



FRAMEWORK FOR THE WELFARE OF
ANIMALS
PRESENTED IN THE ARTS

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FOREWORD

The *Framework for the Welfare of Animals Presented in the Arts* is a document that sets forth policy, creates obligations, and provides information and guidance for entities that feature one or more animals as part of their arts activities and seek funding from the Arts Council. By creating special conditions for the funding of arts activities involving animals, the Council promotes high quality animal care and best practice and provides greater assurance to its Board of Directors, staff, the Department of Arts, Sport and Tourism, and the public that the needs of animals presented in funded arts activities are and will be met. The Council offers the *Framework* as a contribution toward the overarching societal goal of continuous improvement in meeting and exceeding the basic welfare needs of animals under human care.

Animals are a traditional part of certain artforms. As noted by the European Parliament in its Resolution of October 2005, the classical circus, including the presentation of animals, should be recognised and further supported as part of European culture. The use of animals is not limited, however, to the classical circus. Stage productions, including opera and theatre, from time to time incorporate ponies, birds, or dogs into performances. In addition, film may feature a wide variety of species of animals. Our objective is to contribute, to the greatest extent possible, to ensuring that the welfare needs of all such animals are satisfied.

I would like to thank all who have contributed to this publication, in particular the members of the Working Party who gave of their time and expertise to create a robust *Framework* in harmony with applicable legislation and good practice, and all of those, both within and outside of Ireland, who contributed to its fine tuning during the review process.



Mary Cloake
Director

INTRODUCTION

The mandate for the public funding of the arts by the Arts Council is found in the Arts Act of 2003. That Act defines “arts” as:

any creative or interpretative expression (whether traditional or contemporary) in whatever form, and includes, in particular, visual arts, theatre, literature, music, dance, opera, film, circus and architecture, and includes any medium when used for those purposes.

While the presentation of animals in the arts may most often be associated with the classical circus, other artforms, including opera and theatre, may incorporate animals into their artistic creations.

Aware that its remit focuses on stimulating, supporting and improving the arts and that the Council has neither regulatory authority nor the technical expertise to assess animal welfare, the Council considered how it could best contribute to animal welfare in the arts. In September 2007, it agreed to establish a policy framework for animal welfare that would be applicable to all arts activities where one or more animals form part of the presentation. Beyond stating policy, the Council’s objectives were to create working conditions which clients would be expected to adhere to that would: (a) assure compliance with relevant governmental regulations; (b) promote best practice in animal care and welfare; and (c) create a transparent system of accountability between the client and the Council.

The process began with an examination of legal requirements through reviews of existing laws and discussions with officials responsible for animal welfare and conservation programmes. It included assessment of working practices at various levels of government and possible systems for sharing information among the relevant parties, including responsible officials and the Council.

A small Working Party of Government officials with diverse backgrounds and responsibilities for animals was established in January 2008. Two in-depth sessions were held to examine the current situation and explore options for the components of the *Framework*. Members of the Working Party emphasised the need to consult with veterinary organisations concerning the practical implementation of the *Framework* and the importance of obtaining input from experts in the field of animal health, welfare and zoology in other countries. Following the completion of a final draft which reflected the views and proposals of the members of the Working Party, additional experts from Ireland and abroad were identified to broaden the expertise brought to bear on the *Framework*. Special attention was paid to soliciting the input of veterinarians and local authorities in Ireland to ensure the workability and acceptability of the *Framework*.

The Council is pleased to announce that this *Framework* will govern funding decisions and disbursements beginning in 2009. The Council recognises, however, that evolution in the field of animal welfare, including possible revision of legislation in Ireland and/or the European Community, may necessitate review and updating of funding conditions as well as information and guidance materials provided to the arts community. The Council therefore offers this Framework as a “work in progress” and looks forward to future collaboration with experts in this field as developments warrant it.

SECTION 1 ANIMAL WELFARE POLICY STATEMENT

Formulated in the early 1990s to address farm animal welfare, the “Five Freedoms” create a framework for the assessment of the welfare of all animals. They include:

- 1) Freedom from hunger and thirst by ready access to fresh water and a diet to maintain full health and vigour.
- 2) Freedom from discomfort by providing an appropriate environment including shelter and a comfortable resting area.
- 3) Freedom from pain, injury and disease by prevention or rapid diagnosis and treatment of disease and injury.
- 4) Freedom to express normal patterns of behaviour by providing sufficient space, proper facilities and company of the animal's own kind.
- 5) Freedom from fear and distress by ensuring conditions and treatment that avoid mental suffering.

In 2004, the World Animal Health Organisation adopted the “internationally recognised” Five Freedoms as part of its Guiding Principles of Animal Welfare. The Five Freedoms also serve as the cornerstone of a wide array of political and stakeholder groups concerned with animal welfare.

At their most basic, the Five Freedoms are employed to ensure that animals in human care do not endure any unnecessary pain or suffering. More optimistically, the Five Freedoms remind owners of their responsibilities toward their animals and offer a systematic way to plan constructive, step-by-step routes towards continuous improvement.

Animal Welfare Policy of the Arts Council

It is the Policy of the Arts Council to ensure, through implementation of this *Framework*, that the welfare needs of animals presented as part of an arts activity funded by the Council are met or exceeded as measured by the ideals set forth in the Five Freedoms, taking into account individual animal's needs and preferences.

This Policy applies to any animal presented to the public in connection with a proposed or funded arts activity, including animals that are acquired or added after the award of funding to performances that occur during the funding period.

The Policy will be implemented through imposition of specific requirements to be met at the application stage as well as additional conditions that must be satisfied prior to the disbursement of funds and others that apply through the period for which funding is granted.

SECTION 2 CONDITIONS FOR FUNDING OF ARTS ACTIVITIES USING ANIMALS

Arts activities that feature one or more animals in any performance or exhibit one or more animals to the public in association with a performance shall be awarded and provided funding subject to compliance with all general conditions of funding by the Council as well as the requirements enumerated in this section for arts activities involving animals. As indicated below, certain requirements are applicable to all arts entities seeking funding (Applicants) and form part of the application procedure. Other requirements are applicable exclusively to successful applicants that are notified in writing of the grant of an award (Clients). Clients must comply with these additional conditions prior to the receipt of initial funding and must remain in compliance with all applicable requirements throughout the funding period to obtain subsequent disbursements.

A. Maintenance of an Animal Welfare Policy and Animal Care Routines

Applicants shall develop and present as part of their application a written Animal Welfare Policy applicable to all animals presented as part of the arts activity proposed for funding. This policy shall set forth the vision and commitment of the person/persons responsible for the animal/s/animals' health and well-being to ensure appropriate animal care and welfare.

In addition, Applicants shall include in their applications written Animal Care Routines applicable to all animals of each species involved in the arts activity. The Animal Care Routines shall be made available to all persons with management or direct responsibility for any aspect of animal care, including set-up, take-down, maintenance and cleaning of any facility or area used to accommodate animals.

Guidance for the development of an Animal Welfare Policy and Animal Care Routines is provided in Sections 3 and 4. A sample Policy and Routine are included in Appendices I and II.

An Animal Welfare Policy and Animal Care Routines must be maintained by Clients throughout the period for which funding is granted.

B. Compliance with Animal Health, Welfare and Conservation Laws

Arts activities working with animals are expected to be in strict compliance with all laws and regulations in force in the Republic of Ireland concerning animal health, welfare and other aspects of animal husbandry as well as conservation of animal species. A non-exhaustive summary of relevant laws and regulations is provided in Appendix III. It is the sole responsibility of the Client to be knowledgeable about all applicable legal requirements, to remain up-to-date with changes in the laws and/or regulations, and to ensure full compliance with applicable requirements at all times.

C. Registration with National Authorities and Documentation

Prior to the disbursement of funds, Clients shall submit to the Council proof that the animal/animals that will be presented as part of the funded arts activity has/have

been registered in accordance with Commission Regulation (EC) No. 1739/2005, as implemented by European Communities (Circuses) Regulations 2007 (S.I. No. 257/2007). While the Circuses Regulation is applicable in law only with respect to the movement of animals from one Member State to another, the Council requires voluntary registration under this system as a condition of funding to create greater transparency and accountability.

Prior to the disbursement of funds, Clients also shall be in possession of a valid passport issued in accordance with the Circuses Regulation or, for cats, dogs and ferrets, accompanying documentation or passports issued in compliance with Regulation (EC) No. 998/2003, as implemented by European Communities (Pet Passport) Regulations 2004 (S.I. No. 423/2004), or for qualified *equidae*, accompanying documentation or passports issued in compliance with Commission Decision 93/623/EEC, as implemented by European Communities (Equine Stud-book and Competition) Regulations 2004 (S.I. No. 299/2005). The Client shall ensure that the passports or accompanying documents are up-to-date and in compliance with the relevant animal health conditions set forth in the Regulations and Decision.

D. Proof of Veterinary Coverage

Prior to the disbursement of funds, the Client shall submit to the Arts Council proof of an ongoing and regular consultative arrangement with one or more named veterinarians licensed under the Veterinary Practice Act, 2005 (No. 22/2005) or a veterinary practice comprising licensed practitioners, for all animals involved in the arts activity. In conformity with the Veterinary Council of Ireland's Ethical Veterinary Practice requirement for 24/7 coverage, the named veterinary practitioner or other member of the practice must at all times be: (a) available, or (b) have made alternative arrangements for another veterinary practice which is situated sufficiently close to the animal/animals in question to respond to requests on a 24 hour emergency service basis and to provide normal "follow up" care. All such veterinarians or practices shall have the required specialised knowledge and experience for each species concerned and shall serve as the Primary Veterinarian/Veterinarians for the animal/animals, responsible for advice concerning veterinary aspects of the animal's/animals' long-term health and welfare, including, as appropriate, preparation of a health plan including routine vaccinations, blood and faeces screening, deworming, etc. It is understood that meeting the foregoing requirement may necessitate that Clients have in place arrangements with one or more veterinarians and/or practices in order to have the expertise necessary for the species of animals concerned.

In cases where an animal is to be transported outside the normal practice area of the Primary Veterinarian/Veterinarians and alternative arrangements are made, the Client shall provide to the Council a list of local veterinarians, including their contact information, registration numbers under the Veterinary Practice Act 2005, and a description of the geographical area covered by each. Clients shall ensure that reports of examination

or treatment of an animal by any veterinarian other than the Primary Veterinarian are transmitted to the Primary Veterinarian in a reasonable period of time following the examination or care.

E. Successful Completion of Veterinary Inspection

At least once per year or one time during the period for which funding is received, whichever is shorter, Clients shall arrange for examination by the Primary Veterinarian/ Veterinarians of animals involved in the arts activities and inspection of related facilities in accordance with Section 5 of this *Framework*. Clients shall submit to the Council a copy of the written Examination Report by the Primary Veterinarian/Veterinarians setting forth his or her assessment of the health and welfare of the animal/animals. The Examination Report shall follow the format provided in Appendix IV and indicate clearly whether, in the professional opinion of the Primary Veterinarian, the animal's/animals' health and welfare needs, as measured by the Five Freedoms, are being met. On an exceptional basis and where expertise concerning a species does not exist or is limited in Ireland, the Council may accept an Examination Report prepared by a well-qualified foreign veterinarian with established credentials relating to the health and welfare of exotic animals.

In the event of the Primary Veterinarian concluding that the animal's/animals' health and welfare needs are not being met, this conclusion shall be supported by the reasons for the opinion, providing suggestions for observable changes that need to be made or other recommended interventions to rectify the identified deficiencies as well as a time-frame in which the deficiencies should reasonably be addressed.

In the case where deficiencies are identified in the Examination Report, submission of a subsequent statement by the Primary Veterinarian or another qualified and licensed veterinarian that such deficiencies have been addressed within the indicated time-frame shall be accepted by the Council as satisfactory evidence of compliance with this requirement. Where deficiencies are observed repeatedly, whether or not they are subsequently rectified and in time, the Council may consider this as an indication of a chronic failure to meet the animal health and welfare needs and refuse further disbursements and/or funding requests on this basis. Where the Council deems necessary, it may require the refund of monies already paid.

Whether or not deficiencies are identified, the Council encourages the Primary Veterinarian to offer advice and suggestions concerning other possible improvements as appropriate to promote optimal practices. To avoid any potential misunderstandings concerning the Client's compliance with the conditions set forth in this *Framework*, however, such advice or observations shall not be included in the Examination Report.

SECTION 3 GUIDANCE FOR DEVELOPMENT OF AN ANIMAL WELFARE POLICY

The establishment of a policy concerning animal welfare is the first step towards the realisation of improvements. Much more than a mere paper exercise, the development and maintenance of a written policy can help create a collective vision that is implemented in practice, increase clarity in expectations, and underline an organisation's commitment to animal welfare.

An Animal Welfare Policy articulates an organisation's views of and commitment to animal welfare. At a minimum, a policy comprises:

- A written statement expressing the organisation's commitment to meeting or exceeding the health and welfare needs of the animals it presents in a production or exhibits in connection with arts activities;
- An undertaking to implement the policy throughout the organisation; and
- An outline of concrete actions or steps that will be carried out to ensure its implementation.

An Animal Welfare Policy may be quite general or more detailed. It may be limited to addressing the Five Freedoms (directly or indirectly) or may be quite far-reaching. The policy should at all times comply with all European and national legislative requirements in the area of animal health and welfare.

Additional matters that may be addressed could include, for example, specific policies concerning:

- Retirement;
- Training methodologies;
- Public access to animal facilities;
- Interactions between the public and animals;
- Record retention; and/or
- Species conservation.

Once developed, the Animal Welfare Policy should be made available to all management and staff, including those that do not have responsibilities for animals. Wide distribution of the Policy in the organisation will increase understanding and raise awareness among a broader audience of the importance of continuous progress toward the improved health and welfare of animals in human care. All involved in the care of animals must accept and agree to follow the stated policy.

An organisation's Animal Welfare Policy may also be of interest to patrons of the arts, government and local community officials, and the press. The publication of a Policy, paired with open training sessions, backstage tours of animal facilities and/or opportunities to talk with animal trainers or presenters, can provide valuable insights and information that increases public confidence in the care and welfare of animals featured in the arts.

An example of an Animal Welfare Policy is included in Appendix I.

SECTION 4 GUIDANCE FOR DEVELOPMENT OF ANIMAL CARE ROUTINES

Animal Care Routines are general written descriptions of specific operations undertaken on a daily basis to ensure the appropriate care of animals. Routines are tailored specifically for the personnel, species and animals involved and are created for each type of work day common to the organisation. Such Routines are developed for internal use only and are intended as guidelines rather than strict requirements since any number of factors will require minor changes on a daily basis in actual routines.

While most animal owners and caretakers already have well-established and effective animal care routines in place, committing these practices to writing helps to ensure that management and staff are in accord about all aspects of animal care. In addition, once the Routines are recorded and followed with precision, only deviations from the Routines need to be recorded to create an accurate record of animal care.

Animal Care Routines may include instructions as to “dos and don’ts” and other animal safety rules. They may describe animal populations and identify personnel responsibilities and accountability from staff through management. At a minimum they address animal care, including cleaning of animals, enclosures and equipment, preparation and provision of food, water and any necessary supplements; control of safety devices and implementation of safety measures. They may be part of a system for monitoring and reporting of unusual activity, behaviour or development.

Animal Care Routines address care at the primary locations where animals are kept and/or perform as well as any temporary sites and care before, during and after transport, if any. They should reflect the amount of exercise and public exhibition of an animal on different types of days (e.g., “dark” days versus one, two or three performance days).

In addition to describing basic operations, Animal Care Routines identify special products to be used, with any required instructions, for the animals as well as their enclosures and to clean equipment. The Routines may also describe exercise, play or training sessions, and indicate the range of time suitable for each. Medical examination and care (e.g., routine procedures such as deworming) can and should be incorporated into the Routines as appropriate.

Procedures for preparing for performance and/or public exhibit, including any cleaning and other operations, should be included, along with prescribed methods for moving animals from enclosures to public areas, stages, or rings.

To draft an Animal Care Routine, it is best to begin by writing down the actual daily routine of an organisation on various types of days. A critical review of those written descriptions will help to identify areas where changes are required or improvements can be made. Over time and with attention, descriptions of existing operations will evolve into statements of best practice, and actual operations will follow suit as the Animal Welfare Policy and Animal Care Routines are put into place.

Animal Care Routines should be provided to all persons in an organisation with responsibilities for animal care or welfare. They should be easily accessible in animal facilities and to management at all times. The nature and purpose of the Animal Care Routines should be clearly stated to avoid misunderstandings.

An example of an Animal Care Routine is included in Appendix II.

SECTION 5 REQUIREMENTS FOR VETERINARY INSPECTIONS

The following requirements for veterinary inspections are applicable to the examinations required under Section 2.E. above.

Inspection of the animal/animals shall include clinical examination of the animal/animals and inspection of:

- Accommodation for the animal/animals, including indoor and outdoor enclosures, exercise and/or training enclosures and/or areas used for performances;
- Equipment;
- Food preparation and storage facilities;
- Areas for storage of medical equipment and/or medicines;
- Transport conveyances, if any;
- Passports or accompanying documentation;
- Medical records; and
- Documentation concerning legal acquisition for any specimen of a CITES-listed species.

Inspection shall also include confirmation of the existence of up-to-date written Animal Care Routines and an assessment as to whether such Routines conform with health and welfare requirements and best practices for the species concerned.

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APPENDIX I SAMPLE ANIMAL WELFARE POLICY

XYZ Productions
Animal Welfare Policy

XYZ Productions is a leader in the presentation of innovative arts to the public. With this policy, XYZ Productions announces its commitment to leadership in exemplary care and welfare of animals presented in the arts.

It is the policy of XYZ Productions to provide high quality care for any animals it may include in artistic productions and to work toward realisation of the ideals presented in the Five Freedoms of Animal Welfare for all of the animals under its ownership or control including:

- Freedom from hunger and thirst
- Freedom from discomfort
- Freedom from pain, injury and disease
- Freedom to express normal patterns of behaviour
- Freedom from fear and distress

We, XYZ Productions, commit to full compliance with applicable animal health, welfare and conservation legislation. We also commit to following written Animal Care Routines to ensure best practice in animal care. Significant deviations from written Routines will be recorded and justified by responsible managers. In addition, we commit to developing and implementing a written policy and plan for the retirement of animals at a time appropriate for the species and individual animal. We express our concern for the challenges facing wild populations of XX and commit to engage in public education aimed at increasing public awareness and motivation to engage in conservation activities through our programme materials and through direct dialogue between patrons and animal trainers, featuring our animals as ambassadors for their wild cousins.

This Policy will be reviewed in two years.

Mr. Management, Director, XYZ Productions

Date: _____

APPENDIX II SAMPLE ANIMAL CARE ROUTINE

XYZ Productions

Animal Care Routine: Horses

Nature and Purpose: This Animal Care Routine is established for internal use for the purpose of standardising operating procedures, training new staff and promoting high quality animal care at all times. It is a general guideline that must be read and applied using common sense and taking into account normal variations such as weather conditions, the specific health and conditions of individual animals (e.g., if an animal is under veterinary care which affects its daily routine), and the need for variety by the animals themselves.

Introduction:

A total of eight horses are owned by XYZ Productions under the management of a Head Trainer, assisted by an Assistant Trainer and two Animal Crew members. Two additional horses are owned by Mrs. Horseowner and working under contract with XYZ Productions for the 2008 season. The following Routine applies to all horses, however, Mrs. Horseowner shall provide all care for her horses.

Routine for No Performance Day:

Early morning:

Horses are fed grain.

Horses are led by Animal Crew in turn to an exercise paddock while stalls are cleaned. Animal Crew removes all used bedding from stalls using wheelbarrows and places it in dumpster. Water buckets are scrubbed and refilled. Bedding and water is refreshed. Bedding for each horse stall includes saw dust and two to three bags of wood shavings. Saw dust is piled in the center of stalls to absorb urine and shavings are placed around the perimeter of the stall.

Upon return to stalls, horses shall be thoroughly groomed, including washing or spot cleaning, and hooves are also cleaned. In hot weather, barrel fans are installed at both ends of the tent.

Morning:

Horses are led by Animal Crew to a practice area or the arena for training, exercise or practice for 30-40 minutes. During this time, Animal Crew tend to miscellaneous chores, including restocking feed supplies, cleaning of tack and maintenance of stable area.

Alternatively, at the discretion of the Head Trainer, horses are led by Animal Crew into outdoor enclosures for exercise and grazing in shifts during the morning and/or afternoon.

Noon:

Horses are fed hay, alfalfa or carrots. Water buckets are topped up.

Manure pick-up is ongoing throughout the day and fresh bedding provided as needed.

Evening:

Horses are given blankets or fly sheets, appropriate for the weather, as determined by the Trainer. Horses are given grain, provided with fresh water and bedded down for the night.

Any irregularity in manure, eating, drinking or behavioural habits is reported immediately to Head or Assistant Trainers.

Routine for One Performance Day:

Same as for No Performance Day except that exercise/practice session may be shortened at the discretion of the Head Trainer.

Prior to performance, horses are prepared for the show: curried, brushed, spot cleaned, hooves picked and greased, faces washed and dressed.

Animals are led to the arena by Animal Crew. Under the supervision of the Head Trainer, Animal Crew are instructed in holding, releasing and catching horses during and after the performance.

SAMPLE ANIMAL CARE ROUTINE (CONTINUED)

Animal Crew retrieves horses from the arena following performance. After the performance, each horse is walked for a minimum of ten minutes. Upon return to their stalls, horses' manes and tails are braided; they are given blankets or fly sheets, appropriate for the weather, as determined by the Trainer. Horses are given grain, provided with fresh water and bedded down for the night.

Routine for Load-out:

Transport conveyances are prepared with fresh bedding, food and water. Horses' manes and tails are braided, and they are given blankets and leg wraps as determined by the Trainer. Horses are led into transports by the Head Trainer and/or Assistant Trainer. Animal Crew removes all used bedding from stalls using wheelbarrows and places it in a dumpster. Stalls are disassembled, loaded on transports and driven to new location for immediate set-up by Technical Crew.

Routine for Load-in:

Technical Crew assembles stalls and tent on site in accordance with the site plan established by the Animal Supervisor. Water and electrical hook-ups are installed as soon as possible after the stalls and tent are assembled. Animal Crew equips stalls with bedding and water buckets. Horses are unloaded, one at a time, by Head and Assistant Trainers, and are walked by Trainers and/or Animal Crew for ten minutes before being led to stalls.

Monitoring:

Monitoring during day and night time is provided by the Head Trainer, Assistant Trainer and Animal Crew in shifts established by the Head Trainer and includes the stable area and outdoor exercise enclosures. During Open House hours, when members of the public may be present, assigned personnel shall be visible and available to visitors to the horse facilities at all times and in a position to ensure that horses are not approached or harassed.

Effective date:

This Animal Care Routine will be reviewed and updated as necessary.

APPENDIX III ANIMAL HEALTH, WELFARE AND CONSERVATION LAWS

The following is a broad summary of some of the animal health, welfare and conservation laws applicable to animals in Ireland. The list is not exhaustive. Further, many of the laws listed below have been or are in the process of being amended. All legislation must be read in conjunction with the amendments. Nothing in the following description constitutes a legal interpretation or advice concerning the listed legislation; it remains the sole responsibility of the Client to ensure its compliance with all applicable laws.

International Trade and Species Conservation

- **The Washington Convention on International Trade in Endangered Species of Fauna and Flora (CITES)** is a treaty among governments that regulates international trade in specimens of species of wild animals (and plants) that are threatened with extinction or are otherwise endangered based on a system of permits and certificates issued by governments where requisite conditions are met. These permits or certificates must be presented for an animal to leave or enter a country. CITES generally seeks to ensure that international trade is not detrimental to the survival of a species in the wild.

Special treatment is afforded under CITES to facilitate the movement of exhibitions of animals, including circuses, that are travelling from one country to another. Under certain circumstances, the governments party to CITES have agreed that such exhibitions may travel for up to three years with Travelling Exhibition Certificates, which operate much like a passport for the animals covered by them.

CITES is implemented in the European Community by **Council Regulation (EC) No. 338/97 of 9 December 1996**¹ on the protection of species of wild fauna and flora by regulating trade therein; **Commission Regulation 856/2006 of 4 May 2006**² laying down detailed rules concerning the implementation of **Council Regulation (EC) No 338/97** on the protection of species of wild fauna and flora by regulating trade therein and **Regulation 100/2008 of 5 February 2008**³, amending **Regulation 856/2006**.

The Community's CITES regulations are implemented in Ireland by the **Wildlife (Amendment) Act, 2000 (No. 38/2000)**. The **Wildlife Act, 1976 (No. 39/1976)** concerns use of birds or mammals native to Ireland.

Species Conservation and Public Display

- **Council Directive 1999/22/EC of 29 March 1999**⁴ relating to the keeping of wild animals in zoos requires Member States of the European Union to adopt measures for the licensing and inspection of zoos. It is applicable to "permanent establishments"

1 Official Journal L 061, 03.03.1997, p. 1.

2 Official Journal L 166, 19.06.2006, p. 1.

3 Official Journal L 31, 05.02.2008, p. 3.

4 Official Journal L 094, 09.04.1999, p. 24.

where animals of wild species are kept for exhibition to the public for seven or more days per year. The “Zoo Directive” is implemented in Ireland by the **European Communities (Licensing and Inspection of Zoos) Regulation of 2003 (S.I. No. 440/2003)**.

- The European Community’s **Bird and Habitats Directives (79/409/EEC and 92/43/EEC)**, implemented in Ireland by the **European Communities (Natural Habitats) Regulation of 1997 (S.I. No. 94/1997)** and its amendments, prohibit the commercialisation of European wild birds and animals and provide certain additional safeguards for such species.

Animal Identification, Health and Disease Control

- **European Commission Regulation (EC) No. 1739/2005⁵** laying down animal health requirements for the movement of circus animals between Member States is applicable not only to circuses but to “animal acts” and is aimed at disease control within the European Community. It requires that circuses and animal acts, prior to a movement to another Member State, register with the competent authorities, maintain passports for covered animals and are inspected prior to movement. **Regulation 1739/2005** is implemented in the Republic of Ireland by the **European Communities (Circuses) Regulation of 2007 (S.I. No. 257/2007)**.
- Identification and animal health requirements for cats, dogs and ferrets are set forth in **Regulation (EC) No. 998/2003⁶**, as amended by **Commission Regulation (EC) No. 592/2004 of 30 March 2004⁷**. The “Pet Passport” regulation is implemented in the Republic of Ireland by the **European Communities (Pet Passport) Regulations of 2004 (S.I. No. 423/2004)**.
- Requirements for registered horses are set forth in **Commission Decision No. 93/623/EEC of 20 October 1993⁸**, implemented in the Republic of Ireland by **European Communities (Equine Stud-book and Competition) Regulations of 2004 (S.I. No. 299/2005)**.

Animal Welfare Legislation

In the Republic of Ireland, the relevant legislation includes the **Protection of Animals Acts, 1911 and 1965 (No. 10/1965)**. This legislation governs cruelty to animals and is enforced by the Garda Síochána. The **Protection of Animals Kept for Farming Purposes Act 1984 (No. 13 of 1984)**, which requires people in charge of farm animals to ensure their welfare, is in addition to and not in substitution of the 1911 and 1965 Acts. The **European Communities (Welfare of Farmed Animals) Regulations 2008 (S.I. No.**

5 Official Journal L 279, 22.10.2005, p. 47.

6 Official Journal L 146, 13.6.2003, p. 1.

7 Official Journal L 94, 31.3.2003, p. 7.

8 Official Journal L 298, 3.12.1993, p. 45.

14 of 2008) give effect to a series of European Directives on welfare and oblige persons to take all necessary steps to ensure the welfare of a farm animal in their possession, and it sets out conditions under which an animal must be kept.

For further information about CITES, see:

www.cites.org

Legislation of the European Community may be found at:

www.eur-lex.europa.eu/JOIndex.do

Legislation of the Republic of Ireland may be found at:

www.irishstatutebook.

APPENDIX IV FORMAT FOR EXAMINATION REPORT

Instructions: Use as many sheets as required, depending on the species and numbers of animals.

Name of Primary Veterinarian: _____

Address: _____

Telephone: _____

Facsimile: _____

Veterinary Practices Act (2005) Registration No.: _____

Date of examination: _____

Name of animal owner/presenter: _____

Animal/Animals examined: _____

Inspection completed of:

- Accommodation for the animal/animals, including indoor and outdoor enclosures;
- Any additional exercise and/or training enclosures and/or areas used for performances;
- Equipment;
- Food preparation and storage facilities;
- Areas for storage of medical equipment and/or medicines;
- Transport conveyances, if any;
- Passports or accompanying documentation;
- Medical records;
- Documentation concerning legal acquisition for any specimen of a CITES-listed species, where applicable.

Do the Animal Care Routines maintained for the animals conform with health and welfare requirements for the species concerned?

In my professional opinion, based on clinical examination of the animal/animals and inspection of the facilities noted above, the health and welfare needs of the animal/animals identified in this Report, as measured by the Five Freedoms, are being met.

If not, identify deficiencies, including explanation of basis for finding/findings:

Recommended measures for correction of any identified deficiencies:

Recommended time-frame for correction of deficiencies:

Signature and date:

APPENDIX V CHECKLIST FOR APPLICANTS AND CLIENTS

Applicants shall include in their application materials:

- Copy of written Animal Welfare Policy
- Copies of Animal Care Routines for any animals concerned

Applicants shall be prepared to provide, upon request by the Council:

- Copies of passports and/or required documentation for all animals

Clients shall provide to the Council prior to the disbursement of funds:

- Proof of registration under European Communities (Circuses) Regulation of 2007
- Copy of contractual arrangement with Primary Veterinarian/ Veterinarians
- Where applicable, copy of contact information for veterinarians in other locations

Prior to the end of the period for which funding is provided, but not less than once per year, the Client shall provide to the Council:

- A copy of one or more Examination Report/ Reports by the Primary Veterinarian/ Veterinarians covering animal/animals involved in arts activities
- Where deficiencies are identified in an Examination Report, a copy of a written statement concerning a subsequent examination that indicates whether deficiencies have been corrected

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