

# Code of Practice for the welfare of animals in films and theatrical performances (Plain English)

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## What is the code and what does it aim to do?

The Code is a standard of practice which establishes clear guidelines for the use of animals in the film and television industry, corporate and educational productions, stage performances and commercial photography for advertising or promotion.

A mandatory code has existed since 1990 and it has now been revised under the Prevention of Cruelty to Animals Act 1979.

## General Guidelines

Animals should never be endangered, injured, or abused or deliberately killed for a production. When a script is being prepared, care must be taken about the possible impacts on the welfare of the animals. An animal should only be required to do what it is capable of being reasonably trained to do and only well-trained animals should be used for stunts or special effects.

Only competent animal handlers, trainers or veterinarians should manage animals. The welfare of animals is their prime consideration and they have the power to halt production if they believe the animals are at risk. Animal handlers must have no other responsibilities on set and similarly, other positions on set must not take responsibility for animals, eg if a director is using his or her pet dog for a production, they cannot take responsibility for the animal and direct - an animal consultant must be used.

In all instances a veterinary must be on call or arrangements must be in place for seeking urgent veterinary assistance if required. A vet should be sought immediately if an animal becomes sick, injured or distressed.

Animals may be used to perform tasks with other animals of the same or different species, with people or special effects. When they are used in this way, they must not suffer any distress, sickness, injury or abuse.

The ultimate responsibility for the animals rests with the producer (or his or her authorised representative) whether they are on the set or not.

# What preparations should be made for using an animal on-set?

## Notification

When an animal is to be used on a set or portrayed, either the Royal Society for the Prevention of Cruelty to Animals (RSPCA NSW) or the NSW Animal Welfare League (NSW AWL) must be notified. A notification form should be sent to either agency and accompanied by a copy of the script scenes involved. If any major changes to the script occur, the agency with whom you are dealing should be notified.

## Background animals

If animals are to be used only for background purposes, eg birds in an aviary and they will be affected in a minimal way, for example by lighting, then notification alone is adequate. The agency will advise if they have any concerns.

## Featured animals and animal handlers

If an animal is to be used for a specific purpose, advice must be obtained from an experienced animal handler or trainer. This should include advice on the most suitable types of animal that should be used, the number, sex and age of animals, the availability of the animal, the time likely to be needed for acclimatisation and training, any special requirements of the animals, possible problems and the likelihood of their occurrence, estimated costs associated with the care and use of the animal as well as advice about minimising disturbance to the animals living on or near the set.

Animals to be featured should be trained, handled and cared for by experienced animal trainers, or competent animal handlers under the supervision of an experienced animal trainer.

If several different species of animals are being used, the producer may be required to consult with additional animal trainers or veterinary surgeons.

## Native animals

If native animals are to be used or if the production is likely to disturb native animals living near the set, the producer may be required to consult with the National Parks and Wildlife Service.

## When is a veterinary surgeon required and what is his or her role?

In most cases, the presence of experienced animal handlers or trainers will be sufficient on set. However, if there appears to be any risk of distress or injury to animals, for example, scenes involving fast movement or large numbers of animals, those at an advanced stage of pregnancy, very young or very old animals, difficult terrain, adverse weather, reduced visibility, large amounts of smoke or fire, or any frightening special effects, then the vet must be present. In some instances, the RSPCA or the AWL may also request that a veterinarian be present.

A vet, when engaged, must be available to advise on the health and welfare of the animals on the set, during assembly of the animals, training and rehearsal, filming or performance and until the end of production or dispersal of the animals.

## **When is the veterinarian not required on set?**

If the vet decides the activity is low risk, he or she need not be present, though the handler or trainer should be. The vet must be available to attend promptly if called.

## **Vet's right to halt production**

The veterinarian has the authority to give instructions to the producer or agent regarding the treatment and welfare of an animal on set and may call a stop to production if the welfare of the animal is in question.

## **Owner's selection of vet**

The owners of animals may have their own vet and if so, they should sign the rights to treat the animal over to the producer's vet if their own vet is unavailable.

## **Payment for vet treatment**

The producer is responsible for the authorisation and payment for any treatment that the attending vet thinks is appropriate, but this does not imply the acceptance of liability.

## **Destruction of injured animals**

Any injured or sick animals must be treated or humanely destroyed either by the consultant vet or an experienced vet surgeon. The final decision rests with the vet (if possible after consultation with the owner).

## **Administering drugs to animals**

Sedatives and anaesthetics for performance enhancement are prohibited. Other drugs are not to be administered to animals on set except by or under the specific instructions of a vet.

# **Animal Handlers**

## **What are the trainer/handler's responsibilities if no veterinarian had been engaged or if the consultant vet is not present?**

Animal trainers or handlers should liaise with the consultant veterinary surgeon when engaged, or otherwise with an experienced veterinary surgeon regarding the care and management of animals, and about procedures for reporting any signs of disease or injury.

They should look after the animals' health and welfare and decide if there is a need to call a vet at any time. The exclusive task of any animal handlers and trainers on set is to take responsibility for the animals and ensure their welfare.

The set should be inspected each day to make sure it is suitable for the animals.

No animals other than those intended for use should be present on sets during rehearsal, filming or performance. No unauthorised people are to interfere with or disturb the animals and no one under the influence of drugs or alcohol may be present on the set while animals are working.

Fireworks or other special effects designed to frighten animals must not be used.

Any disturbing factors such as heat or glare should be avoided, and animals should be moved away from distressing situations.

## **Employing a consultant, animal handler or trainer**

### **What must the producer provide?**

The producer or his or her agent must provide the consultant with a copy of the *Code of Practice*, a copy of the *Film Industry Safety Guidance Notes – Use of Animals*, a written description of what is required of the animals to fulfil the script requirements, the location and description of the sets, and details of likely environmental conditions.

The producer is responsible for the prevention of disease or injury, and that includes making sure the animals are isolated, and that they are vaccinated and protected from weather extremes and parasites. The producer must also ensure the animals have social integration where possible and relevant training for their tasks.

The producer should also ensure that the set has the facilities for conveying urgent messages, as well as some means of holding, restraining and examining animals and a method of moving and transporting sick or injured animals.

### **What must the animal trainer/handler provide?**

The handler should provide the producer with written information on their contact details, their veterinary contacts and requirements, any animal management, care and transport requirements and any safety requirements from the trainer or handler department. They must also provide safety requirements from other departments, for example, art or location, and these must be made available by the producer to everyone involved with the animals prior to production.

### **Contractual requirements between parties**

A formal contract should be completed, specifying the responsibilities accepted by the producer for the animals, and the responsibilities of the trainers, handlers, suppliers and owners, including agreement by both parties to abide by the Code of Practice. Please note: this contract does not lessen the responsibility of every person on the set to consider the welfare of the animals used.

# Management of animals

## Maintenance and transport

Common sense is the key to maintaining and managing the welfare of animals. They should be given sufficient food and water. Proper shelter, clean and free of contaminated materials, should be provided. Animals should be exercised if their conditions are confined. If they become ill or distressed, humans and animals around them should be withdrawn immediately and prompt veterinary treatment obtained.

Large animals may be kept on set if suitable arrangements are made. Animals unfamiliar with the environment on set should be kept in conditions with which they are familiar, and they should become acquainted with the set before their performance begins.

During training and rehearsals, animals and actors should be accustomed to each other's presence.

Animals which are compatible should be allowed time to mix. Incompatible animals should be kept separate to reduce the risk of aggression, fear or distress.

Animals need to be controlled so they cannot attack or escape - especially when they are aggressive, timid, venomous, in season, or of a large size. Capture equipment should be available on set in case it is needed; equipment which is likely to harm or distress animals must not be used.

Animals must be transported carefully and in accordance with all relevant Codes of Practice.

## Procedures to follow for training the animals

The producer should inform all personnel working with animals that patience is essential and that training or handling methods involving pain or distress are not permitted.

All animals should be fit and healthy. It may be necessary to condition them to work on set, or several identical animals may have to be used to accomplish difficult scenes. Only suitably trained animals should be used for stunts or special effects.

## The Notification Form made easy

Notification forms are available in tear off pads. When completed, they should be faxed or posted to the RSPCA or the AWL. Changes to the information submitted should also be notified to the same agency. (The notification form may also be used as the basis of the contract now required between the producer and animal consultant. Refer to the back of the notification form for further information.

### Information required includes:

**Script action:** Brief description of animal action or copy of script scenes involving action to be attached.

**Method of achieving:** Description of how script requirement is to be fulfilled including special risk considerations.

**Animals to be used:** Details of types of animals to be used and any special conditions e.g. large numbers of free running animals, native fauna etc.

**Likely environmental conditions:** Are there any conditions envisaged which will endanger animals used, e.g. stunt sequences using pyrotechnics, smoke etc.

**Performance Date and Time:** Date and time of performance or attach copy of call sheet.

**On-set Contact:** Contact details for most responsible animal person on set – including mobile telephone number.

## When production is finished

Arrangements must be made for the return of animals to their normal conditions within a reasonable time.

## What are the legal considerations

The producer and his or her agent must be familiar with the relevant sections of the Prevention of Cruelty to Animals Act, the National Parks and Wildlife Act and the Occupational Health and Safety Act. They should also refer to the Film Industry Safety Guidance Notes.

Officers appointed under the Prevention of Cruelty to Animals Act have the legal authority to attend any set and must be allowed access at all times when animals are being used. Officers of the NSW National Parks and Wildlife Service have similar legal authority in relation to native fauna.

## But what is meant in the code when it says...

**animal** – any live member of a vertebrate species, including any fish, amphibian, reptile, bird or mammal other than a human being.

**set** – a place where filming, photography or theatrical performance occur, or where training and rehearsal in preparation for filming, photography or theatrical performance is undertaken.

**consultant veterinary surgeon** – a veterinary surgeon registered in New South Wales engaged by the company, whether on a permanent, temporary, full-time or part-time basis, as a consultant.

**company** – a film or theatre company, including an advertising company.

**experienced animal trainer** – an animal trainer who has prior professional experience both in the management, care and handling of the species of animal to be used and in any training methods that will be required.

**experienced animal handler** – an animal handler who has prior professional experience in the management, care and handling of the species used.

**competent animal handler** – a person involved in and capable of management, care and handling of the species of animal to be used, but not necessarily having prior professional experience in these practices.

**experienced veterinary surgeon** – a registered veterinary surgeon who has experience both in the management, care and treatment of the species of animal to be used and in any veterinary procedures to which the animals will be subjected.