

## NEW CLAUSE: Animal Welfare Bill

### *Circus animals*

To move the following Clause:—

- (1) A person commits an offence if he uses or keeps in, or for the purposes of, a circus an animal not of a kind designated under subsection (2).
- (2) The appropriate national authority may by regulations designate a kind of animal for the purposes of subsection (1) if that authority is satisfied, on the basis of scientific evidence, that the welfare needs of animals of that kind are likely generally to be met if they are used or kept for the purposes of a circus.
- (3) It is unlawful to keep or use a winter holding quarters to which this Act applies except under the authority of a licence issued under this Act by the local authority for the area within which the whole or the major part of the winter holding quarters is situated.
- (4) The appropriate national authority may by regulations make such provision for licensing in relation to the keeping or using of winter holding quarters as the authority thinks fit for the purpose of ensuring the welfare of animals to which subsection (2) applies and which are being used or kept in winter holding quarters.
- (5) Without prejudice to the generality of the power under subsection (4), the appropriate national authority may by regulations apply in relation to such animals section 9A, 10, 11 and 12 of the Zoo Licensing Act 1981 (c. 37) (“the 1981 Act”) (inspection of zoos by local authorities) with such modifications as the appropriate national authority considers appropriate.
- (6) For the purpose of ensuring the welfare of animals to which subsection (1) applies and which have been used or kept in, or for the purposes of, a circus the appropriate national authority may by regulations apply in relation to such animals—
- (a) subsections (2) to (11) of section 16E of the 1981 Act (obligations of zoo operator on closure of zoo); and accordingly
  - (b) sections 16F (power of local authority to dispose of animals), 16G (powers of entry) and 19(3D) to (3F), (4) and (5) (offences and penalties) of the 1981 Act, with such modifications as the appropriate national authority considers appropriate.
- (7) In this section-
- (a) “circus” means a place where animals are kept or introduced wholly or mainly for the purpose of performing tricks or manoeuvres at that place
  - (b) “winter holding quarters” means any establishment other than a circus where animals which are kept or used in, or for the purposes of, a circus are kept on more than seven days in any period of 12 consecutive months.

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