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Government Notice

MINISTRY OF ENVIRONMENT, FORESTRY AND TOURISM

No. 278

2022

REGULATIONS RELATING TO KEEPING OF LARGE CARNIVORES IN CAPTIVITY: NATURE CONSERVATION ORDINANCE, 1975

Under section 84(g) of the Nature Conservation Ordinance, 1975 (Ordinance No. 4 of 1975) I -

- (a) have made the regulations set out in the Schedule; and
- (b) repeal the Regulations published under Government Notice No. 85 of 12 March 2012.

P. SHIFETA
MINISTER OF ENVIRONMENT, FORESTRY
AND TOURISM

Windhoek, 2 September 2022

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PART 1

INTRODUCTORY PROVISIONS

Definitions

1. In these regulations a word or an expression defined in the Ordinance has that meaning, and unless the context indicates otherwise -

“authorised official” means a staff member of the Ministry authorised by the Ministry to administer and enforce these regulations;

“captivity” means the restriction or confinement of a large carnivore, causing such large carnivore to become fully dependent on being fed;

“captive facility” means a permanent holding facility, a temporary holding facility or a rehabilitation facility;

“enclosure” means any accommodation provided for large carnivores in captivity;

“enclosure barrier” means a barrier to contain a large carnivore within an enclosure;

“emergency transport permit” means a document issued physically or verbally by an authorised official authorising the urgent movement of a large carnivore from one place to another or from one enclosure to another by land, sea or air;

“euthanasia” means the induction of death with minimal pain, stress or anxiety;

“large carnivore” means a lion, cheetah, leopard, spotted hyena, brown hyena and an African wild dog;

“permanent holding facility” means a facility used to keep an animal that is considered to be non-releasable into the wild population due to human imprint or unable to function on its own;

“rehabilitation facility” means a facility that provides medical treatment and care of an injured, orphaned or a sick animal so that it can be re-wilded in order to contribute to the free roaming wild population;

“registration certificate” means a certificate issued in terms of regulation 11(2);

“registered facility” means a captive facility issued with a registration certificate in terms of regulation 11(2);

“sterilised”, in the case of a male large carnivore, refers to vasectomy or castration, and in the case of a female large carnivore, refers to the double ligation of the fallopian tube to prevent pregnancy;

“temporary holding facility” means a facility that provides confinement of a captured large carnivore for medical treatment and care of an injured, orphaned or a sick large carnivore or relocating an large carnivore for a period of less than 10 working days;

“transport” means to move large carnivores from one place to another from one enclosure to another by land, sea or air;

“transport permit” means an authorisation document issued by the Ministry allowing the movement of a large carnivore from one place to another or from one captive facility to another by land, sea or air;

“the Ordinance” means the Nature Conservation Ordinance, 1975 (Ordinance No. 4 of 1975);

“welfare” means the physical, behavioural and social well-being of a large carnivore through the provision of appropriate conditions for the species involved, including but not limited to housing, environment, diet, veterinary care and social contact where applicable according to the five freedoms of animal welfare, namely -

- (a) freedom from hunger and thirst;
- (b) freedom from discomfort;
- (c) freedom from pain, injury or disease;
- (d) freedom to express normal behavior; and
- (f) freedom from fear or distress;

“veterinarian” means a person who is registered or deemed to be registered in terms of section 28 or 74 of the Veterinary and Veterinary Para-Professions Act, 2013 (Act No. 1 of 2013) to practice the veterinary profession of veterinarian.

PART 2

KEEPING OF LARGE CARNIVORES IN CAPTIVITY

Keeping of large carnivores in captivity

2. (1) A person who keeps a large carnivore in captivity in terms of a registration certificate may not, without prior approval from the Minister -

- (a) release the large carnivore into the wild;
- (b) release the large carnivore into the wild if such large carnivore tests positive for the antigen of Feline Immunodeficiency Virus (FIV) or any other disease declared by the Minister of Agriculture, Water and Land Reform under section 1(2) of the Animal Health Act, 2011 (Act No. 1 of 2011) to be detrimental to the welfare of the wild population, domestic large carnivores or humans;

- (c) transfer the large carnivore from one captive facility to another captive facility;
- (d) transfer the large carnivore on loan to another captive facility;
- (e) hunt the large carnivore, shoot the large carnivore or release the large carnivore to be hunted or otherwise killed in captivity; or
- (f) establish a new captive facility.

(2) A person who keeps a large carnivore in captivity must -

- (a) request for authorisation from the Minister to transfer the large carnivore on loan; and
- (b) clearly indicate the terms and conditions of such loan.

(3) A person who keeps large carnivore in captivity in terms of a registration certificate may keep such large carnivore at own risk and the Ministry is not liable for any costs, loss or damage resulting from keeping such carnivores in accordance with these regulations.

Capturing of large carnivores

3. (1) A large carnivore may be captured from the wild only in the case of -

- (a) human-wildlife conflict incidents;
- (b) a known large carnivore that escaped from a registered facility; or
- (c) a large carnivore that is injured, sick or orphaned.

(2) If a large carnivore is captured in terms of subregulation (1), that large carnivore must be taken to a registered rehabilitation facility first and after it has been rehabilitated it must be put back into the wild or taken to a permanent holding facility.

(3) A person who captures a large carnivore in terms of subregulation (1) must -

- (a) release the carnivore immediately on the same property where it was captured;
- (b) subject to sections 26(4)(a) and 27(5)(a) of the Ordinance and in accordance with regulation 9, destroy the carnivore immediately and report such destruction to the Ministry; or
- (c) within three working days report such a capture to the nearest Ministry office, and request an authorised official to remove the large carnivore.

(4) The Minister may request a registered rehabilitation facility to capture and remove a large carnivore captured and reported to the Ministry in terms of subregulation (1)(3)(c) from the captured site.

(5) A veterinarian must examine a large carnivore captured in terms of subregulation (1) which was transferred to a registered rehabilitation facility and make a recommendation within three working days to the Minister for the Minister to decide on the action to be taken on the species captured.

- (6) A person who captures a large carnivore from the wild in terms of subregulation (1)(c) must report the incident to an authorised official with the following information:
- (a) the species captured;
 - (b) the sex of the species captured;
 - (c) the reasons contemplated in subregulation (1) for capturing the species from the wild;
 - (d) the farm name, number, region, constituency and contact number of the location where the large carnivore was captured;
 - (e) the name and contact details of the person who captured or who is reporting the incident;
 - (f) the name and contact details of the authorised official to whom the incident was reported; and
 - (g) action taken on the species captured.
- (7) A person who captures a large carnivore in terms of subregulation (1) must ensure that the welfare of such large carnivore is maintained.
- (8) A large carnivore may only be kept in a cage during capturing, transportation, veterinary treatment or quarantine.
- (9) For the purpose of capturing or transporting a large carnivore, the length of the cage may not be less than -
- (a) 2.3 metres for a lion; or
 - (b) 1.8 metres for a leopard, cheetah, wild dog or brown or spotted hyena.
- (10) A large carnivore kept in a cage in terms of subregulation (1) may not be kept for more than three working days.
- (11) The cage must be secured to prevent a large carnivore from escaping, and it must be constructed of material that cannot injure the large carnivore.
- (12) A large carnivore kept in a temporary holding facility for more than 10 working days must be kept in an enclosure which is minimum of one hectare per large carnivore, except -
- (a) if such large carnivore is being treated by a veterinarian;
 - (b) if such large carnivore is being kept in quarantine for export purposes;
 - (c) when the main enclosure in which the large carnivore is kept is being cleaned; or
 - (d) when the large carnivore is being transported from one captive facility to another.
- (13) If different species are kept in one enclosure, such species must be kept at a minimum distance of 100 metres apart to prevent stress or attack.

(14) A person who captures large carnivore from the wild other than under the circumstances provided for in subregulation (1) commits an offence, and on conviction is liable to a fine and imprisonment as contemplated in section 87 of the Ordinance.

Handling of large carnivore in captivity

4. (1) A person who keeps a large carnivore in captivity in terms of regulation 2 may not -

- (a) put such large carnivore or its products up for sale;
- (b) allow such large carnivore to breed;
- (c) feed live animals to such large carnivore;
- (d) handle such large carnivore in such a manner so as to -
 - (i) permanently remove its claws;
 - (ii) remove its canine teeth;
 - (iii) de-voice such large carnivore; or
 - (iv) mutilate the large carnivore in any way,

unless required for veterinary reasons;

- (e) drive through enclosures for tourism purposes;
- (f) allow any person to enter enclosures of such large carnivore during feeding or for tourist viewing;
- (g) keep different species in the same enclosure;
- (h) allow posting of photographs of such large carnivore in contact with people on social media, print media and television; or
- (i) allow feeding by visitors and people who are not trained to deal with animals.

(2) A person who destroys a large carnivore in terms of regulation 3(3)(b) may not -

- (a) film, photograph or allow the filming or photographing; or
- (b) post any video or photograph on social media, print media or television,

of the process of destroying such large carnivore.

(3) A person who keeps a large carnivore in captivity must ensure the welfare of the animal is maintained by handling such large carnivore -

- (a) only by or under the supervision of a trained authorised staff; and
- (b) in a manner which avoids unnecessary discomfort, behavioural stress or actual physical harm to the large carnivore.

Photography of large carnivore in captivity

5. Despite regulation 4(1)(h), the Minister may -
- (a) for educational purposes;
 - (b) for research purposes;
 - (c) for law enforcement purposes;
 - (d) for medical purposes; or
 - (e) for identification purposes,

approve videos or photographs of a large carnivore to be taken.

Sterilization of large carnivore

6. (1) A person who keeps a large carnivore in a permanent holding facility must ensure that -

- (a) such large carnivore is sterilised; and
- (b) female large carnivores are sterilised, if both male and female animals are kept in the same enclosure.

(2) Despite subregulation (1), a person who keeps a large carnivore in a permanent holding facility may not sterilise the large carnivore if -

- (a) the large carnivore is of old age;
- (b) the large carnivore has a previous known pre-existing medical condition which could cause an aesthetic complication; or
- (c) any pups or cubs that are born are euthanised by a registered veterinarian after the Minister has approved such euthanasiation.

(3) A large carnivore may be exempted from being put under anesthetics if the exemption -

- (a) is recommended by a registered veterinarian after an evaluation of the large carnivore; and
- (b) is approved by the Minister.

(4) The evaluation referred to in subregulation (3)(a) must be based on the current state and the health record of the large carnivore.

Health, nutritional requirements and hygiene of large carnivore in captivity

7. (1) A person who keeps a large carnivore in captivity in terms of a registration certificate for a rehabilitation facility or permanent holding facility must ensure that -

- (a) such large carnivore is vaccinated against rabies annually;

- (b) such large carnivore is examined annually, physically or visually, by a veterinarian;
- (c) the condition and health of all large carnivores in the enclosure are checked daily by the persons in charge of their care;
- (d) if such large carnivore is observed to be unduly stressed, sick or injured, it receives immediate veterinary attention and medical checkup;
- (e) such large carnivore is provided with a nutritionally balanced diet in a suitable form and in the correct proportion based on the most appropriate behavioural and physiological needs of the species;
- (f) the food fed to the large carnivore is checked before it is fed to the large carnivore to ensure that it is in good condition and appropriate for feeding; and
- (g) veterinary or other specialist advice is obtained and followed concerning all aspects of nutritional requirements of all large carnivores.

(2) The examination referred in subregulation (1)(b) must include annual visual examination such as a fecal examination for internal parasites and a full immobilization every two years which must include a physical examination.

(3) A person referred to in subregulation (1) does not have to ensure that an examination contemplated in subregulation (2) is performed on such large carnivore if -

- (a) veterinary medical reasons such as a pre-existing illness are provided;
- (b) it would create an anesthetic risk to a large carnivore due to old age; or
- (c) the large carnivore can be viewed and observed adequately by a veterinarian and can be seen to be healthy with no obvious ailments or illnesses that require further inspection.

(4) A person who keeps a large carnivore in a permanent holding facility must create an identification booklet for each large carnivore, which provides -

- (a) spots for a leopard or cheetah;
- (b) whisker spots for all species;
- (c) pictures of any identifying marks such as scars, ears or tears;
- (d) pictures of both left and right sides of the body and head;
- (e) microchip number;
- (f) annual health and rabies vaccination dates; and
- (g) all other treatments and procedures performed on the large carnivore.

(5) The identification booklets referred to in subregulation (4) may be used for large carnivore identification for spot and health checks by an authorised official.

(6) Despite subregulation (5) an authorised official may at his or her discretion request for the reading of a microchip of a large carnivore.

Prevention of stress or harm to large carnivores

8. (1) A person who keeps a large carnivore in captivity in terms of a registration certificate must ensure that -

- (a) enclosures and barriers are maintained in a condition which presents no likelihood of harm to the large carnivore;
- (b) a defect noted on the large carnivore barrier or in any appliance or equipment within the large carnivore enclosure is replaced or repaired without delay;
- (c) a defect likely to cause harm to the large carnivore is rectified or if the rectification is not possible the large carnivore is removed from the defective enclosure to another suitable enclosure;
- (d) any vegetation capable of harming the large carnivore is kept out of reach of the large carnivore;
- (e) all plant and fixed equipment, including electrical apparatus, is installed in a manner that does not present a hazard to the large carnivore and that safe operation cannot be disrupted by the large carnivore;
- (f) the rubbish in an enclosure of the large carnivore is removed weekly to avoid any possibility of harm to such large carnivore; and
- (g) the trees within or near the large carnivore enclosure is regularly inspected and trimmed or felled in order to reduce the risk of -
 - (i) damage to the enclosure barriers;
 - (ii) the large carnivore being harmed by falling branches; or
 - (iii) the large carnivore using the trees as a means to escape.

(2) If a large carnivore is moved to another enclosure in terms of subregulation 6(1)(c), the person who keeps that large carnivore in captivity must in writing inform an authorised official at the Ministry of such move within 48 hours.

Destruction and carcass handling of captive large carnivores

9. (1) The carcass of a captive large carnivore -

- (a) may be destroyed after informing the authorised officials within 48 hours and in writing of such destruction; and
- (b) may on the recommendation of a veterinarian be burnt or buried, but such burial site may not resemble a human grave.

(2) A person who intends to keep the skull, skin or bones from the carcass of a deceased captive large carnivore must obtain a permit from an authorised official to keep such skull, skin or bones.

(3) A person who keeps large carnivores in captivity must in writing report all mortalities of large carnivores within 10 working days from the date of such mortality to an authorised official and ensure that such report is accompanied by a veterinary post mortem report.

(4) If a large carnivore is destroyed in terms of subregulation (1), the process of destruction of such large carnivore must -

- (a) not cause severe injury or prolonged death; and
- (b) induce immediate death by euthanasia or shooting by a veterinarian.

PART 3

REQUIREMENTS FOR REGISTRATION CERTIFICATE

Registration certificate

10. (1) For purposes of these regulation a person who intends to keep a large carnivore in a registered facility must apply to the Minister for a registration certificate to keep the large carnivore in the registered facility.

(2) An application for a registration certificate to keep large carnivores in captivity made in terms of subregulation (1) must be made annually and must -

- (a) be made on a form available at an office or on the official website of the Ministry;
- (b) indicate the number of animals to be kept at the captive facility;
- (c) be accompanied by a non-refundable fee of N\$ 2000 per animal annually; and
- (d) be accompanied by a non-refundable fee of N\$1000 per captive facility annually.

(3) A person who operates a captive facility without a valid registration certificate contemplated in subregulation (1) commits an offence and on conviction is liable to a fine and imprisonment as contemplated in section 87 of the Ordinance.

Issuing of registration certificate

11. (1) On receipt of an application for a registration certificate referred to in regulation 10(1), the Minister must consider such application and may -

- (a) approve the application without conditions;
- (b) approve the application subject to such conditions as the Minister may consider appropriate; or
- (c) refuse to approve the application.

(2) If an application referred to in regulation 10(1) is approved the Minister must issue the applicant with a registration certificate for the specific captive facility approved.

(3) A registration certificate must specify -

- (a) the name of the person to whom the registration certificate is issued to;
- (b) the captive facility name;
- (c) the region in which the captive facility is situated;

- (d) the date of issue of the registration certificate;
- (e) the date of expiry of the registration certificate;
- (f) the number of and species of animal to be kept at the captive facility; and
- (g) any conditions contemplated in regulation 12 that must be adhered to.

(4) The holder of a registration certificate issued in terms of subregulation (2) must produce the registration certificate for inspection when required to do so by a member of the Namibian Police or an authorised official.

Requirements for issuing of registration certificate for permanent holding facility or rehabilitation facility

12. (1) The Minister may issue a registration certificate as contemplated in regulation 11(2) if he or she is satisfied that the applicant of the proposed rehabilitation facility has a qualification or training recognised by the Namibia Qualifications Authority and at least three years experience in nature conservation, caring of large carnivore or dealing with matters of large carnivore biology and the environment.

(2) The Minister may issue a registration certificate as contemplated in regulation 11(2) if he or she is satisfied that the application for a rehabilitation facility meets the following requirements:

- (a) the proposed rehabilitation facility, has a clinic registered with the Veterinary Council of Namibia in terms of sections 38 and 43 of the Veterinary and Veterinary Para-Professions Act, 2013 (Act No. 1 of 2013) and is fitted with a tiled floor area, running hot and cold water, a table and built in cupboards; and
- (b) the proposed rehabilitation facility is situated in a rural area and that the rehabilitation facility has camps of sufficient size to allow for the undisturbed rehabilitation of large carnivores kept at such a facility.

(3) The Minister may issue a registration certificate as contemplated in regulation 11(2) if he or she is satisfied that the application for a permanent holding facility meets the following requirements:

- (a) an enclosure in the proposed permanent holding facility is of a minimum size of five hectares per large carnivore with an additional five hectares for every additional large carnivore;
- (b) the proposed permanent holding facility has a temporary medical holding enclosure, with a minimum of 10 square metres per large carnivore, to be used during medical care or for maintenance purposes;
- (c) an enclosure in the proposed permanent holding facility is constructed from wire mesh fence and the fences are not lower than 2.4 metres and are cemented into the ground, except where the fence is electrified;
- (d) the fence of an enclosure in the proposed permanent holding facility is not made from or does not contain barbed or razor wire;
- (e) an enclosure in the proposed permanent holding facility has an overhang of one metre at an angle of 45 degrees from the perpendicular facing inward and outward at the upper end of the fence, except where the fence is electrified at the top;

- (f) if an enclosure in the proposed permanent holding facility has an electrified fence, the electric fence must be constructed as follows:
- (i) for the holding of cheetahs, all strands of the electric fence must be 300mm away from any fence, except the top strands which must be placed 150mm away from any fence, inside and outside the enclosure and at a height of 2.4 metres from the ground, and the bottom wire must be 250mm above the ground outside the enclosure and followed by an electric strand of 600mm above the ground outside the enclosure;
 - (ii) for the holding of leopards, all the strands of the electric fence must be 300mm away from any fence except the top strand, the bottom strand of the electric fence must be 250mm from the ground inside and outside the enclosure and followed by an electric strand of 600mm above the ground inside and outside the enclosure and at a height of 2.4 metres from the ground which is 150mm and 300mm away from any fence respectively on both sides of the fence;
 - (iii) for the holding of lions, all electric fence strands must be 300mm away from any fence, except that the top strands, the second strand must be at a height of 800mm above the ground inside and outside and the top strand of the electric fence must be at a height of 2.4 metres from the ground both inside and outside, which are 150mm and 300mm away from any fence respectively, and the bottom strand of the electric fence must be placed at a height of 250mm above the ground inside and outside of the enclosure;
 - (iv) for the holding of spotted and brown hyenas, all electric fence strands must be 300mm away from any fence, except the top stands, the bottom strands of the electric fence must be placed at a height of 250mm above the ground inside and outside the enclosure and the second strand of the electric fence at a height of 600mm above the ground inside and outside and the third strand of the electric fence must be at a height of 900mm above the ground inside and outside and the top strand of the electric fence must be placed 150mm away from any fence, inside and outside the enclosure and at a height of 2.4 metres from the ground;
 - (v) for the holding of wild dogs, all strands of the electric fence must be 300mm away from any fence, except the top strands, the bottom strand of the electric fence must be placed at a height of 250mm above the ground inside and outside, the second strand of the electric fence at a height of 600mm above the ground inside and outside and the top strand of the electric fence must be placed 150mm away from any fence, inside and outside the enclosure and at a height of 2.4 metres from the ground;
- (g) the proposed permanent holding facility has clearly visible safety signs, indicating electric fences and dangerous large carnivores signs, are displayed at each enclosure to warn people of danger; and
- (h) the large carnivore enclosures, which are accessible to the public at the proposed permanent holding facility, have a buffer fence measuring 1.2 metres in height and 1.5 metres away from such enclosure.

Obligations of holders of registration certificate

13. (1) The holder of a registration certificate must, after he or she has been issued with the certificate -

- (a) subject to prior approval by the Minister, ensure that a large carnivore is not captured from the wild population, unless it forms part of a conservation practice by a rehabilitation facility;
- (b) have at least one staff member in its employment who handles or is responsible for the supervision of all other persons dealing with large carnivores at the captive facility and such staff member must have a qualification or training recognised by the Namibia Qualifications Authority and at least three years experience in nature conservation, caring of large carnivores or dealing with matters of large carnivore biology and the environment; and
- (c) in addition to the register kept in terms of subregulation (3)(d), keep an additional register and record with the following information for a period of three years:
 - (i) in the case of a rehabilitation facility, the type of species being rehabilitated;
 - (ii) in the case of a rehabilitation facility, the identity number, allocated in terms of subregulation (3)(c), of the large carnivore being rehabilitated;
 - (iv) when and where the large carnivore was found;
 - (v) the initial weight of the large carnivore upon admission;
 - (vi) the health condition of the large carnivore at the time of admission to the captive facility;
 - (vii) full particulars of the person who found the large carnivore;
 - (viii) full particulars of the person that will receive the large carnivore and the purpose of transfer or placement;
 - (ix) individual records of all large carnivores kept at the captive facility documenting all rehabilitation related actions undertaken for a specific large carnivore;
 - (x) information regarding the treatment given to the large carnivores, if any;
 - (xi) the weight of the large carnivores at the time of discharge or release from the captive facility;
 - (xii) place of release including the Global Positioning System coordinates;
 - (xiii) records of large carnivores received at the captive facility;
 - (xxiv) large carnivores released into the wild from the captive facility; and
 - (xxv) large carnivores put down by means of euthanasia;

- (d) ensure that the environmental conditions, including the temperature, humidity, ventilation, seasonal changes, lighting of enclosures, holding quarters and off-exhibit housing for large carnivores are suitable for the comfort and well-being of the particular species of large carnivore at all times in accordance with the five freedoms of welfare referred to in regulation 1;
 - (e) ensure that the large carnivores that are kept in outdoor enclosures are provided with sufficient shelter from extreme weather or excessive sunlight and that sufficient shade is provided in each enclosure;
 - (f) ensure that the design of the enclosure in which a large carnivore is kept considers the behavioural needs and behavioural management of a specific species of large carnivore, allowing adequate spatial separation between individual or a subgroup of large carnivores;
 - (g) ensure that the captive facility makes use of a veterinarian to provide emergency and intensive veterinary care;
 - (h) ensure that the bones and meat left in the enclosures are removed twice a week for hygiene purposes;
 - (i) ensure that the rubbish in a large carnivore enclosure is removed twice a week to avoid any possibility of harm to the large carnivores;
 - (j) ensure there is sufficient and clean drinking water for the large carnivores; and
 - (k) ensure water troughs are cleaned on a daily basis.
- (2) The qualifications and training of a person referred to in subregulation (1)(b) must be individually assessed and approved by the Ministry.
- (3) The holder of a registration certificate must, in addition to the requirements of subregulation (1) -
- (a) ensure that his or her registration certificate is renewed annually, subject to an inspection by an authorised official and a veterinary report which states the date, type of medication administered, by whom and where the medicine was administered, and furnish the identification number by means of transponder numbers of the animals inspected;
 - (b) pay a fee referred to in regulation 10(2)(b) for each large carnivore kept in captivity;
 - (c) mark all large carnivores individually with an implantable transponder bearing an identity number for proper identification purposes;
 - (d) keep a register and record for as long as the captive facility is in operation with the following information for each large carnivore:
 - (i) the sex of each large carnivore;
 - (ii) the age of each large carnivore;
 - (iii) the identification number referred to in paragraph (c) of each large carnivore;

- (iv) the date on which such large carnivore was acquired;
 - (v) the place where the large carnivore originates from;
 - (vi) the date on which a dose or any type of medication was administered, if any;
 - (vii) the name of the person administering the medication or performing veterinary procedures, if any;
 - (viii) the date on which a large carnivore died; and
 - (ix) the cause of death and the details of carcass disposal of the large carnivore;
- (e) ensure that the identity number allocated in terms of paragraph (c) of each large carnivore is indicated in a registration certificate application concerning such large carnivore;
- (f) within 10 working days report to the Ministry of any death, birth, escape or recapture of any large carnivore or change of location or the captive facility in which the large carnivore is kept;
- (g) ensure that all lions kept in captive facility are tested for the feline immunodeficiency virus (FIV);
- (h) request for verbal permission from an authorised official to transport a large carnivore on an emergency during weekends or public holidays or after hours for medical reasons or human wildlife conflict incidents;
- (i) implant an implantable transponder referred to in paragraph (c) inside the left side of the tail base or scruff on the neck behind the left ear of the large carnivore, within five centimeters of the tail, where the tail and the body meet to ensure a prompt and immediate identification of the large carnivore; and
- (j) if the identification booklet referred to in regulation 7(4) is not available or does not have sufficient information, ensure that a large carnivore is scanned or anaesthetised every two years by a veterinarian.
- (4) The veterinarian referred to in subregulation (3)(j) must produce a report which will accompany the renewal application form referred to in regulation (10)(2).
- (5) A person who was granted a verbal permission referred to in subregulation (3)(h), must -
- (a) apply for a transport permit immediately on the following working day; and
 - (b) provide the contact details of the authorised official who granted the verbal permission.

PART 4

REHABILITATION FACILITY

Conditions for keeping large carnivores at rehabilitation facility

14. (1) A person who keeps a large carnivore captive in a rehabilitation facility may keep -
- (a) an adult large carnivore, after being captured from the wild, only for a maximum period of three months; or
 - (b) a juvenile carnivore, after being captured from the wild, only for a maximum period of 18 months.
- (2) A carnivore referred to in subregulation (1) may be kept in excess of the periods referred to in that subregulation, if -
- (a) an extended stay is required for veterinary reasons; and
 - (b) a medical report which states the period required before the animals can be released is provided to an authorised official.
- (3) An authorised official may after consultation with a veterinarian, if the carnivore is not rehabilitated and released within the period referred to in subregulation (1), direct that the carnivore either be euthanized or become a permanent captive large carnivore.
- (4) If a person keeps a large carnivore in captivity after the period referred to in subregulation (1) and is considered to be a permanent captive large carnivore, such large carnivore must be registered as a captive large carnivore and a permanent facility that receives such large carnivore must apply for a permanent captive holding registration certificate in terms of regulation 10(1) and pay the fees referred to in regulation 10(2).
- (5) A person who manages a rehabilitation facility may not receive any money for receiving, keeping or giving away a large carnivore to a permanent holding facility or another rehabilitation facility.
- (6) A person who keeps a large carnivore in a rehabilitation facility may not -
- (a) expose the large carnivore for public viewing;
 - (b) allow the large carnivore to breed; or
 - (c) allow the large carnivore to have direct contact with humans, except when it is being administered treatment or when a medical procedure is being conducted on such large carnivore.
- (7) A person who administers a rehabilitation facility issued with a registration certificate must obtain authorisation in writing from the Minister to, in the case of large carnivores that require more rehabilitation, keep large carnivores in excess of the periods referred to in subregulation (1) and such application for authorisation must be accompanied by -
- (a) a report from a veterinarian providing the reason why the large carnivore cannot be released within the period referred to in subregulation (1) and the period required before the large carnivore can be released; and

(b) a medical report.

(8) An application for authorisation referred to in subregulation (7) must be accompanied by the written authorisation from the owner of the property and the neighbours of the area where he or she intends to release the large carnivore.

(9) An authorised official must, before the release of the carnivore, accompany the translocation team to the release site and ensure that the permit conditions are complied with.

(10) A permanent holding facility that has been issued with a registration certificate is the only captive facility allowed to receive large carnivores in captivity obtained from a rehabilitation facility.

PART 5

CANCELLATION AND SUSPENSION OF REGISTRATION CERTIFICATE

Cancellation and suspension of registration certificate

15. (1) The Minister may cancel a registration certificate issued in terms of regulation 11(2), if -

- (a) the owner of a registered facility surrenders the registration certificate issued to keep large carnivores at a temporary holding facility, permanent holding facility or rehabilitation facility; or
- (b) the owner or person who inherited the property on which a captive facility which keeps large captive carnivores is situated is in the process of selling the property and the new owner is not willing to keep the large carnivores.

(2) The Minister may suspend a registration certificate issued in terms of regulation 11(2), if -

- (a) the owner of a registered facility cannot be found after reasonable enquiries have been made;
- (b) the owner of a registered facility fails to comply with the registration certificate conditions contemplated in regulation 11(1)(b);
- (c) a registered facility has sourced large carnivores from the wild without the Minister's approval;
- (d) the registered facility is conducted in a manner which is contrary to these regulations; or
- (e) a rehabilitation facility does not serve its mandate of rehabilitating large carnivores to be released back into the wild to contribute to the wild population.

(3) The Minister must, if he or she suspends a registration certificate in terms of subregulation (2), set conditions under which the owner of the captive facility must operate the captive facility during the period of suspension.

(4) The owner of a registered facility may not continue to operate the facility once a registration certificate is canceled.

Application for cancellation of registration certificate

16. (1) If the owner of a registered facility decides to surrender a registration certificate he or she must, six months prior to such surrender, in writing apply to the Minister to cancel such registration certificate and -

- (a) provide a disposal plan of some or all large carnivores in the captive facility;
- (b) provide a plan setting out the proposed arrangements for the welfare of the large carnivores;
- (c) provide a cost implication report;
- (d) provide supporting and acceptance documents from a registered facility to which the large carnivores will be transferred;
- (e) provide the original health certificates or certified copies of the health certificates for all the large carnivores; and
- (f) make arrangements for the future care or disposal of the large carnivores at his or her own cost.

(2) On receipt of an application for the cancellation of a registration certificate referred to in subregulation (1) the Minister must consider such application and may -

- (a) approve the application without conditions; or
- (b) approve the application subject to such conditions as the Minister may consider appropriate.

(3) After an application referred to in subregulation (1) is approved the Minister must issue the applicant with a closure directive for the specific facility approved.

(4) The owner of a registered facility must upon approval of the cancellation of a registration certificate hand over all the original registers of the large carnivores kept at the facility to an authorised official.

(5) If the plan referred to in subregulation (1)(b) is not approved such large carnivores may not be moved or the transferred from such property or captive facility and the sale of such property or captive facility must be put on hold until the welfare of the large carnivores is taken care of.

PART 6**GENERAL****Penalties for contravening provisions of regulations**

17. (1) A person who contravenes or fails to comply with regulation 2(1) or (2), 3(2), (3), (6), (7), (10) or (13), 4, 6(1) or (2), 7(1)(a) or (b), (4) or (8), 9(2) or (3), 10(1), 13, 14(1), (4), (5), (6) or (7) and 16(1), (4) or (5) commits an offence and on conviction is liable to a fine and imprisonment as contemplated in section 87 of the Ordinance.
