

# CIRCUSES

Code of practice  
for  
the conduct of circuses  
in  
Western Australia

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## **PREFACE**

The **Code of practice for the conduct of circuses in Western Australia** is based on the *Standards for Exhibiting Circus Animals in New South Wales*, and has been adopted for use in Western Australia. This code has been prepared to assist all persons handling or using circus animals in Western Australia, and reference to this code is made in Regulations provided under Section 25 of the *Animal Welfare Act 2002* for the purposes of a defence against cruelty. It is not intended to be used for either audit or compliance purposes.

It is based on current knowledge and technology. It will be reviewed in the future on a needs basis, to take account of advances in the understanding of animal physiology and behaviour, technological changes in animal husbandry and their relationship to the welfare of animals.

This code contains the contents of the NSW Code, and makes reference to legislation and authorities that are applicable to NSW. Where in the Code, such references occur, they should be read to the extent that they are applicable to Western Australia.

Further copies of this code are available from the Department of Local Government and Regional Development or from the internet at: <http://www.dlgrd.wa.gov.au>

### **Acknowledgement**

*The Western Australian Department of Local Government and Regional Development acknowledges the contribution of NSW Agriculture in the preparation of this code. To the extent that this code incorporates material provided by NSW Agriculture, copyright in that material is and remains vested in the State of New South Wales, NSW Agriculture (2003).*

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## **DEFINITIONS**

**Animal:** Any member of the vertebrates.

**Beast Wagon:** Any wagon, truck, float or van intended for the transport, and/or holding and/or static display of an animal or animals.

**Behaviour:** Any pattern of action and attitude assumed by an animal.

**Big cats:** A large member of the cat family which has the ability to roar.

**Bridging Signal:** Any signal discernible by an animal and originating from a handler or trainer which informs the animal that a desired behaviour has been completed satisfactorily.

**Box:** Any confinement facility that has a roof, four solid sides and a solid floor.

**Cage:** Any facility that enables close confinement of any animal and has at least one vertical side consisting of material that enables direct viewing of the contents of the facility.

**Camelid:** Any member of the camel family (eg. Arabian Camel, Llama, Alpaca).

**Carnivore:** Any canid, felid or ursid.

**Cetacean:** Any whale (toothed or baleen).

**Circus:** Any mobile establishment in which animals held and exhibited therein are made to perform behaviours at the behest of human handler/trainers for the entertainment and/or education of members of the public.

**Command Signal:** Any signal discernible by an animal and originating from a handler or trainer which informs the animal that a given behaviour should be performed.

**Disease:** Any condition suffered by an animal such that normally accepted parameters of health are not met.

**Distress:** Occurs when the animal's mechanisms for coping with stressors are being utilised but not over-extended. Signs of distress may be anxiety, elevated heart and respiration rates, aggression, aversion, frustration, boredom and displacement behaviours. For example, a number of these signs are evident when an animal is experiencing a 'fight or flight' response.

**Domestic animal:** Any of the various animals which have been domesticated by man, so as to commonly live and breed in a tame condition.

**Enclosure:** Any facility that, by use of physical barriers, enables loose confinement of any animal within a given area.

**Fence:** Any structure that comprises a vertical physical barrier used either to prevent passage or direct passage of any person or animal.

**Float:** Any towed wagon intended for the transport of normally standing animals.

**Flooring:** The solid component on the bottom of any cage, stall, float or enclosure.

**Handler:** Any individual engaged to attend to the physical placement, translocation or restraint of any animal, or who controls animals in an exhibition situation without modifying any hitherto existing behaviours.

**Harness:** The combination of straps, bands and other parts forming the working gear of a horse or other animal.

**Holding park:** A site containing permanent non-mobile facilities for the holding of circus animals which are not currently touring with the circus. This includes ex-circus animals, animals being trained, breeding animals, and trained animals not currently being used for performance.

**Lay-over Site:** A site where animals on tour with a circus are held while the circus temporarily ceases performances.

**Negative reinforcement:** Punishment for failure to perform correctly, eg. the banishment from the trainer or other animals of an individual of a social species, after failure to perform the behaviour requested by the trainer.

**Pinniped:** Any seal, sea-lion or walrus.

**Restraint:** Any method, be it physical, chemical or behavioural, of preventing an animal from performing an act or movement that is deemed undesirable at the time.

**Site:** The area on which a circus is situated.

**Stall:** Any closely confining enclosure that does not permit a standing animal to turn around.

**Stress:** Occurs when the animal's mechanisms for coping with stressors have been over-extended and are breaking down. This frequently results in increases in the animal's susceptibility to disease and reduces its capacity to grow and reproduce. Signs of stress may include hair loss, dermatitis, weight loss, stereotypic behaviour, abnormal ingestion, scouring, increased incidence of disease, self-mutilation, abnormal activity levels, catatonia, depression, elevated aggression levels, inhibited digestion, a suppressed immune system, and elevated corticosteroid levels.

**Stressor:** Any factor that produces stress when it acts excessively, for example heat, cold, overcrowding, inadequate husbandry, social deprivation, pain, inability to exhibit characteristic behaviours.

**Substrate:** Any bedding or litter placed on the flooring of a cage, box, stall or enclosure.

**Tethering:** The tying of an animal to an anchorage.

**Trainer:** Any person who engages in interaction with an animal with the purpose of inducing that animal to perform a desired behaviour or to modify an existing behaviour in a desired fashion.

**Ungulate:** Any hoofed animal.

**Welfare:** State of health and well-being which can be compromised by the effects of disease, injury, pain, stress and deprivation.

## **SUITABILITY AND SAFETY**

### **CLAUSE I SUITABILITY OF ANIMAL SPECIES**

1.1. Only circus animals that are being trained to perform and/or performing on a regular basis are permitted to be held by touring circuses. Existing non-performing animals must not be replaced and where possible shall be relocated to a suitable new environment which meets existing standards for the housing of animals in zoos in NSW. See clause 1.2 for exceptions to this clause.

1.2 Travelling circuses may hold some retired performing animals for breeding purposes, only where they are housed in accordance with the standards for display set out in this document. The circus must hold a current authority to exhibit the species being retained for breeding. Retention of retired performing animals for breeding purposes must first be approved by the Registrar, Exhibited Animals Protection Act (EAPA), after the circus has submitted a breeding plan for each animal. The Registrar will assess submitted breeding plans according to the following criteria:

- i) The animals involved must be compatible;
- ii) The animals must be of an age and state of health at which breeding can reasonably be expected to occur;
- iii) The animals must be held in facilities in which breeding and parental care of offspring can be reasonably expected to occur. Facilities for holding the males separately from the female and offspring must be provided where males of the species concerned have a reputation for killing offspring;
- iv) In the case of mammals, regular records must be kept of the female's oestrus;
- v) Written evidence must be provided prior to breeding commencing as to the placement of the progeny in a circus or zoo;
- vi) The animals involved must be sufficiently genetically distant to minimise any problems associated with in-breeding;
- vii) Only one retired pair of each species authorised for exhibit (exception: lions and primates where 1 male and 2 females may be kept) may continue to travel with the circus for the purposes of breeding. If more than one pair is required for breeding purposes these additional breeding animals must be held in holding parks;
- viii) Breeding should not occur if it can be reasonably expected that welfare of the progeny would be adversely affected because of budgetary or space constraints;
- ix) Breeding shall not conflict with the Australasian Species Management Program of the Species Management Co-ordinating Council;
- x) Breeding should not occur if in the opinion of the Registrar it would not, for any other reason, be in the best interests of the species or an individual animal.

1.3. Personal pets may be held by circus personnel where the animal is a recognised domestic species. Self-regulation must be exercised by circus management in the care and housing of such domestic pets.

1.4. Any animal imported into Australia will not be permitted to be displayed or kept for display by circuses in NSW, until the Registrar, EAPA, is provided with proof that the following items were complied with prior to the animal's entry into NSW:

- i) That a satisfactory application for each animal act was first submitted by the agent of the circus owner to the Registrar, EAPA, at least 2 months prior to the animals arriving in NSW. It is desirable that this application be accompanied by a video or diagrammatic presentation of the animal act, and the housing and transport facilities to be used when performing in NSW.
- (ii) That the animals were transported to Australia in accordance with accepted international standards governing the health, welfare and safety of animals in transit.
- (iii) That the manager responsible for each act has ensured that each trainer understands the level of animal care expected under these standards. This may involve questioning of the manager responsible for each respective act by the Exhibited Animals Advisory Committee (EAAC) or its representative, to demonstrate the managers knowledge of this document.
- iv) That upon entry to Australia the animals were examined by a registered veterinarian experienced with the family of animals involved, and that each individual animal was certified as being in good health prior to training and performance recommencing.
- iv) That prior to undertaking performances in NSW a veterinarian nominated by the EAAC clears each animal for performance in NSW.

Any imported circus animals arriving in NSW in breach of the above requirements will not be authorised to be exhibited and must be held off display or moved out of NSW.

1.5. Hybrid animals (excluding the donkey/horse cross - 'mule') are not considered appropriate animals for circuses. Existing hybrid animals must not be replaced and where possible every effort must be made to place the animals in a suitable new environment which meets existing standards for the housing of animals in zoos in NSW.

1.6. Different species capable of cross-mating must not be housed together. This clause does not apply while animals are performing or being trained together in the circus ring. Any progeny from accidental matings must not be exhibited.

1.7. Social species shall not be exhibited as single specimens unless compelling reasons can be shown.

1.8. Species Groups

***1.8.A. Big Cats***

Lions - In the wild, lions are basically sedentary individuals. They only become active during hunting, feeding, fighting, territorial marking or mating.

These active periods have been shown to occupy only a very small part of the normal waking hours of lions, making lions a more suitable big cat to be kept in a circuses than other species of big cats.

In captivity, the urge to hunt must be sublimated, otherwise boredom and the associated behavioural problems may set in. Training lions to perform behaviours on command may offset boredom. The natural instincts being utilised during training include:

- i) The instinct for lions to work as a team
- ii) The expenditure of physical energy
- iii) The performance of certain physical movements (such as leaping, rearing, running, etc. )
- iv) The anticipation of reward

Lions form prides with a hierarchy. This can be exploited by the trainer so that the animals look to the trainer for guidance. Stimuli emanating from the trainer via training to perform tricks helps to cater for the natural behavioural tendencies of the lions.

Other big cats - Less suitable than lions, as lions are unique in being a social cat species. Most other big cats are solitary species who do not seek prolonged close physical contact with other individuals of their species.

#### ***1.8.B. Dogs***

Dogs are hierarchical pack animals that respond very well to being controlled by a human. Because of their long standing association with humans and the bonds they form with them, they are no longer considered to be held in captivity.

#### ***1.8.C. Ungulates & Camelids***

Some species of ungulates and camelids are considered domesticated by society at large. Their prolonged contact and co-existence with humans has rendered them tractable. Humans have also developed a good body of knowledge and a high level of stockmanship with these animals.

Male camels like male elephants periodically undergo 'musth' during which they are potentially dangerous. In this instance castration of individual male camels remains the responsibility of the circus proprietor if this is deemed necessary.

For the purposes of this document comments concerning ungulates cover the commonly held circus ungulates (horses, donkeys, ponies, sheep, cattle and goats). Comments concerning camelids include camels, llamas and alpacas.

#### ***1.8.D. Elephants***

Elephants are herd animals that can be well trained to respond to commands as a result of their natural tendency to follow a leader if a leader presents itself. Because they are social animals, they appear able to relate to humans in terms of their own social structures. In time, they come to associate humans as a source of food and social stimuli. This association can be used by humans on a rewards basis for training. Humans in charge of elephants should never prove themselves to be a source of stressful stimuli otherwise the animals will no longer tend to "trust" that human and allow themselves to be led by that human.

Male elephants periodically undergo a condition known as "musth" in which they are more aggressive and sexually active. A musth bull elephant will attack anything that it perceives to be a rival, and is therefore potentially very dangerous, especially in captivity. Because of this it is recommended that Australian circuses do not hold bull elephants except where a documented manageable safe history can be demonstrated.

Elephants are intelligent, inquisitive and social creatures, and therefore circuses should not attempt to maintain single elephants. Existing circuses that hold elephants may acquire single animals to add to their existing group, however new circuses wishing to obtain elephants for the first time must acquire two or more compatible animals. Elephants kept in circuses must be supplied with mental stimulation, avenues of play and social contact with other elephants. Regular training will provide some of the necessary stimulation, providing the training is based on positive reinforcement only. This training should involve the introduction of new behaviours and the modification of existing routines.

It is now considered unacceptable to tether elephants via the use of metal leg bands and chains, therefore any circus considering holding elephants must be competent in containing elephants via the use of electric fencing for the majority of daylight hours every day. For safety reasons tethers will be allowed at night, during storms, when the elephant trainer/handler is temporarily absent from the circus, and in emergency situations.

#### ***1.8.E. Monkeys/Chimpanzees***

Monkeys and apes are intensely hierarchical, very intelligent social animals. Their association with humans is based on their perception of humans being a source of food and other types of rewards, as well as their (preferred) perception of humans being at the top of their social order. Given proper care and facilities, most individuals adapt to existence in a circus. This care includes constant sources of mental stimuli. Training on an ongoing basis must be pursued to provide a regular source of mental stimuli.

Their amenability to training is due to their high intelligence and inquisitive nature. Both these tendencies are well catered for if the animals are being trained. Their intelligence also means that they need constant stimulation when not training or performing otherwise they become bored and frustrated.

Large apes (orangutans and gorillas) and arboreal apes (gibbons) are unsuitable animals for the circus environment due to their large living space requirements, and therefore must not be held by Australian circuses.

#### ***1.8.F. Birds***

The need in birds for large display cages to allow natural flight and their nervous nature around humans generally renders them unsuitable animals for circuses. The exceptions to this are domesticated pigeons and doves, domestic poultry and

parrots. Parrots can be suitable circus animals as they are intelligent enough to associate the performance of desired behaviours with obtaining a reward. This is the primary driving force behind their trainability. In a display situation, these birds may amuse themselves by performing for passers-by, and thus avoid boredom.

In the case of domesticated pigeons and doves, their long association with man has rendered them less stressed due to handling, making them suitable birds for the circus environment.

Some birds learn to form a social attachment with their handlers or trainers. This attachment appears to be rewarding for the birds in that it appears to cater for their social tendencies and is to be encouraged.

#### ***1.8.G. Bears***

Circuses may hold bears if their performance employs the following method:

- i) In an arena cage, such as that used for the performance of big cats, in which case muzzles will not be mandatory; and that
- ii) Entry to the arena cage is via an enclosed raceway or some other means by which the animal is enclosed.

When not performing, bears must not be muzzled unless such muzzling is required for short periods for medical access or circumstances when handlers must enter an enclosure containing bears. It will not be permitted to declaw or detooth a bear unless such surgery is required for the animals health.

Because bears spend the majority of their time in the wild roaming, the size of their display cages will have to be maximised. The Exhibited Animals Advisory Committee has not yet considered cage sizes for display and transportation, and the husbandry requirements for bears in circuses.

#### ***1.8.H. Pinnipeds***

Circuses may hold pinnipeds only where the size dimensions and standards being developed for static displays of pinnipeds in zoos, can be met in the circus environment. The Exhibited Animals Advisory Committee has not yet considered cage sizes for the static display and transportation of pinnipeds.

#### ***1.8.I. Reptiles***

The only reptile species permitted to be held by circuses are pythons, as they are considered to be traditional circus animals. Where pythons are held the display must meet the standards currently being developed for the static display of reptiles in NSW, and the circus must hold more than a single python to allow for rotational use of a number of animals.

#### ***1.8.J Amphibians***

Due to their untrainable nature circuses may not hold amphibian species.

***1.8.K. Fish***

Due to their untrainable nature, circuses may not hold fish species.

***1.8.L. Cetacea***

Due to the inability for circuses to provide the proper facilities of large enough size to maintain the health and well-being of cetacea, circuses may not hold cetacea species.

## **CLAUSE 2**

### **RESPONSIBILITIES OF THE CIRCUS PROPRIETOR/ MANAGER**

#### Display sites

2.1. The circus proprietor/manager shall only choose display sites which maximise the size available to the animals. At all times the display dimensions available to the animals must not fall below the minimum sizes set out in this document.

2.2. Animals must not be housed on a sealed surface (eg. bitumen, concrete, etc.). The only instances where this is allowable is where the sealed surface is first covered by a suitable material which will absorb the heat and cold effects of the sealed surface.

2.3. It is permissible for animals to be housed off site in alternative suitable and adequately spaced areas when animal husbandry demands or when staging performances at indoor venues.

#### **Animal care**

2.4. During all stages of animal performance, the audience must be encouraged to treat the animals with respect.

2.5. Animals must be provided with shelter from climatic extremes at all times, and access to drinking water must be available to all animals when the circus is not in motion.

2.6. Young animals must not be removed from the company of their own species so that they become 'imprinted' exclusively on humans. Every effort should be made to imprint the animal on members of its own species prior to the animal becoming 'humanised'.

2.7. Trainers/handlers should be encouraged to have a long tenure with their animals in order to develop a solid relationship with their charges.

## **CLAUSE 3**

### **SAFETY**

- 3.1. All circuses must have mobile phones, enabling fast access to police, ambulance and veterinarians.
- 3.2. All circuses must have a trained First Aid Officer who holds a current First Aid Certificate.
- 3.3. All applications to hold animals by circuses must be accompanied by an escape/recapture plan for each animal species held. These plans should be reviewed on a regular basis and a drill held once a month so all employed circus staff are aware of the plans and how to put them into action if it becomes necessary.
- 3.4. Entrances to the circus ring, exercise yards and animal transportation trailers containing non-domestic animals must be installed so that the gate or door swings inwards.
- 3.5. A keyed lock must be used for all doors, gates, and slides giving access to enclosures which are used to hold non-domestic animals.
- 3.6. The circus ring must be adequately illuminated during any period in which animals are housed within, and warning signs must be placed on entrance doors into the ring to advise that animals are in the ring where this occurs outside of performance times.
- 3.7. Stand-off barriers of a minimum distance of 2 metres from the display cage, must be used when non-domestic species are on public display.
- 3.8. The escape of a permit animal (eg. lion, monkey, elephant, etc) must immediately be notified to the Registrar, Exhibited Animals Section, NSW Agriculture. Failure to do so is an offence carrying a maximum penalty of \$ 1000.
- 3.8. Any incident involving the death to a person or injury to a person that requires medical treatment, if the death of injury was caused by an animal to which the NSW Agriculture authority to exhibit relates, must be reported to the Registrar, Exhibited Animals Section, NSW Agriculture. Failure to do so is an offence carrying a maximum penalty of \$1000.

## **HOUSING**

### **CLAUSE 4 TRANSPORTATION HOUSING**

- 4.1. If the distance to be covered entails more than two hours travelling, a regular stop must be made in order to inspect the animals and their facilities, and to offer water to all animals, and food if necessary. (Water should be removed from the facilities prior to the convoy resuming motion if it is likely to provide a risk of spilling or drowning).
- 4.2. There must be a stationary period of no less than 12 hours in any 24 hour period when moving between venues and/or lay-over sites.
- 4.3. Each vehicle carrying animals should be fitted with a radio transceiver and all vehicles should use the same operating frequency to allow for ready communication. If no radio transceivers are available, a vehicle not engaged in the transport of animals must follow at the rear, to ensure that assistance can be rendered in the event of an emergency.
- 4.4. If animal transportation vehicles stop for longer than a 15 minute period during the day in an area away from a built-up township, beast wagons must have their sides opened to allow fresh air and sunlight to enter the animals quarters when weather permits.
- 4.5. All circuses in Australia must provide facilities to enable appropriate transport of their animals from venue to venue. These facilities must include adequate ventilation for the animals.
- 4.6. There must be at least two extended lay-over periods, of at least two weeks separate duration each year, when transportation equipment can be overhauled and the animals rested from training/performance.
- 4.7. When circuses are at lay-over sites they must ensure that the animal housing provided complies with the standards for display outlined in this document.
- 4.8. When any circus animals are held in holding parks in NSW (eg. retired animals, breeding animals, or display animals being rested), animal housing must be provided which satisfies the requirements for each species set out under the Exhibited Animals Protection Act for a static animal display.
- 4.9. A maximum five year phasing in period will be given during which existing equipment can be replaced or modified. Each circus will develop a five year phasing in program in conjunction with Exhibited Animals Protection Act Inspectors to allow for a workable program of purchasing new equipment. All equipment that conforms to the new standards will have its compliance registered and the compliance registration number stamped on the main structure of the facility.

The circus proprietor must have the compliance documentation always in his/her possession. Facilities without compliance documentation after the end of the five year period will be deemed illegal.

4.10. Circuses must comply with all other transport requirements not specific to circus transportation, for example the Standards for the Transportation of Exhibited Animals must also be complied with in NSW.

#### 4.11. Species Groups

##### **4.11.A. Big Cats**

A.1 Since big cats tend to defecate in one given area of the cage, the food presentation and sleeping areas should be set as far away as possible from these areas to prevent faecal contamination of food and bedding. Where cats are seen not to practice this sort of 'cage discipline', containers and bedding must be raised above cage floor level.

A.2 Flooring in the cages must be waterproof and graded to enable quick drainage and drying after cleaning. Hardwood planking is the minimum acceptable flooring material but this material is very hard to keep hygienically clean. A new material that has been a success recently is the use of steel plating covered in a waterproof plastic coating. Straw bedding which is changed regularly will provide adequate insulation and padding.

A.3 All facilities which house carnivores must only allow access through a double locked door which allows clear vision into the enclosure. The animals must be excluded from the area before the keeper/handler enters.

A.4 Transport facilities which hold carnivores must provide adequate insulation material from the heat effects of the sun while still maintaining adequate ventilation into the wagon.

A.5 The transport compartment for each big cat must provide enough space to allow the animal to assume normal standing posture, lie down fully stretched, and turn around, without physical contact with neighbouring animals.

##### **4.11.B. Dogs**

B.1 Dogs must not be transported unrestrained on the backs of open vehicles.

##### **4.11.C. Ungulates & Camelids**

C.1 Ungulates & camelids must be transported in floats which have internal partitioning (stalls) to safely restrain each individual animal. The float must have an available roofing material to provide shade and shelter from rain or other inclement weather. The float must be solid sided with apertures to admit light and ventilation, and allow adequate visual inspection of all animals contained within.

C.2 Ungulates and camelids of the same size housed together for transportation are not required to be provided with separate stalls. Where animals are of differing sizes and weights separate stalls must be provided to eliminate crushing of smaller animals. Under both methods of transportation, stalling and group housing, each animal must be sufficiently contained so that it cannot turn around. As added protection for horses and ponies a padded breast bar is compulsory within each stall where these are used.

C.3 Feed cribs may only be used if they cannot cause the ungulates injury in any way.

C.4 Ungulates must not be held solely in their transportation floats while the circus is at a performance site. The exceptions to this are when the float is the best form of shelter for a sick animal, or in inclement weather, in which case proper bedding and hygienic conditions must be maintained.

C.5 For transportation of camels the floor of the transportation vehicle must not be constructed in a manner which will injure the pedicle and the pads on rear legs. The base of the transportation vehicle should be free of protrusions which would discourage the camels from sitting down during transportation. As camels normally sit during transportation, if they are to be tethered, the tether must be of sufficient length to allow their free movement up and down.

#### ***4.11.D. Elephants***

D.1 Except in short-term exceptional circumstances elephants must be transported in enclosed floats. The float must be strong enough to withstand the weight of an elephant either leaning or being thrown against the side walls. They must be well ventilated to prevent build-up of heat and waste gases.

D.2 During transportation each elephant must be sufficiently contained so that it can stand up normally but is unable to turn around thereby causing itself possible injury. This can be achieved by stalling each individual elephant or housing each elephant side by side widthways across their transportation vehicle. Nothing that can cause injury to an elephant must be present inside the transportation vehicle. The vehicle must allow adequate and safe inspection of all elephants being transported.

D.3 During transportation, dry fodder may be offered to elephants provided it is contained in a feed crib that is within easy reach of the animals, but that cannot cause the elephants injury in any way.

#### ***4.11.E. Monkeys/Chimpanzees***

E.1 Due to the fact that the transport wagon for primates often also acts as the display facility for them, the transport facilities must be designed to take in the total needs of the housed primates. Where primates do not defecate in a particular area of their wagon the food presentation and sleeping areas should be raised above cage floor level to prevent faecal contamination of these areas.

E.2 Compartments for transporting primates must provide sufficient space to allow each animal to assume normal standing posture, lie down fully stretched, and turn around. Where individuals are known to display aggression towards each other, or in the case of nursing mothers these individuals must be physically but not visually separated for transport from others of their species. In other instances primate species may travel in group situations.

E.3 Hardwood flooring is an acceptable material for the transport wagons of primates. Bedding of a suitable material must be provided at all times.

E.4 All facilities to house primates must only have access to the animals through a double locked door which allows clear vision into the enclosure. The animals must be excluded from this area before the keeper enters.

E.5 Transport facilities which hold primates must provide insulation from the heat effects of the sun while maintaining adequate ventilation.

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#### ***4.11.F. Birds***

F.1 During transportation birds must be contained in small cages to provide physical protection.

F.2 A perch must be provided that is high enough above the cage floor that the bird using the perch has all extremities (including feathers) at least 6 centimetres above the cage floor regardless of the posture of the bird.

F.3 The cage must be large enough that the bird contained 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.

## CLAUSE 5 DISPLAY HOUSING

5.1. Exercise facilities for animals are mandatory and must be provided at each venue. Wherever possible the display dimensions should be maximised, the dimensions outlined in this document for each animal are minimum sizes only. Animals must not be maintained in transportation wagons for greater than two days without exercise.

5.2. Where animal trailers form the basis for the display facilities they must contain platforms raised off floor level which are kept dry, providing an area that the animals can retreat to while the floor is cleaned and while it dries.

5.3. Species Groups

### 5.3.A. Big Cats

A.1 When at a performance site big cats must have access to exercise areas in the form of large demountable enclosures annexed to the beast wagons. Such annexes must be available for a minimum of 6 daylight hours each day. Annexes should be constructed from steel tube framed interlocking mesh panels or other acceptable materials of sufficient strength to contain big cats. These annexes must provide the cats with access to the ground (ie. natural earth substrate).

A.2 Minimum Display Dimensions for Big Cats

|   |     |
|---|-----|
| Minimum floor space for one animal (m <sup>2</sup> )      | 20  |
| Floor space for each additional animals (m <sup>2</sup> ) | 10  |
| Minimum height (m)  | 2   |
| Minimum width (m)   | 2.4 |

A.3 Any display housing facility for big cats must have the capacity to mount, either within the wagon itself or outside the wagon, a suitable cage to enable physical restraint for safe veterinary examination or administration of drugs.

A.4 Big cat display enclosures must have access to sunlight and shade from direct sunlight during daylight hours. Drinking water and shelter from climatic extremes must be provided at all times, to satisfy the needs of all the cats housed within.

A.5 Access to the animals must be through a double locked door which allows clear vision into the enclosure. The animals must be excluded from the area into which the handler/keeper is entering.

**5.3.B. Dogs**

**B.1 Minimum Display Dimensions for Dogs**

|   | <b>Small/Medium Dogs<br/>(under 15kgs)</b> | <b>Large Dogs (over 15kgs or<br/>above 0.5m height at<br/>rump)</b> |
|---|--|---|
| <b>Minimum floor space for one pair (m<sup>2</sup>)</b>                 | <b>4.5</b>                                 | <b>6</b>  |
| <b>Increased floor space for each additional animal (m<sup>2</sup>)</b> | <b>2.25</b>                                | <b>3</b>  |
| <b>Minimum width (m)</b>  | <b>3</b>                                   | <b>3</b>  |

B.2 The enclosure material must be suitably strong to contain the dogs.

B.3 Where dogs are confined via the use of running leashes, see Clause 19.13.1. for minimum requirements.

B.4 The area in which the dogs are kept while not performing must have access to sunlight and shade from direct sunlight during daylight hours. Drinking water and shelter from climatic extremes must be provided at all times of the day to satisfy the needs of all the dogs.

**5.3.C. Ungulates & Camelids**

C.1 Ungulates and camelids must be confined in a compound by ordinary or electric fencing when at the performance site.

**C.2 Minimum Display Enclosure Sizes for the Common Circus Ungulates**

|   | <b>Horse/Donkey/Camel/Pony</b> | <b>Sheep/Goat/Cattle</b> |
|---|--------------------------------|--------------------------|
| <b>Area for one animal (m<sup>2</sup>)</b>        | <b>100</b>                     | <b>50</b>                |
| <b>Area for additional animal (m<sup>2</sup>)</b> | <b>50</b>                      | <b>25</b>                |
| <b>Minimum width (m)</b>                          | <b>6</b>                       | <b>2.5</b>               |

C.3 The compound must have access to sunlight and shade from direct sunlight during daylight hours. Drinking water and shelter from climatic extremes must be provided at all times to satisfy the needs of all the ungulates held within the compound. The ground underfoot where possible must be clean, well-drained, non-abrasive and not stony.

C.4 The display compound must contain no known harmful ingestibles within the animals reach.

Camels and goats in particular tend to be indiscriminate browsers, with the consequence that any access to poisonous plants or harmful materials (such as plastic bags) may have adverse affects.

C.5 Under some circumstances the tethering of ungulates for short periods of time is acceptable. See Clause 19.1.C.1. for minimum requirements.

C.6 Horses and ponies may be contained via the use of stabling where the use of outdoor compounds is not available. In these instances stables must be at least 2.5 m high, with a minimum floor area of 12m<sup>2</sup> for one horse, and 9m<sup>2</sup> for one pony. Within the stables the animals must not be tethered and must have visual contact with others of their species. Appropriate bedding and drainage must be provided and the stables must be adequately ventilated, with lighting that is as natural as possible.

#### **5.3.D. Elephants**

D.1 Elephants must be confined in a compound by electric fencing for the majority of daylight hours when at the performance site.

D.2 Minimum Display Dimensions for Asiatic Elephants

|  |            |
|--|------------|
| <b>Single or pair of Elephants (m<sup>2</sup>)</b> | <b>600</b> |
| <b>Each extra Elephant</b>                         | <b>200</b> |
| <b>Minimum width (m)</b>                           | <b>10</b>  |

D.3 Under some circumstances the tethering of elephants for short periods of time is acceptable. See Clause 19.1.D.1. for minimum requirements.

D.4 The compound must have access to sunlight and shade from direct sunlight during daylight hours. Drinking water and shelter from climatic extremes must be provided at all times to satisfy the needs of all the elephants held within the compound. The ground underfoot where possible must be clean, well-drained, non-abrasive and not stony.

#### **5.3.E. Monkeys/Chimpanzees**

E.1 When at a performance site all primates must be given access to display areas in accordance with the size dimensions outlined in 5.3.E.2. If this area requirement is not provided within the travelling wagon itself, demountable enclosures annexed to the primates beast wagon must be provided. Annexes should be constructed from steel tube framed interlocking mesh panels or other acceptable materials of sufficient strength to contain primates. These exercise areas must be available at all times during daylight hours.

E.2 Minimum Display Dimensions for Primates

|  | Small primates<br>(Macaque Sized) | Large primates<br>(Chimpanzees & Baboons) |
|--|-----------------------------------|---|
| Minimum floor space for one animal (m <sup>2</sup> )               | 5                                 | 20  |
| Increased floor space for each additional animal (m <sup>2</sup> ) | 2.5                               | 10  |
| Minimum height (m)   | 2.5                               | 2.5                                       |
| Minimum width (m)  | 2.4                               | 2.4                                       |

E.3 Due to their extreme activity level primates have one of the highest living space requirements. Cage sizes must be maximised. The utilisation of cage volume must be maximised by fixing climbing elements within the cage (such as solid branches, mezzanine floors, etc.) to utilise the dimension of height.

E.4 Primates of different species may mix in the display areas provided that there is no evidence of interspecies aggression.

E.5 Primates must be kept occupied as much as possible when not performing or training. This can be achieved through the use of durable toys, swings, climbing elements, grips and perches. These playthings must be changed regularly to provide a periodic change in stimuli.

E.6 Access to the primates must be through a double locked door which allows clear vision into the enclosure. Primates must be excluded from the area before the handler/keeper enters.

E.7 The enclosure must have access to sunlight and shade from direct sunlight during daylight hours. Drinking water and shelter from climatic extremes must be provided at all times to satisfy the needs of all the primates within the enclosure.

**5.3.F. Birds**

F.1 Once the circus has arrived at the performance venue, birds must be released as soon as possible from their travelling cages into their display cages.

F.2 Perches must consist of uneven diameter natural tree branches which do not have an abrasive surface. At least one perch per bird in the cage shall be of a sufficient height above the floor of the cage that all tail feathers of the bird are at least 6 centimetres above the floor of the cage, regardless of the posture of the bird.

F.3 If the species held in a cage is capable of flight the dimensions of the cage must be sufficient for a bird of that species to be able to attain active flight within the cages by taking 5 unhurried wingbeats along the length of the cage.

F.4 If the species in the cage is capable of flight then, for a single bird, the cage width should be no less than 1.5 times the wingspan of an adult of that species. For each additional bird the width should be increased by at least half the wingspan of an adult of that species.

F.5 Individuals that fight must be assigned separate, appropriately dimensioned facilities.

F.6 The cage must have access to sunlight and shade from direct sunlight during daylight hours. Drinking water and shelter from climatic extremes must be provided at all times to satisfy the needs of all the birds within the cage.

F.7 If impervious flooring is to be used, then a cage substrate must be used which is plentiful and absorbent. The substrate must be changed weekly.

F.8 Display cages holding birds must be placed well away from any animals that may cause them to injure themselves through cage panic.

F.9 The exhibition cages must be set above ground to provide the birds with protection from predators.

## **CLAUSE 6 NIGHT QUARTERS**

6.1. Since most caged animals tend to defecate in one given area of the cage, the food presentation and sleeping areas must be set as far away as possible from these areas to prevent faecal contamination of food and bedding. Where animals are seen not to practice this sort of "cage discipline", containers and bedding areas must be raised above cage floor level. Water and food containers should never be placed under perches in the case of birds.

### 6.2. Species Groups

#### **6.2.A. Big Cats**

A.1 The night quarters of big cats may consist of their transportation wagons. Big cats must have access to dry overnight shelter which provides protection from climatic extremes.

A.2 Bedding in the form of dry straw or other suitable material changed daily must be provided for the cats.

#### **6.2.B. Dogs**

B.1 Dogs must have access to dry shelter overnight which provides protection from climatic extremes.

B.2 Suitable bedding material must be provided for insulation. An area free of bedding must also be available for each dog at night.

***6.2.C. Ungulates & Camelids***

C.1 Ungulates and camelids must have access to overnight shelter which will protect the animals from climatic extremes.

***6.2.D. Elephants***

D.1 Elephants must have access to overnight shelter which will protect the elephants from climatic extremes.

***6.2.E. Monkeys/Chimpanzees***

E.1 The night quarters of primates may consist of their transportation wagons. Primates must have access to dry overnight shelter which provides protection from climatic extremes.

E.2 A form of bedding material must be provided for insulation. Suitable materials include dry straw and shredded newspaper.

***6.2.F. Birds***

F.1 Within their exhibition cages, birds must have high perches and/or night boxes to provide shelter for them when they roost for the night. These should be set well away from the sides of the cages to prevent cage panic.

## **BEHAVIOURAL TRAINING**

### **CLAUSE 7 GENERAL REQUIREMENTS**

7.1. Animals shall receive at least 45 minutes exercise per day in the form of training sessions and/or public performance. For the rest of daylight hours the animal must have access to the display cage size dimensions for a minimum of 6 daylight hours per day.

7.2. The training methods used must not be capable of causing distress, pain or injury to any animal involved, in the long or short term. For this reason the use of fire in animal acts is prohibited.

7.3. When the animals are being trained care must be exercised in ensuring that the skeletomusculature of the animals is developing or has developed sufficiently to meet the demands placed on it by the training.

7.4. All training must be discontinued if a worsening musculoskeletal condition manifests itself, until this condition and its cause are properly diagnosed and treated by a veterinary surgeon experienced with the species of animal involved.

7.5. Special care must be exercised with young growing animals and old animals with training regimes being modified accordingly.

7.6. An animal which is clinically ill must not be trained until a veterinary surgeon experienced with the species of animal involved states that the animal has fully recovered or is capable of training or performing.

7.7. All training methods must be based on a positive reinforcement approach (ie. the anticipation of a reward for successfully completing a desired behaviour). Negative reinforcement (ie. the completion of a desired behaviour to avoid punishment for failure to "perform correctly") must never be used.

7.8. The reward for the successful completion of a desired behaviour must be immediate and tangible for the animal.

7.9. Physical punishment is not permissible on any animal.

7.10. Any stools, ladders, planks or steps used as props must either be fixed to the ring sides or have a wide enough base to be sufficiently stable. If there are any wood elements within these items, this wood must not be splintery or split. Any props must be well designed and as simple as possible.

When deciding on the colour of a prop that the animal must be able to see in order to utilise it properly, it should be remembered that most animals are colour blind and therefore the colour of the prop should contrast clearly with that of its background. As animals eyes are sensitive to shape and motion the shape of the prop should also contrast with that of its background in order to enhance its visibility to the animal.

Swirling designs on the prop that break up its outline should not be used as they make the prop harder for an animal to see. The same should apply to the inside of the circus ring.

## **CLAUSE 8 COMMAND AND BRIDGING SIGNALS**

8.1. No training or command implement must be used in such a manner that pain, injury or distress will be inflicted on the animal.

8.2. Any device capable of administering an electric shock must not be used for training animals for performance.

8.3. Elephant hooks must have a probe (blunt) point on the hook, and must never be applied in a painful manner. Gentle pressure to the ears, or to the elbows with the hook is acceptable. All other guiding pressures should be applied with the butt or the side of the stick.

8.4. Collars, head collars or leads should not be jerked or pulled forcefully in order to guide an animal.

8.5. 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 apparatus to provide a noise stimulus, but they must not be used to strike an animal. The ends of these devices must always be blunt.

8.6. The use of sharp spurs, or spurs with fixed rowels, is not permitted under any circumstances for the training of animals. Lions and other big cats may be trained to perform the following basic behaviours on command:

Stationing (each animal to its own perch), Assemblage (animals arranged together in various groups and postures), Rearing, Leaping (over obstacles, through hoops (but not hoops of fire), onto narrow perches, etc.), Vocalising, Rolling, Close contact with handler (trainer lying against or sitting on animal, "shaking hands", manual opening of jaws, etc.), Balancing Acts (running along narrow plank, etc).

8.7. All training implements must be non-toxic to animals by virtue of their composition and construction.

8.8. Animals must not be struck with any training device unless the safety of humans or other animals is under direct threat.

## **CLAUSE 9 TYPES OF BEHAVIOURS**

9.1. Trained behaviours must incorporate bodily movements that are within the enhanced normal physical capability of the animal. Animals must not perform movements that carry a high risk of injury.

9.2. The apparatus that animals may make use of in the course of their trained behaviours must be easy for them to use and have minimal foreseeable potential to cause them injury.

9.3. Animals unwilling, for whatever reason, to perform a desired behaviour, must not be forced to continue.

\* If any animal is unwilling to perform a desired behaviour, it will:

- i) Initially refuse, or balk at performing the behaviour;
- ii) Attempt to please the trainer by performing an alternative behaviour;
- iii) Perform a displacement activity (such as a grooming manoeuvre) which may be stereotypical in nature;
- iv) Attempt to escape the proximity of the trainer.

9.4. It is considered essential that animals be constantly provided with minor changes in their behavioural repertoire.

- This will provide a constant level of mental stimulation for the animals. The level of variation instigated will always remain the prerogative of the trainer. This variation is intended for the benefit of the animals. If it becomes apparent that variation is causing distress in the animals, then variation should either be decreased or ceased altogether.

9.5. Trainers must halt a training session if decreased attention span and an increasing level of unwillingness to perform a behaviour by the animal becomes apparent.

- This should be taken as a signal that the animal has "had enough". The exposure level that animals are able to cope with is very much dependent on the individual animal. It is important that the trainers develop sufficient rapport with their charges to detect signs that the training session should be terminated for the moment.

9.6. Species Groups

**9.6.A. Big Cats**

Lions and other big cats may be trained to perform the following basic behaviours on command:

Stationing (each animal to its own perch), Assemblage (animals arranged together in various groups and postures), Rearing, Leaping (over obstacles, through hoops (but not hoops of fire), onto narrow perches, etc.), Vocalising, Rolling, Close contact with handler (trainer lying against or sitting on animal, "shaking hands", manual opening of jaws, etc.), Balancing Acts (running along narrow plank, etc).

**9.6.B. Dogs**

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

Stationing, Assemblage, Bipedal walking and Dancing, Vocalising, Leaping on or over or through various objects, Rolling, Retrieving objects.

**9.6.C. Ungulates & Camelids**

Ungulates and camelids may be trained to perform the following basic behaviours on command:

Assemblage, Stationing, Gait Changes on Command, "Dancing", Rearing, Bipedal Walking (not camelids), Foot Tapping, Vocalising, Prehension of Objects (eg. retrieving a scarf), Wheeling, Synchronised Movement.

**9.6.D. Elephants**

Elephants may be trained to perform the following basic behaviours on command: Stationing, Assemblage, Rearing, Vocalising, Prehension (with the trunk), Wheeling, Balancing Acts (restricted to cylinders not balls), Weight Lifting, Dancing.

Elephants need to be accustomed to taking orders from humans so that everyday handling is not a trauma, either for the animals or the handler. Because they are social animals, they also appear to benefit psychologically from the stimuli provided by their trainers and from the training and performance of desired behaviours.

**9.6.E. Monkeys/Chimpanzees**

Primates may be trained to perform the following basic behaviours on command: Stationing, Assemblage, Balancing and Climbing Acts (may include the use of apparatus), Object Retrieval, Vocalisation, "Dancing", Riding (on the back of other animal species).

**9.6.F. Birds**

Birds may be trained to perform the following basic behaviours on command: Stationing, Assemblage, Vocalising, "Dancing", Balancing Acts (may involve the use of apparatus), Object Prehension and Retrieval.

**CLAUSE 10 ANIMAL DIGNITY**

10.1. For performance purposes it is acceptable to ceremonially dress animals as traditionally practised historically and culturally.

10.2. No costume shall be used that belittles the animal.

***MEDICAL***

**CLAUSE 11 DISEASE/DISTRESS/STRESS**

11.1. Regular inspection and evaluations of animal housing by circus staff must take place when feeding and cleaning, to monitor hygiene levels and potential problems.

11.2. Recognising signs of distress and stress and ascertaining the causes of such is vital. The causes must then be removed or alleviated as much as is possible. Veterinary advice should be obtained where the causation can not be identified.

Signs of psychological distress and stress include:

- i) Self mutilation of no dermatological cause,
- ii) Excessive self grooming,
- iii) Repetitive stereotypical behaviour,
- iv) Changes in eating, defecating and urination habits,

- v) Abnormal aggression or withdrawal either toward keepers or toward its cage mates.

11.3. Animal excrement must be removed from the animal's environment as soon as possible. The methods used for removal must not be a source of stress to the animal concerned.

11.4. All tools, utensils and working surfaces associated with the preparation of food for animal consumption must be kept clean and in good repair.

11.5. All food offered to animals must be clean, fresh, appropriate and wholesome.

## **CLAUSE 12 VETERINARY ATTENTION**

12.1. Each circus must establish a regular arrangement with veterinary surgeons who have specialised knowledge of circus animals. These veterinarians must check all circus animals on a six-monthly basis regardless of their state of health. Where the regular veterinarian is unavailable, sick or injured animals should be examined by a local veterinarian who should be provided with the regular veterinarian's contact address and phone number.

12.2. Copies of all medical records pertaining to each circus animal must be maintained by the circus and travel with the animal in a central accessible location. Copies of medical records must travel with the animals to ensure any consulting veterinarian can immediately view the medical record of a particular animal.

12.3. Circuses must maintain an up-to-date list and locality guide of suitably qualified veterinarians and make themselves familiar with the name and location of the nearest veterinarian upon arriving at a given venue.

12.4. If any treatment commenced involves the use of a prescription scheduled drug, the advice and attendance of a registered veterinarian must be sought. Should a suitably qualified veterinarian not be available, the advice of one must be gained verbally over the phone and confirmed by fax or letter for the animal's medical record.

12.5. If a disease condition is diagnosed by a veterinarian that requires hospitalisation, either the animal should be removed for treatment or if the space is available hospital facilities can be set up within the circus. These would comprise of a separated area within the existing facilities where the animal can be contained, isolated, monitored and nursed if necessary.

12.6. If a diagnosed disease involves an infectious agent that renders it communicable to other animals, or to humans, a hospital area within the circus must be quarantined. Only selected staff shall have access to the area and disinfection measures should be devised under the guidance of the attending veterinarian to prevent the spread of the disease.

12.7. Surgery of any sort must only be performed by a registered veterinarian. Declawing of big cats must only be undertaken in the circumstances set out in the NSW Prevention of Cruelty to Animals (General) Regulation 1981, Clause 6A (3b). Under no circumstances is the detoothing of a big cat an acceptable surgery procedure unless the detoothing is necessary to improve the animal's health.

12.8. Veterinary opinion must be sought before moving animals in late stages of pregnancy.

### **CLAUSE 13 DRUG ADMINISTRATION**

13.1. S4 and S8 drugs administered to animals in a circus must be prescribed by a veterinary surgeon. Administration of drugs may be performed by circus staff with previous experience in the procedures, but only at the direction of a veterinarian. Circus staff should be aware of the limitations that the Veterinary Surgeons Act and Poisons Act place on what procedures may be performed by lay people. In other states equivalent legislation will need to be consulted.

13.2. In the use of non-prescription drugs labelled directions must be followed.

13.3. All animals must be properly restrained for injections. Sterile disposable needles and syringes must be used for all injections. Darts may be used if necessary.

### **CLAUSE 14 EUTHANASIA**

14.1. The decision to perform euthanasia is ultimately the responsibility of the circus proprietor or his/her delegate. Euthanasia must be performed by a veterinarian, except in an emergency when a veterinarian is not available. In emergencies the advice of a veterinarian should be obtained verbally.

14.2. The only method of non-veterinary euthanasia that is permissible is gunshot to the brain. The individual performing the euthanasia must meet the relevant legislative requirements regarding the use of firearms. The person should have knowledge or prior experience in the methods of successfully euthanasing that particular species of animal. The animal to be euthanased must be properly restrained to avoid the likelihood of the shooter missing and not killing the animal with the first shot. Suitable calibre firearms and ammunition must be available for all circus animals held.

## ***INTERACTION***

### **CLAUSE 15 PUBLIC/ANIMAL INTERACTION**

15.1. Species Groups

#### ***15.1.A. Big Cats***

A.1 Only circus workers with whom the big cats are familiar are permitted to have unsupervised and unrestricted close access to the cat facilities.

A.2 Members of the public must be restrained behind a safety barrier which is at least 2 metres from the cats cage. Access beyond the safety barrier by members of the public is not allowed.

A.3 Big cats while on display must always have access to an area away from public view.

A.4 It should always be remembered that these animals are potentially dangerous to members of the public, and pictorial signs must be used on safety barriers to alert the public to this fact.

***15.1.B. Dogs***

B.1 Staff supervision must ensure that no circus dog is teased or otherwise abused by members of the public.

B.2 If one of the circus dogs is unwell or frightened, it must be kept away from the public to minimise the risk of further stress on the animal.

B.3 Dogs must not be confined in such a manner that it is impossible for them to retreat from members of the public. They must always be provided with an area where they can remove themselves from public attention while still receiving socialisation from other dogs.

***15.1.C. Ungulates & Camelids***

C.1 Ungulates and camelids must be confined so that they can avoid the attentions of members of the public if they wish to do so.

C.2 Under supervision, members of the public can be allowed to pet and feed good-natured ungulates and camelids, as long as the feeding is supervised by circus personnel to ensure no unwholesome food stuffs are given to the animals and that the animals are not stressed or mistreated.

***15J.D. Elephants***

D.1 Members of the public must never be allowed to approach an elephant unsupervised. It should always be remembered that elephants are potentially dangerous to members of the public, and pictorial signs must be used on safety barriers to alert the public to this fact.

D.2 Elephants must be confined so that they can avoid the attentions of members of the public if they wish to do so.

***15.1.E. Monkeys/Chimpanzees***

E.1 No member of the public should ever be allowed to approach a primate unsupervised. It should always be remembered that primates are potentially dangerous to members of the public, and pictorial signs must be used on safety barriers to alert the public to this fact. Safety barriers must be placed at a

sufficient distance from the primates exhibit to ensure that the primates and viewing public can not come into physical contact.

E.2 Primates must always have access to alcoves to which they can retire away from public view.

***15.1.F. Birds***

F.1 Display cages for birds must include some form of solid partition or small box to which they can remove themselves from public view if they wish.

## **CLAUSE 16 INTERACTION BETWEEN ANIMALS**

### 16.1. Species Groups

#### *16.1.A. Big Cats*

##### **A.1. Lions**

- Lions are social animals with a well defined hierarchy within their colonies (prides), therefore direct interaction between colony members is considered essential. Due to this fact it is vital that lions normally be housed together and that they have frequent contact with personnel ordinarily engaged to manage them.
- Lions requiring temporary separation from the rest of the group must be provided with the display space requirements for an individual animal as outlined in 5.3.A.2. This requirement excludes when the animal is separated from the rest of the group for the purposes of veterinary treatment when the veterinarian will advise regarding the confinement space necessary.
- It is vital that any wagon used to transport lions can be subdivided into separate compartments for each lion if this becomes necessary.
- It may be necessary to separate lions if hierarchy is enforced to the detriment of one or some individuals. This occurs most commonly during feeding time, but will also occur if a lioness is in oestrus or if a frustrated male displays sexual aggression to a lesser male. Fights regarding dominance are often unavoidable, but separation may sometimes be counterproductive in that it prevents the issue at hand from being properly sorted out, and sometimes can prolong the aggression and resentment.

##### **A.2. Tigers**

It is acceptable to house tigers together provided that there is no antagonism between cage mates.

- It is vital that any wagon used to hold tigers can be subdivided into separate compartments for each tiger if this becomes necessary.
- Tigers are social cats, but less so than lions. A hierarchy will always form, and this should be observed, evaluated and taken into account when handling or housing these animals. Tigers must be fed separately as, in the wild, they are accustomed to feeding solitarily on their kills.

##### **A.3. Leopards**

Facilities to hold leopards must have provision to transport, display and feed all leopards separately.

- Of all the big cats, this group tends to behave in a manner most similar to that of the domestic cat. Animals in this group tend to be solitary creatures, although some individuals will tolerate the sharing of their cage with another if they are 'old friends', however this is the exception rather than the rule. Therefore, there must be provision to transport, display and feed all leopards separately.

**16.1.B. Dogs**

B.1. Dogs have a strong hierarchical tendency that tends to make colony situations self-regulating. Protective measures to intervene should 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. A retreat area must always be provided for individuals from the group.

**16A.C. Ungulates & Camelids**

C.1. As ungulates and camelids are social herd animals, they must always have visual access to others of their species.

- Most ungulates will only assert dominance over other members of their colony if there is something that can not be shared equally between all members. This may be feed, an oestrus female or a choice spot in the enclosure. Therefore feed should be made equally available as should 'good' areas of the enclosure. During the mating season, rival males may have to be separated, and males and females may have to be separated if breeding is not desired.

**16J.D. Elephants**

D.1. As elephants are social herd animals, they must always be able to see and touch other elephants.

**16.1.E. Monkeys/Chimpanzees**

E.1. An awareness of the hierarchy within a primate colony is essential to minimise incompatible individuals being in contact with each other, as this contact can result in physical and mental injury from fighting and bullying. The fact that primates can become "bonded" to individual humans and can certainly recognise different humans, and the fact that they display jealousy, must also be considered when determining the composition of primate groups who share the same cage.

E.2. Primates must always have the opportunity to have visual contact with other primates even where incompatibility necessitates physical separation. Where two animals are incompatible, visual barriers must be provided within their enclosure as stress can result from two incompatible individuals not being able to remove themselves from each others sight. Wherever possible primates must be housed in a group situation.

E.3. Primates must be able to retire to places that provide privacy from other members of the group. Such places must be available to all inhabitants of a shared cage regardless of their social status within the colony.

**16.1.F. Birds**

F.1. Compatible birds may be housed together as long as the display cage is large enough to prevent harassment by cage mates. The personal space required by each bird is entirely dependent on the species and temperament of the individual.

## **CLAUSE 17 TRAINER/HANDLER AND ANIMAL INTERACTION**

17.1. If a trained act is to change hands, a transfer period must be undertaken in the presence of the old trainer until such time as the new trainer can satisfactorily work the act and gain the confidence of the animals.

17.2. Trainer/Handler Requirements:

A commitment to the welfare of the animals under that person's care;

1. This is the most important relationship between animal and human in the circus environment, as it often involves vital physical and social interaction for the animals. Trainers should aim to relate to their charges on an individual basis. In this way, trainers will be able to detect problems (physical, medical or psychological) and hidden talents in their animals before anybody else can.
2. A thorough familiarity with the behavioural tendencies of the species for which they are engaged to be responsible;
3. A thorough familiarity with the potential physical capabilities of the species for which they are engaged to be responsible;
4. A thorough familiarity with the accepted methods of handling, physical restraint and training of the species for which they are engaged to be responsible;
5. A basic sense of hygiene, cleanliness and neatness in regard to facilities, equipment and feed;
6. Basic skills in visually assessing animal demeanour, physical condition, faecal output, feed intake, etc.;
7. The ability to maintain coherent, comprehensive and relevant records in relation to the animals under their care;
8. The ability to liaise with the circus management;
9. The ability to delegate responsibility appropriately where circumstances warrant this;
10. The ability to recognise and carry out safe work practices;
11. The ability to liaise with the visiting public;
12. Because members of the public ultimately determine the viability of a circus, questions from the public must always be treated with respect, even if the person asking the questions is basically antagonistic to the idea of animals in circuses. The circus must demonstrate its willingness to talk to any member of the public about any aspect of the presence of animals in circuses.
13. Ability and willingness to consult and communicate with veterinary consultants.

17.3. Staff to be involved in the care of animals in circuses should be encouraged to utilise the following avenues for obtaining the necessary skills to be considered competent regarding animal matters:

1. Undertake one of a number of formal courses dealing specifically with specialised animal care (ie. animal husbandry, zoo keeping, animal ethics). Many animal care courses can now be undertaken by correspondence.
2. Obtain regular access to relevant new literature in order to keep abreast of recent developments in the animal husbandry field.

17.4. Interested members of the public shall be encouraged to watch training sessions and to ask questions. All animal handlers must be prepared to answer reasonable public queries at reasonable times regarding the animals in their care. It should always be remembered that the public may not be aware of things that the circus staff take for granted. If an animal displays fear or anxiety while in the ring, the reasons for that fear should be explained to the audience. If a movement that the animal is performing looks awkward, the presenter should whenever possible point out the animal will not be hurt.

17.5. Staff involved in the care of animals in circuses must first undergo work experience on an apprenticeship basis with a person who is recognised as having experience in animal care with the relevant species.

17.6. Staff involved in the care of circus animals should have regular opportunities to visit other circuses, conferences or personnel, in order to keep abreast of recent developments in the animal keeping field.

17.7. Each animal act must have two handler/trainers capable of working the act or exercising the animals, so that absence from the circus by one handler/trainer does not result in stress on the animals through separation from their familiar trainer/handler coupled with lack of training/performance/exercise.

## ***HUSBANDRY***

### **CLAUSE 18 BEHAVIOURAL ENRICHMENT**

#### 18.1. Species Groups

##### ***18.1.A. Big Cats***

A.1. Big cats must have access to wood in their display cages to serve as scratching and marking posts. Round untreated pine uprights are a suitable material.

A.2. Big cats utilise trees in their natural habitat therefore high perches and places to climb must be provided in display cages holding them. Perches should be constructed of round section wood and provide at least one fork for an animal to rest in. Folding raised shelving can be used within the transportation wagon to provide elevated areas for big cats.

##### ***18.1.B. Dogs***

B.1. Because of their long standing association with humans, dogs derive a large amount of stimulation from interacting with people. Training also gives dogs the stimulation of learning new performance behaviours.

B.2. As dogs are pack animals, they derive stimulation in interacting with other dogs, therefore they must be housed together wherever possible.

##### ***18.1.C. Ungulates and Camelids***

C.1. As ungulates and camelids are herd animals, they derive stimulation in interacting with other members of their own species, therefore they must be

housed with their own species wherever possible. Where two individuals sharing the same enclosure results in constant fighting or bullying, these individuals must be physically but not visually separated.

***18.1.D. Elephants***

D.1. As elephants are herd animals, they derive stimulation in interacting with other members of their own species, therefore they must be housed with their own species wherever possible. Where two individuals sharing the same enclosure results in constant fighting or bullying, these individuals must be physically but not visually separated.

D.2. Because elephants are intelligent, inquisitive and social creatures, they must be supplied with mental stimulation, avenues of play and social contact with humans and other elephants. In between shows elephants must be given durable objects to play with, provided these objects are not capable of causing the elephants injury.

***18.1.E. Monkeys/Chimpanzees***

E.1. As primates are highly social animals it is very important that they derive stimulation from interacting with others of their own species. Primates must never be housed alone unless aggression between individuals causes a health threat to a particular individual, in which case the aggressor should be separated temporarily.

E.2. Every effort must be made to encourage foraging behaviour by the hiding of food such as nuts in different areas of the enclosure including clean substrate.

***18.1.F. Birds***

F.1. Parrots must be provided with natural perches and fresh leaved branches to chew on a regular basis. Every effort must be made to encourage foraging behaviour by hiding food in different areas of the enclosure. Parrots may also benefit from the presence of play elements within their cages such as swings and bells.

F.2. Domestic waterfowl must be provided with water to swim in when housed in display enclosures.

F.3. Domestic geese should be given access to a grassed area for at least 4 hours every day.

**CLAUSE 19 TETHERING/HARNESS**

19.1. Species Groups

***19.1.A. Big Cats***

A.1. Big cats may only be tethered during training sessions while in the presence of the trainer.

***19.1.B. Dogs***

B.1. Dogs may be tethered via a running lead. The minimum length of the running leash must be 4 metres.

B.2. Non chafing collars may be worn by dogs at all times. They must be regularly checked to ensure that they have not become too tight or too loose.

Non chafing shoulder harnesses may be worn by dogs during performances and training sessions.

***19.1.C. Ungulates & Camelids***

C.1. Tethering of ungulates and camelids is only allowable at night, during storms and to temporarily separate an aggressive animal. The minimum tether length for horses, donkeys, camelids and ponies is 6 metres. The minimum tether length for goats, sheep and cattle is 4 metres.

C.2. During performances the use of halters, bridles with bits, saddles, trap and carriage harnesses may be used on horses and ponies as long as they have no components which may damage the animals. The equipment must be applied so that no galls, rubs, bruises or cuts result. Nose rings may be used to control cattle while they are being performed, as may nose pegs in camels.

C.3. When ungulates or camelids are not performing or are tethered, no harnesses of any sort except a light headstall shall be worn by the animals. The headstall must not rub around the animals ears or cheeks.

C.4. Camels must not be tethered via their nose pegs. If tethered for transportation, camels must be restrained with a long tether tied from their headstall to floor level so that the camel can sit completely down.

C.5. Cattle must not be tethered via their nose rings.

C.6. Tethers for ungulates and camelids must be constructed of light rope or other material which is strong enough to contain the animal, but does not weigh the animals head down. Metal chain may only be used on a tether when an animal is to be staked outdoors, and under these circumstances the chain must form the extreme lower section of the tether (that nearest the ground), and must not exceed 30cm in length.

***19J.D. Elephants***

D.1. Tethering of elephants is only acceptable at night, during storms, or while their trainer/handler is temporarily absent from the circus. Under any circumstances elephants must only be tethered via a metal leg band around one leg. The minimum tether length to be used for elephants is 4 metres.

D.2. Harnessing of elephants during performances is allowed if the elephant is going to pull or carry something. A harness must be applied so that no rubs, cuts, galls or bruises result. Metal components of these harnesses must not come into direct contact with the animal's skin, especially under pressure. Decorative head

pieces may be worn but these must be removed when the elephant is not performing.

***19.1.E. Monkeys/Chimpanzees***

E.1. Primates may be fitted with permanent non-chafing leather neck collars with a maximum of 10cm of light metal chain. Permanent collars must be checked on a weekly basis for tightening around the animals neck and adjusted accordingly. Shoulder harnesses may be used for the purposes of training and performance handling only, they must be removed after the animal has completed its performance or training session.

E.2. Primates may only be tethered immediately prior to performance or training for a maximum of 15 minutes.

***19.1.F. Birds***

F.1. Birds may not be tethered.

**CLAUSE 20 GROOMING**

20.1. Species Groups

***20.1.A. Big Cats***

A.1. Tough raw meat including raw bones in sizes that necessitates chewing shall be provided to maintain cats tooth and gum health.

A.2. Access to wood for scratching will maintain the health of the cats claws and their sheaths.

***20.1.B. Dogs***

B.1. Teeth and gum health is to be maintained by feeding the animal very tough, raw meat which includes raw bones at least twice a week, or substituting this with a chewable item, such as beefhide chew.

B.2. Dogs coats and toenails must be maintained in good condition. Most dogs have self-grooming coats. The long haired breeds should either be clipped or brushed and combed regularly to prevent the coats from building up and matting. Dogs should not be bathed more than once a week, and only mild human, or special dog shampoos should be used, followed by conditioner. If dogs toenails are long enough to touch the ground if the dog is standing square, these should be trimmed to the correct length avoiding the quick.

***20.1.C. Ungulates & Camelids***

C.1. Ungulates and camelids must have their coats groomed sufficiently often to maintain the desired level of cleanliness.

C.2. Ungulate hooves must be trimmed regularly so that they don't split, separate from the sole or start to curl upwards.

C.3. Teeth must be inspected once every three months to ensure that no sharp points are developing. Any sharp points should be rasped back.

**20J.D. Elephants**

D.1. Elephants feet must be inspected regularly, and the toenail length should be kept sufficiently short that the toenails do not splay or start to curl outwards. Regular nail trimming and rasping may be necessary. The feet must be inspected at least once a week to ensure that the soles and nails are in good order.

D.2. Where access to grooming materials (water, loose dirt, large trees to rub against) are not available to elephants to enable self-grooming to occur, they should have their hides bathed and scrubbed once a day to remove loose skin flakes except where the ambient temperature falls below 15 degrees Celsius, in which case elephants should be brush cleaned.

**20.1.E. Monkeys/Chimpanzees**

E.1. Teeth and gum health shall be maintained by providing a diet which includes firm foods such as apples, to polish the teeth and massage the gums.

**20.1.F. Birds**

F.1. Birds will groom themselves. Access to cuttlebone and similar substances will aid beak and claw maintenance. Access to baths is compulsory.

F.2. The correct perches (natural branches of varying widths), and floor substrate (natural material), will help to maintain the birds claws.

**CLAUSE 21 RECORD KEEPING**

21.1. Daily records must be maintained for each individual animal. These records must show:

- i) Species (common and scientific name);
- ii) Given name of animal and its sex;
- iii) Date of birth;
- iv) Name of breeder, place of birth, sire and dam (if known);
- v) Date of acquisition by circus;
- vi) Previous ownerships - names and dates;
- vii) Breeding history - mating dates, mating partners, number and sex of any offspring, and the fate of those offspring;
- viii) Medical history (including diagnoses of diseases, medical treatments, surgical procedures, vaccinations). Dates are essential;
- ix) Any scarring or distinguishing marks;
- x) Any noteworthy incidents involving this animal;
- xi) Any comments or precautions (eg. side effects of certain drugs).
- xii) Identification - eg. legband, eartag, microchip, tattoo number or appropriate photograph;
- xiii) Dietary preferences;
- xiv) Routine husbandry procedures (nail trimming, hoof trimming, worming, etc).

21.2. Circus establishments must maintain an accurate record of the numbers of animals that they are holding and/or exhibiting and what animals they have had. Individual records of animals that a circus no longer has possession of must still be retained in a safe place (probably the head office of the circus) for the life of the animal plus 3 years.