GOVERNMENT NOTICE NO. 75

NATIONAL PARKS AND WILDLIFE ACT

(CAP.66:07)

NATIONAL PARKS AND WILDLIFE (WILD ANIMAL CAPTIVITY LICENSING) REGULATIONS, 2018

IN EXERCISE of the powers conferred by section 123 of the National Parks and Wildlife Act, I, AGGREY MASI, Minister of Natural Resources, Energy and Mining, make the following Regulations—

PART I-PRELIMINARY

Citation

1. These Regulations may be cited as the National Parks and Wildlife (Wild Animal Captivity Licensing) Regulations, 2018.

Interpretation

2. In these Regulations, unless the context otherwise requires—

"captive care conditions" means the conditions for the keeping of wild animals in captivity referred to under section 54A of the Act;

"captivity" means any setting whereby an animal is kept in a confined area, where it is depending on regular human care and support to fill its basic physical and psychological needs;

"licence" means a licence to keep animals in captivity issued under regulation 3; and

"permit" means a licence to import, export or re-export any specimen of game species, protected species, endangered species or listed species issued under regulation.

Animal captivity licence

3.—(1) A person shall not keep wild animals in captivity, unless he possesses an animal captivity licence in the form set out in the First Schedule hereto.

(2) A person who intends to keep animals in captivity shall apply to the Director for a licence and that application shall be accompanied by a fee prescribed in the Second Schedule hereto.

(3) The Director shall issue a licence to an applicant upon being satisfied that—

(*a*) the applicant has no record of previous convictions under the Act;

(*b*) the applicant has a license for no less than 24 months to occupy the premises which he proposes to keep in the animal in captivity;

(*c*) the area being proposed for keeping of the animal is secured;

(*d*) the applicant shall comply with the captive care conditions to such extent as they apply to the animals in captivity;

(*e*) the applicant has the requisite human resources and material resources to comply with the captive care conditions in respect of the specific animals intended to be kept in captivity;

(*f*) the applicant has produced a management plan for the proposed animal as provided by the captive care conditions; and

(*g*) the Director has approved that plan.

(4) The Director shall—

(*a*) inspect the proposed premises prior to occupation; and

(*b*) assess whether the condition of the premises complies with the requirements prescribed in the Third Schedule hereto.

(5) The cost of any inspection done by the Director in accordance with sub-regulation (4) shall be borne by the applicant.

(6) The Director shall, upon being satisfied with the suitability of a premises inspected under sub-regulation (4), issue to the applicant a certificate set out in the Fourth Schedule hereto.

Routine inspections

4.—(1) A premise where animals are kept in captivity shall be subject to inspection by the Director or any officer during normal working hours whose cost shall be borne by the person keeping the animals in captivity.

(2) There shall be no duty on officers to give prior notice of such inspection visits.

Revocation of licence

5. The Director shall revoke a licence where he is satisfied that a licensee fails to keep animals in captivity contrary to the Act or the captive care conditions.

Release of animal in captivity

6. A person shall not release or remove an animal from a premise without the written authorization of the Director, unless-

(*a*) the animal is temporarily removed from the premises on the recommendation of a registered veterinarian; or

(*b*) there are reasonable grounds for doing so, provided that the Director is informed of that removal within a period of 24 hours.

Killing animal in captivity

7. A person shall not kill an animal in captivity without prior authorization from the Director.

FIRST SCHEDULE (para. 3(1))

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WILD ANIMAL CAPTIVITY LICENCE

Name of Licensee:.....

The nature of licensee:.....

(Private Household/ Public Facility/ Educational Facility/ Animal Rescue Centre/ Other-specify)

National Identity Number and /or passport number.....

Physical Address.....

Postal Address.....

.....

is hereby permitted to keep the following wild animals in captivity:

Species	Latin name	Max no. per species

with the following origin:

Species	Wild/Captivity	Location details

at ..... (premises) on the following conditions :

(*a*) The licensee to report to the Director annually on the following:
(i) overview of species and numbers being kept;
(ii) any changes in management as indicated in the original management plan
(iii) .....

(*b*) .....

(*c*) .....

The following State Registered Veterinarian(s) shall provide the required veterinary care for the animals being kept:

(*a*) physical Address.....
postal Address.....
.....

(*b*) .....
Physical Address.....
Postal Address.....
Date of issue: ..... Date of expiry:.....
Fee paid..... GR Number: .....
Signature of Dealer:.....
Right Thumb print of Dealer/Representative:

Passport Photo of Keeper :

(Official Stamp)

.....
Director

SECOND SCHEDULE (para. 3(2))

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WILD ANIMAL CAPTIVITY LICENCE FEES

Matter	*Fee per Annum* K t
Wild Animal Captivity Permit	100, 000. 00

THIRD SCHEDULE (para. 3 (4)(b))

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WILD ANIMAL CAPTIVE CARE FACILITY ASSESSMENT FORM

Below are the minimum requirements which captive care facilities need to meet in order to acquire a wild animal captivity licence. More specific information on each criteria is found in the Captive Care Standards. The requirements are either met (designated as "Yes") or not (designated as "No"). Where requirements are not met the improvements required are indicated to obtain or hold a Captivity Licence.

REQUIREMENT	*Yes/ No*	*Improvement(s) required*
1. *Management requirements*		
(*a*) The facility has at all times (*a*) caretaker(s) with adequate and verifiable species-specific training, experience and/ or knowledge to provide the animals with	Y/N	

REQUIREMENT	*Yes/ No*	*Improvement(s) required*
highest levels of welfare and minimizes all associated health and safety risks.		
(*b*) The facility is in the possession of a management plan. A management plan shall at least contain the information as indicated in the Captive Care Standards.	Y/N	
(*c*) The facility has a system in place to keep animal records of all the animal individuals kept and as indicated in the Captive Care Standards.	Y/N	
2. *Housing requirements*		
(*a*) The enclosure provides, in relation to the number of animals being kept, the minimum required space (length, width, height) to allow sufficient and appropriate exercise for the particular species.	Y/N	
(*b*) The enclosure provides the required structures for the animals to move in their own species-specific way.	Y/N	
(*c*) The enclosure furniture is constructed and maintained in such a way that it does not present any potential danger or health risks to the animals.	Y/N	
(*d*) The enclosure has the required infrastructure to provide the opportunity to temporarily separate animals for management purposes (e.g. cleaning, medical treatment, population management).	Y/N	
(*e*) The enclosure provides appropriate barriers to contain the animals in a safe and secure way.	Y/N	
(*f*) The ground surface of the main enclosure is of such structure that it supports the species-specific way of moving and does not lead to any significant discomfort or health risk to the animal?	Y/N	
(*g*) The main enclosure, separation pens and indoor enclosures provide sufficient shelter for all animals to protect them from inclement weather conditions (e.g. heavy rains, wind, sun).	Y/N	
(*h*) The enclosure provides sufficient physical barriers for animals to hide for conspecifics or the viewing public.	Y/N	

REQUIREMENT	*Yes/ No*	*Improvement(s) required*
(*i*) The climate conditions (e.g. temperature, light, humidity, ventilation) of the indoor rooms are in such a way that it does not negatively affect the welfare or health of the animals.	Y/N	
(*j*) The direct surrounding of the enclosure does not provide any negative stimuli which could lead to long term stress and/or undue suffering of the animals.	Y/N	
(*k*) The enclosure barriers are constructed in such a way to prevent potential predators in the direct surrounding to enter the enclosure.	Y/N	
3. *Husbandry requirements*		
(*a*) All social species are kept in groups whereby group composition ideally resembles as much as possible the species specific social organization, but whereby the group composition at the least does not negatively affect the well-being of the animals.	Y/N	
(*b*) For those animals housed socially and able to breed, species appropriate contraception is applied to prevent breeding.	Y/N	
(*c*) In case more than one species is kept in an enclosure, the species are able to live in harmony with each other and the welfare of one or more species are not compromised by another.	Y/N	
(*d*) The enclosure provides sufficient species specific behavioural stimuli to ensure the psychological well-being of the animals.	Y/N	
(*e*) In those circumstances whereby, the enclosure does not provide sufficient species-specific stimuli (e.g. quarantine, temporary separation, etc.) behavioural enrichment is provided to ensure the well-being of the animal and prevent undue or unnecessary suffering.	Y/N	
(*f*) The facility has set animal catching and handling procedures in place appropriate for the species being kept and whereby stress and discomfort for animal is as much as possible restricted.	Y/N	

REQUIREMENT	*Yes/ No*	*Improvement(s) required*
(*g*) To ensure enclosure hygiene and minimize disease hazards, uneaten perishable food is removed on a regular basis and prior to moulding or contamination.	Y/N	
(*h*) Animal waste is removed from the enclosure as often as necessary to prevent disease transmission.	Y/N	
(*i*) Water reservoirs and food containers/ platforms are cleaned on a daily basis.	Y/N	
4. *Nutritional requirements*		
(*a*) The facility provides a well-balanced diet which meets the nutritive value and quantity required for the particular species. Hereby the facility takes into account the animals' individual requirements with regard to e.g. age, physical condition and medical condition.	Y/N	
(*b*) Records on food intake and body condition are collected and recorded on a regular basis to evaluate diet and food amounts provided.	Y/N	
(*c*) The way of presenting food to the animals supports the natural species-specific way of foraging.	Y/N	
(*d*) All provides the required conditions to prepare the animal food under hygienic circumstances to prevent contamination.	Y/N	
5. *Veterinary care requirements*		
(*a*) The facility has a written agreement with a state registered veterinarian in which he/ she declares to provide the required health care for the animals kept under the Captivity licence.	Y/N	
(*b*) Being public facilities, educational facilities, wildlife rescue centres or any other facility keeping C or D class species, the facility has a wildlife experienced veterinarian within their staff members. When a specialized wildlife veterinarian is not available, an affiliated wildlife experienced veterinarian must be available on consultancy basis.	Y/N	
(*c*) Being public facilities, educational facilities, wildlife rescue centres, private		

REQUIREMENT	*Yes/ No*	*Improvement(s) required*
facilities with 10 or more animals or any facility keeping C or D class species, the facility has veterinary policies and standard operation procedures which cover preventative health care, treatment procedures for ill or injured animal, and transmission of diseases between animals and or staff members and animals.	Y/N	
(*d*) The facility has appropriate facilities and procedures in place to adequately quarantine animals on arrival.	Y/N	
(*e*) To ensure the physical and psychological well-being, all animals are checked on a daily basis by a qualified and/ or experienced caretaker, whereby special attention is being paid to their physical condition and general demeanour.	Y/N	
6. *Health and safety requirements*		
(*a*) There where the facility keeps any species which represent a potential risk for the health and safety of people and/ or the natural environment (e.g. exotic species), a thorough emergency plan is in place which describes in detail the procedures of how to handle in case of an escape.	Y/N	
(*b*) There where the facility keeps any (potential) dangerous animals, the enclosure is constructed in such a way that the daily management of the animals does not lead to any potential risk or danger to the caretaker.	Y/N	
(*c*) There where the facility keeps any (potential) dangerous animals, appropriate operation procedures are in place to minimize any potential risk or danger to the caretaker.	Y/N	
(*d*) The facility has for the species appropriate equipment and personal protective clothing available to safely capture and restrain an animal whenever required.	Y/N	
(*e*) The facility provides adequate personal protective equipment (e.g. boots, overall, gloves) to the animal caretakers for all animal related tasks (e.g. cleaning, animal handling).	Y/N	

REQUIREMENT	*Yes/ No*	*Improvement(s) required*
(*f*) In case a facility holds animals, which are known to be susceptible for zoonotic diseases, caretakers are provided, whenever reasonably possible, with the appropriate vaccinations and receive periodic health checks.	Y/N	
7. *Visitor policies*		
In case of a public facility:		
(*a*) Any direct contact between visitors and animals is prohibited.	Y/N	
(*b*) Appropriate secondary barriers are in place around the enclosure which prevent any direct contact between visitors and animals.	Y/N	
(*c*) Appropriate signage is in place indicating rules how to behave in the presence of the animals with the aim to prevent any negative implications on the welfare of the animals and ensure the safety of the visitors.	Y/N	
(*d*) The animals are not manipulated in any negative or unnatural way to entertain the public.	Y/N	
(*e*) Uncontrolled feeding by visitors is not permitted. Where feeding by visitors is permitted this should be on a selective basis and only with suitable food, with approval from management, and under supervision from trained caretakers.	Y/N	

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PREMISES INSPECTION CERTIFICATE

THIS IS TO CERTIFY that the Director conducted a premises inspection of ..... located at..... ...and has deemed the premises appropriate for keeping animals in captivity.

This Certificate is not a licence to keep animals in captivity. It shall become invalid upon withdrawal of the animal captivity licence or deterioration of premises and facilities therein.

Issued this.....day of....., 20....

.....

Director

Made this 23rd day of July, 2018.

A. C. MASI
Minister of Natural Resources, Energy and Mining

(FILE NO. BL/100)