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Animal 5



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Animal 6



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Answers

1. Sunda Colugo
2. Cantors giant soft shell turtle
3. Blob fish
4. Babirusa
5. Gerenuk
6. Eagle gorilla lemur mole claw Human

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Legislation

Zoo Licensing Act 1981

Zoo Licensing Act 1981 (Amendment)(England and Wales) Regulations 2002

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Not so simple – Guidance 578 pages in total

- Zoo Licensing Act guidance flow charts
- Zoo licence templates
- DEFRA - Zoo forum handbook
- Circulars on Zoo Licensing Act
- Guidance on the requirements for education in the Zoo Licensing Act (1981 and amendments)with respect to “animal presentations” Feb 2008 DEFRA

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More Guidance

- ZLA – Guide to the Acts provisions 1981
- Secretary of State's Standards of Modern Zoo Practice
- Guidance on the interpretation of "Kept for Exhibition to the public" – Zoo Forum 2006
- Managing Health and Safety in Zoo's HSE
- BIAZA Operating Guidelines for Zoos and Aquariums: Covid-19 Management
- WAZA animal - visitor interaction guidelines

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Definition of a zoo

S1(2) Zoo Licensing Act 1981

In this Act "zoo" means an **establishment** where wild animals (as defined by section 21) are **kept for exhibition** to the public otherwise than for purposes of a circus (as so defined) and otherwise than in a pet shop (as so defined).

This Act applies to any zoo to which members of the **public** have access, with or without charge for admission, on seven days or more in any period of twelve consecutive months.

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Zoo Forum 2006 – Guidance on interpretation of “Kept for exhibition to the public”

Gov circular 02/2003 provides the original intentions of the legislators. In drafting the ZLA they found it impossible to arrive at an all embracing definition so Zoo Forum Guidance 2006 addresses this.



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Zoo Forum Guidance 2006

If strictly applied a fish tank in a restaurant or dentists waiting room would fall within the interpretation and they would need to apply for a licence or exemption.


 An underwater restaurant interior featuring a long table set for a meal. The table is surrounded by white chairs. The floor and walls are made of glass, providing a clear view of the ocean floor and marine life swimming by. The lighting is bright, illuminating the blue water and the restaurant's interior.

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Zoo Forum Guidance 2006

Good Sense to be applied by the LA.

Borderline decisions are to be based on individual facts and circumstances of the case.

A photograph showing a woman in a red jacket and dark trousers standing in a grassy area. She is holding a red bucket and feeding several small animals, possibly rabbits or guinea pigs, inside a red metal enclosure. A small dog is standing next to her. The enclosure is surrounded by a wooden fence. In the background, there are trees and a blue vehicle.

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Zoo Forum Guidance 2006

- Animal sanctuaries (though may need to be licensed soon)
- Petting zoos
- Farm attractions
- Pet shops
- Circus – no longer have wild animals
- Private animal collections – Heythrop Zoo www.amazinganimals.co.uk

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Zoo Forum Guidance 2006

Three key elements

1. Zoo – is it an establishment?
2. Wild animals kept for the purpose of exhibition (or purposes which include their exhibition)
3. Are the people viewing the animals the public?



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Zoo Forum Guidance 2006

Why are the animals kept?

Keeping the animals so that people can see them presumably “kept for exhibition”.

ZLA does not refer to the place where animals merely **can** be seen by the public – but an establishment where it is (part of) the purpose that they **should** be seen by the public.

If in doubt, ask, are the animals kept in such a way as to deliberately allow or encourage people to see them?

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Zoo Forum Guidance 2006

If animals are kept for exhibition is it to the public?
What is meant by public?

“Public” – Shorter Oxford Dictionary

- Noun – “People collectively; the members of a community”
- Adjective “of or pertaining to the people as a whole” “open or available to used or shared by, all members of a community; not restricted to private use”

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Zoo Forum Guidance 2006

DEFRA has accepted the principle that if visitors have to be members of a private members club or organisation to view the wild animals this may fall outside the zoo licensing system.

A photograph of two zebras grazing in a lush green field. One zebra is in the foreground, facing towards the right, while the other is slightly behind and to the left, also facing right. The background shows some trees and rocks.

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Zoo Forum Guidance 2006

Each case on its merits.

“Membership” will not necessarily remove the need for a zoo licence.

A photograph of a harbor seal pup and an adult harbor seal resting together on a sandy surface. The pup is on the left, facing right, and the adult is on the right, facing left. Both have white fur with dark spots.

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Zoo Forum Guidance 2006

Public

- The ability for anyone to walk in off the street during opening time
- With or without payment
- Unannounced
- Without appointment or membership
- If only certain categories of people allowed entry for specific reasons then you could argue the establishment is not open to the public

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Zoo Forum Guidance 2006

Collections that are not zoos

- Wild animals visible to the “public” but not “kept for exhibitions”
- Private animals visible from the road or adjoining land
- Animals for conservation, breeding or habitat management grazing in an area where public access is possible.

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Zoo Forum Guidance 2006



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- Wild animals “**kept for exhibition**” but not to the “**public**”
- Collections can only be viewed by members of a club / association where the membership to a meaningful degree is restricted so as not to be considered open to the public



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Zoo Forum Guidance 2006

Wild animals not “**kept for exhibition**” and not visible to the “**public**”

- Private collections on private premises viewable only by the owner, family, staff and friends
- Restricted access premises holding wild animals that are visible to visitors who enter for reasons other than viewing animals

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Zoo Forum Guidance 2006

Examples

- A private collection in a business premises – fish tank in a dentists waiting room
- A college that keeps animals for educational purposes involving its students
- A centre for falconry courses – where the operator can demonstrate visitors enter by pre arranged appointment for training



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ZLA other provisions relating to the definition of a zoo

Any establishments opening to the public for 7 days or less in any 12 month period does not need a licence.



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Collections that are zoo's

Wild animals “**kept for exhibition to the public**”

- Zoos open to the public
- Collections in free access public leisure area – public parks
- Collections in free access retail areas – shops, garden centres
- Collections in non animals public attractions – theme parks, gardens, stately homes

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Collections that are zoo's

Wild animals “kept for exhibition to the public”

Premises that are not open to the public but can be visited by members of the public by prior appointment on 7 or more days in any 12 month period

A photograph showing three large, light-colored animals, possibly rhinoceroses or elephants, standing in a fenced enclosure. They are facing towards the camera, and the background shows a wooden fence and some greenery.

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Collections that are zoo's

Wild animals “kept for exhibition to the public”

Premises that do not normally allow access to the public, that hold open days, with unrestricted access to the public on 7 or more days in any 12 month period. Colleges, rescue centres, sanctuaries, private collections.

A photograph of a giant panda sitting on a rock, eating a piece of bamboo. The panda is white with black patches around its eyes, ears, and on its limbs. It is holding the bamboo with its front paws and eating it. The background shows some greenery and rocks.

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Zoo Forum Guidance 2006

Collections where animals are viewed by web cam or Live CCTV. Are the animals **“Kept for exhibition to the public”?**


 A 3x3 grid of nine images illustrating various animal collections:

- Top-left: A large bird of prey perched on a branch.
- Top-middle: A group of deer in a naturalistic enclosure.
- Top-right: A large school of fish swimming in an aquarium.
- Middle-left: A group of animals, possibly seals or otters, in a water pool.
- Middle-middle: A group of animals, possibly deer, in a naturalistic enclosure.
- Middle-right: A close-up view of a large animal, possibly a bear, in a cage.
- Bottom-left: A reindeer standing next to a snowman in a winter setting.
- Bottom-middle: A group of animals, possibly deer, in a naturalistic enclosure.
- Bottom-right: A large group of animals, possibly deer, in a field. A small watermark in the bottom right corner of this image reads "© EarthCam".

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Zoo Forum Guidance 2006

Animal cams

- Ordinary meaning of “**exhibit**” item is produced for show
- Where the animal is only available to the public through CCTV / webcam / recording it cannot easily be said to be “**exhibited**” and the ZLA will not be applicable – but an animal exhibits licence may be required.

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Zoo Forum Guidance 2006

- Where a collection is exempted from ZLA on grounds that it is only viewable by members of an association what is a "member"
- Definition of a "member" should be meaningfully restricted so as not to equal general public
- Definition is down to the LA discretion and needs to be treated on a case by case basis

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DEFRA Action Plan for Animal Welfare



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Ban of keeping primates as pets

Primates are highly intelligent animals with complex needs and require specialist care. The Government will deliver on its manifesto commitment to introduce a ban on keeping them as pets, ensuring that all primates being kept privately in England are being kept at zoo-level standards and that those unable to meet the standards are phased out.



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Zoo Licensing

The Zoo Licensing Act will be amended to improve zoo regulations and ensure that zoos are doing more to contribute to conservation.



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So to keep up to date

IoL Zoo Licensing Courses

Bristol Zoo - March 2022 (TBC)

Yorkshire Wildlife Park - Sept 2022 (TBC)



So to keep up to date

Zoo Licensing Courses


