

**DRAFT DANGEROUS WILD ANIMALS (JERSEY) LAW 199**

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**Lodged au Greffe on 30th June 1998  
by the Agriculture and Fisheries Committee**

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**STATES OF JERSEY**

**STATES GREFFE**

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## Explanatory Note

The effect of this draft Law would be to prohibit the keeping of any dangerous wild animal in Jersey, except in accordance with a licence issued by the Agriculture and Fisheries Committee.

The wild animals to which the Law applies are described in the *First Schedule*. They include mammals, reptiles and birds - for example, tigers, venomous snakes and emus.

Nothing in the Law applies to any zoo or circus that is for the time being exempted in writing by the Committee.

The scheme of the Law is as follows.

*Article 1* defines words used in it.

A person “keeps” a wild animal if he has it in his possession, or if he is the last person to have had it in his possession. However the definition does not include persons who hold animals temporarily, after recapturing them when they have escaped, or for veterinary treatment, or to restore them to their owners or transport them lawfully.

*Article 2* enables the Committee to exempt zoos and circuses.

*Article 3* prohibits the keeping of a dangerous wild animal without a licence.

*Article 4* prescribes the way in which an application for a licence may be made to the Committee. It also imposes an application fee of £200.

To obtain a licence, an applicant must be at least 20 years old. No-one who is disqualified under any law from keeping an animal of any kind may obtain a licence.

Under *Article 5*, the Connétable of a parish in which it is proposed normally to hold a dangerous wild animal, or in which it is normally held, must be informed of applications, appeals and proposals relating to the animal. He will have a right to be heard on the matter.

*Article 6* restricts the circumstances in which the Committee may grant a licence. It may only do so on an application that complies with the Law. In every case, the Committee must satisfy itself as to a range of matters relating to the suitability of the applicant and to public safety, health, the protection of property, the avoidance of nuisances and the well-being of the animals to be kept.

*Article 7* provides that, subject to the restrictions in Article 6, the Committee has a discretion to grant or refuse any application.

*Article 8* stipulates standing conditions that will apply to all licences, and requires the Committee to impose conditions for related purposes. The Committee may also impose other conditions in its discretion.

Under *Article 9*, when the Committee grants an application, it will issue a licence in the prescribed form. Licences will not be transferable.

*Article 10* provides that a licence will expire at the end of the calendar year for which it is issued. However, if a licensee applies in the meantime for another licence, his existing licence will then continue until the application is determined.

*Article 11* provides for the amendment of conditions of licences.

*Article 12* enables the Committee to revoke a licence if the licensee contravenes the Law or has been disqualified under any law from keeping an animal, or if it is in the public interest to do so (for example, for reasons of safety).

*Article 13* provides that when a licensee dies, his licence will remain in force for three months as if his personal representative were the licensee. If the personal representative applies for a licence within that period, the existing licence will then continue in force until the application is determined.

*Article 14* empowers the States Veterinary Officer, or any other person authorized in writing for the purpose by the Committee, to enter places at which it is proposed to keep dangerous wild animals or at which there is reason to think that dangerous wild animals are being held. It also authorises him to inspect any animals found there, and any other relevant thing found there.

These powers may be exercised only at reasonable hours, or in the case of an emergency. They may only be exercised for the purposes of the Law.

*Article 15* empowers the States Veterinary Officer or any other authorized person to detain a dangerous wild animal on behalf of the Committee, if it is being kept in contravention of the Law. The Committee could then keep, destroy or dispose of it.

*Article 16* contains offences for breaches of the Law.

Where the penalty is expressed as a fine not exceeding a specified level "on the standard scale", this is a reference to the scale set out in the Criminal Justice (Standard Scale of Fines) (Jersey) Law 1993. The maximum penalties for each level in that scale are, currently -

Level 1	£50
Level 2	£500
Level 3	£2,000
Level 4	£5,000.

*Article 17* provides a defence, for a person who has contravened a condition of a licence, if he proves that he took reasonable precautions and exercised due diligence to avoid the breach.

*Article 18* enables the Committee to recover from applicants for licences, and from persons who keep dangerous wild animals in contravention of the Law, the Committee's reasonable costs of exercising its powers under the Law.

*Article 19* confers rights of appeal, to the Royal Court, against decisions of the Committee refusing or revoking licences, or imposing or amending conditions of licences, or (in the case of a licensee) against the retaining or disposal of a dangerous wild animal by the Committee under Article 15.

*Article 20* provides that no person will be entitled to compensation in respect of the lawful exercise of any power under this Law in relation to a dangerous wild animal.

*Article 21* enables the States, by Regulations, to amend the First Schedule (which describes the wild animals to which the Law applies). It also enables the Committee by Order to amend the Second Schedule (which contains forms) and the Third Schedule (in which the amount of the application fee is specified).

*Article 22* provides that the requirements of this Law are in addition to those of other enactments.

*Article 23* contains transitional provisions. A person who is lawfully keeping a dangerous wild animal when the Law comes into force may continue to do so for 90 days. If within that time a licence is sought in respect of the animal, he may then continue to do so until the application is dealt with.

However this Article will cease to apply in his favour if, in the meantime, he is disqualified under any law from keeping an animal.

*Article 24* specifies the short title and provides that the Law will come into force seven days after it is registered in the Royal Court.

The *First Schedule* describes the dangerous wild animals to which the Law applies.

The *Second Schedule* contains the forms of applications and licences.

The *Third Schedule* specifies the application fee.

**DANGEROUS WILD ANIMALS (JERSEY) LAW 199**

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ARRANGEMENT OF ARTICLES

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1. Interpretation
2. Application of this Law
3. Restrictions on keeping dangerous wild animals
4. Applications for licences
5. Notice to Connétables
6. Restrictions on grant of licences
7. Determination of applications
8. Conditions of licences
9. Issue of licences
10. Duration of licences
11. Amendment of conditions
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13. Death of licensee
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15. Detention and disposal of dangerous wild animals
16. Offences
17. Defence of due diligence

18. Expenses
19. Appeals
20. Restrictions on compensation
21. Amendment of Schedules
22. Relationship to other enactments
23. Transitional provisions
24. Short title and commencement

FIRST SCHEDULE - Kinds of dangerous wild animals

SECOND SCHEDULE - Forms

THIRD SCHEDULE - Application fee for a licence

**DANGEROUS WILD ANIMALS (JERSEY) LAW 199**

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**A LAW** to regulate the keeping of dangerous wild animals, and for related purposes; sanctioned by Order of Her Majesty in Council of the

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*(Registered on the      day of      199 )*

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**STATES OF JERSEY**

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The      day of      199

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**THE STATES**, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following Law -

**ARTICLE 1**

**Interpretation**

(1) In this Law, unless the context otherwise requires -

“Committee” means the Agriculture and Fisheries Committee;

“to contravene”, in relation to a person who must comply with any requirement in or under this Law, includes to fail to so comply;

“current insurance policy”, in respect of liability for an animal kept under a licence, means an insurance policy that -

(a) is current;



- (b) is approved by the Committee; and
- (c) insures the licensee and each other person who may keep or handle the animal under the licence against liability for each of the following things caused by that animal, namely -
  - (i) the death or injury of any human being;
  - (ii) the death or injury of any other animal (whether or not it is a dangerous wild animal); and
  - (iii) damage to property,in an amount approved by the Committee;

“dangerous wild animal” means an animal described in the first column of the First Schedule;

“enactment” includes, for the purposes of paragraph (3) of Article 4, paragraph (1) of Article 12 and paragraph (2) of Article 22, any Act of Parliament, Order in Council or statutory instrument in force in the United Kingdom or the Island;

“licence” means a licence that is issued under Article 9 and is in force;

“licensee” includes, in the case where a licence continues in force under Article 13 after the death of a licensee, his personal representative;

“place” includes premises;

“well-being” includes, in relation to an animal, maintenance of its good bodily condition.

(2) For the purposes of this Law, a person keeps a dangerous wild animal -

- (a) if he has it in his possession; or
- (b) if the animal is not in anyone's possession, but he is the last person to have had it in his possession.

(3) However, a person does not keep an animal if it is in his possession temporarily, and for the purpose only -

- (a) of being prevented from harming human beings or animals, or of being prevented from causing damage;
- (b) of being restored lawfully to another person who is its owner;
- (c) of undergoing veterinary treatment; or
- (d) of being transported lawfully on behalf of another person,

or, if the animal is not in anyone's possession, but he is the last person to have had it in his possession, he did so only for such a purpose.

(4) The second column of the First Schedule is included for information, but is not definitive.

(5) In this Law -

- (a) a reference to an Article or Schedule by number only is a reference to an Article or Schedule in this Law;
- (b) a reference in an Article or Schedule to a paragraph by number or letter only is a reference to a paragraph in that Article or Schedule;
- (c) a reference in a paragraph to any subdivision of a paragraph by number or letter only is a reference to a subdivision in that paragraph; and
- (d) a reference to an enactment is a reference to that enactment as amended from time to time.

ARTICLE 2

**Application of this Law**

Nothing in this Law applies to any zoo or circus that -

- (a) is for the time being exempted in writing from the provisions of this Law by the Agriculture and Fisheries Committee; and
- (b) where the exemption is granted on conditions, is complying with those conditions.

ARTICLE 3

**Restrictions on keeping dangerous wild animals**

No person shall keep a dangerous wild animal, except in accordance with a licence.

ARTICLE 4

**Applications for licences**

(1) An application for a licence shall be made in the form set out as Form 1 in the Second Schedule, and shall be accompanied by the fee specified in the Third Schedule.

(2) The application shall show separately -

- (a) each species of dangerous wild animal for which the licence is sought;
- (b) the number of animals of each species to be kept; and
- (c) the place where each animal will normally be held,

and shall include the other information specified in Form 1 and such other information as the Committee may reasonably require.

(3) No person who -

- (a) is under the age of 20 years; or
- (b) is disqualified under any enactment from keeping an animal (whether or not it is a dangerous wild animal),

shall be capable of applying for a licence.

## ARTICLE 5

### **Notice to Connétables**

(1) The Connétable of a parish in which it is proposed to normally hold a dangerous wild animal, or in which such an animal is normally held under a licence, shall be informed -

- (a) of any application or appeal under this Law relating to the animal;
- (b) of any proposal by the Committee on its own initiative to amend the conditions of the licence or to revoke the licence; and
- (c) of the exercise of any power under Article 15,

and the Connétable shall be allowed a reasonable opportunity to be heard on the matter.

(2) Notice to the Connétable shall be given -

- (a) by the applicant or appellant, in any case to which sub-paragraph (a) of paragraph (1) refers; and
- (b) by the Committee, in any case to which sub-paragraph (b) or sub-paragraph (c) of that paragraph refers.

(3) The Committee shall inform the Connétable of its decision relating to a matter to which paragraph (1) refers.

ARTICLE 6

**Restrictions on grant of licences**

(1) The Committee shall not grant an application for a licence unless it is made in accordance with Article 4.

(2) The Committee shall not grant an application for a licence unless -

- (a) the States Veterinary Officer has inspected the place at which each animal to be kept under the licence will normally be held;
- (b) after consulting such other persons and bodies (if any) as he thinks fit, he has submitted a report of his inspection to the Committee;
- (c) the report describes the condition of the place and of each animal found there (whether or not it is a dangerous wild animal), and of each other thing found there that is relevant to the purposes of this Law; and
- (d) in the opinion of the Committee, the report contains enough information to enable it to decide whether the animal to be kept under the licence can be suitably held there, having regard to the considerations in paragraph (4).

(3) The Committee shall not grant an application for a licence unless -

- (a) the applicant both owns and possesses, or intends both to own and possess, each animal to be kept under the licence; or
- (b) in the opinion of the Committee, there are exceptional circumstances why sub-paragraph (a) need not apply.

(4) The Committee shall not grant an application for a licence unless it is satisfied as to all of the following matters -

- (a) that it is not contrary to the public interest, on the grounds of the safety of human beings or animals (whether or not they are dangerous wild animals) or of nuisance or on any other grounds, to grant the application;
- (b) that the applicant is a suitable person to hold a licence;
- (c) that every person (other than the licensee) who -
  - (i) is proposed by name as a person who may keep an animal under the licence; or
  - (ii) is proposed by name or description as a person who may handle an animal under the licence,
 is a suitable person to do so;
- (d) that each animal to be kept under the licence will be held in secure accommodation that prevents its escape;
- (e) that such other precautions will be taken, while the animal is kept under the licence, as are necessary or prudent for the safety of human beings;
- (f) that the accommodation, in its construction, size, ventilation and drainage, and in temperature and cleanliness, and in its social and environmental facilities, is suitable for the well-being of the animal;
- (g) that, for its well-being, the animal will be supplied with adequate and suitable food and drink and (if appropriate) bedding material, and will be visited at suitable times;
- (h) that while the animal is at the place where it will normally be held, its accommodation is such that it can take sufficient exercise for its well-being;

- (i) that appropriate steps will be taken at all times for the protection of the animal in case of fire or of any other emergency; and
- (j) that all reasonable precautions will be taken, at all times while the animal is kept under the licence, to prevent and control the spread of infectious diseases of human beings and infectious diseases of animals.

## ARTICLE 7

### **Determination of applications**

(1) Subject to the other provisions of this Law, the Committee may grant or refuse to grant an application for a licence.

(2) There shall be a right of appeal, in accordance with Article 19, against a decision of the Committee to refuse to grant an application for a licence.

## ARTICLE 8

### **Conditions of licences**

- (1) The following conditions are conditions of every licence -
  - (a) no person may keep an animal under the licence unless he is specified in it by name as a person who may do so;
  - (b) no person may handle an animal kept under the licence unless he is specified in it by name or description as a person who may do so;
  - (c) each animal shall normally be held at the place specified for that purpose in the licence;
  - (d) the animal shall not be moved from that place, except in such circumstances (if any) as are specified in the licence;
  - (e) the licensee shall forthwith notify -

- (i) the Committee; and
- (ii) the Connétable of the parish in which the animal is normally held,

of the birth of any offspring of the animal;

- (f) the licensee shall forthwith notify -

- (i) the Committee; and
- (ii) the Connétable of the parish in which the animal is normally held,

of the escape of the animal;

- (g) at all times while any animal is kept under the licence, the licensee shall hold a current insurance policy in respect of liability for the animal; and

- (h) the licensee shall make a copy of the licence available at all reasonable times, for inspection by each other person who may keep or handle any animal under the licence.

- (2) In granting an application for a licence, the Committee -

- (a) shall specify the matters to which sub-paragraphs (a), (b) and (c) of paragraph (1) refer; and

- (b) may specify circumstances to which sub-paragraph (d) of that paragraph refers.

(3) In granting an application for a licence the Committee shall specify, as additional conditions of the licence, conditions providing for such other matters as in its opinion are necessary or desirable for the purpose of securing the objectives in paragraph (1).

(4) Subject to paragraphs (1), (2) and (3), the Committee may specify other conditions of a licence in granting the application for the licence.



(5) There shall be a right of appeal, in accordance with Article 19, against a decision of the Committee to specify any matter, circumstances or condition under this Article in a licence.

## ARTICLE 9

### **Issue of licences**

(1) On granting an application for a licence, the Committee shall issue to the applicant a licence in the form set out as Form 2 in the Second Schedule.

(2) No licence is transferable.

## ARTICLE 10

### **Duration of licences**

(1) Every licence shall cease to be in force on the expiry of the 31st day of December in the year for which the licence is issued.

(2) However -

- (a) if the licensee applies in accordance with Article 4 for another licence, before his licence ceases to be in force; and
- (b) the application is made in respect of an animal that is being kept under his licence,

it shall continue in force in respect of that animal until the application is determined or withdrawn.

## ARTICLE 11

### **Amendment of conditions**

(1) On its own initiative or on the application of the licensee, the Committee may amend the conditions of a licence in any of the following ways, but not otherwise -

- (a) if a condition applies by reason of paragraph (1) of Article 8, by varying any matter that the Committee is required or permitted by paragraph (2) of that Article to specify;
- (b) if a condition has been specified by the Committee under paragraph (3) of Article 8, by varying that condition for any of the purposes specified in that paragraph, or by substituting any other condition for the same purpose; and
- (c) if a condition has been specified by the Committee under paragraph (4) of Article 8, by varying that condition or by revoking it.

(2) Before amending the conditions of a licence on its own initiative, the Committee shall allow the licensee a reasonable opportunity to be heard.

(3) An amendment shall take effect at such time as the Committee shall specify.

(4) The Committee shall not specify a time that occurs -

- (a) before the amendment is made;
- (b) before the Committee has informed the licensee of the terms of the amendment; or
- (c) in any case in which the Committee has amended the conditions on its own initiative, before the licensee has had reasonable time to comply with the conditions as so amended.

(5) If the Committee amends the conditions of a licence -

- (a) the licensee shall deliver it to the Committee within 48 hours after being informed of the terms of the amendment; and
- (b) the Committee shall alter the licence accordingly and return it to him.

(6) There shall be a right of appeal, in accordance with Article 19, against a decision of the Committee to amend or to refuse to amend the conditions of a licence.

## ARTICLE 12

### **Revocation of licences**

- (1) If the Committee is satisfied -
  - (a) that a licensee has contravened this Law; or
  - (b) that a licensee has been convicted of an offence for which he may be disqualified under any enactment from keeping an animal (whether or not it is a dangerous wild animal);
  - (c) that it is contrary to the public interest (on any grounds specified in sub-paragraph (a) of paragraph (4) of Article 6)) that his licence should remain in force,

it may revoke his licence.

(2) Before doing so, the Committee shall allow the licensee a reasonable opportunity to be heard.

- (3) The revocation of a licence shall take effect -
  - (a) as soon as the Committee informs the licensee of the revocation, if the Committee does not specify a later date; or
  - (b) if it does specify a later date when informing him of the revocation, on that later date.

(4) There shall be a right of appeal, in accordance with Article 19, against a decision of the Committee to revoke a licence.

(5) This Article applies notwithstanding Article 10 or Article 13.

ARTICLE 13

**Death of licensee**

Notwithstanding paragraph (1) of Article 10 -

- (a) on the death of a licensee, his licence shall remain in force for three months as if it had been issued to his personal representative; and
- (b) if, while that licence is still in force by reason of paragraph (a), an application for another licence is made in accordance with Article 4 by the personal representative, in respect of an animal kept under the existing licence, the licence shall then continue in force in respect of that animal until the application is determined or withdrawn.

ARTICLE 14

**Inspections**

(1) The States Veterinary Officer or any person who is authorized in writing for the purposes of this Article by the Committee may in accordance with this Article do any of the following things -

- (a) enter any place at which it is proposed to hold an animal under a licence;
- (b) enter any place at which a dangerous wild animal is held, or at which he suspects on reasonable grounds that such an animal is held;
- (c) inspect any place to which sub-paragraph (a) or sub-paragraph (b) refers; and
- (d) inspect any animal found there (whether or not it is a dangerous wild animal), or any other thing found there that is relevant to the purposes of this Law.

(2) The powers under this Article may be exercised to ascertain any of the following things -

- (a) whether an application for a licence should be granted and, if so, on what conditions;
- (b) whether the conditions of a licence should be amended;
- (c) whether a licence should be revoked; and
- (d) whether this Law has been or is being contravened.

(3) The powers under this Article may be exercised at any reasonable time, or at any time in an emergency.

(4) If so required, a person (other than the States Veterinary Officer) who is seeking to exercise or is exercising any power under this Article or Article 15 shall produce a copy of his authority to do so.

## ARTICLE 15

### **Detention and disposal of dangerous wild animals**

(1) If any dangerous wild animal is kept in contravention of this Law, the States Veterinary Officer or any other person who is authorized in writing for the purposes of Article 14 by the Committee may take and detain the animal on behalf of the Committee.

(2) If an animal is detained under this Article, the Committee may do any of the following things -

- (a) retain the animal in its possession;
- (b) destroy it; or
- (c) dispose of it in any other lawful manner.

(3) Except in the case of an emergency, the Committee shall forthwith inform the licensee of a decision by it under paragraph (2) to retain, destroy or dispose of the animal.

(4) There shall be a right of appeal, in accordance with Article 19, against a decision by the Committee under paragraph (2) to retain, destroy or dispose of an animal.

## ARTICLE 16

### Offences

(1) Any person who, not being authorized to do so under a licence, keeps a dangerous wild animal shall be guilty of an offence and liable to imprisonment for a term not exceeding 12 months or to a fine not exceeding level 4 on the standard scale or to both.

(2) If any condition of a licence is contravened -

(a) the licensee; and

(b) any person who contravenes the condition,

shall each be guilty of an offence and liable to imprisonment for a term not exceeding 12 months or to a fine not exceeding level 4 on the standard scale or to both.

(3) Any applicant who, in or in connection with any application under this Law, makes any material statement or provides any material information that he knows to be false, or does not believe to be true, shall be guilty of an offence and liable to imprisonment for a term not exceeding 12 months or to a fine not exceeding level 4 on the standard scale or to both.

(4) Any person who intentionally and without reasonable excuse obstructs -

(a) the States Veterinary Officer; or

(b) any person who is authorized in writing for the purposes of Article 14 by the Committee,

in the exercise or attempted exercise of any power under that Article or Article 15 shall be guilty of an offence and liable to imprisonment for a

term not exceeding six months or to a fine not exceeding level 4 on the standard scale or to both.

(5) Any person who aids, abets, counsels or procures the commission of an offence under this Article shall be liable to be dealt with, tried and punished as a principal offender.

## ARTICLE 17

### **Defence of due diligence**

In any proceedings for an offence under paragraph (2) of Article 16, it shall be a defence for the person charged to prove that he took all reasonable precautions and exercised due diligence to avoid the commission of the offence.

## ARTICLE 18

### **Expenses**

- (1) The Committee may require -
  - (a) an applicant for a licence; or
  - (b) a licensee,

to pay to the States the reasonable costs of the exercise of any power under Article 14 in respect of the application or licence.

(2) If any power is exercised under Article 15 in respect of an animal, the Committee may require any person by whom the animal was kept in contravention of this Law to pay to the States the reasonable costs of exercising the power.

(3) Any amount that the Committee may require to be paid to the States under this Article may be recovered in any court of competent jurisdiction as a civil debt due to the States.

(4) The Committee may refuse to consider an application further until any amount owing to the States under this Article by the applicant is paid.

## ARTICLE 19

**Appeals**

(1) The following persons shall have a right of appeal to the Royal Court under this Law -

- (a) an applicant for a licence, against a refusal by the Committee under paragraph (1) of Article 7 to grant his application;
- (b) an applicant for a licence, in respect of any matter or circumstances that the Committee specifies under paragraph (2) of Article 8 in granting his application;
- (c) an applicant for a licence, against any condition that the Committee specifies under paragraph (3) or paragraph (4) of Article 8 in granting his application;
- (d) a licensee, against a refusal by the Committee to amend any condition of his licence under paragraph (1) of Article 11 on his application;
- (e) a licensee, against the amendment of any condition of his licence by the Committee under paragraph (1) of Article 11 (other than an amendment in terms sought by the licensee);
- (f) a licensee, against the revocation of his licence by the Committee under paragraph (1) of Article 12; and
- (g) a licensee, against a decision by the Committee under paragraph (2) of Article 15 to retain, destroy or dispose of any animal specified in his licence.

(2) An appeal shall be brought within 21 days after the appellant is served by the Committee with a written copy of the decision to which the appeal relates, or within such further time as the Court may allow.



(3) The lodging of an appeal shall not operate to stay the effect of the decision of the Committee, pending the determination of the appeal, unless the Court so orders.

(4) On hearing the appeal, the Court may confirm, reverse or vary the decision of the Committee, and may make such order as to the costs of the appeal as it thinks fit.

## ARTICLE 20

### **Restrictions on compensation**

No person shall be entitled to compensation in respect of the lawful exercise of any power under this Law in respect of any dangerous wild animal.

## ARTICLE 21

### **Amendment of Schedules**

- (1) The States may by Regulations -
  - (a) amend the First Schedule by adding, deleting, substituting or varying any description of dangerous wild animal in either column of that Schedule; and
  - (b) for that purpose make such transitional provisions for the application of this Law to animals of that description as appear to the States to be necessary or expedient.
- (2) The Committee may by Order -
  - (a) subject to the other provisions of this Law, amend a form set out in the Second Schedule; or
  - (b) amend the Third Schedule by increasing or reducing the fee specified in that Schedule.

(3) The Subordinate Legislation (Jersey) Law 1960<sup>1</sup> shall apply to Orders made under paragraph (2).

## ARTICLE 22

### **Relationship to other enactments**

The provisions of this Law do not derogate from the requirements of any other enactment.

## ARTICLE 23

### **Transitional provisions**

(1) Notwithstanding any other provision in this Law, if any person is lawfully keeping a dangerous wild animal immediately before this Law comes into force -

- (a) he may continue to do so for the period of three months commencing on the date on which this Law comes into force; and
- (b) if an application for a licence in respect of the animal is made in accordance with Article 4 before the expiry of that period, and the application is not determined or withdrawn before the expiry of that period, he may continue to do so until it is determined or withdrawn.

(2) If a person who is keeping a dangerous wild animal under paragraph (1) is disqualified under any enactment from keeping an animal (whether or not it is a dangerous wild animal), paragraph (1) shall cease to apply to him.

## ARTICLE 24

### **Short title and commencement**

This Law may be cited as the Dangerous Wild Animals (Jersey) Law 199 and shall come into force on the seventh day following its registration.

<sup>1</sup> Tome VIII, page 849.

## FIRST SCHEDULE

(Articles 1(1) and (4), and 21(1))

**Kinds of dangerous wild animals***First Column**Second Column**Scientific name**Common name or names***Mammals**Aardvark

Orycteropidae

The aardvark

Carnivores

Ailuropodidae (Ailuridae)

The giant panda and the red panda

Canidae (except the species of the genera Alopex, Dusicyon, Otocyon, Nyctereutes and Vulpes and the species Canis familiaris)

Jackals, wild dogs, wolves and the coyote (except foxes, the raccoon-dog and the domestic dog)

Felidae (except the species Felis catus)

The bobcat, caracal, cheetah, jaguar, lion, lynx, ocelot, puma, serval, tiger and all other cats (except the domestic cat)

Hyaenidae (except the species Proteles oristatus)

Hyaenas (except the aardwolf)

Mustelidae of the species of the genera Arctonyx, Aonyx, Enhydra, Lutra (except Lutra lutra), Melogale, Mydaus, Pteronura and Taxidea and of the species Eira barbara, Gulo gulo, Martes pennanti and Mellivora capensis

Badgers (except the Eurasian badger), otters (except the European otter), and the tayra, wolverine, fisher and ratel (otherwise known as the honey badger)

Procyonidae

Cacomistles, raccoons, coatis, olingos, the little coatimundi and the kinkajou

Ursidae	Bears
Viverridae of the species of the genus <i>Viverra</i> and of the species <i>Arctictis binturong</i> and <i>Cryptoprocta ferox</i>	The African, large-spotted, Malay and large Indian civets, the binturong and the fossa

### Edentates

Bradypodidae	Sloths
Dasypodidae of the species <i>Prionodontas giganteus</i> (otherwise known as <i>Prionodontes maximus</i> )	The giant armadillo
Myrmecophagidae of the species <i>Myrmecophaga tridactyla</i>	The giant anteater

### Elephants

Elephantidae	Elephants
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### Even-toed ungulates

Antilocapridae	The Pronghorn
Bovidae (except any domestic form of the genera <i>Bos</i> and <i>Bubalus</i> , of the species <i>Capra aegagrus hircus</i> and the species <i>Ovis aries</i> )	Antelopes, bison, buffalo, cattle, gazelles, goats and sheep (except domestic cattle, goats and sheep)
Camelidae (except the species <i>Lama glama</i> and <i>Lama pacos</i> )	Camels, the guanaco and the vicugna (except the domestic llama and alpaca)
Cervidae of the species <i>Alces alces</i> and <i>Rangifer tarandus</i> (except any domestic form of the species <i>Rangifer tarandus</i> )	The moose or elk and the caribou or reindeer (except the domestic reindeer)
Giraffidae	The giraffe and the okapi

Hippopotamidae	The hippopotamus and the pygmy hippopotamus
Suidae (except any domestic form of the species <i>Sus scrofa</i> )	Old World pigs (including the wild boar and the wart hog, but not including the domestic pig)
Tayassuidae	New World pigs (otherwise known as peccaries)

### Hybrids

Any hybrid animal of which one or both parents are of any kind of mammal specified in this column	Hybrid animals of which one or both parents are mammals that are dangerous wild animals
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### Hyraxes

Procaviidae	Tree and rock hyraxes (otherwise known as dassies)
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### Marsupials

Dasyuridae of the species <i>Sarcophilus harrisi</i>	The Tasmanian devil
Macropodidae of the species <i>Macropus fuliginosus</i> , <i>Macropus giganteus</i> , <i>Macropus robustus</i> and <i>Macropus rufus</i>	Grey kangaroos, the euro (or wallaroo) and the red kangaroo

### Odd-toed ungulates

Equidae (except the species <i>Equus asinus</i> , <i>Equus caballus</i> and <i>Equus asinus</i> x <i>Equus caballus</i> )	Asses, horses and zebras (except the donkey, the domestic horse and domestic hybrids)
Rhinocerotidae	Rhinoceroses
Tapiridae	Tapirs

Pinnipedes

Odobenidae, Otariidae and Phocidae (except *Phoca vitulina* and *Halichoerus grypus*)      The walrus, eared seals, sealions and earless seals (except the common seal and grey seals)

Primates

Callitrichidae of the species of the genera *Leontopithecus* and *Saguinus*      Tamarins

Cebidae      New World monkeys (including the capuchin, howler, saki, spider, squirrel, titi, uakari and woolly monkeys and the night monkey (otherwise known as the douroucouli))

Cercopithecidae      Old World monkeys (including the baboons, drill, colobus monkeys, gelada, guenons, langurs, leaf monkeys, macaques, mandrill, mangabeys, patas and proboscis monkeys and talapoin)

Indriidae      Leaping lemurs (including the indri, sifakas and woolly lemur)

Lemuridae (except the species of the genus *Haplemur*)      Large lemurs (except the broad-nosed gentle lemur and the grey gentle lemur)

Pongidae      Anthropoid apes (including chimpanzees, gibbons, gorilla and orang-utan)

**Birds**Cassowaries and emu

Casuariidae      Cassowaries



Viperidae and Crotalidae

Certain front-fanged venomous snakes (including adders, the barba amarilla, the bushmaster, the copperhead, the fer-de-lance, moccasins, rattlesnakes and vipers)

## **Invertebrates**

### Scorpions

Buthidae

Buthid scorpions

### Spiders

Ctenidae of the species of the genus Phoneutria

Wandering spiders

Dipluridae of the species of the genus Atrax

The Sydney funnel-web spider and its close relatives

Lycosidae of the species Lycosa raptoria

The Brazilian wolf spider

Sicariidae of the species of the genus Loxosceles

Brown recluse spiders (otherwise known as violin spiders)

Theridiidae of the species of the genus Latrodectus

The black widow spider (otherwise known as the redback spider) and its close relatives

*[Note: See Article 1(4) for the effect of the second column of this Schedule.]*



SECOND SCHEDULE

(Articles 4(1), 9(1) and 21(2)(a))

Forms

FORM 1

DANGEROUS WILD ANIMALS (JERSEY) LAW 199

Application for licence to keep dangerous wild animals

PART A (TO BE COMPLETED BY OR ON BEHALF OF APPLICANT)

- 1. Name of applicant .....
- 2. Date of birth of applicant .....
- 3. Address .....
- .....
- .....
- .....

Telephone No. ....

4. Animals to be kept -

	Species	Adult	Young
Male	. . .	. . .	. . .
Female	. . .	. . .	. . .
Total	. . .	. . .	. . .

(Please show each species, by numbers, sex, maturity and totals, as indicated.)

- 5. Please specify the address at which each animal will normally be held.

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- 6. Will you both own and possess all the animals listed in paragraph 4? YES/NO (*If NO, please give details of ownership and possession*)

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- 7. Is it intended to breed or to attempt to breed from the animals?  
YES/NO  
*(If YES, please give details, including your proposals for dealing with any offspring)*

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8. Please give the name, age and address of each person who will keep any animal under the licence.

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9. Please give the name, age and address of, or specify by description, each person who will handle any animal under the licence.

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10. (a) Please indicate whether you or any other person specified in paragraph 8 or specified by name in paragraph 9 has ever been disqualified under any enactment in Jersey or the United Kingdom from keeping any animal (whether or not it is a dangerous wild animal), YES/NO  
*(If YES, please give details of every person so disqualified)*

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- (b) Please indicate whether you or any other person specified in paragraph 8 or specified by name in paragraph 9 has ever been convicted anywhere of any offence relating to the

welfare of any animal (whether or not it is a dangerous wild animal). YES/NO

*(If YES, please give details of every person so convicted)*

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- (c) Please give details of your training and/or practical experience and that of each other person specified in paragraph 8 or specified by name in paragraph 9 in keeping and handling animals under the licence.

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- 11. Please give the following information about the accommodation in which each animal will be held -

- (a) Construction (include fencing and other security arrangements) -

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(b) Size -

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(c) Arrangements for lighting -

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(d) Arrangements for -

(i) ventilation

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(ii) drainage (including, if animals are to be held in the open, details of soil type and field drainage)

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(iii) temperature control

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(iv) cleanliness

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(e) Social and environmental facilities (including facilities to enable animals to exhibit natural behaviour) -

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(f) Arrangements for -

(i) the provision, storage and preparation of food and drink

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(ii) bedding material

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(iii) visiting at suitable intervals

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(iv) sufficiency of exercise

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(v) protection of the animals in case of fire or other emergency (including details of arrangements for supervision in the absence of the licensee)

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- (vi) prevention and control of infectious diseases of human beings and infectious diseases of animals (including the name of the veterinary surgeon you intend to use)

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- 12. Have all necessary planning and other permissions been obtained?  
YES/NO (*If YES, please quote reference numbers*)

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- 13. Please give details of the insurance proposed against liability for death or damage caused by the animal(s).

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*(This must insure you and every other person who may keep or handle any of the dangerous wild animals under the licence against all deaths and injuries (of human beings and animals), and damage to property, caused by any of the dangerous wild animals.)*



14. Please include with this application -

- (a) a location plan (scale 1:2500);
  - (b) a site plan showing all structures, shelters, enclosures and fencing (scale 1:500); and
  - (c) a full veterinary report commenting on the proposals for husbandry, accommodation and security of the animals, and the suitability of every person (by name, or description, as the case requires) who is to keep or handle the animals under the licence.
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**PART B (WHEN PART A HAS BEEN COMPLETED, AND YOU ARE SATISFIED THAT IT IS CORRECT, PLEASE READ AND COMPLETE PERSONALLY THE FOLLOWING STATEMENT)**

1. I have read Part A of this statement and the accompanying documents, and confirm that to the best of my knowledge and belief the information set out in them is true.
2. I apply for a licence under the Dangerous Wild Animals (Jersey) Law 199 and enclose the application fee of £.....

.....  
(Signature of applicant)

.....  
(Date)

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***Notes for information:***

1. *You must serve one copy of this application on the Connétable of every parish in which any animal to which the application relates will normally be held.*
2. *You must be at least 20 years old to apply for a licence.*
3. *A licence to keep a dangerous wild animal cannot be granted to a person who is disqualified under any enactment from keeping an animal (whether or not it is a dangerous wild animal).*
4. *Part B of this application must be completed by you personally.*



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*SCHEDULE 1*

*PART A. Persons who may keep dangerous wild animals under this licence [to be specified by name]:*

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*PART B. Persons who may handle dangerous wild animals under this licence [to be specified by name or description]:*

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*SCHEDULE 2**Dangerous wild animals that may be kept under this licence:*

<i>Species</i>	<i>Adult males</i>	<i>Adult females</i>	<i>Young</i>

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*SCHEDULE 3**Conditions of licence:*

- A. *Mandatory conditions under Article 8(1) of the Law:*
1. No person may keep a dangerous wild animal under this licence unless he is specified by name in Part A of Schedule 1 to this licence as a person who may do so.
  2. No person may handle an animal kept under this licence unless he is specified, by name or description, in Part B of Schedule 1 to this licence.
  3. The place at which each animal shall normally be held shall be as follows:

<i>Dangerous wild animal</i>	<i>Place at which it is normally to be held</i>

4. No such animal shall be moved from the place at which it is normally to be held (except in the following circumstances:

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.....  
.....  
.....)

*[Delete words within round brackets if not applicable.]*

5. The licensee shall forthwith notify -
- (a) the Committee; and
  - (b) the Connétable of the parish in which each animal kept under this licence is normally held,

of the birth of any offspring of the animal.

6. The licensee shall forthwith notify -
- (a) the Committee; and
  - (b) the Connétable of the parish in which the animal is normally held,

of the escape of the animal.

7. At all times while any animal is kept under this licence, the licensee shall hold a current insurance policy that is approved by the Agriculture and Fisheries Committee and insures him and each other person who may keep or handle the animal under the licence against liability for deaths and injuries (of human beings and animals), and damage to property, caused by the animal, in an amount approved by the Committee.

- 8. The licensee shall make a copy of the licence available at all reasonable times, for inspection by each other person who may keep or handle any animal under this licence.

*B. Mandatory conditions under Article 8(3) of the Law:*

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*C. Other conditions under Article 8(4) of the Law:*

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*THIRD SCHEDULE*

(Articles 4(1) and 21(2)(b))

**Application fee for a licence**

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£200.