

The Performing Animals (Registration) Rules, 2001

- **Rule 2 - Definitions :**

Note: In any legislation, terms defined by a definition clause will assume the meaning provided in such definition throughout the statute. The following definitions will therefore aid you throughout your interpretation of these rules.

In these rules unless the context otherwise requires

- (a) "Act" means the Prevention of Cruelty to Animals Act, 1960 (59 of 1960);
- (b) "Board" means the Animal Welfare Board of India, established under section 4 and as reconstituted from time to time under section 5A of the Act;
- (c) "film" means a cinematograph film as defined in the Cinematograph Act of 1952 (37 of 1952);
- (d) "fitness certificate" means a certificate granted by a veterinary doctor to be nominated by the prescribed authority certifying the health and fitness of the animal;
- (e) "owner" means the owner of an animal and includes any other person in possession or custody of such animal whether with or without the consent of the owner;
- (f) "ownership certificate" means a certificate granted under section 42 of the Wildlife (Protection) Act 1972 (53 of 1972);
- (g) "prescribed authority" means the Central Government or such other authority including the Board or State Government as may be authorised by the Central Government
- (h) "performing animal" means an animal which is used at or for the purpose of any entertainment including a film or an equine event to which the public are admitted;
- (i) "schedule" means a Schedule appended to these rules;

(j) "veterinary doctor" means a person registered with the Veterinary Council of India established under the Indian Veterinary Council Act, 1984 (52 of 1984).

● **Rule 7 - Prior information for use of performing animals in films : -**

Note: This rule essentially states that every owner who hires or lends out a performing animal for a film is legally obligated to provide the local authority with information in an application about the animal and give reasons as to why such animal must be used, before the animal is used for performance.

A fitness certificate must be attached to the application. The fitness certificate must be issued by a veterinary doctor and must approve the health and fitness of the animal.

If the animal is an animal covered by the Wildlife Protection Act, then a valid ownership certificate must also be submitted.

(1) Every owner desirous of hiring out or lending a performing animal in the making of a film shall give prior information in the format as specified by the prescribed authority for this purpose to specifying the kind of animal, age of animal, physical health of the animal, the nature of performance to be done by the animal, the duration for which the animal shall be used for such performance, the duration and method of training of the animal for such performance and justification for the use of such animals in the film and such other information as may be required by that authority.

(2) Every such application shall be accompanied by a fitness certificate issued by a veterinary doctor certifying the health and fitness of the animal along with a ownership certificate in case of animals covered under the wildlife (Protection) Act, 1972 (53 of 1972).

● **8 - General conditions for registration:**

The following conditions are mandatory and must be followed by anyone who has been granted registration.

(1) The prescribed authority while granting registration may impose such terms and conditions as it deems appropriate and shall impose the following conditions in granting registration, namely :

i. *Veterinarian employed for ten or more animals*

every owner who has ten or more such performing animals shall have a veterinarian as a regular employee for their care treatment and transport.

ii. *Road transport for over 8 hours is illegal unless cages specified in 5th Schedule of these Rules*

the owner shall not transport such animals by road continuously for more than 8 hours and except in cages measuring as specified in the Fifth Schedule;

iii. *Obligation of owner to ensure sufficient breaks in transport for adequate water and food*

the owner shall ensure proper watering and feeding halts during such transportation;

iv. *Obligation of owner to ensure proper enclosures for food and rest for animals as specified in 6th Schedule of these Rules*

the owner after transportation shall provide feeding and retiring enclosures in respect of the animal specified in the Sixth Schedule;

v. *Obligation of owner to ensure that animal is not subjected to unnecessary pain or suffering*

the owner shall ensure that any animal is not inflicted unnecessary pain or suffering before or during or after its training or exhibition;

vi. *Prohibition of deprivation of food or water as incentive for animals to perform tricks*

the owner shall not deprive the animal of feed or water in order to compel the said animal to train or perform any trick;

vii. *Obligation of owner to train animal to perform only according to its basic instinct*

the owner shall train an animal as a performing animal to perform an act in accordance with its basic natural instinct;

viii. *Prohibition of performance of animals who are sick, injured or pregnant*

the owner shall not make a performing animal perform if it is sick or injured or pregnant;

ix. *Obligation of owner to ensure that no sudden loud is created near any animal*

Owner is also obligated to prevent animals being brought close to fire.

the owner shall ensure that no sudden loud noise is deliberately created within the vicinity of any performing animal or bring an animal close to fire which may frighten the animal;

x. *Obligation of owner to maintain intensity of artificial light at maximum 500 lux*
the owner in case the performing animal is to be exhibited under artificial light, the overall intensity of such light shall not be more than 500 LUX;

xi. *Prohibition to subjection animals to any action which could potentially injure or kill animals*

the owner shall not subject the animals to any action which may either kill or injure or use the animal in scenes which may cause injury to the animals;

xii. *Prohibition on usage of tripping devices, wires or pitfalls*

the owner shall not use any tripping device, wires or pitfalls for such animals;

xiii. *Prohibition on exposing animals to fire*

the owner shall not expose any animal to either burning fire or to fire accidents;

xiv. *Prohibition on keeping any animal including horses close to any shooting scenes involving explosives or other loud noises*

the owner shall not keep any animal including horses in close proximity while shooting scenes involving explosives or other loud noises;

xv. *Obligation of owner to ensure that all props do not harm animals*

the owner shall ensure that props such as spears, nails, splinters, barbed wires and other such props shall not cause injury to the animals during performance;

xvi. *Obligation of owner to ensure that equines walk on hard surfaces without being shod*

Further, owners are obligated to ensure that animals are used in downhill or rodeo slides only with proper skid and hock boots

the owner shall ensure that the equines are made to walk on hard surfaces without being shod and shall further ensure that the animals are used in downhill slides or rodeo slide stops with proper skid and hock boots;

xvii. *Performing equines can only be subjected to the specified whip which does not harm it. Further the whip can be used by a licensed jockey only. The whip cannot be used on specified areas. When in a race, a whip can be used only three times.*

the owner of any equine shall not use any other than an air cushioned shock absorbing which has been scientifically tested to prove it will not cause weals, bruising or other damage to the horse and subject to the conditions that (a) the whip shall not have raised

binding, stitching seam or flap. (b) the whip shall be used by licenced jockeys only. (c) the owner shall also ensure the whip is not used other than either on quarters in either the forehand or the backhand position or down the shoulder in the backhand position or use the whip with the arm above shoulder height. (d) the whip shall not be used more than 3 times in a race;

xviii. the owner shall ensure that the animal is not used on floors that are very smooth without the use of non-skidding mats;

xix. the owner shall ensure that large gathering of animals is not allowed in such a way which may cause or result in stampede to the animals;

xx. the owner shall ensure that the animal is not made or incited to fight against other animals and shall further ensure that sedatives or tranquillisers or steroids or any other artificial enhancers are not administered to or inserted in any animal except the anaesthesia by a veterinary doctor for the purpose of treatment of an injured or sick animal;

xxi. *Confinement and transport must be as per the Transport of Animals Rules or Recognition of Zoo Rules*

the owner shall ensure that the animal shall not be transported or be kept or confined in cages and receptacles which do not measure in height, length or breadth as specified under the Transport of Animal Rules, 1978, the Recognition of Zoo Rules, 1992 or under any other Act, rule or order for this purpose;

xxii. *Continuous shooting without providing the animal adequate rest is prohibited.*

Where a snake is being used, ingestion of substances is expressly prohibited

the owner shall ensure that the animal is not continuously used for excessive number of takes in shooting a film without providing adequate rest to the animal and in the event of a snake being used it shall not be made to ingest any substances or made to crawl across tarred or any other heated surface and shall not be contorted to wrestle;

xxiii *obligation of owner to ensure that any fight sequences in a film will not be shot in any livestock area including poultry. Further birds cannot be shown in cages*

the owner shall ensure that while using an animal in shooting a film, the fight sequence shall not be shot in any livestock holding area including poultry area and shall further ensure that no birds are shown in cages;

xxiv. *Obligation of owner to inform authorities of filming details at least one month in advance before the actual making*

the owner shall inform the prescribed authority at least four weeks in advance informing the place, date and time of the actual making of the film wherein the animal is to be used;

- **Rule 13 - Prohibition on exhibition and training of specified performing animals :**

Note: Animals which have been expressly prohibited from performing under Section 22 (2) cannot be trained or exhibited as performing animals.

Performing animals whose performance has been prohibited under sub section (2) of section 22 of the Act shall not be trained or exhibited as a performing animal.