

Section 2: Private and commercial wild animal facilities

Article 89 Private keeping of wild animals

A licence is required to keep the following wild animals privately:

- a. mammals, except indigenous insectivores and small rodents;
- b. all marsupials;
- c. platypus, echidnas; armadillos; anteaters; porcupines; sloths, pangolins;
- d. shoebills, kiwis, ratites, penguins, pelicans, cormorants, snakebirds, storks, flamingos, cranes, waders and gulls; large parrots (aras and cockatoos); all birds of prey, secretary bird; nightjars, sea swallows; humming birds, trogons, toucans, sunbirds, birds of paradise; tropicbirds; diving birds, grebes, auks and puffins, gannets and goobies; frigatebirds; great bustards; swifts;
- e. fish that grow to more than 1 m in the wild, except indigenous species according to fishery legislation; sharks and rays;
- f. sea turtles, giant sea turtles, snapping turtles, snake-necked turtles, African side-necked turtles; all crocodilians (*Crocodylia*); large iguanas, Fiji iguana, land iguanas, all chameleons, all tegus, monitor lizards that grow to more than 1 m in adulthood, *Varanus mitchelli*, *Varanus semiremex*; tuataras, marine iguanas, Gila monsters and beaded lizards, venomous snakes, boas that grow to more than 3 m in adulthood, except the boa constrictor; sea snakes;
- g. goliath frog; giant salamanders;

Article 90 Commercial wild animal facilities

¹ Commercial wild animal facilities require a licence.

² The following are deemed to be commercial wild animal facilities:

- a. zoological gardens, circuses, safari parks, game parks, small zoos, dolphinariums, aviaries, aquariums, terrariums, permanent animal shows and similar institutions that can either be visited at a fee or can be visited without a fee but are operated in conjunction with commercial institutions such as restaurants, shops or recreational facilities;
- b. facilities in which wild animals are kept or used commercially for medical treatments, for obtaining eggs, meat or fur or for similar purposes;
- c. facilities in which wild animals are bred for hunting or fishing.

³ Fish tanks in the catering industry and individual aquariums are not regarded as commercial wild animal facilities.

Article 91 Consultation of experts

In commercial wild animal facilities that are accessible to the public

- a. a veterinarian with specialist knowledge of wild animal diseases shall regularly monitor the animals and take prophylactic precautions;

- b. before new animal species are acquired, an expert with knowledge of zoological biology shall advise the management on animal husbandry, the care of the animals, livestock planning and the construction and design of enclosures.

Article 92 Wild animals with special needs in terms of husbandry and care

¹ For wild animals with special needs in terms of husbandry and care the cantonal authorities shall only issue a licence if the assessment of an independent and recognised expert shows evidence that the planned enclosures and installations allow the animals

to be kept appropriately. The applicant and the responsible cantonal authorities shall jointly appoint the expert. No expert assessment is necessary for the approval of enclosures as defined in Article 95 Paragraph 2.

² The following animal species have special needs in terms of husbandry and care:

- a. all cetaceans (*Cetacea*), sea cows, sea otters, seals, sea lions and walruses;
- b. all primates with the exception of marmosets;
- c. bush dog, maned wolf, African wild dog, aardwolf, hyenas; all bears with the exception of raccoons, kinkajous, ringtail cats and white-nosed coati; giant otter; tayra, wolverine and skunk; large cats such as clouded leopard, jaguar, leopard, snow leopard, puma, lion, tiger; cheetah; aardvark; all elephants; all wild equids; tapirs, all rhinoceroses; all wild pigs except *Sus scrofa*; dwarf hippopotamus, hippopotamus; mouse deer; okapi, giraffes; all horned animals of the family *Bovidae* with the exception of chamois goats (*Rupicapra rupicapra*), the Alpine ibex (*Capra ibex*), muflons, the Barbary sheep and other wild sheep and goats;
- d. all marsupials with the exception of small kangaroos, rat kangaroos, wallabies and pademelons;
- e. platypus, echidnas; armadillos; anteaters; sloths, pangolins; porcupines
- f. shoebills, kiwis; all penguins; diving birds, grebes; tubenoses; tropicbirds, gannets and boobies, frigatebirds; secretary birds; great bustards; sea swallows except inca terns, auks and puffins, swifts, except nestlings of indigenous species;
- g. all sharks and rays;
- h. sea turtles, giant tortoises of the genera *Geochelone* (*G. gigantea*, *nigra*, *sulcata*) and *Dipsochelys* (*D. sp.*); all crocodilians (*Crocodylia*), tuataras, marine iguanas; chameleons, except *Chamaeleo calyptratus*, Galapagos land iguanas, *Cyclura* iguanas, land iguanas; *Python boeleni*, sea snakes (*Hydrophiidae*);
- i. goliath frog, giant salamander.

Article 93 Livestock inventory

¹ Wild animal facilities that require a licence shall keep a livestock inventory.

² With the exception of fish holdings, the livestock inventory shall contain the following information broken down by species:

- a. growth (date, birth or origin, number);

- b. loss (date, purchaser or death, cause of death if known, method of killing, number).

³ The livestock inventory for fish holdings shall be kept as defined in Article 276 paragraphs 2 and 3 TSV⁵.

Section 3: Licences

Article 94 Licensing procedure

¹ The form from the FVO as stipulated in Article 209 paragraph 4 shall be used for the application.

² The application shall be addressed to the authorities of the canton in which the animals are to be kept.

³ Responsibility for circuses and travelling animal shows lies with the canton in which the winter quarters or the permanent facilities for the animals are located. If these are abroad, the canton in which the circus or the travelling animal show first appears shall grant the licence, where necessary taking into account the import permit of the FVO.

Article 95 Licence conditions

¹ The licence shall only be granted if

- a. rooms, enclosures and installations conform to the species and number of animals and the purpose of the holding and the animals cannot escape;
- b.⁶ the number of animals per unit of area in holdings as defined in Article 90 Paragraph 2b is consistent with the supply of feed and the loading capacity of the floor;
- c. the animals are protected by structural or other measures from the weather, disturbance by people, excessive noise and exhaust emissions, where applicable;
- d. the personnel requirements relating to the care of the animals as stipulated in Article 195 are met;
- e. the documentation of regular veterinary monitoring can be provided, except in the case of animal shows that are not operated on a long-term basis and are without a permanent location, small private animal holdings and fry breeding;
- f. documentation is available for fixed-term animal shows and exhibitions showing that the animals can be otherwise suitably accommodated afterwards.

² The minimum requirements specified in Annex 2 do not have to be fully met for the following:

- a. enclosures for animals that are frequently and regularly trained, drilled or paraded in the circus ring, if the spatial conditions at individual host venues do not permit this;
- b. enclosures in which animals are only kept for a short time.

⁵ SR 916.401

⁶ Version according to Paragraph I of V dated 14 January 2009, in force since 1 March 2009 (AS 2009 565).