



Republic of Namibia
Annotated Statutes

REGULATIONS

REGULATIONS MADE IN TERMS OF

Performing Animals Protection Act 24 of 1935

sections 2(d) and 7

General Regulations

Government Notice R.1914 of 1972

[\(RSA GG 3686\)](#)

came into force on date of publication: 27 October 1972

ARRANGEMENT OF REGULATIONS

[The individual regulations do not have headings.]

1. In these regulations, unless the context otherwise indicates -

“Act” means the Performing Animals Protection Act, 1935 (Act 24 of 1935); and a word or expression to which a meaning has been assigned in the Act bears that meaning.

2. (1) Every application for the granting or the renewal of a licence under the Act shall be made, in writing, in the form set out in, and shall contain the information required by Schedule 1.

- (2) Such application shall be accompanied by -

- (a) a certificate of a veterinarian (duly registered in terms of the Veterinary Act, 1933), that the animals which the applicant proposes to train or exhibit have all been examined, that they are fit to be trained or exhibited, and that his premises and apparatus are suitable for keeping or training such animals; and

[The current law on the registration of veterinarians is the Veterinary and Veterinary Para-Professions Act 1 of 2013, which repealed the Veterinary and Para-Veterinary Professions Proclamation 14 of 1984, which in turn repealed the Veterinary Act 16 of 1933.]

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- (b) a report of the District Commandant of the police district in which the applicant resides as to the applicant's character and fitness to be a licensee.

3. (1) The following fees shall be payable at the time of making the application:

- (a) For the granting of a licence: R10.
- (b) For the renewal of a licence: R2.

Such fee shall be refunded if the application is refused.

(2) Every application for the renewal of a licence shall be made on or before the thirty-first day of December of the year preceding the year in respect of which the licence is required, and every application received by the magistrate after the said date shall be treated in all respects as an application for the granting of a new licence.

4. If the magistrate is satisfied that the applicant is a fit and proper person to hold a licence and that the apparatus he proposes to use is suitable, he shall issue to the applicant a licence in the form set out in Schedule 2, together with a certificate in the form set out in Schedule 3.

5. (1) The licensee shall not train or exhibit any animal in a manner other than that prescribed in such certificate, nor shall any animal not covered thereby be exhibited in any performance.

(2) If the licensee desires any alteration in the particulars contained in such certificate, he shall apply to the magistrate of the district in which he is at the time of the making of the application, and such magistrate may, after obtaining a report of the District Commandant of the police district wherein the licensee is at the time of the making of such application, amend the certificate as he may deem desirable and shall forthwith inform the magistrate by whom the licence was issued of any such amendment.

6. (1) The licensee shall on demand produce to any police officer his licence and certificate.

(2) The licensee shall at all reasonable times allow any police officer to inspect the premises and animals in respect of which a licence and certificate have been granted. When making such inspection, such police officer may be accompanied by a duly registered veterinarian or the curator of a recognised zoological institution, who shall also be allowed access to the premises by the licensee or his servants.

7. The licensee shall at all times keep the premises and the accommodation provided for animals in a clean and suitable condition and in good order and repair.

8. (1) The licensee shall keep animals of one species apart from animals of another species, except when they are actually being trained or exhibited.

(2) When animals of a species normally considered dangerous or any other animals which have shown that they are dangerous, are being trained or exhibited, the licensee shall erect or cause to be erected adequate enclosures to prevent their escape.

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9. A licensee shall not train or exhibit any animal which is suffering from any disease or injury unless a duly registered veterinarian has certified, in writing, that such animal is fit to be so trained or exhibited.

[The word “exhibited” is misspelt in the *Government Gazette*, as reproduced above.]

10. The licensee shall keep, accommodate and transport animals only in cages of such size wherein they can lie down at full length, stand upright and turn without difficulty.

11. No licensee or any person employed by him shall during any period of training, exhibition, maintenance or travelling subdue any animal by hunger, thirst, isolation in darkness, fire, forks, spikes, goads or other instruments of a like nature, loaded sticks, clubs, knouts, heavy whips, sjamboks, the discharge of firearms or explosives, the use of heated irons or by electric shocks or any other cruel method, or by the administration of drugs or narcotics by way of feeding, injection or any other means.

[The word “shocks” is misspelt in the *Government Gazette*, as reproduced above.]

12. The Minister may cancel any licence issued under these regulations if -

- (a) the licensee is convicted of a contravention of the Act or these regulations or of the Animals Protection Act, 1962; or
- (b) for any other reason the Minister is satisfied that the licensee is no longer a fit and proper person to hold a licence.

13. The regulations published in Government Notice R. 1205 of 15 December 1961 are hereby repealed.

SCHEDULES

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Schedules 1-3

REGULATIONS
Performing Animals Protection Act 24 of 1935
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SCHEDULE 1

For official purposes only

Receipt No.....

Date.....

Amount.....

PERFORMING ANIMALS PROTECTION ACT, 1935

APPLICATION FOR THE GRANTING/RENEWAL* OF A LICENCE

(To be completed in duplicate)

I, the undersigned, hereby apply for the *granting/renewal of a licence to *exhibit and/or train** animals in terms of the Performing Animals Protection Act, 1935, and declare that the following particulars are true and complete to the best of my knowledge and belief:**

1. Full name of applicant.....
2. Stage or other assumed name (if any) used in the Republic or the territory of South-West Africa.....
3. Date of birth.....
4. Nationality.....
5. Permanent address in the Republic or the territory of South-West Africa.....
6. Address in the Republic or the territory of South-West Africa at which applicant trains or intends to train animals.....
7. If previously licensed, the number, date and place of issue of latest licence.....
8. Classes, species or varieties of animals proposed to be *trained and/or exhibited,** giving full particulars as to age and sex, and whether born in captivity or not.

To be Trained

Class, species or variety	Number	Age	Sex	Born in captivity	Not born in captivity

To be Exhibited

Class, species or variety	Number	Age	Sex	Born in captivity	Not born in captivity

9. Previous experience in training animals, giving full particulars of species of animals, length and nature of experience.....
10. The general nature of the performance in which the animals are to be exhibited or for which they are to be trained. (The information must be sufficient to give a general idea of what is to be done by the animals and the number of animals of each species taking part in the performance must be stated).....
11. Apparatus (if any) to be used, with an indication of which animals will be using it.....
12. Approximate duration of each performance and the number of times which it will be given per day or per week.....
13. (a) Has applicant been charged with and/or convicted of cruelty to animals in the Republic or the territory of South-West Africa or elsewhere?.....
(b) If so, give full particulars of the charge, date, place and result of trial.....

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14. Is applicant financially capable of adequately housing and feeding the animals which he proposes to *train and/or exhibit*?*
15. I certify that the animals which are enumerated in paragraph 8 are the animals which have been examined by the veterinarian whose certificate appears hereunder.

Place.....
Date.....
Signature of applicant

* Delete whichever is not applicable.

CERTIFICATE OF VETERINARIAN IN TERMS OF REGULATION 2 (2) OF THE REGULATIONS MADE UNDER SECTIONS 2 (d) AND 7 OF THE PERFORMING ANIMALS PROTECTION ACT, 1935

I.....
of.....
(a veterinarian duly registered in terms of the Veterinary Act, 1933).
certify that—
(a) all the animals enumerated in paragraph 8 of the above application were examined by me at.....
on the..... day of..... 19.....;
(b) they are fit to be *trained and/or exhibited*;* and
(c) the applicant's premises and the apparatus to be used are suitable for *keeping and/or training** such animals.

Remarks.....
Dated at....., this..... day of..... 19.....

Signature of veterinarian

* Delete whichever is not applicable.

SCHEDULE 2

PERFORMING ANIMALS PROTECTION ACT, 1935

LICENCE NO..... TO *TRAIN AND/OR EXHIBIT**
ANIMALS
(to be completed in duplicate)

Licence is hereby granted to—

(a)
of (b), known in
the Republic or the territory of South-West Africa as (c)
of (d)
nationality, to *train and/or exhibit** animals in accordance with
the certificate issued to him on the (e) or
any amendment thereof authorised under regulation 5 (2) of the
regulations made under sections 2 (d) and 7 of the Performing
Animals Protection Act, 1935.

Given under my hand at.....
this..... day of....., 19.....

Signature of magistrate

Magistrate of the District of.....
Amount paid.....
Receipt No..... date.....

* Delete whichever is not applicable.

- (a) Full name of licensee.
- (b) Permanent address in the Republic or the territory of South-West Africa.
- (c) Stage name, if any, used in the Republic or the territory of South-West Africa.
- (d) Nationality of licensee.
- (e) Date of issue of certificate.

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SCHEDULE 3

PERFORMING ANIMALS PROTECTION ACT, 1935
CERTIFICATE

(To be completed in duplicate)

This is to certify that—

- (a), to whom Licence No. (c)
of (b)....., has been issued, is authorised to *train and/or exhibit** animals in
accordance with the particulars set out below:
(1) Address(es) at which he is licensed to *train and/or exhibit**
animals.....
(2) Classes, species or varieties of animals to be *trained and/or*
*exhibited: **

To be trained		To be exhibited	
Class, species or variety	Number	Class, species or variety	Number
.....
.....
.....

- (3) Nature of training, with an indication of any apparatus to be used.....
(4) The number of animals of each species taking part in and the general nature of the performance for which they are to be trained or in which they are to be exhibited.....
(5) Apparatus, if any, to be used in the performance.....
(6) Approximate duration of each performance and the number of times per day or per week which it is to be given.....

Dated at....., this..... day of....., 19....

.....
Magistrate

*Delete whichever is not applicable.

- (a) Full name of licensee.
(b) Permanent address in the Republic or the territory of South-West Africa.
(c) Number and date of licence.