

346/2006 Coll.

DECREE

of 22 June 2006

on laying down more detailed conditions of keeping and training of animals

The Ministry of Agriculture is laying down in accordance with section 29 para 1 and for the implementation of section 14a para 2 of Act No 246/1992 Coll., on the protection of animals against cruelty, as amended by Act No 162/1993 Coll. and Act No 77/2004 Coll.:

Conditions of keeping the trained animals

§ 1

(1) In order to maintain the physiological functions of wild animals who are raised, trained and used for training (hereinafter referred to as the “trained animals“) and safeguard their biological needs, the breeder shall create conditions to ensure the welfare of the trained animals at the place of their winter quarters, during their movement and transport¹⁾ and at the place of their training or where they are used for a public performance, by

- a) enabling the trained animals to self-groom and play, preventing stress and development of stereotypes in behaviour through the enrichment of the environment of these animals (e.g. by fitting the spaces for trained animals with shelters, tree trunks, tree branches or movable aids),
- b) ensuring the natural function of locomotive system of the trained animals through appropriate equipment and partitioning of the area and the opportunity for claw sharpening to fulfill the species-specific needs as appropriate,
- c) ensuring that the trained animals spend adequate time in the outdoor areas,
- d) ensuring adequate ventilation of the indoor areas,
- e) ensuring adequate length and intensity of lighting for individual species of trained animals and shade in part of the area for rainforest animal species of trained animals, in summer season in particular,
- f) adapting the heating to the needs of individual species of trained animals and avoiding the risk of their burning and heat stress,
- g) keeping in groups such animals to whom the individual keeping would cause suffering.

(2) Provisions of para 1 letter a) and c) do not apply to aquatic vertebrates.

§ 2

(1) Housing for trained animals shall

- a) be easily accessible to trained animals as well as keepers and attendants, and easy to clean,
- b) Facilitate continuous disinfection, disinfestation and rodent control in order to avoid excessive stress and adverse effects on the health of trained animals; in the presence of trained animals no irritants shall be used for disinfection and disinfestations.

(2) The construction and use of mobile facility with areas for trained animals shall be such as to be safe for animals and shall enable them to take their natural standing position and lie down, allow

¹⁾ Commission Regulation (EC) No 1739/2005 of 21 October 2005 laying down animal health requirements for the movement of circus animals between Member States.
Decree No 193/2004 Coll., on the protection of animals during transport.

them to rest, prevent the spillage of feed and litter and leakage of water, animal by-products, faeces and other waste, and at the same time to comply with welfare requirements of trained animals.

(3) Apart from the mobile facility adequate technical facilities, especially outdoor porches and indoor and outdoor enclosures, shall be available to trained animals which can be used by them as soon as the facility for training animals stands at a site. The porch can be included in the calculation of the minimum floor area of the cage only if it helps fully expand the floor area of the indoor cage, e.g. by means of outer walls and a roof.

(4) The ring shall

- a) be appropriate in terms of its dimensions to the species of trained animals, enable their safe movement, and its construction and equipment shall minimize the risk of their injury or other damage caused to them,
- b) Be covered by 8 - 10 cm of earth or sand unless the substrate of the ring is formed by earth, sand or grass. This substrate shall be covered by a layer of sawdust of the same thickness. Other materials can be used for ring flooring only when they are pliable, non-springy, safe for movement and non-slippery,
- c) Be protected against dust generation by adequate measures, e.g. sprinkling.

(5) Component part of the facilities for training of trained animals are storage and additional areas which include separate areas intended for storage of feed, litter and other materials.

§ 3

(1) Special conditions for breeding felines, bears, elephants, wild Equidae, llamas and camels, Bovidae and Delphinidae are stipulated in Annex 1 to 7.

(2) Space allowances laid down in Annex 1 to 7 are adequate only if the trained animals are on a day-to-day basis occupied by training or if allowed free movement outside these mobile facilities. When the trained animals are not occupied on a day-to-day basis by training, the minimum dimensions of outdoor cages and enclosures shall be at least by one third larger than those referred to in Annex 1 to 7.

Conditions of training the trained animals

§ 4

(1) For the purpose of training, including the activities the objective of which is to relieve the trained animal of fear of contact with man and to develop relationship between man and the animal and earn respect when the trained animal has to get used to handling, the following means of communication are used by the keeper:

- a) Vocal stimuli,
- b) Non-contact stimuli by individual parts of the body (body language),
- c) Touches,
- d) Control aids,
- e) Load,
- f) Reward.

(2) The means of communication shall be easy to understand by the animal concerned, shall be used consistently, with minimum effort and shall not cause any suffering to the trained animal. The trained animal shall slowly and gradually get used to new aids.

(3) Only natural qualities of the trained animals can be used during the training. The ability of the trained animal to play shall be taken into account, positive stimuli are to be evoked and the

trained animal shall be treated so as to reinforce the required habits, exercises and tricks using rewards for correct performance. The use of following training practices shall be prohibited.

- a) Striking with a whip or other aids and objects,
- b) Fire or stimuli causing pain through thermal or other stimuli of physical nature, chemical nature or through the use of electric current,
- c) Stimulus for purposeful induction of defence reactions to support aggressive behaviour of animals,
- d) Methods of starving and restricted access to feed and water or methods that have an effect on natural biorhythm of the trained animal with respect to its requirements for rest, or the prolongation of light and dark periods, use of drugs or other substances effecting perception or behaviour of the trained animals,
- e) Muzzle or aids restraining the movement of limbs,
- f) (Flank) straps or other similar aids placed on other parts of the body but the chest,
- g) Drugs or other substances effecting the perception of the trained animals,
- h) Barriers or training aids with sharp edges and projections or posing other threat to health of the trained animals,
- i) Aids imitating human clothes.

(4) The equipment and the used harness and aids shall be appropriate to the body conformation, age-specific abilities and performance of the trained animals and shall not cause any suffering to them. The used harness and aids shall be maintained in such a condition so as to avoid any injury, suffering or damage to health of the trained animals. In case of any defect of the harness which could cause physical or mental suffering of the trained animal, the activities conducted with the trained animal shall be immediately interrupted.

(5) The method of training and its duration shall be appropriate to the age, physical development and behaviour of the trained animal, while the origin, sex, social status, state of health, environment and current state of the trained animal shall also be taken into account.

(6) The trained animals displayed at a public performance shall be clean and, if necessary, provided with appropriate hoofcare. The trained animals can only be displayed after their appropriate training was completed and they got used to the conditions of public performances.

Transitional and Final Provisions

Section 5

The establishments for training of the trained animals operated as of the day of this Decree taking effect shall comply with the conditions laid down in this Decree by 15 July 2008 at the latest.

Section 6

This Decree shall take effect on 15 July 2006.

Minister:

Ing. Mládek, CSc. (manu propria)

SPECIAL CONDITIONS CONCERNING THE KEEPING OF FELINES

1. For the species and sub-species originating from the tropical climate zones the minimum temperature of indoor areas shall be 15°C. For felines resistant to cold (e.g. *Uncia uncia* (Snow leopard), *Panthera tigris altaica* (Siberian tiger), some puma sub-species) dry sleeping boxes protected against draught are sufficient.
2. Indoor areas for felines shall comply with the following requirements:
 - a) The minimum height shall be 2.2 m. The minimum cage area shall be 12 m² for 1 to 2 animals, with additional 4 m² for each additional animal,
 - b) Visual opportunity to escape e.g. half-open sliding door, shall be available to all the animals,
 - c) Sawdust or straw shall be used as bedding material,
 - d) It shall be thermally insulated,
 - e) Tree trunks shall be available for scratching, claw sharpening and marking, as well as playthings,
 - f) It shall be equipped with elevated platforms for lying placed high enough for the animals to walk under them without the risk of injury,
 - g) A separate compartment shall be provided for parturition and for the first weeks following the parturition with the minimum floor area of at least 12 m² for a female and the young in order to protect the litter against extremes of weather and disturbing influences of the outer environment. As soon as the young starts to move independently, they shall have adequate cage area available to them of at least 4 m² per young to weaning.
3. Outdoor enclosures and cages for felines shall comply with the following requirements:
 - a) The minimum area of 50 m² for up to 5 animals, with additional 5 m² for each additional animal,
 - b) The enclosures shall be equipped with tree trunks for scratching, playthings, hay, tree branches, grass, elevated platforms for lying, and bathing or showering facilities for tigers and jaguars,
 - c) When the temperature drops below 10°C, the animals, with the exception of cryophilic animals, shall be given the opportunity to hide in the indoor cage.

SPECIAL CONDITIONS FOR THE KEEPING OF BEARS

1. Bears shall be kept in enclosures fitted with appropriate security system (e.g. doors, sliding doors, gangways) with respect to the immense physical power and remarkable perseverance of bears.
2. In the reproduction period the minimum temperature for the brown bear and the polar bear shall be 12°C. The temperature of indoor areas for the sun bears, Asiatic black bears, sloth bears and spectacled bears shall be 16°C.
3. The indoor areas for bears, especially the cages or transport vehicles, shall comply with the following requirements:
 - a) The minimum area of 24 m² for 1 to 2 large bears with the body length of over 2 m, with additional 6 m² for each additional animal,
 - b) The minimum area of 12 m² for 1 to 2 bears with the body length of less than 2 m, with additional 6 m² for each additional animal,
 - c) The minimum height of 2.2 m,
 - d) Porches can be annexed in order to enlarge the indoor areas which have to be accessible from all the boxes; the area of porch shall not be included in the area as referred to in letter a) and b).
4. At least twice a month each bear shall be given the opportunity of having a bath in a pool or a shower; at least twice a week in case of temperature over 25°C.

SPECIAL CONDITIONS FOR THE KEEPING OF ELEPHANTS

1. The keeping of elephants shall comply with the following requirements:
 - a) The minimum temperature of indoor areas for elephants, including stable tents shall be 15°C,
 - b) Elephants shall not be kept individually, with the exception of adult males. Young elephants shall grow up together with adult females. If there is only 1 male (female) elephant kept in the establishment, it shall be housed together with other animals, especially ruminants or horses,
 - c) Male elephants can be kept and transported in mobile facilities only where there is a permanent (immobile) facility suitable for their permanent housing available, in which these animals are housed at the irregular intervals of elephant frenzy (the so called musth) and the minimum area of which is 50 m² per animal.
2. When the mobile facility is touring, the elephants shall have available to them a tent used as a stable and indoor paddock. The vehicle used for transport of elephants shall not be used in place of a stable tent. During transport the vehicle can be used as sleeping quarters for elephants if the width of the vehicle exceeds the shoulder height of elephants by 50 cm.
3. Tethering shall be reduced to minimum periods, namely during the accommodation at night, preparation prior to a performance or a rehearsal, any veterinary treatment of the animal or for the purpose of animal or human protection. Apart from such cases the animals shall be kept loose, namely in the paddock or at an appropriate stable and under the supervision of the keeper.
4. Apart from the outdoor paddock there shall be an indoor paddock in the tent available with the minimum floor area of 100 m² for 1 to 3 animals, with additional 20 m² for each additional animal, especially in the case of inclement weather conditions.
5. A solid building for housing the animals shall be available at the place of the winter quarters. Under dry weather conditions and depending on the temperature and wind force the elephants can be placed in the outdoor paddock for a short period even in winter. When temperature drops below 0°C, arrangements shall be made for the protection of ears against frostbite.
6. When tethered the following requirements for keeping elephants shall be complied with:
 - a) The stalls shall be dry, the floor shall be well drained so that the animals do not stand in urine and water,
 - b) Each animal shall have available to it the minimum area of 2,5 x 4 m,
 - c) Each animal shall be tethered by 2 chains, with one chain attached to the hind leg and another chain attached to the opposite front leg or placed around the neck. To avoid any bruising the chains shall be attached to a different leg every day on a rota basis, i.e. the right or left front or hind leg respectively. The length of the chains shall be such to allow the tethered elephant to lie down and to make a step forward and backward. The chains shall be padded.
7. When elephants are kept in the outdoor paddock the following requirements shall be complied with:
 - a) The paddock shall be large enough to allow the animals to move freely. The minimum area of the paddock shall be 250 m² for 1 to 3 elephants, with additional 20 m² for each additional animal,
 - b) Permanent supervision shall be provided for animals kept in a paddock.
8. Elephants shall be given the opportunity to shower at least once a week. When the temperature

drops below 10°C the shower can be replaced by washing of dirty parts of their body and skin brushing.

9. Regardless the show times, all animals shall be occupied with raising, training or walking sessions together with an attendant, or other activities lasting at least one hour per day.

SPECIAL CONDITIONS FOR THE KEEPING OF WILD EQUIDAE

1. The minimum indoor temperature of stables for zebras and African wild ass shall be 10°C.
2. Boxes for keeping horses, zebras and asses shall have for each animal up to 100 cm at withers the minimum area of 4 m², for each animal up to 120 cm at withers the minimum area of 6 m², for each animal up to 140 cm at withers the minimum area of 8 m², for each animal up to 160 cm at withers the minimum area of 10 m², for each animal up to 180 cm at withers the minimum area of 12 m² and for each animal over 200 cm at withers the minimum area of 16 m².
3. The side walls of boxes for keeping horses are constructed so that the horse can see his companions.
4. The Equidae shall not be tethered when housed, animals younger than 2 years shall not be kept in a mobile facility.
5. Zebras and asses are to be housed in groups.
6. The Equidae must have an outdoor enclosure available to them for everyday use. The minimum area of the enclosure for horses and asses is 100 m² for 1 to 5 animals, with additional 10 m² for each additional animal. The minimum area of the enclosure for zebras is 250 m² for 1 to 10 animals, with additional 10 m² for each additional animal.

SPECIAL CONDITIONS FOR THE KEEPING OF THE CAMELIDAE

1. The Camelidae (llamas and camels) can be kept in outdoor enclosures all year round, while unheated stables (shelters) shall be available to them providing space for all the animals in the herd, with the minimum area of 4 m² for 1 camel, or 2 m² for 1 llama. These shelters shall be protected against draught.
2. The keeping of llamas and camels shall comply with the following requirements:
 - a) Llamas and camels shall be kept in individual or group boxes with the minimum area of 12 m² for an individually kept camel and 8 m² for an individually kept llama, with additional 4 m² or 2 m² for each additional camel or llama respectively,
 - b) Female camels are to be kept in groups, male camels can be kept individually,
 - c) Camels and llamas shall not be permanently tethered,
 - d) The bedding shall be dry and clean,
 - e) Part of the enclosure covered with a roof and provided with bedding shall be available and located in such a way so as to provide protection from rain and snow to all the animals,
 - f) The minimum area of an outdoor enclosure for 1 to 3 camels shall be 150 m², with additional 25 m² for each additional animal. The minimum area of an outdoor enclosure for 1 to 3 llamas shall be 75 m², with additional 15 m² for each additional animal. The outdoor enclosure shall have natural ground or sand and shall be equipped with objects for rubbing and scratching.

SPECIAL CONDITIONS FOR THE KEEPING OF THE BOVIDAE

1. The enclosure for the Bovidae coming from cold climatic zones shall have a shelter protected against draught or an unheated stall. The Bovidae coming from tropical and sub-tropical climatic zones shall be kept in indoor areas for animals, including tent stables, heated to at least 15°C, and an outdoor enclosure shall be available for them to spend there a part of the day in winter too.
2. The Bovidae coming from cold climatic zones can be kept in unheated stable tents with dry bedding, the Bovidae coming from tropical and sub-tropical zones shall be kept in indoor areas for animals with the minimum temperature of 8 °C in winter.
3. The Bovidae shall not be tethered when housed.
4. The minimum indoor area for the Bovidae shall be 6 m² for 500 kg of body weight. An enclosure with non-slippery floor shall be provided, especially due to the hoof slipperiness and abrasion. The minimum area of an outdoor enclosure for 1 to 5 animals shall be 100 m², with additional 10 m² for each additional animal. Where the animals are housed in boxes for individual animals, the minimum floor area of the box shall be 12 m².

SPECIAL CONDITIONS FOR THE KEEPING OF THE DELPHINIDAE

1. The Delphinidae shall not be kept and used for training in mobile facilities for training the animals.
2. The Delphinidae shall be kept in the two pool system and additional pools shall be available for medical treatment and isolation of animals, namely adequate to the number of animals.
3. For a group consisting of 5 adult Bottlenose dolphins (*Tursiops truncatus*) the following minimum space requirements shall be complied with:
 - a) The minimum water surface area of the whole pool complex shall be 400 m², with additional 75 m² for each additional animal,
 - b) The total water volume shall be at least 1500 m³, with additional 250 m³ for each additional animal,
 - c) The group shall have access to the whole pool complex with the minimum area of 400 m² at any point of time, unless it is prevented by zoological or veterinary reasons,
 - d) In pools used exclusively for keeping, where no public performances are held, the minimum water surface area shall be 75 m² for an adult animal. The young dolphins are not considered adult until they are independent and able to socially integrate into the group. The total water volume shall be at least 250 m³ for an adult animal,
 - e) The horizontal dimensions of both units of the two pool system (defined as the diameter of the largest perimeter) shall be at least 7 m. The minimum depth of the double-pool system shall be 3.5 m, in case of a show pool (per 20 % of its area) at least 4 m. The depth of isolation pools or pools used for separation of animals or veterinary treatment can be less than 3.5 m. An area of shallow water with the depth between 1.5 m and 2 m shall be available,
 - f) There shall be a minimum of 7 m unobstructed air space above the water level in the show pool, and 2.5 m above the water level of other pools.
4. Requirements as referred to in point 3 apply to keeping the Bottlenose dolphins with the average adult length of the body of 250 to 270 cm and the weight of 150 to 280 kg. For other species the dimensions of pools shall be modified appropriately according to the length and weight of adult males of relevant species.
5. Water shall meet with the following requirements concerning its quality and physical and chemical parameters:
 - a) It shall be clean, clear and safe. The temperature of water shall be kept between 10 and 28 °C, while the optimal temperature range is between 18 and 21 °C. The pH of the water shall be between 7.5 and 8.5, the optimum being 7.8. The salinity of water shall be kept between 2.0 and 3.5 ‰, i.e. 20 to 35 g of salt (NaCl) per liter of water. The level of potassium permanganate shall not exceed 50 mg per liter of water, the concentration of nitrates shall not exceed 100 mg per liter of water and the total level of chlorine shall not exceed 2 mg per liter of water, and the pool complex shall have good water flow,
 - b) Water in the entire keeping system shall be filtered. Cleaning, functionality checks and exchange of filters shall be conducted at regular intervals and the pool shall be drained and refilled only as needed,
 - c) Water can be treated with chlorine in the form of gas (gaseous chlorine) or in the form of solution (potassium perchlorate). Chlorine solution can be added directly to water only if no animals are present in the pool,
 - d) Temperature, pH, level of chlorine and salinity shall be checked on a daily basis. The level of

potassium permanganate and concentration of nitrates shall be checked four times a year. It must be possible to empty the pools completely.

6. Other requirements for keeping are the following:

- a) Air above the water level shall be free of dust particles, its relative humidity shall be at least 60 % and the temperature shall be kept between 10 and 24°C,
- b) Natural light shall be provided, additional artificial lighting shall be in a spectrum of sunlight,
- c) Animals shall be protected from excessive noise, the ambient noise level shall not exceed 40 dB above the hearing threshold,
- d) Animals can be kept in open-air installations, only if air and water temperature fluctuations do not compromise the welfare of animals, the air quality is safe and pools can always be ice-free.

7. The Delphinidae shall be kept in socially tolerant groups of at least 2 animals. The breeding group shall include only 1 breeding male. Individual keeping of animals of 1 species shall be only exceptional, if required by the state of health of the animal, disease control measure or in case of a pregnant female or aggressive animal.