives from other national or foreign public and private institutions, as well as specialized professionals, to participate in their sessions as guests. This will not generate additional expenses for the Public Treasury.

### **Article 7.- Installation**

The Working Group will be installed within five (5) working days following the deadline established in Article 3 of this Ministerial Resolution.

### **Article 8.- Duration**

The duration of the Working Group is six (6) months, which may be extended from the working day following its installation, after which it will submit a final report to the Minister's Office of the Ministry of Agriculture and Irrigation.

### **Article 9.- Financing**

The implementation of the provisions in this resolution will be financed with the institutional budgets of the involved agencies without requiring additional resources from the Public Treasury. Each institution will assume the expenses incurred by its representatives' duties.

**Article 10.- Publication**

Publish this Ministerial Resolution on the Portal of the Peruvian State ([www.peru.gob.pe](http://www.peru.gob.pe)) and the institutional websites of the Ministry of Agriculture and Irrigation ([www.minagri.gob.pe](http://www.minagri.gob.pe)), the National Forestry and Wildlife Service ([www.serfor.gob.pe](http://www.serfor.gob.pe)), the National Agricultural Health Service ([www.senasa.gob.pe](http://www.senasa.gob.pe)), and the Rural Agrarian Productive Development Program ([www.agrorural.gob.pe](http://www.agrorural.gob.pe)) on the same day as its publication in the Official Gazette "El Peruano."

**Record, communicate, and publish**

**[There appears to be a signature]**

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