

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](http://www.lac.org.na/laws/GGsa/rsagg3686.pdf))

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law on the registration of veterinarians is the Veterinary and Veterinary Para-Professions Act 1 of 2013, which repealed the Veterinary and Para-Veterinary Professions Proclamation 14 of 1984, which in turn repealed the Veterinary Act 16 of 1933.]

(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.

**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 beso trained or exhibted.

[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 schocks 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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