

**MARINE MAMMALS - GUIDELINES AND CRITERIA  
ASSOCIATED WITH CAPTIVITY**

**September 2006**

**1. BACKGROUND**

1. This document was produced as a contribution by the Whale and Dolphin Conservation Society-WDCS as a collaborative effort with the SPAW/RAC & the CEP Secretariat, in response to recommendation III, Article IV, of the III Meeting of the Scientific and Technical Advisory Committee (STAC) to the Protocol Concerning Specially Protected Areas and Wildlife (SPAW) in the Wider Caribbean Region, held in Caracas, Venezuela, 4-8 October 2005.

2. Having reviewed the recommendations of the "Report of the Regional Workshop of Experts on the Development of the Marine Mammal Action Plan (MMAP) for the Wider Caribbean Region", Bridgetown, Barbados, 18-21 July 2005 (UNEP(DEC)/CAR WG.27/3), STAC recommended that the secretariat and the SPAW/RAC work toward implementing Recommendation No. 3 of the Annex IV of the Report of the Workshop of Experts as a priority action, which states:

*"...a. The SPAW/RAC in collaboration with Governments and relevant organizations compile and make available the following:*

*iii. Guidelines and criteria associated with captivity,*

*...noting that this process is ever-evolving."*

3. To achieve the above goal, WDCS compiled an overview of legislation relevant to the capture, trade and keeping of cetaceans (whales, dolphins and porpoises) in captivity, based on better known national examples of standards, as well as outlining relevant international, regional and national regulations, from within and outside the Wider Caribbean Region.

4. Submissions of errors, omissions and new publications for inclusion can kindly be made directly to SPAW/RAC.

**Legislation on cetaceans and captivity**  
**An overview by Cathy Williamson, Whale and Dolphin Conservation Society**  
**August, 2006**

**Introduction**

This document provides an overview of legislation relevant to the capture, trade and keeping of cetaceans (whales, dolphins and porpoises) in captivity. It is not an exhaustive overview of such legislation but provides details from some of the most cited convention texts and better known examples of national legislation protecting cetaceans from captures and trade. The majority of the document is taken up by tables of comparison of six pieces of legislation providing national standards for the keeping of cetaceans in captivity.

**International regulations**

**CITES**

There are no internationally-recognised standards for the capture, trade and keeping of cetaceans in captivity. CITES, the Convention on International Trade in Endangered Species of Wild Fauna and Flora is “*an international agreement between governments*”, whose “*aim is to ensure that international trade in specimens of wild animals and plants does not threaten their survival*”.

All cetaceans are included either in CITES’ Appendix I or II and are therefore either species considered threatened with extinction, in which trade is permitted only in exceptional circumstances (Appendix I) or species not necessarily threatened with extinction but in which trade “*must be controlled in order to avoid utilization incompatible with their survival*” (Appendix II). Most cetacean species traded for display in captivity to the public or for use in swimming with dolphins and other interaction programmes are listed on CITES’ Appendix II.

CITES’ Article IV on the “*regulation of trade in specimens of species included in Appendix II*” provides that “[t]he export of any specimen of a species included in Appendix II shall require the prior grant and presentation of an export permit. An export permit shall only be granted when the following conditions have been met:

(a) *a Scientific Authority of the State of export has advised that such export will not be detrimental to the survival of that species;*

(b) *a Management Authority of the State of export is satisfied that the specimen was not obtained in contravention of the laws of that State for the protection of fauna and flora; and*

(c) *a Management Authority of the State of export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment.”*

**CBD**

Article 9 of the Convention on Biological Diversity relates to ex-situ conservation and requires that each Contracting Party “*as far as possible and as appropriate, and predominantly for the purpose of complementing in-situ measures:*

- (a) *Adopt measures for the ex-situ conservation of components of biological diversity, preferably in the country of origin of such components;*
- (b) *Establish and maintain facilities for ex-situ conservation of and research on plants, animals and micro-organisms, preferably in the country of origin of genetic resources;*
- (c) *Adopt measures for the recovery and rehabilitation of threatened species and for their reintroduction into their natural habitats under appropriate conditions;*
- (d) *Regulate and manage collection of biological resources from natural habitats for ex-situ conservation purposes so as not to threaten ecosystems and in-situ populations of species, except where special temporary ex-situ measures are required under subparagraph (c) above; and*
- (e) *Co-operate in providing financial and other support for ex-situ conservation outlined in subparagraphs (a) to (d) above and in the establishment and maintenance of ex-situ conservation facilities in developing countries.”*

## **Regional regulations**

### **SPAW**

The Cartagena Convention is a regional agreement for the protection and development of the marine environment of the Wider Caribbean Region. The objective of its Specially Protected Areas and Wildlife (SPAW) Protocol is *“to protect rare and fragile ecosystems and habitats, thereby protecting the endangered and threatened species residing therein.”* SPAW is a Sub-Programme of the UNEP Caribbean Environment Programme and acts as a vehicle to assist with regional implementation of the Convention on Biological Diversity.

The SPAW Protocol lists species in three annexes of protected marine and coastal flora (Annex I), fauna (Annex II) and species of flora and fauna *“to be maintained at a sustainable level”*. All cetaceans are listed in Annex II. Article 11(1)(b) of the Protocol *“requires Parties to adopt co-operative measures to ensure the total protection and recovery of species of fauna listed in Annex II by prohibiting:*

- i. *the taking, possession or killing (including, to the extent possible, the incidental taking, possession or killing) or commercial trade in such species, their eggs, parts or products;* t
- ii. *to the extent possible, the disturbance of such species, particularly during periods of breeding, incubation, estivation or migration, as well as other periods of biological stress.”* t

Article 11(2) of the Protocol permits Parties to *“adopt exemptions to the prohibitions prescribed for the protection and recovery of the species listed in Annexes I and II for scientific, educational or management purposes necessary to ensure the survival of the species”*. However, such exemptions *“shall not jeopardize the species and be reported to the Organization in order for the Scientific and Technical Advisory Committee to assess the pertinence of the exemptions granted”*.

### **CITES in the European Union**

In the European Union, all cetaceans are listed on Annex A of Council Regulation (EC) No. 338/97. The introduction of Annex A specimens into the Community requires the presentation of an import permit issued by the destination Member State when the following conditions have been met:

*“(a) the competent scientific authority, after considering any opinion by the Scientific Review Group, has advised that the introduction into the Community:*

- (i) would not have a harmful effect on the conservation status of the species or on the extent of the territory occupied by the relevant population of the species;*
- (ii) is taking place:*
  - for one of the purposes referred to in Article 8(3)(e), (f) and (g)<sup>1</sup>, or*
  - for other purposes which are not detrimental to the survival of the species concerned;*
- (b) (i) the applicant provides documentary evidence that the specimens have been obtained in accordance with the legislation on the protection of the species concerned which, in the case of import from a third country of specimens of a species listed in the Appendices to the Convention, shall be an export permit or re-export certificate, or copy thereof, issued in accordance with the Convention by a competent authority of the country of export or re-export;*
- (ii) however, the issuance of import permits for species listed in Annex A in accordance with Article 3(1)(a) shall not require such documentary evidence, but the original of any such import permit shall be withheld from the applicant pending presentation of the export permit or re-export certificate;*
- (c) the competent scientific authority is satisfied that the intended accommodation for a live specimen at the place of destination is adequately equipped to conserve and care for it properly;*
- (d) the management authority is satisfied that the specimen is not to be used for primarily commercial purposes;*
- (e) the management authority is satisfied, following consultation with the competent scientific authority, that there are no other factors relating to the conservation of the species which militate against issuance of the import permit; and*
- (f) in the case of introduction from the sea, the management authority is satisfied that any live specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment.”*

The export or re-export of Annex A specimens from the Community requires the presentation of an export permit or re-export certificate issued by the Member State in which the specimens are located, when the following conditions have been met:

*“(a) the competent scientific authority has advised in writing that the capture or collection of the specimens in the wild or their export will not have a harmful effect on the conservation status of the species or on the extent of the territory occupied by the relevant population of the species;*

*(b) the applicant provides documentary evidence that the specimens have been obtained in accordance with the legislation in force on the protection of the species in question; where the application is made to a Member State other than the Member State of origin, such documentary*

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<sup>1</sup> [t]he specimens (e) are required under exceptional circumstances for the advancement of science or for essential biomedical purposes pursuant to Council Directive 86/609/EEC of 24 November 1986 on the approximation of laws, regulations and administrative provisions of the Member States regarding the protection of animals used for experimental and other scientific purposes (6) where the species in question proves to be the only one suitable for those purposes and where there are no specimens of the species which have been born and bred in captivity; or

(f) are intended for breeding or propagation purposes from which conservation benefits will accrue to the species concerned; or

(g) are intended for research or education aimed at the preservation or conservation of the species

evidence shall be furnished by means of a certificate stating that the specimen was taken from the wild in accordance with the legislation in force on its territory;

(c) the management authority is satisfied that:

(i) any live specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment; and

(ii) - the specimens of species not listed in Annex I to the Convention will not be used for primarily commercial purposes, or

- in the case of export to a State party to the Convention of specimens of the species referred to in Article 3(1)(a) of this Regulation, an import permit has been issued;

and

(d) the management authority of the Member State is satisfied, following consultation with the competent scientific authority, that there are no other factors relating to the conservation of the species which militate against issuance of the export permit.

3. A re-export certificate may be issued only when the conditions referred to in paragraph 2 (c) and (d) have been met and when the applicant provides documentary evidence that the specimens:

(a) were introduced into the Community in accordance with the provisions of this Regulation;

(b) if introduced into the Community before the entry into force of this Regulation, were

introduced in accordance with the provisions of Regulation (EEC) No 3626/82; or

(c) if introduced into the Community before 1984, entered international trade in accordance with the provisions of the Convention; or

(d) were legally introduced into the territory of a Member State before the provisions of the Regulations referred to in (a) and (b) or of the Convention became applicable to them, or became applicable in that Member State.”

## **EU Zoo Directive**

Council Directive 1999/22/EC relates to the keeping of wild animals in zoos, which it defines as “all permanent establishments where animals of wild species are kept for exhibition to the public for 7 or more days a year”. Under the Directive, Member States “shall take measures to ensure all zoos implement the following conservation measures:

- participating in research from which conservation benefits accrue to the species, and/or training in relevant conservation skills, and/or the exchange of information relating to species conservation and/or, where appropriate, captive breeding, repopulation or reintroduction of species into the wild,
- promoting public education and awareness in relation to the conservation of biodiversity, particularly by providing information about the species exhibited and their natural habitats,
- accommodating the animals under conditions which aim to satisfy the biological and conservation requirements of the individual species, inter alia, by providing species specific enrichment of the enclosures; and maintaining a high standard of animal husbandry with a developed programme of preventative and curative veterinary care and nutrition,
- preventing the escape of animals in order to avoid possible ecological threats to indigenous species and preventing intrusion of outside pests and vermin,
- keeping of up-to-date records of the zoo’s collection appropriate to the species recorded.

Member States are also required to adopt measures for licensing and inspection of zoos and “[i]n the event of a zoo or part thereof being closed, the competent authority shall ensure that the

*animals concerned are treated or disposed of under conditions which the Member State deems appropriate and consistent with the purposes and provisions of this Directive.”*

## **ACCOBAMS**

Accobams, the Agreement on the Conservation of Cetaceans in the Black Sea, Mediterranean Sea and contiguous Atlantic area, is a “*cooperative tool for the conservation of marine biodiversity in the Mediterranean and Black Seas*”. Under its Article II, Parties are required to “*prohibit and take all necessary measures to eliminate, where this is not already done, any deliberate taking of cetaceans*”.

### **National regulations**

#### **Mexico**

In January 2006, Mexico published a decree adding Article 55 to its Wildlife Act. Its English translation states: “*The importing, exporting and re-exporting of specimens of any species of marine mammal... or any parts or derivatives thereof is prohibited unless intended for scientific research, subject to authorisation being obtained from the Ministry.*”<sup>2</sup> Mexico also established a moratorium on the capture of cetaceans in its waters in 2001.

#### **Costa Rica**

In July 2005, Costa Rica decreed “*Regulations for the Operation of Activities relating to Cetaceans in Costa Rica*”. Under Article 14 of these regulations, “*it is strictly forbidden to:*

- 1. Catch and kill marine mammals.*
- 2. Keep cetaceans and other marine mammals captive.*
- 3. Touch or trap any cetacean or other marine mammal.*
- 4. Feed or attempt to feed any marine mammal that is in the water or on land.”*

Under Article 15, “[*c*]etaceans may be killed, caught, kept captive, touched, trapped or fed, and attempts may be made to feed them, in the following cases:

- 1. Euthanasia due to irreversible illness, injury or infection causing the animal great suffering and death, verified by a qualified vet in the presence of the relevant authority...*
- 2. Animals that have been stranded, entangled or hurt by human or natural causes and that require rehabilitation so that they can be released subsequently. A diagnosis must be sought from specialist biologists and vets and a permit must be obtained..., provided that the period of captivity does not exceed one year.”*<sup>3</sup>

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<sup>2</sup> English translation of official text.

<sup>3</sup> English translation of official text.

## Chile

In January 2005, the Chilean Fisheries Decree 225 was modified. It establishes a prohibition on the “capture, import into the country and for the permanent or temporary enclosure of any cetacean species, for public exhibition or any other objective associated to its utilization by man, whatever the characteristics of the facility in which the enclosure is intended.”<sup>4</sup>

## USA

The US Marine Mammal Protection Act (MMPA) of 1972 declared a moratorium on the taking and importation of marine mammals and marine mammal products. Exceptions to this moratorium include the issuance of permits for taking and importation for the purposes of scientific research, public display, photography for educational or commercial purposes, or enhancing the survival or recovery of a species or stock. Permit holders must submit a collection report within 30 days of capture of a marine mammal authorized under a public display permit, and including the name of individual(s) involved in capture of marine mammals; method of taking of animal and gear utilized; specific date, time and location; any problems or injuries; taking of any other marine mammals during capture; any lethal takes which occurred in connection with capture; description of each marine mammal retained by permit holder in accordance with marine mammal inventory requirements. Jurisdiction over wild marine mammals and the importation/exportation of captive marine mammals, including the national marine mammal inventory, rests with the National Marine Fisheries Service (NMFS). The Animal Plant Health Inspection Service (APHIS) maintains jurisdiction over the care and welfare of marine mammals in captivity.

### **A comparison of national standards for cetacean keeping**

The following tables compare the standards of six countries, implemented for the maintenance in captivity of cetaceans according to the following pieces of legislation. The table is not an exhaustive list of the requirements of each legislation but includes what WDCCS considers to be the most significant and comparable provisions from each piece of legislation. Please refer to the following pieces of legislation for the full details:

Annex G: Supplement to the Secretary of State’s Standards of Modern Zoo Practice: Additional Standards for UK Cetacean Keeping.

Journal no. 15 of 18 January 2002. ENVIRONMENT MINISTRY (ITALY) – DECREE 469 of 6 December 2001. Regulations on the maintenance in captivity of dolphin specimens belonging to the species *Tursiops truncatus*, in application of article 17 paragraph 6 of law 93 of 23 March 2001. English translation.

MINISTRY OF THE ENVIRONMENT, BRAZILIAN INSTITUTE FOR THE ENVIRONMENT AND NATURAL RENEWABLE RESOURCES (IBAMA), REGULATION No 3 OF 8 FEBRUARY 2002. English translation. This regulation is applicable to aquatic mammals (Cetacean, Pinipedia, Sirenia & Mustelidae) but only provisions relevant to the keeping of cetaceans are included in the following tables.

Code of Federal Regulations, US Government. TITLE 9 – ANIMALS AND ANIMAL PRODUCTS, CHAPTER I – ANIMAL AND PLANT HEALTH INSPECTION SERVICE, DEPARTMENT OF AGRICULTURE. Part 3 – STANDARDS. Subpart E – Specifications for the

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<sup>4</sup> English translation of official text.

Humane Handling, Care, Treatment, and Transportation of Marine Mammals under the Animal Welfare Act (AWA). Revised as of January 3, 2001. These standards are applicable to marine mammals but only provisions relevant to the keeping of cetaceans are included in the following tables.

Code of Federal Regulations, US Government. 50 CFR Part 216. REGULATIONS GOVERNING THE TAKING AND IMPORTING OF MARINE MAMMALS. Subchapter C-Protected Species Special Exception Permits. These regulations specify requirements for permits to capture or import marine mammals for public display under the Marine Mammal Protection Act (MMPA), and affecting animals held captive for public display purposes and requirements relating to permits to capture or import, hold, transport or transfer, and export marine mammals. Revised as of July, 2001.

MINISTRY OF AGRICULTURE, FISHERIES AND LOCAL GOVERNMENT. THE MARINE MAMMAL PROTECTION ACT, 2005 (No. 12 of 2005). THE MARINE MAMMAL (CAPTIVE DOLPHIN FACILITIES) REGULATIONS, 2005. The Bahamas, 3<sup>rd</sup> October, 2005.

National Ministry of Natural Resources and Human Environment (SRNyHA) (Argentina). Resolution 351/95. Regulations governing oceanariums. Buenos Aires 18 September 1995. English translation. These regulations are applicable to cetaceans and pinnipeds but only provisions relevant to the keeping of cetaceans are included in the following tables.

### Space Requirements

#### **UK, Italy, Brazil and USA**

<b><u>UK</u></b>	<b><u>Italy</u></b>	<b><u>Brazil</u></b>	<b><u>USA</u></b>
<p><b><u>Width and breadth of primary enclosures</u></b> Based on minimum horizontal dimension (MHD), defined as the diameter of the largest circle that can be inserted within an enclosure, and the results for the two reference species: <i>Tursiops truncatus</i> (7m) and <i>Orcinus orca</i> (15m).</p>	<p>At no point should the minimum horizontal dimension be less than the 7m diameter of the largest circle that can be drawn in the tank.</p>	<p>The pool in the main enclosure shall comprise of a circle with a diameter equal to the minimum horizontal distance (MHD) for each species. Minimum horizontal distance for cetaceans: 14m.</p>	<p>Space requirements are given for two different groups of animals. The MHD of pool for Group I cetaceans (e.g. <i>Tursiops truncatus</i>, <i>Orcinus orca</i>) shall be 7.32m or 2 x average adult length of longest species housed. Group II cetaceans (e.g. <i>Delphinus delphis</i>, <i>Lagenorhynchus spp.</i>): 7.32m or 4 x average adult length of longest species.</p>
<p><b><u>Volume</u></b> Minimum volume for any primary enclosure should not be less than</p>	<p>Minimum volume, for up five <i>Tursiops truncatus</i> must not be</p>	<p>Minimum volume for up to two <i>Tursiops truncatus</i> or</p>	<p>A pool of water housing cetaceans which satisfies MHD</p>

<p>1,000m<sup>3</sup> for up to five <i>Tursiops truncatus</i> plus a further 200m<sup>3</sup> for each additional animal over five.  <i>Orcinus orca</i>: minimum volume for five:12,000m<sup>3</sup> and for each animal over five, a further 2,500m<sup>3</sup>.  Dimensions to provide sufficient space to enable animals to take exercise, protect them from undue dominance/conflict &amp; provide for other needs.</p>	<p>less than 1,600m<sup>3</sup> plus a further 400m<sup>3</sup> for each additional specimen. Dimensions to provide sufficient space to allow the animals to develop motor activities, protect them from unwanted dominance/conflicts and meet any other needs they may have.</p>	<p><i>Delphinapterus leucas</i>: 1600m<sup>3</sup> plus 400m<sup>3</sup> per additional animal.</p>	<p>&amp; meets minimum depth requirement will have sufficient volume &amp; surface area to hold up to 2 Group I or 4 Group II cetaceans. If additional cetaceans are added, volume may have to be adjusted (formulas are given).</p>
<p><u>Depth</u>  Minimum vertical dimension (MVD) should be equivalent to twice the average body length of the species. Enclosure depths may be varied by up to 20% of MVD to provide Minimum Average Enclosure Depth:  <i>Tursiops truncatus</i>: 5.6m, <i>Orcinus orca</i>: 12m.</p>	<p>Water depth must never be below 3.5m and must have a minimum depth of at least 4.5m in at least half of the total surface area of the tank.</p>	<p>Minimum depth for <i>Tursiops truncatus</i>: 6m, for <i>Delphinapterus leucas</i>: 7m.</p>	<p>Minimum depth requirement shall be one-half the average adult length of the longest species or 1.83m, whichever is greater.</p>
<p><u>Holding /secondary accommodation</u>  Holding pens, if provided, only to be used briefly, except on direct veterinary advice.</p>	<p>Specimens may only be isolated in secondary sections for brief periods unless there is specific medico-veterinary prescription.</p>	<p>Animals shall have access to the biggest aquatic space possible for at least 90% of the day. Pools in the quarantine, respite and overflow areas are additional resources and shall not be subject to the minimum spatial requirements of those in the main and rehabilitation areas. Businesses &amp; institutions shall take into consideration: a quiet, confined area</p>	<p>Temporary holding facilities with properly designed facilities shall be provided for isolation, medication, treatment, transfer &amp; training. Pools &amp; tanks may be less than minimum size when used in special situations when prescribed by the professional staff for temporary usage. Such enclosures</p>

		aimed at lodging females & their new-born calves &/or pregnant females, with a solarium; an overflow area or group of enclosures & installations for the maintenance of surplus animals & those awaiting transfer elsewhere, off limits to the public. Businesses & institutions shall have a specific area for rehabilitation.	shall not be used for permanent housing or periods longer than specified by attending veterinarian.
<u>Medical facilities</u> All establishments will provide facilities for medical care. Hospital facilities may contain pools of less than the minimum dimensions, but with due regard for the volumes necessary for water processing in isolation, and must allow easy handling and medication.	All units must have tanks for medico-veterinary treatment. They may be smaller than the minimum dimensions provided for and must be physically isolated from the tanks used for keeping, to prevent transmission of pathogens. They must also have a separate water filtering device.	No specific provisions.	See above.
<u>Free space above pool</u> No specific provisions.	The free space above covered tanks must be at least 7m.	Covered areas must have a minimum height of 3m above water level.	No specific provisions.

### **The Bahamas and Argentina**

<u>The Bahamas</u>	<u>Argentina</u>
<u>Width &amp; breadth of primary enclosures</u> No specific provisions.	Minimum horizontal dimension must be twice average adult length of largest species in pool and not less than 7.4m.
<u>Volume</u> A swim area in a facility shall provide dolphins with at least 65,000 gallons for every four dolphins & at least an additional 20,000 gallons for each additional dolphin.	Minimum volume of 200m <sup>3</sup> for each cetacean of average adult length of up to 3m, 1000m <sup>3</sup> for up to 5.5m, 2000m <sup>3</sup> for more than 5.5m. Minimum volume must be calculated by adding together the volumes required for each animal in it.

	Minimum volume of a pool must not be less than 1000m <sup>3</sup> .
<u>Depth</u> Every swim area shall have a constant minimum average depth of nine feet at mean low tide.	Minimum depth must be average adult length of largest species in pool. Gives average adult lengths of 3m for <i>Tursiops truncatus</i> & 7.5m for <i>Orcinus orca</i> .
<u>Holding/secondary accommodation</u> No specific provisions.	Enclosures for use in healthcare & quarantine may be smaller than minimum size requirements. Animals may only be kept in veterinary care installations under express advice of vet.
<u>Medical facilities</u> No specific provisions.	Oceanariums must have installations & enclosures for use in healthcare & quarantine of animals. Must be isolated from the rest of the buildings & have independent water circuit.
<u>Free space above pool</u> No specific provisions.	Minimum distance between water level & roof must be three times average adult length of largest species in the pool.

### Separation

#### **UK, Italy, Brazil and USA**

<b>UK</b>	<b>Italy</b>	<b>Brazil</b>	<b>USA</b>
Each species must be held in social groups typical of that species and only species known to be compatible may be held together. Non-compatible animals shall not be housed in the same enclosure. Animals must be given access to other compatible animals, except when temporarily isolated on medical advice. No single specimen of any species may be kept.	The tanks must be used for <i>Tursiops</i> and nothing else. Compatible specimens must not be kept apart, except those in temporary isolation on medico-veterinary advice. Non-compatible specimens must not be held in the same tank. No specimens shall be kept alone, unless for health reasons. Exceptionally and under specific conditions, the temporary admission of cetacean specimens of different species may be authorised, provided they are compatible.	Only compatible species and individuals can be put in the same enclosure. Technicians shall detect incompatibility, relocating animals when necessary. No individual may be isolated except for technical reasons. Young that are breastfeeding can not be separated from their mothers except under express indication of the veterinary surgeon.	Non-compatible marine mammals shall not be housed in the same enclosure. They shall not be housed near animals that would cause them stress or discomfort, or interfere with their good health. Captive marine mammals must be given access to other animals except when in temporary isolation for such purposes as medical treatment or training and given special attention.

## The Bahamas and Argentina

<u>The Bahamas</u>	<u>Argentina</u>
Dolphin which is not compatible shall not be housed near other dolphins/animals that could cause them stress/discomfort or interfere with their good health. Dolphin shall not be separated from its mother until weaned naturally or upon written approval by head trainer/attending veterinarian.	Animals must have access to others, except when temporarily isolated & receiving special attention for medical treatment/training. Non-compatible animals must not be kept in same enclosure. Animals must be kept in social groups typical to species & from same geographical region whenever possible.

## Feeding

### UK, Italy, Brazil and USA

<u>UK</u>	<u>Italy</u>	<u>Brazil</u>	<u>USA</u>
<u>General</u> Food shall be wholesome, palatable and of a standard fit for consumption.	Feed must be of a quality suitable for human consumption.	All food must be free from contamination.	Food shall be wholesome, palatable and free from contamination.
<u>Sufficiency &amp; regularity</u> Must be given in sufficient quantities & be of sufficient nutritional value to keep animals healthy. Animals must be offered foods at least twice a day, except on veterinary instructions.	Feed must be in adequate quantities and of sufficient nutritional value to keep the specimens healthy. Dolphins must be fed at least twice a day (notwithstanding distinct medico-veterinary advice).	All food must be offered daily in sufficient quantities and of adequate nutritional value to ensure the health of the individual. Animals shall be offered food at least twice a day, unless on express indication of the Veterinary Surgeon.	Food shall be of sufficient quantity and nutritive value to maintain all of the marine mammals in a state of good health. Marine mammals shall be offered food at least once a day, except as directed by veterinary treatment or professionally accepted standards.
<u>Suitability</u> Diet prepared with consideration for species, age, condition, activity, water/air temperature. Animals should be weighed & measured regularly and results compared with expected normal	Diet must be in keeping with nutritional needs of species and varied in accordance with particular characteristics and condition of each individual (age, size, weight, gestation,	All food must be suitable for the biology of the species.	Diet shall be prepared with consideration for age, species, condition, size and type of marine mammal being fed.

development for species for any necessary changes in feeding.	physical condition etc.)		
<u>Storage &amp; preparation</u> - Food species must be quick-frozen, as soon as practicable after catching, and packaged in containers impervious to air and water. - Sufficient quantities of food must be kept on hand to guard against problems with supply, but stocks must be rotated and not stored for excessive periods. - Frozen food must be stored at maximum -18°C but preferably between -23 and -30°C. - Food species should be obtained, as far as possible, at seasons when their value as food for cetaceans is optimal. - All chemical and bacterial contamination must be avoided when preparing food. - Thawing and preparation must be done to assure food retains its nutritive and wholesome quality. - Thawed food shall be kept refrigerated until a reasonable time before feeding and fed to the animals within 24 hours of removal from freezers or properly discarded. - Discarded food must not be kept in fresh food storage areas. - All utensils used in preparation and distribution of food must be cleaned after use. Areas for handling food must be washed down	- Any chemical and bacterial contamination must be avoided when preparing the feed. - Health and hygiene conditions of preparation areas must be good and monitored. - Frozen food must be kept at -28°C and used within four months for mackerel and seven months for other species. - Defrosted products must be kept refrigerated for a reasonable time before consumption. - All feed must be given within 24 hours of removal from freezer or thrown away. - Feed to be thrown away must not be kept in areas used to keep feed that will be used. - Fish given as feed must be predominantly whole.	- Perishable food stuffs must be stored in refrigerators and kept away from any contamination. - Fresh food subsequently frozen by the institution shall not be kept for more than 6 months. - All frozen food must be stored hygienically and labelled with best before date. - Frozen food shall be defrosted naturally, whenever possible. It shall be stored in refrigerators or polystyrene boxes and must be offered to the animals in a maximum period of 24 hours after being defrosted. - All left over food must be disposed of in proper and hygienic way. - Dead animal carcasses must not be stored along side food stuffs. - All utensils used in preparation and distribution of food shall be cleaned after use. Food handling areas must be used exclusively for that purpose and washed daily with cleaning	- Food preparation and handling shall be conducted to minimize bacterial or chemical contamination and assure wholesomeness and nutritive value of food. - Frozen fish or other food shall be stored in freezers maintained at maximum -18°C. - Length of time food is stored & method of storage, as well as thawing of frozen food, shall be conducted to minimize contamination & assure food retains nutritive value & wholesome quality. - Thawed product shall be kept iced or refrigerated until reasonable time before feeding & fed to marine mammals within 24 hours following removal of food from freezer for thawing. - Food receptacles shall be placed to minimize contamination of the food contained therein and shall be cleaned and sanitized after use. - Food preparation areas, receptacles & utensils shall be cleaned & sanitized at least daily using hot water & soap/detergent.

daily and treated with cleaning products not harmful to animals and not stored in areas used for storing food.		products, which are stored in a safe place out of the reach of animals.	
<u>Feeding by staff</u> Animals must be individually fed by a trained person competent to see each animal receives appropriate quantity of food and observe variations in feeding habits to ensure good health. Food taken and variations in feeding by each animal must be recorded. Food supplements should be added to the diet in accordance with veterinary advice and must be handled, stored, and stocks rotated, in an appropriate manner.	The individual feeding of each specimen must be guaranteed. Feed must be given by an expert capable of evaluating differences and variations in dolphins' feeding habits to ensure their good health.	Supplying of nutritional supplements and/or implementation of alternatives or exceptional diets shall be justified and supervised by institution's Veterinary Surgeon.	Food shall be given by an employee who can assure each marine mammal receives adequate quantity of food to maintain it in good health & is able to recognise deviations from a normal state of good health so food intake can be adjusted accordingly.
<u>Feeding by public</u> Feeding by public shall only be permitted on veterinary advice, under supervision of at least two experienced, uniformed staff, with food supplied by the establishment.	Dolphins may not be fed by or come into physical contact with the public.	Visiting public forbidden to feed the animals.	Public feeding only permitted under supervision of a uniformed employee who must assure animals are receiving proper amount & type of food, which has been supplied by the facility where animals are kept.

### **The Bahamas and Argentina**

<u><b>The Bahamas</b></u>	<u><b>Argentina</b></u>
<u>General</u> Food shall be wholesome, palatable & free from contamination.	No specific provisions.
<u>Sufficiency &amp; regularity</u> Food shall be of sufficient quality & nutritive value to maintain dolphin in state of good health.	Food must fulfill nutritional requirements necessary to ensure animals' health is not adversely affected & must be given at least twice a day unless otherwise instructed by the vet.

<p><u>Suitability</u> Diet shall be prepared with consideration for age, species, condition &amp; size of dolphin &amp; of high quality consisting of enough food types to account for variability in food supply &amp; animal preference.</p>	<p>Diet must be prepared following advice given by vet/other authorized professional, taking into account species, age, weight, physiological condition, activity &amp; water &amp; air temperature.</p>
<p><u>Storage &amp; preparation</u></p> <ul style="list-style-type: none"> <li>- Food shall be stored to protect supplies from deterioration, mold/contamination at 0° Fahrenheit for no longer than processor's recommended optimum storage dates &amp; time. Contaminated food should be disposed of.</li> <li>- Food preparation areas shall be made of stainless steel, devoid of seams &amp; gaps; sanitized morning &amp; evening with no standing pools of water, rusty surfaces &amp; decaying organic matter.</li> <li>- No toxic/harmful substances shall be stored in food storage/preparation areas.</li> <li>- Food shall not be thawed out in water except in emergency.</li> <li>- All containers, utensils &amp; other equipment shall be cleaned daily.</li> <li>- Wash down wastes must not drain into dolphin enclosure/surrounding area.</li> <li>- Fish shall not be refrozen after thawing &amp; shall be fed to dolphin within 24hrs of removal from freezer for thawing.</li> </ul>	<ul style="list-style-type: none"> <li>- Suitable areas must be provided exclusively for storing food.</li> <li>- Utensils used during preparation &amp; distribution of food must be cleaned after use.</li> <li>- Kitchens &amp; food handling areas must be washed daily &amp; treated with cleaning products not harmful to the animals.</li> <li>- Fish used as food must be frozen immediately after capture at -30°C.</li> <li>- Frozen food must be stored in freezer at between -18°C &amp; -30°C for maximum 4 months.</li> <li>- Defrosting &amp; preparation of food must be done in way to conserve nutritional quality. All types of chemical &amp; bacterial contamination must be avoided during processes.</li> <li>- Food must be given to animals within 24 hours of being removed from freezer or thrown away. Defrosted products must be kept refrigerated until reasonable time before feeding.</li> </ul>
<p><u>Feeding by staff</u> Feeding shall be done only by qualified staff member with necessary knowledge to ensure each dolphin receives adequate quantity of food to maintain good health &amp; recognize deviations from normal state of good health so food intake can be adjusted accordingly. Vitamin supplementation shall be given &amp; individualized for each dolphin.</p>	<p>Animals must be fed by trained person who should ensure each animal receives right amount. Any change in feeding behaviour must be reported immediately to vet.</p>
<p><u>Feeding by public</u> Public feeding shall only be permitted under supervision of qualified staff member who shall ensure dolphins are receiving proper amount &amp; type of food.</p>	<p>Feeding by public should only be allowed if it takes place under supervision of nominated staff who make sure animals receive appropriate amount &amp; type of food, which must be provided by the oceanarium.</p>

**Open Air Accommodation**

**UK, Italy, Brazil and USA**

<b><u>UK</u></b>	<b><u>Italy</u></b>	<b><u>Brazil</u></b>	<b><u>USA</u></b>
May only be kept in open air accommodation if air & water fluctuations unlikely to result in health or hygiene problems for the animals. Pools must always be ice-free.	Dolphins preferably kept in open-air accommodation, provided fluctuations in air temperature unlikely to cause health or hygiene problems. Sudden changes in water temperature must be avoided. Dolphins must in all cases have shady area, predominantly in shallower areas.	No specific provisions.	Marine mammals shall not be housed in outdoor facilities unless air & water temperature ranges do not adversely affect their health & comfort. They shall not be introduced to outdoor housing until acclimated to air & water temperatures they will encounter therein. Water surface shall be kept free of ice. Shelter appropriate for species shall be provided to protect marine mammals from weather or direct sunlight. Facility must be enclosed by perimeter fence of sufficient height to keep animals & unauthorized persons out and of sufficient distance from the primary enclosure to prevent physical contact between animals inside the enclosure & animals/persons outside the perimeter fence.

**The Bahamas and Argentina**

<b><u>The Bahamas</u></b>	<b><u>Argentina</u></b>
No specific provisions.	Marine mammals may be kept in uncovered installations only if water & air temperature variations will not cause health & hygiene problems. Water surface must always be free of ice.

**Air and light**

**UK, Italy, Brazil and USA**

<b><u>UK</u></b>	<b><u>Italy</u></b>	<b><u>Brazil</u></b>	<b><u>USA</u></b>
<p>Adequate fresh air ventilation required, with minimum of 10 air changes/hr if air conditioned, 20/hr if not. Measures must be taken to ensure there are no fumes from water treatment chemicals/other sources, or strong odours.</p>	<p>Must have adequate fresh-air ventilation to ensure good air quality. Air must have low and harmless level of suspended particles, relative humidity between 55-65%, optimal ambient temperature of 15-24°C. Measurements must be taken to ensure against discharges of chlorine/other gases in vicinity of tank that could prejudice health of specimens.</p>	<p>Enclosures shall be ventilated.</p>	<p>Facilities shall be ventilated by natural/artificial means to provide flow of fresh air and minimise accumulation of chlorine fumes, other gases and objectionable odors. Vertical air space averaging at least 1.83 meters in all primary enclosures. Air &amp; water temperatures shall be sufficiently regulated to protect marine mammals from extremes, to provide for good health &amp; well-being &amp; prevent discomfort, depending on species. Rapid changes shall be avoided.</p>
<p>Lighting must be adequate for routine health &amp; hygiene checks and cleaning. Artificial light should be in spectrum as close as possible to sunlight and the intensity such that it does not cause discomfort or distress. Light and dark must be supplied in accordance with seasonal variations of natural photoperiod.</p>	<p>Lighting must be suitable for routine checks of health, hygiene and cleaning. Artificial light spectrum must be as close as possible to that of sunlight, ensure periods of light &amp; dark that coincide with seasonal variations in place dolphins are kept and be of an intensity that does not cause discomfort or suffering.</p>	<p>Enclosures shall be illuminated by natural light and contain both shady and exposed areas, depending on the species.</p>	<p>Lighting shall be ample and of a quality, distribution &amp; duration appropriate for the species &amp; consistent with general well-being &amp; comfort. When possible, it should approximate conditions in natural environment. Sufficient lighting must be available</p>

			to provide uniform illumination adequate for routine inspections, observations & cleaning and designed to prevent overexposure of marine mammals.
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**The Bahamas and Argentina**

<b>The Bahamas</b>	<b>Argentina</b>
No specific provisions.	Covered enclosures must be adequately ventilated. Suitable measures must be taken to ensure there are no strong odours, vapours or dust in areas surrounding enclosures.
No specific provisions.	Lighting must be sufficient to enable routine checks & cleaning. Artificial lighting must be close as possible to natural spectrum & its intensity & design must not harm animals. Periods of light and darkness must be provided in accordance with seasonal variations in location's natural photoperiod.

**Construction and maintenance of enclosures**

**UK, Italy, Brazil and USA**

<b>UK</b>	<b>Italy</b>	<b>Brazil</b>	<b>USA</b>
<u>Noise &amp; disturbance</u> Cetaceans shall be protected from harassment and excessive noise. Particular care must be taken during construction & maintenance work so animals are not exposed to excessive noise and no foreign bodies enter pools or are left unattended around pools.	Dolphins must be protected from excessive noise, (including irregular pulses) and the noise level kept as low as possible so as not to constitute a danger to the health and wellbeing of the dolphins. Particular attention must be paid during construction and maintenance work to ensure the animals are not exposed to excessive noise and no	The structure & location of enclosures must minimise the effect of excessive noise & other causes of stress to the animals.	No specific provisions.

	foreign bodies fall into the tanks or are left unattended in the immediate vicinity.		
<p><u>Pool materials &amp; design</u> Pools shall be constructed of durable, non-toxic, non-porous materials with a waterproof finish which facilitate proper cleaning &amp; disinfection (latter also applies to immediate pool surrounds).</p>	<p>Tanks must be made of non-toxic, non-porous, water-tight materials with hard-wearing finish for proper cleaning &amp; disinfection; must also be designed to minimise transmission within tank of outside sounds &amp; echoes produced within the tank by the animals. All structures adjacent to tank must be constructed to facilitate proper cleaning, disinfection &amp; emptying of tank. Tank must be designed to provide environment that is safe and free of obstacles that could cause damage.</p>	<p>All the superficial structures in the enclosures must be constructed from durable, non porous, non toxic materials that are impermeable, to ease cleaning and disinfection. The edges of enclosures shall be rounded so the animals can support themselves or slide around without risk of friction wound.</p>	<p>Buildings, grounds, exhibit areas &amp; fences shall be kept clean and in good repair. Any primary enclosure pool shall be constructed of materials having a nonporous, waterproof finish, which facilitate proper cleaning &amp; disinfection &amp; shall be maintained in good repair as part of a regular ongoing maintenance program (natural seawater pools subject to tidal action shall also facilitate this). Primary enclosures shall have no loose objects, sharp projections, and/or edges which may cause injury or trauma.</p>
<p><u>Water circulation</u> Pools shall be designed so there are no areas with inadequate water circulation. Pools must be tested yearly (new pools during initial use too) to check full water circulation is achieved and immediate steps taken to remedy any problems.</p>	<p>Tanks must be designed to ensure no areas with inadequate water circulation; tanks must be inspected before use, checked each year for full circulation of water and any problems resolved immediately.</p>	<p>Enclosures shall have adequate facilities for drainage, filtration and circulation of water.</p>	<p>Must have suitable system for renewing water, filtering &amp; chemical treatment.</p>
<p><u>Drainage</u> Adequate drainage shall exist for all pools, so water can be rapidly eliminated. Drainage</p>	<p>All tanks must be designed to allow them to be emptied quickly. Structures adjacent to tank must to structured</p>	<p>See above.</p>	<p>Adequate drainage shall be provided for all primary enclosure pools &amp; areas immediately</p>

<p>must be provided for areas surrounding pools, so water from them will not enter or re-enter pools. Waste/run off water must be kept separate from pools.</p>	<p>to prevent water used for cleaning the tank from entering or re-entering tanks. Waste/run-off water must be kept separate from tanks. Tanks intended for medico-veterinary treatment must be designed for emptying in 15 minutes.</p>		<p>surrounding pools, located so as to rapidly eliminate excess water.</p>
<p><u>Furniture etc</u> Pools &amp; immediate surroundings must not contain furniture, apparatus, decoration etc which would interfere with welfare of the animals or with efficient husbandry.</p>	<p>No objects, furniture, apparatus, decoration, plants or anything else that could damage or interfere with dolphins' wellbeing or efficient maintenance of unit may be kept or put in tanks or in their immediate vicinity.</p>	<p>No natural or artificial object that could interfere with animals' wellbeing may be kept inside enclosures.</p>	<p>No specific provisions.</p>
<p><u>Enrichment</u> No specific provisions.</p>	<p>Tank must be fitted out to provide a stimulating environment that assists &amp; encourages a normal behavioural repertoire.</p>	<p>House the animals in conditions that satisfy their biological needs, providing the species with enrichment of their enclosures. Enclosures may be enriched, in accordance with the species, with characteristic elements of their habitats such as burrows, seaweed, rocks, natural coverings, fish &amp; other resources compatible with normal behaviour patterns.</p>	<p>No specific provisions.</p>
<p><u>Security</u> Precautions must be taken to prevent foreign objects from entering pools and pools checked for foreign objects twice a day.</p>	<p>Precautions must be taken to ensure foreign objects do not enter tanks, tanks must be checked at least twice a day. Visitors shall not be permitted to access the service areas or maintenance tanks.</p>	<p>Enclosures must provide security for animals, staff and visiting public. They shall have physical barriers of a set minimum distance to protect animals from interference by the</p>	<p>Facilities shall be structurally sound, protect animals from injury, contain the animals &amp; restrict entrance of unwanted animals. A safe &amp; effective program for pest control shall be</p>

		public. Prevent an animal escaping at all costs to avoid it becoming endangered or contamination by diseases specific to captivity.	maintained.
<p><u>Supplies and emergencies</u> Supply of water, power &amp; fuel must be reliable &amp; sufficient to maintain conditions, including safe storage of food, necessary for animal's welfare in all circumstances, including readily available alternatives for emergencies. Alternative emergency accommodation must be arranged in advance, with approval of relevant authorities, in event of total failure of equipment, pools or other emergencies. Emergency moves must be notified to relevant authorities, in advance if possible. Establishments must have advance plans to cope with foreseeable problems, including industrial disputes and financial difficulties, which might put animals at risk.</p>	<p>Stores of water, power, fuel &amp; food must be suitable &amp; sufficient to maintain conditions required if installations malfunction. Alternative accommodation, approved by CITES MA, must be prepared in advance where animals can be transferred &amp; all transfers must, if possible, be notified to CITES MA, within 24 hours, with suitable justification, following transfer in event of emergency. Units must also make prior provisions to deal with foreseeable problems, including trade-union disputes &amp; financial difficulties that could jeopardise wellbeing of dolphins.</p>	<p>The institutions &amp; businesses shall have available an emergency electricity supply, necessary for adequate functioning of enclosures, sufficient water reservoirs to supply all pools. Guarantee that if the centre was to close down the animals would be transferred in advance and in appropriate conditions.</p>	<p>Reliable &amp; adequate sources of water &amp; electric power shall be provided. Written contingency plans must be approved by Veterinary Services regarding emergency sources of water &amp; electric power in the event of failure of the primary sources, when such failure could reasonably be expected to be detrimental to the good health &amp; well-being of the marine mammals.</p>

**The Bahamas and Argentina**

<u>The Bahamas</u>	<u>Argentina</u>
Noise & disturbance	

No specific provisions.	Animals must not be exposed to any noise greater than 80 decibels.
<u>Pool materials &amp; design</u> Facility for housing dolphins shall be structurally sound & in good repair. Enclosure shall not have any loose objects, wires, ropes or sharp edges which may cause injury/trauma. Surrounding buildings & grounds & exhibit areas shall be kept clean & in good repair at all times.	Enclosures must be properly maintained & kept clean at all times. Areas around enclosures must be built to facilitate proper cleaning, disinfection & drainage. Pools, including entrance & exit ramps, must be made of durable, non-toxic, non-porous material with waterproof coverage to facilitate cleaning & disinfection.
<u>Water circulation</u> No specific provisions.	Pools must be designed to ensure no areas of insufficient water circulation & can be emptied easily.
<u>Drainage</u> No specific provisions.	No specific provisions.
<u>Furniture etc</u> No specific provisions.	No objects, furnishings, equipment, decoration, plant or any device that could interfere with wellbeing & care of animals may be placed or left in pools.
<u>Enrichment</u> No specific provisions.	No specific provisions.
<u>Security</u> Licensee shall provide 24h security. Enclosures shall be thoroughly inspected each morning.	Free area around enclosures must create gap of at least 3 metres from visiting public. Sides of pools must be high enough to ensure people other than animals' carers cannot touch animals or water. Precautions must be taken to prevent foreign bodies from entering pools, including meticulous checking for them.
<u>Supplies &amp; emergencies</u> Reliable & adequate supplies of hot & cold water & electric power shall be provided. A generator of sufficient capacity to provide adequate power in event of power shortage to run all refrigerators & freezers for food storage shall be installed & maintained in good working order. Every licensee shall submit for Minister's approval an emergency contingency plan outlining the measures to be taken should a dolphin escape. Facility shall immediately notify the Minister, activate plan within 24hrs of escape & submit report on incident & probable causes within 7 days.	There must always be enough food to deal with supply problems. Supply of water, energy & fuel must be secure, reliable & sufficient to maintain optimum conditions for functioning of oceanarium, with alternative supply systems available in case of emergency. Oceanariums must have contingency plans for any unforeseen problem, including staffing, commercial & financial difficulties that could put animals at risk & plans drawn up with alternative arrangements for animals in case of emergency, used only with authorisation & under supervision of vet/competent professional. Enforcing authority must be notified immediately of any emergency movement.

### Water quality

**UK, Italy, Brazil and USA**

<b><u>UK</u></b>	<b><u>Italy</u></b>	<b><u>Brazil</u></b>	<b><u>USA</u></b>
<p><b><u>Water health</u></b> Pools shall not contain water which would be detrimental to the health of the animals. When water is chemically treated, chemicals shall be added so as not to cause harm/discomfort.</p>	<p>Tanks must not contain water that could prejudice the health of the dolphins; water must be transparent, colourless &amp; odour-less.</p>	<p>The institutions &amp; businesses must maintain a constant routine of monitoring the water quality. Any chemical treatment products shall be added so as not to cause discomfort/harm.</p>	<p>The primary enclosure shall not contain water which would be detrimental to the health of the marine mammal. When water is chemically treated, chemicals shall be added so as not to cause harm/discomfort.</p>
<p><b><u>Waste and filters</u></b> All waste must be removed from the pool &amp; water processing equipment at least daily. Filters must be backwashed as necessary and there must be suitable arrangements for the disposal of this waste &amp; water.</p>	<p>All residues (left-over food, faeces, dirt, algae, fungus, etc.) must be removed from the tank using water treatment equipment &amp; filters, to prevent contamination &amp; infection and the filters cleaned with sufficient frequency to guarantee water quality. Total circulation time of water in tanks must not exceed five hours.</p>	<p>All waste (left over food, faeces, etc) shall be removed from enclosures daily. All enclosures shall have adequate facilities for water filtration. Filters must be permanently monitored to detect pathogenic organisms. The pools shall have filtration systems that prevent contamination among them. Rate of circulation in closed filtration system must reach, at very least, complete recirculation every 12 hours. For natural surroundings, water quality must be compatible with species &amp; routinely monitored.</p>	<p>Animal/food waste, trash or debris that enters the primary enclosure pool shall be removed and the wall &amp; bottom surfaces of the primary enclosure cleaned as often as necessary to maintain water quality and prevent health hazards. Water quality must be maintained by filtration, chemical treatment or other means.</p>
<p><b><u>Bacteria</u></b> Coliform bacteria content must not exceed 100 MPN (most probable number) /100ml water. Should count exceed level, must be corrected immediately.</p>	<p>Coliform-bacteria content of tank must not exceed 500 colonies per 1000 ml of water; this test must be carried out at least every seven days.</p>	<p>Maximum level of bacteria must be 250 MPN (Most Probable Number) per 100ml of water for faecal bacteria or 1250 MPN per 100ml of water for total bacteria.</p>	<p>Coliform bacteria count of primary enclosure pool shall not exceed 1,000 MPN/100ml water. Should count exceed 1,000, two</p>

			subsequent samples permitted at 48-hour intervals & condition corrected immediately if average count exceeds limit.
<p><u>Sampling</u> Levels of fungi, other pathogens, nitrogenous compounds must be low. Establishments must have clear policy on pool water renewal if specific bacterial and pathogen content, nitrogenous compound content, combined chlorine content or any other limits are exceeded, and cannot be brought under control within a specified period.</p>	<p>Presence of funguses &amp; pathogens &amp; the quantity of nitrogen compounds must at all times be kept under control and at a level that does not constitute a health hazard to the dolphins. Temperature, pH, salinity, oxidants &amp; byproducts and free &amp; combined chlorine must be checked at least three times daily and preferably monitored continuously. Any deviation must be promptly rectified.</p>	<p>There must be no phenol in the water. Analyses of bacteria, dissolved oxygen, biochemical oxygen demand, chlorine levels &amp; nitrogenous compounds in water shall be carried out at least once a week. Chlorine dose must not exceed 0.5 milligrams/litre. Analysis of dissolved oxygen, salt concentration, pH, cloudiness &amp; temperature at least twice a day.</p>	<p>Water sample shall be tested at least weekly for coliform count &amp; at least daily for pH &amp; any chemical additives. Facilities using natural seawater exempt from pH &amp; chemical testing unless chemical additives used. Coliform tests are required.</p>
<p><u>pH</u> pH of pool water must be maintained within range of 7.6-8.0, with normal guide level of 7.8.</p>	<p>pH must be kept between 7.4-8.5 (optimum level 7.8).</p>	<p>pH of all pools shall be kept between 7.2-8.4.</p>	<p>No specific provisions.</p>
<p><u>Salt</u> For marine species, salt content must be maintained near average normally encountered by species in the wild and within upper region of range 1.5%-3.5%.</p>	<p>Salinity must be kept within normal values for sea water and, in particular, between 15-36grams for sodium chloride.</p>	<p>For marine species, salt concentration must be maintained respecting specific biological requisites, with minimum 20g/litre &amp; maximum 36g/litre. For freshwater species, parameters shall be adequate for bathing (see CONAMA Resolution No 20).</p>	<p>Primary enclosure pools shall be salinized for marine mammals which require salinized water for good health &amp; well-being. Salinity shall be maintained within range of 15-36 parts per thousand.</p>
<p><u>Temperature</u> Temperature of water: no specific provisions.</p>	<p>Temperature of water must be kept between 10-28°C.</p>	<p>Temperature of water shall vary between 10 - 28°C, in accordance with biology of species,</p>	<p>Air &amp; water temperatures in indoor facilities shall be</p>

		avoiding rapid changes in temperature.	sufficiently regulated by heating or cooling to protect marine mammals from extremes of temperature, provide for good health & well-being and prevent discomfort. Rapid changes in air & water temperatures shall be avoided.
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**The Bahamas and Argentina**

<u>The Bahamas</u>	<u>Argentina</u>
<p><u>Water health</u> Enclosure shall not contain water which may be detrimental to health of dolphins. Wall, fence &amp; bottom surfaces of enclosures shall be cleaned as often as necessary to maintain proper water quality &amp; through-flow &amp; ensure bottom of swimming areas free from debris. Weekly environmental quality records, retained for one year, shall be kept &amp; include water turbidity; test parameters for water quality; test results for bacterial culture, heavy metal, petroleum/other contaminants; facility &amp; filtration maintenance logs.</p>	<p>Pools must not contain water that is harmful to health of animals. Any water treatment chemicals must be added so as to ensure no harm/discomfort to animals. Any chlorine used must be in gas form/sodium hypochlorite dissolved in water.</p>
<p><u>Waste and filters</u> No specific provisions.</p>	<p>All waste must be removed from pool using filtering equipment at least once a day. Filters must be cleaned when necessary to ensure water quality levels maintained.</p>
<p><u>Bacteria</u> Coliform bacteria count of holding enclosure shall not exceed 1000 MPN/100ml of water.</p>	<p>Total coliform bacteria must not exceed 100MPN/100ml water. Levels of bacteria must be checked once a week &amp; alteration corrected immediately.</p>
<p><u>Sampling</u> Analysis of ambient water for coliform, heavy metal, petroleum &amp; other contaminants shall be carried out weekly &amp; water samples shall be taken on various days of the week &amp; various times throughout the day.</p>	<p>Levels of nitrogenated compounds must be kept low. Combined-chlorine concentrations: below two milligrams/litre. Levels of chlorine residual, combined chlorine &amp; ammonia must be checked at least once a day &amp; levels of nitrites, nitrates, fungus &amp; other pathogens once a week. Any alteration must be corrected immediately.</p>
<p><u>pH</u></p>	

No specific provisions.	Level must be kept between 7.4 & 8.2, with optimum of 7.8. Must be checked at least once a day & alteration corrected immediately.
<u>Salt</u> No specific provisions.	Salinity levels must be maintained close to normal average levels for species in wild & in any case between 15 & 35%. Must be checked at least once a day & alteration corrected immediately.
<u>Temperature</u> No specific provisions.	Water temperature must be kept within range that does not affect health/comfort. Must be checked at least once a day & alteration corrected immediately.

### **Isolation and hygiene**

#### **UK, Italy, Brazil and USA**

<b><u>UK</u></b>	<b><u>Italy</u></b>	<b><u>Brazil</u></b>	<b><u>USA</u></b>
Any pool containing an animal with an infectious/contagious disease must be operated in isolation from the rest of the system. Such a pool, related equipment & surroundings must be cleaned & disinfected after the removal of the animal, as directed by veterinary advisers, before any other animal is admitted to the area.	Dolphins from other sites must be kept separate from other specimens until it is certain they are in good health. The quarantine tank must have a completely separate filtration system & equipment distinct from ordinary maintenance.	Businesses & institutions shall take into consideration a period & area of quarantine in which animals recently arrived at the institution go through a process of isolation & observation before being integrated into the group. Enclosures intended for quarantine & rehabilitation shall be separate from other pool complexes & their equipment individualised & operated separately. Enclosures that house animals with infectious/contagious diseases must be rigorously disinfected before any other animal is put there. It will be forbidden for animals in the rehabilitation area to	Newly acquired marine mammals shall be isolated from residents until determined to be in good health with any communicable disease remedied. Any primary enclosure containing a marine mammal with an infectious/contagious disease shall be cleaned & sanitized as prescribed by the attending veterinarian. No additional animals shall be introduced prior to such procedures. Any marine mammal exposed to a disease animal shall be isolated for observation for an appropriate period.

		come into contact with those in the rest of the institution, except when justified by the Veterinary Surgeon.	
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**The Bahamas and Argentina**

<u>The Bahamas</u>	<u>Argentina</u>
Licensee shall have quarantine program & facilities to prevent introduction of infectious diseases & for arrival of new dolphins at facility. Open water enclosures used for quarantine shall be located so as to prevent spread of disease. Specific reasons why quarantine should be considered are given. The attending veterinarian shall supervise quarantine for 30 days, thoroughly clean & disinfect equipment used to feed & clean dolphin in quarantine & conduct complete physical examination of each dolphin entering quarantine facilities.	Oceanariums must have installations & enclosures for use in healthcare & quarantine of animals. Must be isolated from the rest of the buildings & have independent water circuit. New animals remain in quarantine until it has been determined that they are healthy.

**Handling and display**

**UK, Italy, Brazil and USA**

<u>UK</u>	<u>Italy</u>	<u>Brazil</u>	<u>USA</u>
<u>General handling</u> Handling shall be kept to a minimum & carried out as expeditiously & carefully as possible, so as not to cause unnecessary discomfort, overheating, behavioural stress or physical harm.	Dolphins must be handled as infrequently, quickly & carefully as possible, only by experts, in order to prevent unnecessary discomfort, overheating, behavioural stress or physical injuries. Dolphins may only be removed from the water when absolutely necessary and only in presence of responsible vet or carer.	Handling must be carried out in a careful way, avoiding discomfort & physical & psychological damage. May only be carried out by specialised & experienced people, supervised by competent professional technician. Special care must be given to females that are pregnant or breastfeeding and their young.	No specific provisions.
<u>Training</u> Animals should be trained to cooperate with handling &	Dolphins must be trained to cooperate with handling & normal	Animals may be able to help with handling routine, including	Training shall be done by or under the direct supervision of

regular veterinary procedures. Any training of cetaceans shall be done by or under the personal supervision of experienced trainers.	medico-veterinary procedures, avoiding conditioning methods hazardous/damaging to psycho-physical equilibrium of species. In view of the needs of the species, they must always be guaranteed a level of interaction with the staff to ensure they have the opportunity to play and exercise throughout the year. Training may only be carried out under the supervision of expert trainers.	necessary veterinary care & scientific research, only under direct supervision of professionals from technical team.	experienced trainers without physical punishment or abuse being used or inflicted.
<u>Displays &amp; shows</u> Animals may only be displayed for periods of time and under conditions consistent with their health & welfare, as determined by veterinary advisers.	Demonstrations must be varied & carried out using different combinations of specimens for different demonstrations. The entire group must be guaranteed 1 day/wk without any demonstrations. Demonstrations must be based predominantly on the natural behaviour of the animal.	Any demonstrations shall be based exclusively on the natural behaviour of the animals. No aquatic mammal in rehabilitation must be exposed to the public until their rehabilitation is over.	No specific provisions.
<u>Visitor contact</u> Precautions must be taken to prevent visitors transmitting any pathogens to the animals.	Dolphins may not be fed by or come into physical contact with the public. During demonstrations, there must be continuous surveillance to prevent visitors touching the specimens or throwing objects into the tanks.	Physical barriers at a set minimum distance will protect animals from interference by the public.	Marine mammals shall be protected from abuse & harassment by the viewing public by the use of a sufficient number of employees to supervise them or by physical barriers/distance.
<u>Public swimming</u> Recreational swimming with the animals may only be permitted on specific	Swimming with dolphins is prohibited with the exception of the trainer. The vet,	No specific provisions.	Swim-with-the-dolphin programs requirements are currently suspended

veterinary advice related to the persons concerned, and with adequate insurance cover for this activity.	biologist & carer may get into the water with the dolphins to care for/inspect them. Other individuals may be authorised, for scientific purposes only, by the CITES MA.		pending reauthorization.
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### The Bahamas and Argentina

<b>Bahamas</b>	<b>Argentina</b>
<u>General handling</u> No specific provisions.	Animals must be handled as little as possible, & in any case quickly & with care, avoiding unnecessary discomfort, overheating, stress or physical harm.
<u>Training</u> Each dolphin shall be trained in husbandry behaviours including stretcher training that allow taking of blood, stomach, urine & fecal samples & blow hole cultures for regular testing in presence of attending veterinarian. Training shall be done by/under direct supervision of experienced trainer without food deprivation, physical punishment, fear or abuse being used or inflicted upon the dolphin.	Animals must be trained to cooperate with handling & regular veterinary procedures under supervision of the trainer & weighed & measured regularly. All training must be done by/under supervision of experience trainers.
<u>Displays &amp; shows</u> No sick, diseased or injured dolphin shall be used in any swim programme or perform in any manner.	Any shows must be short & fit in with animals' daily activity cycles under conditions conducive to good health & wellbeing, following express advice of professionals responsible.
<u>Visitor contact</u> Dolphins shall be provided with protection from abuse, harassment & interference by members of the public by use of sufficient number of attendants to supervise public or by physical barriers, distance or both. During a public exhibition a dolphin must be handled so there is no risk to the dolphin or any member of the public. Facility shall report in writing to Minister within 24hrs of any verbal/written threat, vandalism/attempted vandalism.	Free area around enclosures must create gap of at least 3 metres from visiting public. Sides of pools must be high enough to ensure people other than animals' carers cannot touch animals or water.
<u>Public swimming</u> Specific provisions for interaction programmes (see below) <b>The Bahamas legislation also includes the following specific provisions for interactive programmes:</b>	Public must not be allowed physical contact with the animals.

**Commentaire [c1]:** I'd rather move this back where it was before so the table is not too unwieldy

27. (1) The dolphins shall be permitted to engage in activities and/or interactive programmes for such periods of time and under conditions consistent with their good health and well-being.

(2) A responsible employee or attendant shall be present at all times during periods of public contact, and during these periods all dolphins must be handled to ensure minimal risk of harm to the public or a dolphin.

(3) All swim programmes in which a member of the public participates, shall be directly supervised by at least two members of the facilities staff and such staff shall have a minimum of one year continuous experience in any of the swim programmes.

28. (1) Written instructions in the form of a handout as well as oral instructions shall be given to each participant prior to any of the swim programmes and such instructions shall inform participants –

- (a) that the swim programmes present some potential risk of injury;
- (b) that anyone who restrains, pulls or grabs at a dolphin shall be immediately removed from the programme and not permitted to return;
- (c) not to touch the eye, blow hole or genital regions of a dolphin;
- (d) of the various non-interactive areas and that entry is prohibited to visitors;
- (e) that facilities for showering with soap and water before and after swim sessions are available and that no jewelry must be worn during any of the programmes.

(2) The information shall also contain the contact address of the Minister along with a statement to encourage participants to contact the Ministry responsible for marine mammals directly if any injury or problematic situation occurs.

(3) Sufficient time should be allotted for responding to questions by participants.

29. A person who –

- (a) is unable to comprehend, or disregards safety instructions;
- (b) is intoxicated or otherwise similarly impaired;
- (c) is under the age or height

<p>requirement for the specific program;  (d) is physically impaired and not accompanied by an attendant; or  (e) is part of a specially designed programme,  shall not be permitted to participate in any of the interactive swim programmes.</p> <p>30. (1) A licensee shall cause visitors to be restricted from a dolphin area by either fencing or roping off that area in the facility.  (2) No visitor shall be permitted to have access to the dolphins or the areas in which they swim other than during the scheduled swim programmes.</p> <p>33. (1) The human swim participant/dolphin ratio for the Dolphin Swim Programme shall not exceed 2 to 1 and there shall not be more than six swim participants per trainer.  (2) The human swim participant/dolphin ratio for the Dolphin Wade Programme shall not exceed 10 to 1 and the Dolphin Wade Programme shall not exceed forty-five minutes in duration.  (3) The human diver participant/dolphin programme shall not exceed 6 to 1 and there shall not be more than a total of twenty-one divers, including dolphin trainers in the water at any one time.</p> <p>34. (1) Any person who handles a dolphin shall do so expeditiously and as carefully as possible and in a manner that does not cause any unnecessary discomfort, overheating, behavioural... or physical harm to the dolphin.  (2) A dolphin that –  (a) is involved in an incident in which another dolphin or human is injured;  (b) exhibits undesirable behaviour;  (c) exhibits any sexual behaviour directed towards a human;  (d) exhibits any behaviour or physical symptom that, in the opinion of the trainer, programme staff attending or designated veterinarian, may indicate injury, illness or stress that warrants removal from participation in any swim programme,  shall be removed immediately from the swim programme and from enclosures in which humans are participating in the programme.  (3) A dolphin that is involved in any incident or exhibits any such behaviour as referred to in</p>	
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paragraph (2) shall not be permitted to participate in any other swim session until it has been examined by the designated veterinarian and determined by the head trainer that it may be returned to the programme.

(4) The head trainer may determine that a dolphin referred to in paragraph (3) may require retraining or other measures before a dolphin returns to a programme and such dolphin may not be returned until such measures has been completed.

(5) When a dolphin is removed, the incident or undesirable behaviour that causes its removal must be clearly described in the daily monitoring records and the name, address, telephone number of each participant and any other person who has observed the incident or behaviour must also be recorded.

(6) A dolphin removed from a swim programme shall, if the incident resulting in its removal involved a human or dolphin injury that received the attention of a medical doctor or veterinarian, remain out of the programme for at least twenty-four hours after its removal.

(7) Where a participant is injured by a dolphin, the facility shall notify the Minister by telephone or facsimile of the injury within twenty-four hours of the injury and shall submit a written report on the injury within seven days of the incident, which shall include –

- (a) a description of the injury and its probable causes;
- (b) the name, local and permanent address of the injured person;
- (c) the telephone numbers of the injured person;
- (d) the name, address and telephone numbers of any witnesses to the accident; and
- (e) a summary of the progress or conclusions of any dolphin evaluation made as a result of the incident.

35. (1) If a dolphin is determined, whether by the facility or the Minister, to be no longer suitable for use in any swim programme or otherwise, or if the Minister deems that it is no longer in the best interests of the dolphin to remain at the facility, that dolphin shall be taken into the care of a body appointed by the Minister and either rehabilitated for release to the wild in a responsible manner at the cost of the facility at

<p>which the dolphin was held or otherwise dealt with in a manner which the Minister deems to be in the best interest of the public or dolphin concerned.</p> <p>(2) No sick, diseased, stressed or injured dolphin shall be permitted to be used in any swim programme or perform in any manner and such dolphin shall be provided with the adequate veterinary care deemed necessary by the designated veterinarian.</p> <p>36. (1) A licensee shall ensure that –</p> <ul style="list-style-type: none"> <li>(a) each dolphin completes a training program prior to its initial participation in an interactive programme;</li> <li>(c) positive reinforcement techniques shall be used in conjunction with the interactive programmes, and</li> <li>(d) every dolphin shall be gate-trained prior to its participation in a swim programme, except for a pre-weaned calf.</li> </ul> <p>37. (3) Every dolphin shall be provided with access to a non-interactive area should they choose to terminate any interaction with humans or to terminate their participation in any programme.</p> <p>(4) Every dolphin shall be trained to recognize its non-interactive area particularly when the same is an adjoining enclosure accessed through gates.</p>	
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**Veterinary care**

**UK, Italy, Brazil and USA**

<b><u>UK</u></b>	<b><u>Italy</u></b>	<b><u>Brazil</u></b>	<b><u>USA</u></b>
<p><b><u>Monitoring</u></b> A daily report must be made on the health &amp; behaviour of each animal, including any unusual/interesting behaviour noted by staff.</p>	<p>A daily report on the health of each dolphin must be drafted by qualified staff &amp; all health problems notified in good time to responsible vet. A register recording state of health of each dolphin shall be kept &amp; made available for inspection.</p>	<p>Daily observation of animals in accordance with specific protocol.</p>	<p>All marine mammals must be <i>visually</i> examined by the attending veterinarian at least semi-annually. All cetaceans must be <i>physically</i> examined by the attending veterinarian at least annually. These</p>

			examinations must include, but are not limited to, a hands-on physical examination, haematology and blood chemistry, and other diagnostic tests as determined by the attending veterinarian.
<u>Autopsy</u> Complete post-mortem examination by veterinary surgeon/practitioner, with training & experience of animal pathology must be carried out & copies kept by establishments & sent to the relevant authorities.	Precise autopsy including investigations needed to clarify cause of death must be carried out. Notice of death must be sent within 24hrs to relevant authorities & results of investigations by pathologist sent within 60 days.	Autopsies shall be carried out on all animals that die in captivity. Report on autopsy shall be drawn up, stating disease suffered & cause of death. If macroscopic examination not conclusive, necessary equipment must be used to analyse the disease.	Complete necropsy must be conducted by/under direct supervision of veterinarian & report prepared, listing all pathological lesions, giving apparent cause of death & listing all diagnostic tests conducted with results. Facility must maintain necropsy records for 3 years & present to inspectors when requested.
<u>Veterinary programme</u> No specific provisions.	A program of measures for the prevention of illnesses must be drawn up by the vet. Routine blood tests and veterinary visits must be carried out twice a year in case of specimens in apparently good health.	Development of a programme of measures for prevention & control of illnesses. Tests on the animals for detection of pathogenic micro organisms will be carried out routinely.	No specific provisions.

### The Bahamas and Argentina

<b>The Bahamas</b>	<b>Argentina</b>
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<p><u>Monitoring</u> Licensee shall have daily monitoring by husbandry staff of physical appearance, activity, temperament, behaviour.</p>	<p>Animals must be observed daily by vet/someone directly under vet's supervision.</p>
<p><u>Autopsy</u> No specific provisions.</p>	<p>Autopsy must be carried out in case of death, under responsibility of oceanarium vet. Departure certificate for animal must be applied for from enforcing authority, attaching copy of autopsy report. Pathological remains must be disposed of according to prevailing regulations.</p>
<p><u>Veterinary programme</u> Licensee shall have programme of ongoing health assessment for each dolphin including regular veterinary rounds, daily monitoring, and procedure for recording &amp; communicating health status issues. Complete physical examination shall be conducted biannually &amp; in case of illness &amp; include weight, food intake, blood results etc. Facilities shall be made available for retrospective studies, parasite screening &amp; treatment, prevention of animal injury, health examination prior to participation in swim programmes plus a full programme of clinical medicine.</p>	<p>No specific provisions.</p>

**Transport**

**UK, Italy, Brazil and USA**

<b><u>UK</u></b>	<b><u>Italy</u></b>	<b><u>Brazil</u></b>	<b><u>USA</u></b>
<p><u>Health of animals</u> Except in an emergency, only animals certified by an experienced veterinary surgeon/practitioner to be capable of withstanding the journey, may be transported and no animals may be moved unless all the circumstances at the present &amp; proposed accommodation have been taken into account.</p>	<p>Except in the event of an emergency, only dolphins deemed by a veterinary expert to be fit to travel may be transported.</p>	<p>Pregnant females may not be transported, except under recommendation of veterinary surgeon.</p>	<p>No cetacean in need of veterinary care shall be transported in commerce, unless it is for the purpose of obtaining such care.</p>

<p><u>Attendants</u> At least two suitably trained attendants must accompany every consignment. Each attendant must have no more than two animals in their care &amp; the means &amp; authority to deal with unexpected problems en route. Advance arrangements must be made at points along the route for animals to be removed to suitable water enclosures if hold-ups/health problems develop.</p>	<p>At least two properly prepared people must accompany each delivery &amp; each person may have no more than two dolphins in his/her care. At least one of the two people must be a staff member from the unit from which the dolphin originates. For all transfers, suitable accommodation must be identified at strategic points along the route in order to temporarily accommodate the dolphins if they develop health problems.</p>	<p>Provisions must be made in case of the need for veterinary care while animal in transit.</p>	<p>Employee/attendant knowledgeable in marine mammal care shall accompany cetaceans during periods of transportation to provide for their good health &amp; well-being, observe them, determine whether they need veterinary care &amp; obtain any needed as soon as possible.</p>
<p><u>Duration</u> Animals should not be kept in transport containers for more than 24hrs, although this may be extended on veterinary advice.</p>	<p>Dolphins must not be kept in transport containers for more than 24hrs; longer journeys may be undertaken on &amp; under medico-veterinary advice &amp; supervision.</p>	<p>No specific provisions.</p>	<p>No specific provisions.</p>
<p><u>Care in transit</u> See above.</p>	<p>See above. All transfers must be undertaken in accordance with IATA regulations for live animals, even if transfer not undertaken by air.</p>	<p>Animals shall be transported in suitable conditions, under responsibility of veterinary surgeon. Animal must not be submitted to greater discomfort due to things being overlooked. Animals shall be transported in a safe &amp; hygienic way with good quality air. Animals shall be kept in cool environment with fresh/salt water,</p>	<p>Marine mammals shall be watered as often as necessary &amp; appropriate to species to prevent excessive dehydration. Marine mammals shall not be transported for more than 36hrs without being offered food &amp; shall be fed during transit when necessary to provide for good health &amp; well-being. Employee/attendant shall keep skin moist/prevent drying of skin by water</p>

		depending on species, for whole transit time.	spray/application of non-toxic emollient; assure pectoral fins allowed freedom of movement at all times; make adjustments to position when necessary to prevent necrosis of skin at weight pressure points; calm marine mammals to avoid struggling, thrashing /other unnecessary activity which may cause overheating or physical trauma. Marine mammals transported in the same enclosure shall be of the same species & maintained in compatible groups. Pre-pubescents shall not be transported with adults other than their dams. Socially dependent animals must be allowed visual & olfactory contact. Females shall not be transported with mature males.
<u>Container</u> No specific provisions.	No specific provisions.	Animals shall be transported individually in spaces big enough to allow them to keep their natural body position, without suffering injuries. Special attention must be given to make sure nothing can block respiratory orifice & free movement of fins.	Detailed provisions for enclosures used for transport including type of material to be used; safety measures to prevent injuries; ventilation; openings; handling provisions; straps. Also includes detailed provisions for slings, harnesses/other devices in terms of access to animals, prevention of injury etc. Each animal shall have sufficient space for support of its body without causing injury. Also includes provisions for primary conveyances

			(including air quality, access, cleanliness etc.), terminal facilities (including pest control, ventilation, temperature etc.) & handling (including expeditious moving of animals at the terminal facility, shelter from sunlight & cold weather etc.).`
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**The Bahamas and Argentina**

<b><u>The Bahamas</u></b>	<b><u>Argentina</u></b>
<b><u>Health of animals</u></b> An initial health assessment, including evaluation of behavioural, feeding & medical records, shall be conducted by the designated veterinarian 3-10 days preceding transport.	Health certification confirming good state of health of animals or, in case of illness, causes of move is required to apply for movement permit from enforcing authority.
<b><u>Attendants</u></b> Minimum of 2 attendants per transport with an additional dolphin attendant per 4 dolphins, whichever is greater.	At least one appropriately trained assistant must accompany each move, with each assistant not in charge of more than 2 animals.
<b><u>Duration</u></b> No specific provisions.	Animals must not be kept in transport containers for more than 24 hours, although for longer journeys, this may be extended by vet's certificate.
<b><u>Care in transit</u></b> Dolphin shall be monitored regularly with necessary adjustments made for its comfort.	No specific provisions.
<b><u>Container</u></b> Dolphin shall be transported within a properly secured container with water & open top access to provide body support & facilitate homeothermy. It shall be positioned so contact with any hard/abrasive surface will not cause abrasion/restrict blood circulation/impede respiration.	No specific provisions.

**Record keeping**

**UK, Italy, Brazil and USA**

<b>UK</b>	<b>Italy</b>	<b>Brazil</b>	<b>USA</b>
<p>All papers, other information for each animal from previous locations &amp; permanent back-up copies must be kept safely. Records will provide information on, at least: correct identification, scientific name, any personal name(s) &amp; identity number(s); origin (i.e. details of wild population &amp; social group/parents &amp; origin, any previous location); dates of acquisition &amp; disposal, with details of circumstances &amp; addresses; date/estimated date of birth; any distinctive markings; clinical data, including details of/date when any form of treatment given, results of routine health examinations &amp; daily health reports; growth &amp; development, including weight &amp; length on arrival &amp; routine weight &amp; length measurements; social behaviour &amp; status, including incompatibility &amp; conflicts &amp; daily behaviour reports; temperament &amp; response to training &amp; handling &amp; daily training report; breeding, and details of offspring; date of date &amp; post mortem</p>	<p>Units must use the ISIS-ARKS system and supplement data requested with the following: estimated age; colour photographs of dolphins from different angles, showing distinctive markings or individual identification using genetic testing; clinical data, including dates &amp; treatments administered, results of routine health examinations; growth &amp; development, including length &amp; weight measurements &amp; any offspring; behaviour &amp; social status, including incompatibilities; temperament &amp; reaction to training &amp; handling; date of death &amp; post mortem results.</p>	<p>Businesses &amp; institutions shall keep permanent &amp; individual records of all their animals, allowing for quick access to data. Records will be available for consultation by competent authorities. Animals transferred to another institution must be accompanied by their records, with a copy at the original institution. Records must contain following information: 1) individual record of animal: correct identification, including scientific, common &amp; individual names &amp; identification number; origin, date of acquisition &amp; details of where animal came from; estimated date of birth; sex; all distinctive markings; photographic record of animal; enclosure where animal kept, with details of transfers to other enclosures where occur; clinical data, dates &amp; type of any treatment received, continual health records for each animal; type &amp; quantity of food offered; growth &amp; development of each animal; behaviour &amp; social status, including conflicts &amp; incompatibilities,</p>	<p>Under the AWA, individual animal medical records must be kept and made available for APHIS inspection. These medical records must include at least the following information: animal identification/physical description; physical information including but not limited to length, weight, physical examination results by body system, identification of all medical problems and documentation of treatment; a copy of the individual animal medical records must accompany any marine mammal upon its transfer to another facility; necropsy records will be maintained at the marine mammal's home facility for a period of 3 years and must be presented to APHIS inspectors when requested.</p> <p>Regulations under the US Marine Mammal Protection Act (MMPA) require all holders of marine mammals to notify National Marine Fisheries Service (NMFS) within 30 days of birth or death of animals, including cause of death. NMFS</p>

<p>results.</p>		<p>records of abnormal behaviour; reproduction &amp; details about offspring; date of death &amp; autopsy results; date &amp; place of reintroduction if appropriate. 2) Records on enclosures: maintenance, parasite control, staff, water quality tests. 3) General records on all animals: common &amp; scientific names of species held; total number of specimens per species each year &amp; number of each incorporated during course of year; number of births, deaths, reintroductions, transfers &amp; escapes per species during year.</p>	<p>maintains a captive marine mammal inventory, which also requires and registers transfers, imports and exports of marine mammals to other facilities nationally and internationally. Public display permit holders must provide written notification to NMFS in at least 15 days in advance of any transfer or transport of captive marine mammals held for public display purposes. Inventory data to be reported includes: name or other identification of marine mammal involved; sex of animal; actual or estimated birth date; date of holder's acquisition or disposition of marine mammal; source from which the marine mammal was acquired including the location of the stranding or take from the wild; name and address of receiving facility if being transferred or transported; date and cause of death; and report of escaped marine mammals and report of results of all efforts to recapture.</p> <p>At least fifteen-day advance notification of transfers/transport of captive marine mammals.</p>
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## The Bahamas and Argentina

<u>The Bahamas</u>	<u>Argentina</u>
<p>Licensee shall keep &amp; maintain standardized, comprehensive &amp; accurate records on any dolphins in its facility's care including acquisition &amp; disposition records, retained for life of dolphin: date, location &amp; method of acquisition; sex, genus &amp; species of dolphin; parentage or hybridization, progeny, microchips/other identification characteristics; date, location &amp; method of disposition; applicable information supplied to studbook for propagation purposes; health profile; annual photographs showing dorsal fin &amp; flukes, scars/other markings. These shall contain daily behaviour, feeding and training records, retained for 5 years, which include: observations by staff on behavioural/health related remarks; daily log on human/dolphin interaction including time of session, amount &amp; type of food consumed, details of vitamins &amp; other medications given, type &amp; duration of session, number of persons &amp; dolphins participating, any interaction with wild dolphins, weather conditions &amp; water temperature; food &amp; nutrition records, retained for 3 years, which include: type &amp;/or species of food fed to each dolphin daily, calorific value of food, nutrition &amp; quality analysis of food, freezer rotation &amp; dates on food packets, freezer temperature; and health &amp; medical records, kept for life of dolphin, which include: date of &amp; reason for examination, name of veterinarian involved, examination conditions, results, blood test results, actions taken, name of medications or supplements, estimated calorific requirement, all measurements including body weight, subjective &amp; objective findings, differential diagnosis, frequency of veterinarian visits. Deaths shall be notified to the Minister within 24hrs, with written report within 7 days. Necropsy report shall be prepared by the attending veterinarian &amp; submitted to Minister with photographic documentation within 30 days of dolphin death &amp; include: summary of medical history &amp; postmortem laboratory results, probable cause of death, copy of laboratory results &amp; final diagnosis within 180</p>	<p>Individual technical file must be drawn up for all marine mammals kept in oceanarium in form which can be quickly &amp; easily examined, analysed &amp; compared with those kept by other oceanariums &amp; available to authorities on demand. Details must accompany animals if moved permanently to another oceanarium. File must contain following information: correct identification: scientific, common, personal name &amp; sex; origin: wild population animal from/oceanarium where born in captivity, parents details, oceanariums previously kept in, date &amp; circumstances of acquisition; description of distinctive marks; known/estimated date of birth; growth &amp; development: weight &amp; length on arrival &amp; routine measurements; clinical data: details &amp; dates of treatment, results of routine health examinations &amp; daily reports; behaviour &amp; social status: incompatibility/conflict, daily behaviour report; temperament, response to handling, daily training report; daily report of feeding behaviour; reproduction: behaviour, gestational development &amp; offspring; date of death &amp; autopsy report, photograph of animal.</p>

<p>days. Minister shall also be notified in writing of event of birth, including stillbirth or aborted fetus, within 7 days. Facilities shall also provide annual report on numbers of people participating in swim programmes, numbers of sessions &amp; hours each dolphin participated in swim programmes, summary &amp; assessment of dolphins behavioural needs, summary of medical reports, descriptions of any injuries to human or dolphin in swim programmes, descriptions of any changes made to swim programmes, notification &amp; reason of removal/addition of individual dolphin to swim programmes, changes in staffing, fish nutrition &amp; water analyses.</p>	
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## Education

### UK, Italy, Brazil and USA

<u>UK</u>	<u>Italy</u>	<u>Brazil</u>	<u>USA</u>
No specific provisions	Specimens can only be kept if the educational programmes detailed below are guaranteed.	Education must be a relevant component in all aspects that involve animals.	Must offer a program for education or conservation purposes based on professionally recognized standards of the public display community & include a written education plan consisting of mission statement, goals and evaluation strategy
No specific provisions	Staff with valid & documented experience in biology, eco-ethology, conservation & keeping cetaceans in captivity. Have at least one full-time employee in charge of education (with a degree in the field of natural sciences/biology) with experience in biology of cetaceans in charge of educational role of dolphinarium.	Technical team in charge of education shall have proven experience in biology & conservation of aquatic mammals. Competent technician must be available to manage education programmes.	A qualified individual must be designated & responsible for development & administration of education programs. Education programs must include availability of institution experts as marine science resource when appropriate & practicable.
No specific provisions	Extensive educational programme for visitors & school groups of all ages based on understanding	Educational programme for visitors & school groups shall be based on biology, ecology & conservation of	Education or conservation program must include: marine mammals must promote

	<p>of biology, eco-ethology &amp; conservation of cetaceans in the wild, intended to encourage future interest in cetaceans. Programmes must be designed specifically for school groups &amp; include at least some of following: audio/visual support, interactive displays, figurative displays, guided tours, teaching programmes that can be developed outside unit. Have tanks with porthole or closed-circuit television for underwater vision. Where possible, make dolphins' underwater vocalizations accessible to visitors. Make available to visiting public a scientifically accurate booklet on the biology &amp; eco-ethology of cetaceans &amp; on their state of conservation in the sea. If demonstrations are ever staged, they must be predominantly based on natural behaviour. Comments must be about the biology of the species &amp; teach the public how to observe behaviour of the specimens. Prepare all booklets, the text of the demonstrations &amp; educational material with full cooperation of person in charge of education.</p>	<p>aquatic mammals in the wild, with special emphasis on species native to Brazil &amp; South America, making sure content of programme corresponds with level of schooling of target audience. Must provide free educational programmes for state schools. At very least, audio &amp; video resources, guided visits and specific publications on aquatic mammals shall be available. Education team must make following information available to visiting public: zoological &amp; taxonomical characteristics; morphological, physiological &amp; behavioural adaptations to their habitats; distribution &amp; abundance of aquatic mammals in Brazil &amp; world; ecological relationship between species, predators, parasites etc.; relevant characteristics of each species &amp; behaviour patterns; degree of conservation, main threats &amp; ways to ensure long-term survival. Any demonstrations shall be based exclusively on natural behaviour &amp; public shall be given relevant information on biology of species and behaviour in natural habitats.</p>	<p>an improved understanding of and an appreciation for these animals and ecosystems. Education programs must offer multiple levels of learning opportunities for visitors to expand their knowledge about these animals. Education programs must present information about these animals, their ecosystems, or marine wildlife conservation based upon best current scientific knowledge.</p>
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### The Bahamas and Argentina

<b>The Bahamas</b>	<b>Argentina</b>
Facility shall offer education programme approved by Minister.	Must include visitor education programme, approved by enforcing authority.
Facility shall have person on staff primarily	Must be suitable guides available to provide

responsible for education development & evaluation with college degree, experience working with dolphins & educational & administrative experience.	visitors with information.
Education programme about marine mammals may encompass displays, presentations & wide variety of other educational programmes designed to promote visitor learning. Education programme shall be based on current scientific knowledge, provide opportunities for visitors to expand knowledge about marine mammal biology & natural history, promote awareness of & sensitivity toward marine environment & relationships of dolphins & other marine animals to their natural environment, and present information about marine conservation.	Activity plan, leaflets & teaching material must be prepared. Visitor education programme will be intended to stimulate interest & curiosity in issues relating to biology & conservation of species & their natural environments.

**Facilities in Italy, Brazil, The Bahamas and Argentina must meet specific provisions for research and/or reproduction.**

**Research and reproduction**

<u>Italy</u>	<u>Brazil</u>	<u>The Bahamas</u>	<u>Argentina</u>
Have extensive programme of research into cetaceans that provides significant contribution to general understanding of them & to management of natural populations. Contribute to knowledge of physiology, reproduction, anatomy & studies of genetics of cetaceans.	Establish programmes incorporating behaviour, social relationships, reproduction, feeding, changes to how water is treated & health. Lethal research forbidden. Contribute to & cooperate with projects & studies carried out on wild aquatic mammals, aimed at increasing knowledge about species & distribution to aid conservation of species. Lend logistic & financial help to local networks that deal with difficulties in this field & for rehabilitation of animals.	No specific provisions.	Must include programme of research into marine mammals, involving all animals kept at oceanarium & approved by enforcing authority.
Ensure most complete possible use of each biological & post-mortem sample through partnerships between vets & recognized scientific institutions.	Stimulate exchanges with universities, centres of research & correlative institutions, & students & technicians from other institutions, as well as cooperating to ensure they	No specific provisions.	No specific provisions.

Cooperate with other units in exchange of other information & experiences, in order to standardize operating methods as possible.	are carried out in a proper manner. Ensure all biological (including post mortem) material obtained plays significant role in development of research projects or is used for education purposes. Present data available in publications & at conferences.		
No specific provisions	Have staff responsible for developing the main research programmes. Promote and encourage implementation of programmes aimed at retaining & increasing knowledge of technical staff.	No specific provisions.	No specific provisions.
Participate in international stud book & reproduction programme.	No specific provisions.	Participate in regional/international studbook & breeding management programmes (examples given).	No specific provisions.
Make routine collections of data regarding behaviour of animals before, during & after reproduction.	See above.	Facility shall: provide for ability to separate pregnant females & maternity pools of size & configuration to facilitate nursing & calf-rearing; have personnel with/have access to expertise on dolphin reproduction; establish programme to monitor calf delivery & rearing; consider daily activity level of pregnant & nursing dolphins; monitor reproductive status of male & female dolphins; consider breeding programmes & reproductive & physical condition of participating dolphins; maintain breeding, pre-parturient & lactating dolphins in social	Reproduction programme must be approved by enforcing authority.

		environments encouraging successful rearing; develop contingency plans & protocols for delivery, unexpected pregnancies, weaning, illness & pathological examinations of mortalities. Consider specific needs of each dolphin.	
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**Facilities in the UK, Brazil, Argentina and the USA can also care for stranded animals, according to the following provisions:**

**UK**

(1) STRANDINGS (S)

- S (a) Without prejudice to any legal requirements, the Secretary of State’s Standards need not apply to emergency arrangements for the nursing of live stranded animals, provided that this is carried out under experienced veterinary supervision, in a manner which presents no risk to the health of any other animal or person, and does not cause unnecessary suffering by prolonging the lives of animals which are obviously diseased, damaged or stressed.
- S (b) Such arrangements may continue for no more than 30 days. Animals which are not well enough for release must then receive care in establishments which fully comply with these Standards.
- S (c) If such facilities are not readily available, without any risk to existing animals, stranded animals with a clear chance of sufficient recovery for release within the next 30 days may continue to be held in the emergency accommodation for up to a further 30 days.
- S (d) If it is obvious at the time of the stranding that no facilities which fully comply with these Standards will be available for the longer term care of the animals, only animals likely to recover within 30 days may be taken to emergency accommodation. All other animals, and those in emergency accommodation which have not recovered after 60 days, must be humanely destroyed, to prevent further suffering.
- S (e) Rescued animals in emergency accommodation may not be displayed to the public.
- S (f) All such animals, and their fate, must be promptly reported to the British Museum (Natural History).

**Brazil**

The Regulation defines “Rehabilitation” as a period in which the animal remains under intensive veterinary care, aimed at its release or housing in a suitable place.

### Chapter III – Temporary maintenance and Rehabilitation

Article 5. The businesses and institutions which are qualified to temporarily keep Brazilian aquatic mammals in captivity, with the aim of rehabilitating them and reintroducing them into their natural habitats, shall comply with the following directives:

I - Animals which are rescued after being accidentally caught in fishing nets, run aground on the beach, contaminated by oil or found in any other situation that suggests the need for Veterinary Care, shall only be taken to an institution capable of carrying out their rehabilitation if it is deemed to be impossible to do it *in situ*;

II - The rehabilitated animals should be reintroduced into their natural habitats as soon as they reach a good state of health and are capable of feeding themselves.

III - The reintroduction shall be carried out by means of a plan of reintroduction, taking into consideration the geographical distribution of the species in question;

IV - The need to prolong veterinary treatment shall be justified in a report by the Veterinary Surgeon;

V - The enclosures intended for the rehabilitation of Cetacea, Sirenia and Pinipedia shall have, as a minimum, the dimensions shown in the table under Article 7 “b”, and the table in Article 8 in the case of Mustelidae. (NB: this includes the following for small cetacea (up to 3.5m): a minimum horizontal distance of 6m, minimum depth: 2m, minimum volume per animal 1200m<sup>3</sup> (and per additional animal 200m<sup>3</sup>); for big cetacea (larger than 3.5m): minimum horizontal distance 10m, minimum depth 2.5m, minimum volume 3000m<sup>3</sup> (and per additional animal 800m<sup>3</sup>).

VI - The animals may be kept in natural surroundings, as long as the environmental variations of the site do not cause discomfort nor threaten the health of the individuals;

VII - The businesses and institutions that keep animals in natural surroundings must comply with item “V” of this article and provide systems that allow for the animals to be handled and observed, without causing them excessive stress;

VIII - Rehabilitation programmes shall include the following basic directives:

- a) Physical examination of the animals, including clinical and laboratory examinations;
- b) Veterinary treatment for the prophylaxis of ectoparasites and endoparasites and other preventative or therapeutic procedures;
- c) Adaptation of diets, including food supplements, if necessary;
- d) Permanent observation of the behaviour of the animals.

IX - The animals must initially be kept in temperatures similar to which they are accustomed, being gradually acclimatised to other conditions, according to their biology;

X - Sick animals shall be kept far from any source of stress, whether it is the presence of people besides those on the rehabilitation team, noise or excessive heat, among others:

Supplementary Paragraph. All the species of aquatic mammals that are native to Brazil can be temporarily kept in captivity, with the aim of rehabilitation and reintroduction into their natural habitats.

### Argentina

ARTICLE 19. Wild marine mammals beached by natural causes may only be admitted to an oceanarium for the purpose of rehabilitation.

If an oceanarium rescues a beached marine mammal, it must:

- a) have the necessary installations, equipment and staff to rehabilitate and potentially release it.

b) properly inform the enforcing authority within 72 hours of the event, with the following information: identification of the animal (scientific name, sex, distinguishing marks) and state of health.

c) keep the beached animals that are undergoing rehabilitation in quarantine.

If the animals are released within 60 days of their admission to the oceanarium the enforcing authority must be properly informed within 72 hours of the event and in this case the oceanarium shall be exempted from submission of the admission/departure application provided for in Article 17.

If the animal is still in the oceanarium 60 days after its admission, the enforcing authority reserves the right to order the release of the animal or to extend its stay in the establishment temporarily or permanently. In this case, the enforcing authority will issue an admission/departure certificate as detailed in Article 20.

## USA

CFR Part 216.27 details release requirements and disposition under special exception permits (public display) for rehabilitated animals.

1). Any marine mammal held for rehabilitation must be released within six months of capture or import unless the attending veterinarian determines that:

- (i) the marine mammal might adversely affect marine mammals in the wild;
- (ii) release of marine mammal will not be successful given the physical condition of the animal
- (iii) more time is needed to determine whether the release of the marine mammal to the wild will likely be successful

2). The custodian of the rehabilitated marine mammal shall provide written notification prior to any release in the wild;

3). The Regional or Office Director may require additional information; change the date or location of the release, or the method or duration of transport prior to release; impose additional conditions; require other disposition of the marine mammal

4). All marine mammals must be released near wild populations of the same species, and stock if known.

5). All marine mammals that are released must be tagged or marked in a manner acceptable to the Director.

If an animal is deemed 'non-releasable' by attending veterinarian, the Director may order the release of the marine mammal; order continued rehabilitation for an additional 6 months; or order other disposition as authorized. No later than 30 days after a marine mammal is determined unreleasable, custodian must request authorization to retain or transfer custody of the marine mammal or humanely euthanize the marine mammal or arrange other disposition.

Any rehabilitated beached or stranded marine mammal placed on public display following a non-releasable determination must be held in captive maintenance consistent with all requirements for public display. The Office Director may authorize the retention or transfer of custody of the marine mammal for a special exception purpose.

Marine mammals undergoing rehabilitation or pending disposition shall not be subject to public display. Such marine mammals shall not be trained for performance or be included in any aspect of a program involving interaction with the public. Marine mammals undergoing rehabilitation shall not be subject to intrusive research.

