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For more information concerning the history of these regulations, please see the [Table of Regulations](#).

If you find any errors or omissions in this consolidation, please contact:

Legislative Counsel Office
Tel: (902) 368-4292
Email: legislation@gov.pe.ca

CHAPTER A-11.2

ANIMAL WELFARE ACT

CIRCUS ANIMALS REGULATIONS

Pursuant to section 45 of the *Animal Welfare Act* R.S.P.E.I. 1988, Cap. A-11.2, Council made the following regulations:

Interpretation

1. The following terms are defined for the purposes of these regulations, Definitions
 - (a) “Act” means the *Animal Welfare Act* R.S.P.E.I. 1988, Cap. A-11.2; Act
 - (b) “Chief Conservation Officer” means the Chief Conservation Officer appointed under the *Wildlife Conservation Act* R.S.P.E.I. 1988, Cap. W-4.1; Chief Conservation Officer
 - (c) “circus” means a travelling establishment that keeps, trains or exhibits animals to perform behaviours for the entertainment or education of the public; circus
 - (d) “circus license” means a license to operate a circus under these regulations; circus license
 - (e) “equine” means a horse or pony (*Equus ferus*), a donkey (*Equus africanus asinus*) or a mule; equine
 - (f) “escape and recapture plan” means a written plan describing the measures used by a circus to prevent the escape of animals from the circus and the measures it would use to recapture any animal that does escape; escape and recapture plan
 - (g) “handler” means the person responsible for the care of an animal in a circus; handler
 - (h) “operator” means the person responsible for operating the circus while it is in the province; operator
 - (j) “tether” means to restrain an animal by attaching one end of a rope, leash, chain or similar restraint to an animal or a collar, halter or hobble on the animal and affixing the other end to a stationary object; tether
 - (i) “trainer” means the person responsible for training an animal to perform in a circus. (EC195/17) trainer

Licensing Circuses

- Circus license **2.** (1) No person shall operate a circus unless the person holds a license issued by the Director for that purpose under section 11 of the Act.
- Not applicable to exhibitions and fairs (2) For greater certainty, these regulations do not apply to an exhibition or fair where animals do not perform behaviours for the entertainment or education of the public. (EC195/17)
- License applications **3.** (1) A person applying for a license to operate a circus shall submit to the Director
- (a) a completed application in a form approved by the Director;
 - (b) a list of all the animals in the circus and the documents establishing the identity and ownership of each animal;
 - (c) a copy of any import permit required under the *Wildlife Conservation Act* and any other federal and provincial import and export permits required for the animals;
 - (d) a list of all the activities that each animal would perform while in the province;
 - (e) copies of all health certificates and medical records for each animal and a certificate signed by a veterinarian, licensed or registered in the jurisdiction in which the animals are located, that each animal was examined within the previous 30 days and is in good health;
 - (f) a description of all the enclosures used to transport and display each animal, including their dimensions and the materials used in their construction;
 - (g) a signed and dated declaration from the operator that each handler understands the level of animal care expected under the Act and these regulations;
 - (h) a letter, signed by the person responsible for operating each venue hosting the circus, confirming that he or she is able and willing to provide the facilities required for operating the circus under the Act and these regulations;
 - (i) a copy of the circus's escape and recapture plan;
 - (j) certified copies of the insurance policies or related documentation, in a form and content acceptable to the Director, documenting compliance with section 4;
 - (k) a copy of the letter to the police required under subsection 5(3); and
 - (l) the license fee set out in subsection (2).
- License fee (2) The fee for a circus license is \$500 and shall be paid in the form of a cheque or money order payable to the Minister of Finance.

(3) An application for a circus licence shall be submitted at least 180 days in advance of the first day that the circus proposes to operate in the province. (EC195/17) 180 days in advance

Insurance Requirements

4. (1) The operator shall, at the operator's own expense, obtain liability insurance to protect the Government of Prince Edward Island, the circus and its contractors and sub-contractors, their successors and assigns and their respective directors, officers, employees, agents and servants. Liability insurance

(2) The insurance shall provide commercial general liability protection for liabilities arising out of property damage, personal injury, bodily injury and death resulting from any activity connected with the existence, management or operation of the circus. Scope of coverage

(3) For greater certainty, the insurance shall be extended or endorsed to include coverage related to expenses arising from any costs associated with or incurred by any provincial, municipal or police agency in the recapture of any animal that may escape from the circus. Recapture costs

(4) The insurance coverage shall be written on an occurrence basis with a limit of liability of not less than two million dollars per occurrence. (EC195/17) Limits

Escape and Recapture Plan

5. (1) The operator shall develop and maintain an escape and recapture plan that includes the following information: Contents of plan

- (a) a description of the point after an escape when the circus will notify the local police, the Director and the Chief Conservation Officer;
- (b) the name and telephone number of the person responsible for notifying the authorities referred to in clause (a);
- (c) a list of the equipment that would be used for crowd control and to recapture any escaped animal, such as vehicles, public address system and related items;
- (d) a description of how the venue hosting the circus and the circus will coordinate their activities if an animal does escape;
- (e) a list of the personnel responsible for recapturing an escaped animal that clearly indicates their individual responsibilities and duties.

(2) The escape and recapture plan shall not include or rely upon any drugs that are not carried by the circus. Available drugs

- Advise police (3) The operator of the circus shall, in writing, provide the police at each venue with
- (a) a list of the types of firearms, ammunition and drugs held by the circus at each venue; and
 - (b) a written and signed undertaking that these firearms, ammunition and drugs will remain under the control of the circus at all times.
- (EC195/17)

Authorized Circus Animals

- List of authorized animals **6.** (1) A license may only be issued for a circus that keeps, trains or exhibits any of the following animals:
- (a) a domestic cat (*Felis silvestris catus*);
 - (b) a domestic dog (*Canis lupus familiaris*);
 - (c) an equine;
 - (d) a domesticated pigeon or dove (*Columba livia*);
 - (e) domestic poultry (*Gallus gallus domesticus*).

- Prohibition (2) No operator of a circus shall allow any animal not authorized under subsection (1) to be in a circus. (EC195/17)

Circus Standards

- Standards for circuses **7.** (1) Every operator shall comply with, and ensure that the circus and its personnel comply with, the Schedule to these regulations, including, in particular, the standards in the Schedule respecting treatment, care, safety, transportation, display, housing, health, hygiene, exercise, training, handling, veterinary care, drug administration, euthanasia, public interaction, record keeping, and the specific standards respecting individual species of circus animals.

- Other codes of practice (2) Subject to any standard expressly provided in these regulations, including the Schedule, every operator shall comply with, and ensure that the circus and its personnel comply with, the standards applicable to an animal as set out in the following:
- (a) *A Code of Practice for Canadian Cattery Operations*, published by the Canadian Veterinary Medical Association, 2009;
 - (b) *A Code of Practice for Canadian Kennel Operations*, published by the Canadian Veterinary Medical Association, 2007;
 - (c) the *Code of Practice for the Care and Handling of Equines*, published by the National Farm Animal Care Council, 2013.

- Standards and codes incorporated as amended (3) All standards and codes of practice referred to or adopted by these regulations are incorporated by reference as amended from time to time. (EC195/17)

License Conditions

- 8.** (1) It is a condition of a circus license that the operator complies with provisions of these regulations, including the Schedule. Compliance with Schedule a license condition
- (2) It is a condition of a circus license that the operator review the escape and recapture plan on a regular basis and hold a drill at least once a month to make circus staff aware of the plan and how to put its measures into action. Regular review
- (3) It is a condition of a circus license that any escape of any animal shall be immediately reported to the local police, the Director and the Chief Conservation Officer. (EC195/17) Report of escape

SCHEDULE

(Subsection 7(1))

STANDARDS FOR CIRCUS ANIMALS

1. This Schedule applies in respect of a circus and every animal in a circus.

Animal Dignity

2. (1) The circus audience shall be encouraged to treat the animals with respect during all stages of the animals' performance.

(2) All trainers and handlers shall demonstrate respect, knowledge and humane treatment of the animals in the circus.

(3) All trainers and handlers shall develop a solid relationship with the animals in their care.

(4) No person shall dress an animal in a costume that belittles the animal.

(5) Subject to subsection (4), it is an acceptable activity for performance purposes to ceremonially dress an animal in a manner traditionally or culturally practised.

Housing – General Requirements

3. (1) The dimensions of the housing provided to the animals shall meet or exceed the minimum sizes set out in this Schedule.

(2) Each animal shall be securely contained and, for greater certainty, the minimum dimensions for housing required under these regulations do not necessarily assure secure containment.

(3) Animals shall not be housed on a sealed surface, such as asphalt or concrete, unless covered by a suitable material that insulates the animal from the heat and cold effects of the sealed surface.

(4) Animals shall be provided with suitable bedding material for insulation that is maintained in a dry and clean condition at all times.

(5) Facilities for exercising animals shall be provided for the animals at each venue.

Safety

4. (1) The circus shall use mobile communications that enable fast access to police, ambulance and veterinarians.
- (2) All animals shall be under the direct supervision of a handler at all times during the animals' performances.
- (3) A reasonable inventory of emergency medical supplies shall be available at the circus.
- (4) Each handler shall, at a minimum, have the following equipment under his or her immediate control at all times:
- (a) a dart gun in good working condition that is effective to a minimum distance of 30 metres;
 - (b) multiple dart needles of a length appropriate for each species under the handler's control;
 - (c) multiple dart barrels of a volume appropriate for each species and appropriate for the drug being used;
 - (d) all associated equipment necessary for the preparation and use of darts and the dart gun.
- (5) Each handler shall be able to demonstrate proficiency with the equipment referred to in subsection (4).
- (6) The entrances to the circus ring, and any exercise yards, shall be installed so that the entrance's gate or door only swings inwards.
- (7) The circus ring shall be adequately illuminated whenever animals are within it.
- (8) Warning signs shall be placed on all entrances to the circus ring that warn when animals are in the ring outside of performance times.
- (9) Standoff barriers with a minimum distance of two metres beyond the maximum reach of animals in display housing shall be placed if members of the public are able to approach the animals.
- (10) Any incident caused by an animal involving the death of a person, or any injury to a person that requires medical treatment, shall be immediately reported to the Director and the local police.

Transportation

5. (1) When transporting animals, a regular rest stop shall be made after a maximum duration of two hours of travel in order to
- (a) inspect the animals and their facilities;
 - (b) offer potable water to the animals; and
 - (c) offer food to the animals if necessary.

(2) Water shall be removed from the animal housing before the vehicle transporting animals resumes transportation after the rest stop.

(3) If a vehicle transporting animals in a circus stops for a period longer than 15 minutes in an area away from a populated area, the vehicle shall be opened to allow fresh air to enter the animal housing, when weather permits.

(4) Each vehicle transporting the animals shall

- (a) be fitted with mobile communication equipment;
- (b) enable appropriate transport of the animals from venue to venue;
- (c) include adequate ventilation for the animals that provides a minimum of 12 to 15 complete air exchanges per hour; and
- (d) provide adequate insulation to protect the animals from environmental extremes while still maintaining the ventilation required for the vehicle.

(5) When circuses are at a layover site or performance venue, the animal housing provided shall comply with the standards for display housing required under these regulations.

(6) When animals, such as retired animals, breeding animals or display animals being rested, are held in holding parks, the animal housing shall comply with the requirements for each species set out in these regulations.

(7) The operator shall comply with all other laws respecting transportation, in addition to the provisions respecting the transportation of animals under these regulations.

Display Housing – General Requirements

6. (1) No vehicle or trailer shall be used for the display housing of animals.

(2) If an animal trailer forms the basis for the display facilities, it shall contain a platform that is

- (a) raised off floor level;
- (b) kept dry and clean; and
- (c) provides an area that the animals can retreat to while the floor is cleaned and while it dries.

(3) Display facilities shall, where practicable, maximize the size of the temporary housing used for the animals.

Health and Hygiene

7. (1) All animals shall be provided with dry shelter and protection from extremes of heat or cold and other adverse weather conditions at all times, and access to potable drinking water when the circus is not travelling.

(2) Animal excrement shall be removed from the animal's environment as soon as possible and in a manner that is not a source of stress to the animal.

(3) Since most caged animals tend to defecate in one given area of their housing cage, commonly called "cage discipline",

(a) each animal's food presentation and sleeping areas shall be set as far away as possible from areas of defecation to prevent faecal contamination of food and bedding; and

(b) when animals are seen not to practise "cage discipline", containers and bedding areas shall be raised above cage floor level.

(4) All food offered to animals shall be clean, fresh, appropriate and wholesome.

(5) Water and food containers shall never be placed under perches of birds.

(6) All tools, utensils and working surfaces associated with the preparation of food for animal consumption shall be kept clean and in good repair.

(7) Circus personnel shall regularly inspect and evaluate animal housing, when feeding and cleaning, to monitor hygiene levels and potential health problems.

(8) Circus personnel shall be trained to recognize the following signs of possible animal stress:

(a) self-mutilation of no dermatological cause;

(b) unusual hair loss, dermatitis, scouring or excessive self-grooming;

(c) repetitive stereotypical behaviour or abnormal activity levels;

(d) weight loss or changes in eating, defecating and urination habits;

(e) abnormal aggression or withdrawal toward cage mates, handlers or trainers;

(f) catatonia, depression or elevated aggression levels;

(g) increased incidence of illness or disease.

(9) The operator shall ensure that

(a) circus personnel ascertain the cause of any stress;

- (b) the causes of any stress is removed or alleviated as much as is possible; and
- (c) veterinary advice is obtained where the cause of stress cannot be identified.

Exercise

- 8.** (1) Daily exercise periods shall be provided to the animals in a form and duration appropriate for the well being of the individual species.
- (2) Each animal shall be provided with at least 45 minutes of exercise each day in the form of training sessions or public performance.
- (3) Animals shall be provided with opportunities for enrichment based on species-appropriate fixed and movable furnishings within the animal's environment and procedures to increase both physical and mental activity.

Training – General Requirements

- 9.** (1) No person shall use a training method that causes distress to any animal.
- (2) No person shall use fire in an animal's training or performance.
- (3) The skeleton and musculature of the animals shall be developed, or developing, sufficiently to meet the demands placed on it by its exercise or training and special care shall be used and training regimes modified for young growing animals and old animals.
- (4) No person shall exercise or train an animal or cause it to perform if a worsening musculoskeletal condition manifests in the animal, until this condition and its cause are properly diagnosed and treated by a veterinarian experienced with the species of animal involved.
- (5) If an animal is clinically ill, no person shall exercise or train the animal or cause it to perform until a veterinarian experienced with that species of animal states that the animal has fully recovered or is capable of exercising, training or performing.
- (6) All training methods shall be based on a positive reinforcement approach, namely the anticipation of a reward for successfully completing a desired behaviour.
- (7) The reward for the successful completion of a desired behaviour shall be immediate and tangible for the animal.
- (8) No person shall physically punish any animal.

- (9) The operator shall ensure that
- (a) any props used with the animals are well designed and as simple as possible;
 - (b) any stools, ladders, planks or steps used as props are either fixed to the sides of the circus ring or have a wide enough base to be sufficiently stable;
 - (c) any wood elements in the props are not splintery or split; and
 - (d) the colour and shape of any props are designed to enhance their visibility to the animal.

Veterinary Care

10. (1) The circus shall establish a regular arrangement with a veterinarian who has knowledge of the animals in the circus.

(2) The circus shall have a medical record for each animal in the circus showing that each animal was examined by a veterinarian at least once every six months, regardless of its state of health, and showing the results of that examination.

(3) The operator shall maintain all medical records pertaining to each animal in the circus and ensure that copies of these records travel with the animals in a single, accessible location that is available for immediate review by any consulting veterinarian.

(4) Circuses shall maintain an up-to-date list of suitably qualified local veterinarians and have ready access to the name and location of the nearest veterinarian upon arriving at a given venue.

(5) If a sick or injured animal's regular veterinarian is unavailable, the animal shall be examined by a local veterinarian who is provided with the regular veterinarian's contact address and phone number.

(6) If the medical treatment of an animal involves the use of a prescription or scheduled drug, the advice and attendance of a veterinarian, licensed to practise in the province, shall be sought.

(7) If a suitably qualified veterinarian is not available, the advice of a veterinarian shall be obtained verbally by telephone and later confirmed in writing by an email, fax or letter that is placed in the animal's medical record.

(8) If an animal is diagnosed with a disease by a veterinarian and the animal requires hospitalization, the animal shall be removed for treatment or, if the space is available, a separated area may be set up within the circus where the animal can be contained, isolated, monitored and nursed if necessary.

(9) If the animal's disease involves an infectious agent that is communicable to other animals or to humans,

- (a) any separated area containing the animal within the circus shall be isolated;
- (b) only selected personnel shall have access to the area; and
- (c) disinfection measures shall be implemented under the guidance of the attending veterinarian to prevent the spread of the disease.

(10) No person, other than a veterinarian, shall perform surgery on an animal.

(11) A veterinarian's opinion shall be sought before moving an animal in late stages of pregnancy.

Drug Administration

11. (1) No drugs under the *Controlled Drugs and Substances Act* (Canada) shall be administered to an animal unless prescribed by a veterinarian.

- (2) Circus personnel may administer drugs to an animal if
 - (a) they have previous experience in the procedure; and
 - (b) they do so under the direction of a veterinarian.

(3) Circus personnel shall be aware of and comply with the limitations that the *Veterinary Profession Act* places on what procedures may be performed by lay people.

(4) Circus personnel administering non-prescription drugs shall follow the labelled directions.

(5) Sterile disposable needles and syringes shall be used for all injections.

(6) Darts may be used to administer drugs if necessary.

(7) Adequate equipment and facilities to restrain the animals shall be part of the circus inventory.

Euthanasia

12. (1) The operator of the circus shall develop and maintain a protocol on animal euthanasia and ensure that pertinent personnel are familiar with the protocol.

(2) The protocol on animal euthanasia must comply with the codes and standards on animal euthanasia in the Animal Welfare Regulations relevant to the animals in the circus.

(3) Subject to the powers of the Director or an animal welfare officer under the Act to euthanize an animal, the operator or his or her delegate is responsible for making the decision to perform euthanasia under the protocol on animal euthanasia.

(4) No person other than a veterinarian shall euthanize an animal.

(5) Despite subsection (4), in an emergency when a veterinarian is not available, a person with knowledge of, or prior experience with, the methods of successful euthanasia for that particular species of animal may perform the euthanasia if the person acts in accordance with the advice of a veterinarian obtained verbally by telephone before an animal is euthanized.

(6) The only method of non-veterinary euthanasia that is permissible for birds is cervical dislocation.

(7) Suitable methods of euthanasia shall be available for all animals.

Training and Handling

13. (1) No training or command implement shall be used in a manner that causes distress to an animal.

(2) Collars, head collars or leads shall not be jerked or pulled forcefully in order to guide an animal.

(3) Rattans, canes and other types of rods may be used to push or guide an animal, and they may be struck against each other or against another object to provide a noise stimulus, but they shall not be used to strike an animal and the ends shall always be blunt.

(4) The composition and construction of all training implements shall be non-toxic to animals.

(5) No person shall strike an animal with any training device, unless the safety of humans or animals is under direct threat.

(6) Trained behaviours shall incorporate bodily movements that are within the normal physical capability of the animal.

(7) Animals shall not be made to perform movements that have a high risk of injury.

(8) The apparatus that animals may make use of in the course of their trained behaviours shall be easy for them to use and have no foreseeable potential to cause them injury.

(9) No person shall force an animal to continue to perform a desired behaviour if the animal is unwilling.

(10) Animals shall be constantly provided with minor changes in their behavioural repertoire to provide a constant level of mental stimulation.

14. (1) Trainers shall halt a training session if a decreased attention span and an increasing level of unwillingness to perform a behaviour by the animal become apparent.

(2) A secondary handler or trainer shall be on site if the primary handler or trainer is sick, injured or unavailable.

(3) If a trained act is to change hands, the trainer or handler shall undertake a transfer period in the presence of the new handler or trainer until the new handler or trainer can satisfactorily work the act and gain the confidence of the animals.

(4) Each handler or trainer shall be committed to the welfare of the animals under that person's care and understand the important relationship between animal and human in the circus environment.

(5) Trainers shall aim to relate to their charges on an individual basis in order to detect problems, whether physical, medical or psychological, and hidden talents in their animals before anybody else.

(6) Handlers shall develop educational information on the animals in their care to promote better understanding and respect for the animals.

(7) Each handler or trainer shall be thoroughly competent with and knowledgeable about the following:

- (a) the behavioural tendencies of the species in their care;
- (b) the potential physical capabilities of the species in their care;
- (c) the accepted methods of handling, physically restraining and training of the species in their care;
- (d) proper hygiene, cleanliness and neatness in regard to facilities, equipment and feed;
- (e) basic skills in visually assessing animal demeanour, physical condition, fecal output, feed intake and other behavioural factors;
- (f) the ability to maintain coherent, comprehensive and relevant records in relation to the animals in their care;
- (g) the ability to liaise with the circus management;
- (h) the ability to delegate responsibility appropriately where circumstances warrant;
- (i) the ability to recognize and carry out safe work practices;
- (j) the ability to liaise with and answer questions from the public;
- (k) the ability and willingness to consult and communicate with veterinary consultants.

(8) Circus personnel involved in the care and handling of animals shall have access to the following avenues for obtaining the necessary skills and competencies regarding animals:

- (a) undertaking formal courses dealing specifically with specialized animal care, such as animal husbandry, zoo keeping and animal ethics;
- (b) regular access to relevant new literature in order to keep abreast of recent developments in animal care, husbandry and training;
- (c) regular opportunities to attend conferences or visit other circuses or circus personnel.

(9) Interested members of the public shall be encouraged to watch training sessions and to ask questions and all handlers shall be prepared to answer their questions at reasonable times regarding the animals in their care.

(10) Circus personnel involved in the care of animals shall first undergo work experience on an apprenticeship basis with a person who is recognized as having experience in animal care with the relevant species.

(11) Each animal act shall have two handlers or trainers capable of working the act or exercising the animals, so that the absence from the circus by one handler or trainer does not cause the animals stress through separation from their familiar trainer or handler or a lack of training, performance or exercise.

Public Interaction with Animals

15. (1) The circus shall provide a place for any injured or otherwise compromised animal to have privacy from the public.

(2) When an animal is in the presence of the public, an experienced handler shall be within eye contact of the animal.

(3) The public shall not be allowed to feed the animals or perform with them.

(4) No member of the public shall be allowed to directly approach an animal, unless under the direct supervision of an experienced animal handler or trainer and the public's safety is assured.

(5) Circus personnel shall ensure that no animal is tormented or otherwise abused by members of the public.

Record Keeping

16. Records shall be maintained for each animal that include the following information:

- (a) its species, referring to its common and scientific names;
- (b) its gender;
- (c) its given name, if any;
- (d) its date of birth;
- (e) its current owner;
- (f) its insurer and the name, address and phone number of a contact person with the insurer;
- (g) the person responsible for the animal while in the circus;
- (h) the name, address and phone number of its regular veterinarian;
- (i) the name of its breeder and the place of its birth;
- (j) the names of its sire and dam, if known;
- (k) the date of its acquisition by the circus;
- (l) the names of all its previous owners and the dates of their ownership;
- (m) its breeding history, including mating dates, mating partners, the number and gender of any offspring and the fate of those offspring;
- (n) its medical history, including a description and the dates of any diagnoses of disease, medical treatments or procedures, surgeries, weight and vaccinations;
- (o) any scarring or distinguishing marks;
- (p) any noteworthy incidents involving the animal;
- (q) any comments or precautions relevant to the animal, such as the side effects of certain drugs;
- (r) any permanent identification of the animal, such as a permanently locked wing band or ear tag, microchip, tattoo number or appropriate photograph;
- (s) any dietary preferences and its current diet;
- (t) its routine husbandry procedures, such as nail trimming, hoof trimming and deworming.

Dogs

- 17.** (1) Since dogs have a strong hierarchical tendency that tends to make colony situations self-regulating, therefore
- (a) protective measures to intervene shall only be taken if one individual is being constantly attacked or if an attack is likely to lead to serious injury or death for the loser; and
 - (b) a retreat area shall always be provided for individuals from the group.
- (2) Dogs shall be provided with stimulation through
- (a) interacting with people;
 - (b) training and learning new performance behaviours; and
 - (c) interacting with other dogs.

(3) Dogs may be trained to perform the following basic behaviours on command:

- (a) assemblage;
- (b) stationing;
- (c) bipedal walking and dancing;
- (d) vocalizing;
- (e) leaping on or over various objects;
- (f) rolling;
- (g) retrieving objects.

(4) Dogs shall be housed together wherever possible.

(5) Enclosures for dogs shall be constructed of material that is suitably strong to contain the dogs.

(6) Enclosures for dogs shall have an interior height sufficient to allow the dogs to stand fully and comfortably.

(7) The dimensions for enclosures or housing for dogs weighing less than 15 kilograms shall comply with the following standards:

- (a) the minimum floor space for one pair is 4.5 square metres;
- (b) the minimum floor space for each additional animal is 2.25 square metres; and
- (c) the minimum width is 3 metres.

(8) The dimensions for enclosures or housing for dogs weighing 15 kilograms or more shall comply with the following standards:

- (a) the minimum floor space for one pair is 6 square metres;
- (b) the minimum floor space for each additional animal is 3 square metres; and
- (c) the minimum width is 3 metres.

(9) The area in which the dogs are kept while not performing shall have access to sunlight and shade from direct sunlight during daylight hours.

(10) An area free of bedding shall also be available for each dog at night.

(11) No dog shall be transported in the back of an open vehicle unless the dog is placed in a suitable enclosure or otherwise restrained by a device that ensures the safety and protection of the animal.

(12) Dogs shall not be confined in a manner that make it impossible for them to retreat from members of the public and they shall always be provided with an area where they can remove themselves from public attention while still receiving socialization from other dogs.

- (13) Dogs may be tethered via a running lead that
 - (a) has a minimum length of 4 metres; and
 - (b) has a lead with swivels to prevent tangling.
- (14) Non-chafing collars may be worn by dogs at all times.
- (15) Collars for dogs shall be regularly checked to ensure that they have not become too tight or too loose.
- (16) Non-chafing shoulder harnesses may be worn by dogs during performances and training sessions.

Equines

- 18.** (1) An equine shall be transported in a vehicle that has
 - (a) internal partitioning or stalls to safely restrain each individual animal;
 - (b) roofing to provide shade and shelter from rain or other inclement weather; and
 - (c) solid sides with apertures to admit light and adequate ventilation and to allow visual inspection of all animals contained within.
- (2) When transporting an equine
 - (a) animals of the same size may be housed together and need not be provided with separate stalls;
 - (b) animals of differing sizes and weights shall be provided with separate stalls to eliminate crushing of smaller animals;
 - (c) each animal shall be sufficiently contained so that it cannot turn around; and
 - (d) as added protection, a padded breast bar is compulsory within each stall.
- (3) While the circus is at a performance site, equines shall have access to overnight shelter and shall not be housed only in their vehicle, unless
 - (a) the vehicle is the best form of shelter for a sick animal or to protect it from inclement weather; and
 - (b) proper bedding, ventilation and hygienic conditions are maintained in the vehicle.
- (4) Equines shall be confined in a compound by ordinary or electric fencing when at the performance site.
- (5) Since equines are social herd animals, they shall
 - (a) be housed with their own kind wherever possible, unless sharing the same enclosure results in constant fighting or bullying; and
 - (b) always have visual access to others of their species.

(6) The compound for an equine shall have access to sunlight and shade from direct sunlight during daylight hours and the ground underfoot shall be clean, well drained, non-abrasive and not stony.

(7) Equines may be contained by stabling them, if an outdoor compound is not available for this purpose.

(8) Stables for equines shall be

- (a) provided with appropriate bedding and drainage for the animals;
- (b) adequately ventilated; and
- (c) provided with lighting that is as natural as possible.

(9) The dimensions for an enclosure or housing for an equine shall comply with the following standards:

- (a) the minimum floor space for one animal is an area, measured in square metres, equal to twice the height of the animal at its withers squared;
- (b) the interior height is sufficient to allow 0.61 metres of clearance above the animal's head when standing.

(10) Equines shall be confined so that they can avoid the attentions of members of the public, if the animals wish to do so.

(11) Feed and suitable areas of the enclosure shall be made equally available to all equines.

(12) Feed cribs may only be used for equines if the feed cribs cannot cause the animals injury in any way.

(13) An equine may be trained to perform the following basic behaviours on command:

- (a) assemblage;
- (b) stationing;
- (c) gait changes on command;
- (d) dancing;
- (e) rearing;
- (f) bipedal walking;
- (g) foot tapping;
- (h) vocalizing;
- (i) retrieving objects;
- (j) wheeling;
- (k) synchronized movement.

(14) During performances, halters, bridles with bits, saddles, trap and carriage harnesses may be used on equines only if

- (a) they have no components which may injure the animals; and
- (b) they are applied so that no galls, rubs, bruises or cuts result.

- (15) Equines shall not be tethered while they are in a stable.
- (16) When an equine is tethered or not performing,
- (a) no harnesses of any sort except a light headstall shall be worn by the animal; and
 - (b) the headstall shall not rub around the animal's ears or cheeks.
- (17) Tethers for an equine shall be constructed of rope or other material that is strong enough to contain the animal, but does not weigh the animal's head down.
- (18) A metal chain shall only be used as part of a tether for an equine if
- (a) the animal is to be staked outdoors;
 - (b) the chain forms the extreme lower section of the tether nearest the ground; and
 - (c) the chain does not exceed 0.3 metres in length.
- (19) Equines shall have their coats groomed sufficiently often to maintain the desired level of cleanliness.
- (20) The teeth of an equine shall be inspected once every three months to ensure that no sharp points are developing and any sharp points shall be rasped back.

Birds

- 19.** (1) During transportation, birds shall be contained in small cages to provide them with physical protection.
- (2) Once the circus has arrived at the performance venue, birds shall be released as soon as possible from their travelling cages into their display cages.
- (3) Display cages for birds shall be provided with
- (a) perches of uneven diameter made of natural tree branches that do not have an abrasive surface; and
 - (b) at least one perch high enough above the cage floor that the bird using the perch has all its extremities, including its feathers, at least six centimetres above the cage floor, regardless of the posture of the bird.
- (4) Within their display cages, birds shall have high perches or night boxes that
- (a) provide shelter for them when they roost for the night; and
 - (b) are set well away from the sides of the cages to prevent cage panic.

(5) Each display cage shall be large enough that the bird contained within it can extend its head, feet, wingtips and any feathers, and be able to turn around regardless of its posture, whether or not it is on its perch, without touching any cage walls, ceiling or solid cage furniture.

(6) If the species of bird is capable of flight, the dimensions of the display cage shall comply with the following standards:

- (a) the cage shall be large enough for a bird of that species to be able to attain active flight within the cage by taking five unhurried wing beats along the length of the cage;
- (b) the cage width for a single bird shall be a minimum of 1.5 times the wingspan of an adult of that species; and
- (c) for each additional bird, the cage width shall be increased by at least half the wingspan of an adult of that species.

(7) Compatible birds may be housed together, if the display cage is large enough to prevent harassment by cage mates, after considering that the personal space required by each bird is entirely dependent on the species and temperament of the individual.

(8) Incompatible individual birds shall be assigned separate, appropriately dimensioned cages.

(9) Cages holding birds shall

- (a) have access to sunlight and shade from direct sunlight during daylight hours;
- (b) be placed well away from any animals that may cause them to injure themselves through cage panic; and
- (c) be set above ground to provide the birds with protection from predators.

(10) If impervious flooring is to be used for birdcages, the bedding or litter for birds shall be plentiful and absorbent.

(11) Display cages for birds shall include some form of solid partition or small box to which they can remove themselves from public view if they wish.

(12) Birds may be trained to perform the following basic behaviours on command:

- (a) assemblage;
- (b) stationing;
- (c) vocalizing;
- (d) dancing;
- (e) balancing acts, which may involve the use of apparatus;
- (f) retrieving objects.

(13) Birds shall not be tethered.

- (14) Birds shall be provided with
- (a) access to baths;
 - (b) access to cuttlebone and similar substances to aid beak and claw maintenance; and
 - (c) perches made of natural branches of varying diameter and bedding or litter made of natural material to maintain the birds' claws.
- (EC195/17)