

ZOOS AND AQUARIUMS LICENSED UNDER THE ZOO LICENSING ACT 1981 KEEPING NON-NATIVE SPECIES: YOUR RESPONSIBILITIES

Some non-native species have established in Great Britain as a result of escapes from collections. The purpose of this guidance note is to remind those keeping non-native species in licensed zoos in England and Wales of their responsibilities. However, the principles set out in this guidance note equally apply to establishments that keep non-native species but are exempt from the requirements of the Zoo Licensing Act 1981, such as mobile zoos.

The Wildlife and Countryside Act 1981 is the principal domestic legislation relating to the release of non-native species. The maximum penalty for non-native species offences is imprisonment for two years and a fine. This fine will be set by the court and there is no maximum set in the legislation.

It is an offence to release or allow to escape from captivity into the wild, any animal that is not ordinarily resident in Great Britain, or is listed on Schedule 9 to the Wildlife and Countryside Act 1981.

Further guidance on what constitutes an offence is set out in [“Guidance on Section 14 of the Wildlife and Countryside Act 1981”](#)

Additionally, section 1A of the Zoo Licensing Act 1981 requires that zoos prevent the escape of animals and put in place measures to be taken in the event of an escape as well as keeping a record of any escapes.

1. Containment

Other than when under the control of authorised staff (e.g. bird displays), your animals must be kept in secure enclosures, or, for free-ranging species, securely within the perimeter boundary of the zoo. Zoos which allow birds to free-fly must take all reasonable actions to encourage them to remain on site by providing roosting areas, nest boxes and feeding points, and ensure that appropriate measures are in place to quickly retrieve the birds if lost.(in accordance with the SSSMZP). It is your responsibility to ensure the enclosure or the zoo’s perimeter boundaries are sufficiently secure to prevent escape.

The following is general guidance and is not a substitute for following industry good practice or expert advice.

Enclosures should:

- have barriers designed, constructed and maintained to contain the animals;
- have gates and doors, kept locked, and that are as effective in containing the animals as the rest of the enclosure; and
- be free from any vegetation or other items which would aid escape.

Animals which can climb or jump should be kept in enclosures secure enough to prevent them from escaping. Trees should be regularly inspected and lopped or felled as appropriate to avoid them becoming an aid to animal escape or a threat to the integrity of the enclosure.

Digging or burrowing animals should be kept in enclosures so constructed as to avoid escape underneath enclosures and, if necessary, the perimeter boundaries.

Enclosures should be sufficient to contain the relevant animal(s) securely. You should be able to demonstrate that this is the case, ideally by reference to industry standards or by evidence of expert advice. In situations where such expert advice is unavailable, you should be able to justify the standard of facilities and demonstrate on what basis they were deemed suitable. Doing this may help to provide evidence that you have fulfilled your responsibilities should an escape still occur.

If enclosures are damaged, for example by flooding, they should be repaired as soon as possible and animals temporarily moved to undamaged secure enclosures while this is taking place.

The perimeter boundary should be secured in accordance with the Secretary of State's and National Assembly for Wales' standards of modern zoo practice.

2. Displays

You must take into account the Wildlife and Countryside Act 1981 where animals are used in displays, for example if you fly birds in falconry displays. You must be aware of the legislation and take every precaution to prevent escapes.

Particular points to note are that:

- animals should be trained sufficiently to ensure their return;
- transmitters should be used to help to locate animals which have strayed; and
- enough adequately trained staff should be available to retrieve animals when lost.

3. Escapes

Every effort should be made, so far as it is reasonably practicable, to recover any escaped animals whether live or dead. If your zoo licence does not specify who should be notified of any escapes, you should contact your licensing authority to discuss what action they require from you.

Escapes of species that could establish in the wild should also be reported to Natural England (call the Enquiries Team on 0300 060 3900) or Natural Resources Wales (call Liz Howe on 03000 654830) at the earliest opportunity.

The procedures to be adopted in the event of escapes within or from the zoo of any animal should be brought to the attention of, and available to, all members of staff in

a written document. The existence of such procedures, and their implementation in the event of a release, could provide evidence that you have acted responsibly.

4. Additional issues

You should consider the potential risks of releasing parasites, diseases or non-native plants and animals through effluent water and other routes. Waste water should be appropriately treated to ensure that this does not occur.

If you are using non-native plants that are listed on Schedule 9 to the Wildlife and Countryside Act 1981, for example to create habitat or as feed, you must make sure that you are not causing those plants to grow in the wild.

5. Useful links

[The Secretary of State's Standards of Modern Zoo Practice](#)

[National Assembly for Wales Standards of Modern Zoo Practice](#)

[European code of conduct on zoological gardens and aquaria and invasive alien species](#)

[Schedule 9 to the Wildlife and Countryside Act 1981](#)