



Home Office

Advice Note: 03/2015 Animals (Scientific Procedures) Act 1986

Re-homing and setting free of animals

Animals in Science Regulation Unit

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Summary

What is the purpose of this Advice Note?

This Advice Note provides information about the legal requirements relating to re-homing and setting free and advice on current good practice. It builds on the information provided in the Guidance on the Operation of the Animals (Scientific Procedures) Act 1986¹ (the Guidance) and aims to:

- encourage consideration of opportunities for re-homing and setting free suitable animals.
- clarify the legislative framework under which consent to re-home or set free can be obtained;
- provide advice on an effective Animal Welfare and Ethical Review Body (AWERB) policy for re-homing and setting free;
- describe the current processes used by the Home Office for re-homing or setting free protected animals.

The Advice Note is principally for inspectors in the Animals in Science Regulation Unit, existing licensees and applicants for project licence authorities under the Animals (Scientific Procedures) Act 1986 (ASPA), AWERBs, veterinary surgeons and others who are involved in making decisions about relevant protected animals. It may also be of interest to members of the public.

Is other guidance or advice needed?

This Advice Note should be used in conjunction with the Guidance. The scope of this Advice Note does not include detailed guidance on continued use, re-use or setting free of wild animals during the course of procedures. Separate Advice Notes on these topics will be published in 2015 and should be consulted for detailed information.

How is this Advice Note structured?

This Advice Note contains four sections:

- **Section 1** describes the legal framework for consent to re-home or set free and explains how to obtain this consent;
- **Section 2** describes the role of **AWERB** in re-homing and setting free;
- **Section 3** provides advice on the re-homing of animals;
- **Section 4** provides advice on the setting free of wild animals.

The advice provided in Sections 2, 3 and 4 is not prescriptive.

Brief summary

Re-homing, or setting free wild animals once their use for scientific or educational purposes has come to an end, is not mandatory under ASPA. Ethically, animals must only be re-homed or set free where it is in the best interests of the welfare of the individual animal and when it poses no danger to public or animal health, or to the environment. Consent will only be given for re-homing or setting free if the Secretary of State (SoS) is satisfied that the criteria specified in **ASPA section 17A section (3) and (4)** have been met. These sections of ASPA apply to relevant protected animals (see definition in section 1.2 below).

In this Advice Note the term 'setting free' is used to mean setting free at the end of procedures, unless otherwise stated. Animals may also be set free during the course of procedures, but in

¹ Available from the GOV.UK website: <https://www.gov.uk/government/publications/operation-of-aspa>

this situation, whilst measures to minimise the effect of regulated procedures will be set out in the project licence, ASPA sections 17A (3) and (4) do not apply.

ASPA section 17A (3) requires:

- a) that the animal's state of health allows it to be set free or re-homed;
- b) that the animal poses no danger to public health, animal health or the environment;
- c) that there is an adequate scheme in place for ensuring the socialisation of the animal upon being set free or re-homed;
- d) that appropriate measures have been taken to safeguard the animal's well-being when re-homed or set free.

In addition, before animals taken from the wild can be set free at the end of procedures, **ASPA section 17A (4)** also requires:

- that the animal has undergone a programme of rehabilitation; or
- that it would be inappropriate for the animal to be required to undergo such a programme²

In order to satisfy the criteria for consent, consideration should be given to:

- the animal's physical health, behaviour and ability to adapt to the new home or survive in the wild;
- the suitability of the new home or release habitat and timing of release;
- an appropriate socialisation scheme and rehabilitation plan that enables re-homing or release (hard or soft) to the wild to be accomplished; and
- the identification of appropriate measures for the animal on re-homing or release, including identification, records, dietary change and post-release monitoring if recommended.

The decision-making process is summarised in the decision tree and explained further throughout this Advice Note.

If the Secretary of State is satisfied that consent can be given for re-homing or setting free, then this authorisation may be provided in the establishment licence, within the relevant protocols of the project licence or in a letter for the specified individual animal(s).

In this document, 'release' has the same meaning as 'set free'.

Animals in Science Regulation Unit, October 2015

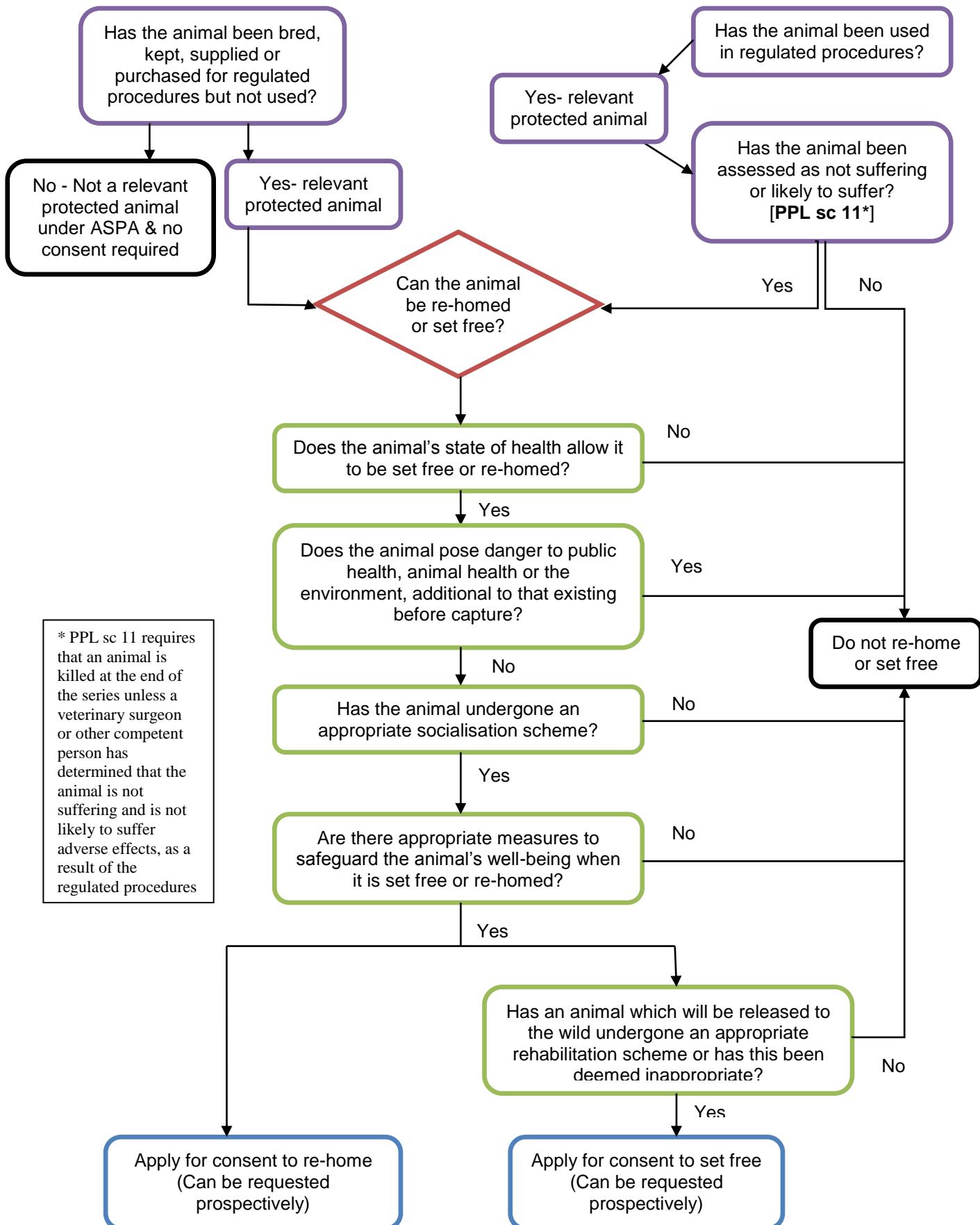
² See Section 1.5.5 of this Advice Note

Glossary of terms

ACM	Animals Containing Human Material
AHA	The Animal Health Act 1981
ASC	The Animals in Science Committee. The independent non-departmental public body set up under ASPA sections 19 and 20. It is responsible for providing impartial, balanced and objective advice to the Home Office on issues related to ASPA.
ASPA	The Animal (Scientific Procedures) Act 1986
AWA	The Animal Welfare Act 2006
AWERB	Animal Welfare and Ethical Review Body. Every licensed establishment is required by ASPA to have an AWERB. Its membership and activities are defined by ASPA.
BALAI Directive	Council Directive 92/65/EEC lays down the requirements for the import and export of certain types of animals
DWA	Dangerous and Wild Animals Act 1976
Establishment	Licensed establishment under section 2C of ASPA. These are places where animals are normally used for regulated procedures or bred or supplied for use in regulated procedures.
FSA	Food Standards Agency
GAA	Genetically Altered Animals
The Guidance	Guidance on the Operation of the Animals (Scientific Procedures) Act 1986
Hard release	A release directly to the wild without further support or feeding.
LAVA	Laboratory Animals Veterinary Association
NACWO	Named Animal Care and Welfare Officer
NHP	Non-human primate
NIO	Named Information Officer
NTCO	Named Training and Competency Officer
NVS	Named Veterinary Surgeon
PEL	Establishment licence. A licence granted to a place under section 2C of ASPA.
PIL	Personal licence

POLE	Place other than a licensed establishment
PPL	Project licence. A licence granted under section 5 of ASPA.
PSDLH	Pain, suffering, distress and lasting harm
RCVS	Royal College of Veterinary Surgeons
Release	Setting free to the wild
Sc	Standard condition of a licence issued under ASPA
Setting free	Setting free into the wild outside the control of man
Soft release	A gradual return to the wild whereby an animal receives support, shelter and food until it is entirely able to fend for itself.
VMD	Veterinary Medicines Directorate
VSA	The Veterinary Surgeons Act 1966
WCA	The Wildlife and Countryside Act 1981

Re-homing and setting free decision tree



Introduction

This Advice Note provides good practice principles on the re-homing or setting free of protected animals under ASPA that have been bred, supplied or kept with the intention of using them in regulated procedures, or whose use in regulated procedures has come to an end. It does not apply to animals set free during the course of regulated procedures³.

The most cases animals that have been used for regulated procedures licensed in a project licence are not available for re-homing or setting free. This is because either their tissues or organs after death are needed to achieve the scientific objectives of the work (and enable the benefits of the project to be realised), or because the animal is suffering or likely to suffer and must be killed.

However, some animals that have completed a series of regulated procedures may be able to be kept alive (providing the requirements of ASPA section 15 can be met⁴). In addition there are occasions when there are surplus breeding or experimental stock. The options for all these animals include:

- transferring them to another licensed establishment;
- re-using a previously used animal where this is legally permissible;⁵
- re-homing them or setting them free into the wild.

Before an animal can be re-homed or set free, we must be satisfied that:

- I. the maximum possible care will be taken to safeguard the animal's well-being;
- II. the animal would not be at a biological or competitive disadvantage because of the procedures it has undergone or because of its time in captivity⁶.

Re-homing or setting free is not mandatory and there are a number of factors that must be taken into account before a decision is made to re-home or set free, as the process of re-homing or setting free itself may involve additional stress and welfare costs for the animal.

Consideration must be given to:

- the state of health of the animal;
- whether the animal poses a risk to public health, animal health and the environment additional to that existing prior to the capture;
- the requirements for an effective socialisation scheme or rehabilitation programme;
- other appropriate measures to safeguard the animal's well-being such as the suitability of the new owner or location to provide for the individual animal's needs.

Setting free into the wild is not without risk, as on release the animal will be subject to the normal ecological pressures and predator-prey interactions faced by the natural population.

Re-homing or setting animals free can be very positive for an establishment's culture of care and the morale of scientists and care staff looking after the animals.

³ This can be found in Advice Note on Work with wild animals – expected publication November 2015

⁴ See Advice Note on Use, Keeping Alive and Re-use

⁵ Advice Note on Use, Keeping Alive and Re-use

⁶ See section 5.21 of the Guidance

How to use this Advice Note

This Advice Note contains four sections:

- **Section 1** describes the legal criteria for consent to re-home or set free and how to obtain this consent from the Secretary of State;
- **Section 2** provides advice on re-homing and setting free to the AWERB and project applicants;
- **Section 3** provides good practice guidance on the re-homing of animals including example applications. The advice for re-homing animals is divided into subsections by species or intended destination:
 - re-homing companion animals;
 - re-homing rabbits, rodents and fish;
 - re-homing farm animals and equines;
 - re-homing to commercial slaughter;
 - re-homing to research institutes; and
 - re-homing medically and surgically prepared animals abroad.
- **Section 4** provides good practice guidance on the setting free of wild animals at the end of procedures.

All examples in this Advice Note are for information only and are not meant to be prescriptive. Each application for consent to re-home or set free is decided on its merit to meet the criteria required for consent from the Secretary of State.

How will this Advice Note be reviewed and updated?

The Secretary of State intends to review the advice contained in this Advice Note two years after publication. The intention is that this Advice Note will eventually be incorporated into the Guidance.

If you would like to provide comments on this Advice Note or otherwise contribute to the next version, please send your comments to ASRUBusinessSupport@homeoffice.gsi.gov.uk. Please add 'Re-homing and Setting Free Advice Note' to the subject line of any emails.

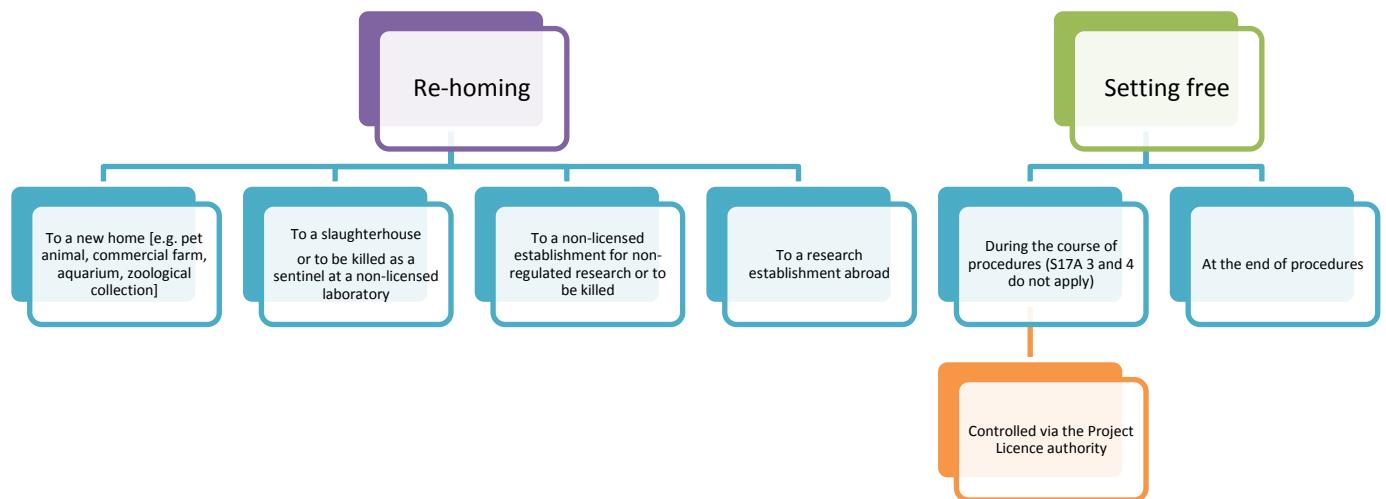
Section 1: Legal requirements for re-homing and setting free

1.1 What is meant by re-homing or setting free?

Re-homing is defined as the movement of a relevant protected animal from an establishment to any other place that is not another establishment under ASPA. There are a wide range of destinations for re-homing animals.

Setting free is defined as setting free into the wild outside the control of man.

Figure 1: Frequent routes for re-homing and setting free



Re-homing and setting free is not mandatory for establishments. This is because it is only appropriate for animals to be re-homed or set free if they are fit to be set free, that they will be at no biological (or competitive) disadvantage because of the procedures they have undergone or because of their time in captivity and have been adequately prepared to adapt to their new home or release environment. They must not pose a threat to humans, other animals or the environment (additional to that existing prior to the capture of the animal). Each establishment and project has different provisions, so we consider applications on a case-by-case basis.

ASPA section 17A (1) specifies that licence holders must not set free a relevant protected animal, or permit any person acting on their behalf to do so, unless:

- (a) the Secretary of State has consented to the setting free of the animal; or
- (b) the animal is set free during the course of a series of regulated procedures.

Whilst it may appear from **ASPA section 17A (1)(b)** that consent from the Secretary of State is not needed for setting animals free during the course of procedures, this is not the case. Setting animals free during the course of a series of regulated procedures will need to be specified in the project licence. The requirements set out in **ASPA section 17A (3) and (4)** do not apply to animals set free during the course of procedures; however, the principles set out in these sections are considered during the harm–benefit assessment when the inspector assesses a project licence application or amendment.

Animals that have been used in regulated procedures can never be totally discharged from the controls of ASPA, because they will always be subject to the legal requirements relating to re-use [**ASPA section 14**].

1.2 What is a relevant protected animal?

The term ‘relevant protected animal’ for the purposes of re-homing or setting free is defined by **ASPA section 17A (5)(a)** as a protected animal at an establishment which:

- a) is being or has been used in a regulated procedure;
- b) is being or has been kept for use in a regulated procedure;
- c) has been bred for use in a regulated procedure; or
- d) is being or has been kept for the purpose of being supplied for use in a regulated procedure.

In practice this means that all protected animals bred, kept or supplied with the intention of their use in regulated procedures, or those that are being or have been used in regulated procedures, need consent from the Secretary of State before they can be re-homed or set free. Setting free animals during the course of a series of regulated procedures also needs consent from the Secretary of State which will be incorporated in the project licence.

ASPA section 17A (5)(c) defines that an animal is considered to be ‘re-homed’ as soon as it moves to live in an area which is not specified in the schedule of an establishment licence. This means that relevant protected animals can be supplied to other licensed establishments without the need for them to comply with the requirements for consent under **ASPA section 17A**. However, animals that have been used in regulated procedures **will also** need consent from the Secretary of State before they can be moved to another establishment.

Relevant protected animals need to be re-homed if they are moved from a place specified on the schedule of the establishment licence to another place at the same establishment which is not specified on the schedule. For example, at the end of regulated procedures, farm animals that are to be returned to a farm linked to the establishment but which is not specified on the schedule, will be considered to be re-homed.

The definition of relevant protected animal is very broad and includes, for example, additional animals purchased with the intention of using them in regulated procedures but which are subsequently not used, or farm animals that remain on the farm of origin while undergoing a regulated procedure, or pets that are returned to their owners having undergone a regulated procedure.

Animals that are captured from the wild and are either non-target species, or can be seen to be unsuitable for the study (e.g. wrong sex) whilst in the trap (without the need to carry out a regulated procedure such as general anaesthesia) are not considered to be relevant protected animals as there is no intention to use them in regulated procedures. This means that they can be released immediately back into the wild without the need for them to satisfy the conditions for setting free under ASPA, subject to the requirements of any other applicable licences or legislation in force. However, if the reason for rejection is that the animal is injured or diseased, and the animals are released, it is possible that provisions of other animal welfare legislation may be breached, even if non-release of such animals could have wider implications (such as on dependant young).⁷

⁷ Further information can be obtained in the Advice Note on Work with wild animals (November 2015).

1.3 Assessing suffering and adverse effects

If the animal has completed a series of regulated procedures for a particular purpose, as defined in **ASPA section 2**, then the Personal Licence Holder must ensure the animal is immediately killed [**ASPA section 15**] unless a veterinary surgeon⁸, or other competent person following direction from a veterinary surgeon (see section 1.3.1 below), has determined that the animal is not suffering, or likely to suffer adverse effects as a result of the regulated procedures [**Project Licence (PPL) standard condition 11**].

In practical terms, this means that the animal used for regulated procedures may be kept alive only if it has returned to a general state of health and well-being and requires no health maintenance procedures above the lower threshold for ASPA regulation. The lower threshold for pain, suffering, distress and lasting harm is defined as equivalent to or higher than that caused by the introduction of a needle in accordance with good veterinary practice [**ASPA section 2(1)**]. Further information can be found in the Advice Note on Use, Keeping Alive and Re-use⁹.

1.3.1 Use of an ‘other competent person’

A veterinary surgeon must decide the criteria under which an animal can be determined as not suffering, or not likely to suffer adverse effects as a result of the regulated procedures applied to that particular species [**PPL standard condition 11**].

The veterinary surgeon is also responsible for deciding who is competent to use their criteria. Any training and assessment of competence provided by the veterinary surgeon to the ‘other competent person’ must be recorded and the records held by the Named Training and Competency Officer (NTCO).

1.3.2 Restorative surgery

Where an animal is unfit for re-homing or setting free from ASPA as a consequence of earlier surgery or other regulated procedures, further restorative surgery to improve its health status to a level where it may be re-homed or set free is not allowed under ASPA. This is because the required surgery is not for a permissible scientific purpose and therefore cannot be legally authorised under ASPA.

It would be advisable for a veterinary surgeon considering restorative surgery in such cases to consult the Royal College of Veterinary Surgeons (RCVS) as to whether this action would be considered recognised veterinary practice under the Veterinary Surgeons Act (VSA) 1966. Minor veterinary procedures such as the removal of in-dwelling catheters after completion of regulated procedures would usually be acceptable however corrective practices are only allowed under the VSA if necessary for the welfare of the animal.

1.4 Responsibility for the animal

Animals that are kept alive at a licensed establishment at the end of use in regulated procedures are the responsibility of the Establishment Licence Holder. These animals must continue to be kept at the establishment under the supervision of a veterinary surgeon (or other suitably qualified person see 1.4.1 below) unless the Secretary of State consents, under **ASPA**

⁸ Where ‘veterinary surgeon’ is specified this should be a Member of the Royal College of Veterinary Surgeons (MRCVS). Note: where the Project Licence Holder is a veterinary surgeon, then another veterinary surgeon should undertake these duties to prevent a conflict of interest.

⁹ Advice Note on Use, Keeping Alive and Re-use (October 2015).

section 17A, to re-homing or setting free [**Establishment Licence (PEL) standard condition 23 (2)**], or the animals are re-used or killed.

If the animal subsequently, unexpectedly, experiences adverse effects as a result of the previous regulated procedures, the veterinary surgeon, or other suitably qualified person, should arrange for the animal to be immediately killed. However, if clinical signs arise that are not procedure-related, the veterinary surgeon should use their professional judgement to decide whether veterinary treatment or any other course of action is appropriate.

1.4.1 Definition of a suitably qualified person

A ‘suitably qualified person’ may be specified for a specific species in exceptional circumstances in place of a Named Veterinary Surgeon (NVS) on the establishment licence.¹⁰ We will only permit this alternative when no suitable veterinary surgeon is available, for example a specialist in fish health, and may consult with the RCVS before recommending an appointment. The suitably qualified person has the same statutory duties as the NVS; however, some roles, responsibilities and actions in ASPA refer specifically to ‘a veterinary surgeon’ and these cannot be undertaken by a suitably qualified person.

1.5 Criteria for consent to re-home or set free

Consent will only be given for re-homing or setting free if the Secretary of State is satisfied that the criteria specified by **ASPA section 17A section (3)** have been met:

ASPA section 17A (3) requires:

- a) that the animal’s state of health allows it to be set free or re-homed;
- b) that the animal poses no danger to public health, animal health or the environment additional to that existing prior to the capture;
- c) that there is an adequate scheme in place for ensuring the socialisation of the animal upon being set free or re-homed;
- d) that appropriate measures have been taken to safeguard the animal’s well-being when re-homed or set free.

In addition, before animals can be set free that have been taken from the wild **ASPA section 17A (4)** also requires:

- that the animal has undergone a programme of rehabilitation; or
- that it would be inappropriate for the animal to be required to undergo such a programme (for example, where the procedure takes place where the animal is captured and it is released within a short time).

If the Secretary of State is satisfied that consent can be given for re-homing or setting free, then this authorisation may be given in the Establishment Licence, or within the relevant protocols of the Project Licence, or in a letter for the release of the specified individual animal(s).

1.5.1 Assurance on the animal’s state of health

For an animal to be set free or re-homed assurances must be provided to satisfy the Secretary of State that the animal’s state of health and well-being allows it to be set free [**ASPA section 17A (3) (a)**].

This assurance should normally be provided by a veterinary surgeon, but, if appropriate, it may also be provided by a suitably qualified person for that species (see section 1.4.1 above), or a

¹⁰ For more information please see section 8.7 of the Guidance.

competent person following direction from a veterinary surgeon (see section 1.3.1 above). The assurance should be based on the current clinical state of the animal and take into account any procedures the animal has undergone and their potential for causing long-term adverse effects on the health and welfare of the animal.

1.5.2 Assurance on the danger posed to public health, animal health and the environment

Consent will only be given by the Secretary of State to re-home or set free a relevant protected animal if the animal poses no danger to the health of the public, other animals or the environment [**ASPA section 17A (3) (b)**] additional to that existing prior to the capture of the animal (The Guidance section 5.21).

Examples of situations where animals may not meet these requirements are:

- challenge with a pathogen or parasite that may be harmful to people or other animals;
- treated with a drug or chemical that may contaminate or pollute the environment;
- treated with a drug that may be harmful to human health if the animal inadvertently entered the human food chain;
- implanted with a device that could cause harm to a predator of the animal or if the animal inadvertently enters the human food chain.

It may be possible to mitigate any risk and enable an animal to be re-homed or set free in certain circumstances, for example by:

- discussing the selection of medicines and appropriate actions with the Veterinary Medicines Directorate before beginning a series of regulated procedures;
- using alternative chemicals or treatments that do not contaminate or pollute the environment;
- altering the design of a device or implantation site to ensure it causes negligible harm to predators or is clearly visible and can be removed at slaughter in a food-producing species;
- ensuring a horse will not enter the human food chain by signing the declaration in Annex IX of the equine passport as not intended for human consumption, permanently excluding the horse from the food chain.

For example wild caught fish moved to an establishment for radioisotope studies and kept alive at the end of procedures as not considered to be suffering or likely to suffer can only be set free back into the wild when there is evidence that the radioactive half-life has decayed to the background level of radiation so that the release will pose no threat to public health, animal health and the environment. If the radioisotope's half-life is so long that decay to background levels will not have been reached at the end of the experiment then the fish will not meet the criteria for consent to set free and a decision should be made to either kill the fish or retain them at the establishment under the supervision of a veterinary surgeon or other suitably qualified person until the radioisotopes have decayed to background radiation levels. At this time consent to set free can be applied for.

1.5.2.1 Genetically Altered Animals and Animals Containing Human Material

Genetically Altered Animals (GAA) and Animals Containing Human Material (ACHM)¹¹ can be kept alive at the establishment under the care of the NVS at the end of their use in regulated procedures providing they meet the criteria of ASPA section 15 (see Advice Note on Use, Keeping Alive and Re-use). As well as meeting the requirements of ASPA s17A, other

¹¹ Advice Note on Animals Containing Human Material.

legislation may apply to re-homing or setting free of such animals. Please contact your assigned inspector if you wish to re-home or set free such animals.

1.5.2.2 Setting free of non-native species that may pose a risk to other animals and the environment

A licence from the relevant competent authority may be required for the setting free of non-native species into the wild, for example grey squirrels, mink etc. For further information please see the Working with Wild Animals Advice Note.

1.5.3 Socialisation schemes

Socialisation is very important for the successful re-homing or setting free of certain relevant protected animals, and consent from the Secretary of State [**ASPA section 17A (3) (c)**] requires that there is an effective socialisation scheme in place.

The socialisation scheme should be species specific and tailored to the individual animal(s). Any scheme should be based around the animal's natural behaviour and ecology and the environment into which it will be re-homed or set free. Appropriate schemes may include social interactions with other animals of the same species, people and other relevant animal species, all with the aim of ensuring the animal's well-being by enhancing its ability to adapt to a new environment and to reduce stress when responding to new situations.

Socialisation may take place both at the establishment, or at another location, for example at home, or at a registered charitable organisation; however, all parts of the scheme must be fully documented, approved by the AWERB and include appropriate monitoring, issue and risk management as part of the appropriate measures taken to safeguard the animal's well-being upon being set free or re-homed.

1.5.3.1 Socialisation schemes for animals at the end of regulated procedures at a place other than a licensed establishment (POLE)

A socialisation scheme may not be required under **ASPA section 17A (3) (c)** for animals that are re-homed or set free at a place other than a licensed establishment (POLE) where they have remained within their current social and physical environment. This is because the requirement is deemed to have been met as they are considered to be adequately socialised in this situation and that this is sufficient to protect their welfare on release from the Act. Consent will still be required from the Secretary of State and the requirements of **ASPA section 17A (3) (a), (b) and (d)**, and for wild animals **ASPA section 17A (4)**, will need to be met.

Examples of where a socialisation scheme may not be required include:

- domestic pets undergoing a regulated procedure at a veterinary surgeon's premises (POLE) where the animal is returned to its owner at the end of the procedure;
- pigs undergoing regulated procedures while remaining within the herd on a farm premises (POLE) where the animals will remain within the social group and follow the normal commercial enterprise on the farm at the end of regulated procedures.

1.5.4 Other appropriate measures on re-homing and setting free

When an animal is re-homed or set free assurance should be given regarding any other appropriate additional measures that will safeguard the animal's well-being upon being set free or re-homed [**ASPA section 17A (3) (d)**].

These measures should be specific for the individual animal and its situation. Appropriate measures could include identification, records, transport, additional or on-going support (information, food provision, conservation measures etc.). Feedback to the establishment,

including its AWERB, could also be provided to enable any future re-homing or setting free to be as effective as possible and safeguard the health and well-being of the animals on release from ASPA.

1.5.5 Rehabilitation programme

The Secretary of State must not consent to the setting free of a relevant protected animal which has been taken from the wild unless she is also satisfied that the animal has undergone a programme of rehabilitation or that it would be inappropriate for the animal to be required to undergo such a programme [**ASPA section 17A (4)**].

Rehabilitation of an animal taken from the wild may be vital for the successful reintroduction of the animal back into its natural habitat. Setting free should only be in the animal's best interest and, where it is likely that a rehabilitation programme will be unsuccessful, the animal should be killed or consideration should be given to re-homing in an appropriate conservation or zoological collection if it is judged that the animal would successfully adapt to a life in captivity.

The requirement for a rehabilitation programme is not usually needed for wild animals when the following criteria are met:

- the duration of time a wild animal is held for regulated procedure(s) is of a short duration, normally less than 24 hours; and
- release back into the wild will be into the same physical and social environment from which they were captured.

For example: Wild birds released immediately into the capture environment at the end of regulated procedures of short duration and no lasting effect. The birds are able to occupy the same ecological niche and place in their social hierarchy as they did before capture, and therefore they should not encounter any biological or competitive disadvantage.

1.6 Records required for re-homing or setting free

Records of all animals released from ASPA control, including those that are re-homed or set free, must be kept for five years by the establishment [**PEL standard condition 8**]. These records should include the date the animal is re-homed or set free and the name and address of the new owner of the animal if the animal is being re-homed. It would also be advisable to record information about the location of release if the animal is being set free.

In addition, horses are required to have passports under UK legislation. The passports should be updated to include any medicines they have been given with their withdrawal times. For other animals that may contribute to the human food chain, there may be requirements under veterinary medicines or food safety legislation. Any concerns regarding treatment with unlicensed drugs or other agents can be discussed with the relevant authority, such as the Veterinary Medicines Directorate (VMD), Food Standards Agency (FSA), or the Fish Health Inspectorate. Records of movements of these species should be kept in compliance with the relevant species legislation in addition to the requirements for records under ASPA¹².

¹² VMD information on records of medicines in animals:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/424670/VMGNote14.PDF

FSA information on food chain information:

<https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0CCQQFjAAahUKEwj3LDNv9HIAhWLChoKHTbND84&url=http%3A%2Fwww.food.gov.uk%2Fsites%2Fdefault%2Ffiles%2Fmultimedia%2Fpdfs%2Fpublication%2Ffcifactsheet0110.pdf&usg=AFQjCNG-GVJL241CnSZVJtLJuNWxLW6G9A>

All protected animals bred, kept and used at the establishment should have health records kept under the supervision of the Named Veterinary Surgeon (NVS) [**PEL standard condition 14**], and consideration should be given to providing relevant records to the new owner when an animal is re-homed.

1.6.1 Additional records for special species kept at an establishment

ASPA also requires cats, dogs, and non-human primates (NHPs) held at an establishment to have an individual history file [**PEL standard condition 9**]. The Establishment Licence Holder must ensure that a copy of the veterinary and social information about the cat, dog or NHP is included in the animal's individual history file [**PEL standard condition 9(4)**] and provided to the new owner when the animal is re-homed.

Cats, dogs and NHPs kept at an establishment must also be appropriately marked [**PEL standard condition 10**] by a permanent means of individual identification, which is done in the least painful manner possible, and the details of this mark should be included in the individual history file when the animal is re-homed. For dogs, microchipping is likely to be the most appropriate method of permanent identification because from 6th April 2016, the Microchipping of Dogs (England) Regulations 2014 will require domestic dogs from 8 weeks of age to be microchipped and registered on an approved database.

In situation where permanent individual identification may not be possible, for example a pet cat being treated at a licensed establishment as part of a clinical trial, a record must be kept of the reason the animal has not been marked [PEL standard condition 10 (4)].

The requirement for an individual history file [**PEL standard condition 9**] or marking [**PEL standard condition 10**] is not required if the cat, dog or NHP undergoes a regulated procedure at a POLE, although it may be good practice to mark such animals to allow them to be matched up with records of their use at a future date. The requirement for an individual history file must be met however if the cat, dog or NHP is taken into the establishment at any point during the series of regulated procedures.

1.7 How to apply to re-home or set free a relevant protected animal

There are a number of ways in which an Establishment or Project Licence Holder can obtain consent from the Secretary of State to re-home or set free relevant protected animals that have not been used in regulated procedures, or have completed regulated procedures and have been assessed as not suffering or likely to suffer adverse effects.

Consent can be provided through:

- (i) the Establishment Licence; or
- (ii) the Project Licence; or
- (iii) via an individual letter from the Secretary of State authorising the re-homing or setting free of specified animals.

Examples of requests by each of these methods can be found in sections 3 and 4 of this advice note. Your assigned inspector for your establishment will be able to provide advice on the appropriate method for consent.

1.7.1 Consent provided in the establishment licence

This approach can be used for animals that have completed regulated procedures and remain as stock animals at the establishment under the supervision of the veterinary surgeon (or the suitably qualified person), before being re-homed or setting free. It is also especially useful if the establishment would like to be able to re-home or set free surplus breeding stock or animals

that have been procured as reserves but which do not end up being used in regulated procedures.

The Establishment Licence Holder would need to submit an amendment to the licence under the 'Request for Other Authorisation', which can be found on the application form (see Application for an Establishment Licence on our website). Details of how the requirements of **ASPA section 17A sections (3) and (4)** have been met and details of the particular animals to be set free or re-homed must be included.

1.7.2 Consent provided in the project licence

Typically, consent for re-homing or setting free an animal at the end of procedures will be incorporated in your project licence where animals are re-homed or set free immediately after the procedures have ended. This is done by annotating the appropriate section of relevant protocols in a licence application and supplying the details of how the requirements of **ASPA section 17A sections (3) and (4)** will be met (see Figure 2 below and Example 3.8.1).

For animals set free **during** the course of procedures from either a POLE or an establishment, it should be made clear in the project licence that this will take place.

Figure 2 'Fate' section of a project licence protocol completed to permit re-homing and setting free at the end of procedures

Fate of animals not killed at the end of the protocol

Indicate the proposed fate of animals which are not killed at the end of the protocol.

Continued use in another protocol under this or another project licence.

Give details below and ensure that you give an appropriate cross reference in the protocol sheet under which the continued use will occur.

Kept alive at the licensed establishment. Note that any subsequent re-use must be authorised in the relevant project licence.

Discharge from the controls of the Act by setting free to the wild or by re-homing. Specify below the particular circumstances when animals may be set free to the wild or re-homed and detail how the qualifying criteria set out in section 17A(3) and (4) will be met.

1.7.3 Individual consent to set free or re-home animals

Animals may be re-homed or set free by individual application for consent to the Secretary of State. This is useful for single incidents of re-homing and setting free of relevant protected animals where there is no authority on the establishment or individual project licences.

Applicants requesting one-off considerations for setting free or re-homing should apply to the Home Office on the form at **Appendix 2** of this Advice Note and include all the relevant details to satisfy the requirements of **ASPA Section 17A sections (3) and (4)**.

1.8 What information is required for consent to re-home or set free?

In order to obtain consent from the Secretary of State to re-home or set free relevant protected animals under **ASPA section 17A** you will need to supply the following information.

1.8.1. Relevant protected animal classification

Specify the basis for the animal being classified as a relevant protected animal:

- a) is being or has been used in a regulated procedure;
- b) is being or has been kept for use in a regulated procedure;
- c) has been bred for use in a regulated procedure; or
- d) is being or has been kept for the purpose of being supplied for use in a regulated procedure.

1.8.2. Specifications for the animal(s) to be set free or re-homed

Describe the animal(s) including their species, age, numbers to be re-homed or set free, and identification (if applicable). Whether the animal(s) have been bred at the establishment or where they have been purchased from, and a description of the type of premises the animals will be re-homed to or the type of location the animals will be set free in.

1.8.3. 17A (3a) State of health

Describe what checks are in place to verify the animal's state of health and identify the person who will have responsibility for performing these checks (veterinary surgeon, suitably qualified person for that particular species, or other competent person following direction from a veterinary surgeon).

1.8.4. 17A (3b) Danger to public health, animal health or the environment

Describe how the setting free or re-homing of the animal(s) poses no danger to public health, animal health or a risk to the environment.

1.8.5. 17A (3c) Socialisation scheme

Describe the AWERB approved socialisation scheme for the specific species or individual animal. This can be submitted with the request for consent, or made available to the inspector separately at the establishment.

1.8.6. 17A (3d) Other additional measures

Describe what other species-specific additional measures have been taken to safeguard the animal's well-being on re-homing or setting free.

1.8.7. 17A (4) Rehabilitation programme

If the animal has been taken from the wild, describe if the animal has undergone an appropriate rehabilitation programme. If a rehabilitation programme was deemed inappropriate please explain why this is the case in order to support this decision.

1.9 How will my application for consent to re-home or set free be decided?

All applications for re-homing and setting free are considered on an individual case-by-case basis following recommendation from the assigned inspector. Rarely, complex applications may

be referred internally within the Inspectorate, to the Animals in Science Committee (ASC) or to external experts if additional advice is required to inform the Secretary of State's decision. You may find it helpful to discuss any proposed application with your assigned inspector before submission.

The Secretary of State will carefully consider all the information you provide and any additional recommendations from the Inspectorate, ASC or external experts, before making a decision. The outcome of any application will either be consent to re-home or set free the relevant protected animal(s), or refusal.

Section 2: Advice for the AWERB on re-homing and setting free

2.1 AWERB involvement

One of the roles of the Animal Welfare and Ethical Review Body (AWERB) is to develop ethical advice to the Establishment Licence Holder regarding the opportunities for re-homing and setting animals free. This also forms part of the AWERB's role in the promotion of a culture of care at the establishment and in the wider community¹³.

The role of the AWERB is to advise on re-homing schemes, including appropriate socialisation of the animals, and is a minimum task required of an AWERB as stipulated in **Establishment Licence (PEL) standard condition 6 (3)**.

We would recommend that an establishment has policies on re-homing and setting free where appropriate and they are periodically reviewed, incorporating feedback from experience implementing the policies. The welfare of the animal to be re-homed or set free is paramount, and should never be approached on a sentimental basis. The AWERB should be confident that animals re-homed or set free from their establishment are adequately socialised and are able to adapt to their new environment. Where setting free into the wild is not practicable, AWERBs could consider re-homing to a suitable zoological collection or alternative premises as an option to killing the animal.

AWERBs can contribute to the development of effective re-homing and setting free schemes by providing advice on a number of areas, **for example**:

- Reviewing the designated areas of the establishment for their suitability for re-homing or setting free. This could include the provision of suitable areas within an establishment to enable appropriate socialisation or rehabilitation to take place. Examples include:
 - provision of a play or socialisation area;
 - installation of an outdoor run or paddock;
 - incorporating carpeted or external areas of the establishment into the designated premises as part of the socialisation scheme;
 - assessing the animal accommodation to ensure animals taken from the wild maintain characteristics necessary for their survival on setting free, for example ensuring enough vertical height for climbing, enough horizontal length to maintain flight muscles, including hazel twigs to maintain dexterity, or using remote monitoring to reduce human contact (however, the health and well-being of all animals must still be checked by a competent person at least daily [PEL Sc 4 (5)];
 - assessing the design of animal facilities for setting free at the end of procedures, for example aviaries with external hatches, larger soft release cages to reduce incidence of stereotypical behaviours etc.;
 - assessing the design of equipment used in capture and release to ensure the animal is not harmed on setting free;
 - ensuring any method of identification is appropriate for the maintenance of the animal's health and well-being on release into the wild.
- Ensuring effective breeding management to match the numbers of animals bred to those required for procedures to limit any surplus requiring re-homing or setting free.

¹³ See paragraphs 10.4 and 10.5 of the Guidance.

- Having a process in place to identify as soon as possible animals that are not required for procedures so that they can be immediately placed on a socialisation or rehabilitation programme for re-homing or setting free.
- Liaising with suppliers of companion animals to the establishment so that post-weaning socialisation is included as part of their normal breeding programme as this may enable quicker adaptation for future homing. This could include exposure to humans, novel objects, different environments and training where appropriate.
- Establishing and reviewing the health status of the protected animals housed at the establishment through appropriate monitoring for relevant diseases, reporting of results and ensuring appropriate follow-up measures are done.
- Critically assessing project licence applications so that any opportunities to re-home or set free are utilised at the earliest opportunity, and re-evaluating the opportunities at project reviews.
- Considering what types of homes are appropriate for the re-homing of each species. Where re-homing is undertaken in conjunction with a registered animal charity or wildlife sanctuary, an agreement should be reached regarding the requirements for the new home or location for the animal(s). If livestock agents are used then they should have a recognised clientele with known welfare standards. The pet trade should not be used as no guarantees can be given regarding the on-going care and welfare of the animals.
- Assessing and advising on species-specific socialisation schemes or rehabilitation programmes for re-homing and setting free.
- Specifying who has responsibility for the socialisation or rehabilitation programmes and ensuring that they have the time, facilities and equipment to deliver the effective policy.
- Specifying who will provide the necessary records or satisfy other appropriate measures on re-homing.
- Specifying who will follow up on the re-homing to ensure that the animal has settled well into the new environment and capturing any relevant feedback on the socialisation schemes and rehabilitation programme to increase their suitability for future use.
- Specifying a contact within the establishment whom any feedback can be given to following re-homing or setting free.
- Identifying who will be responsible for any contingency plan if re-homing or setting free is unsuccessful, and what this contingency plan should entail to safeguard the health and well-being of the animal.

2.2 Working with animal charities and wildlife sanctuaries

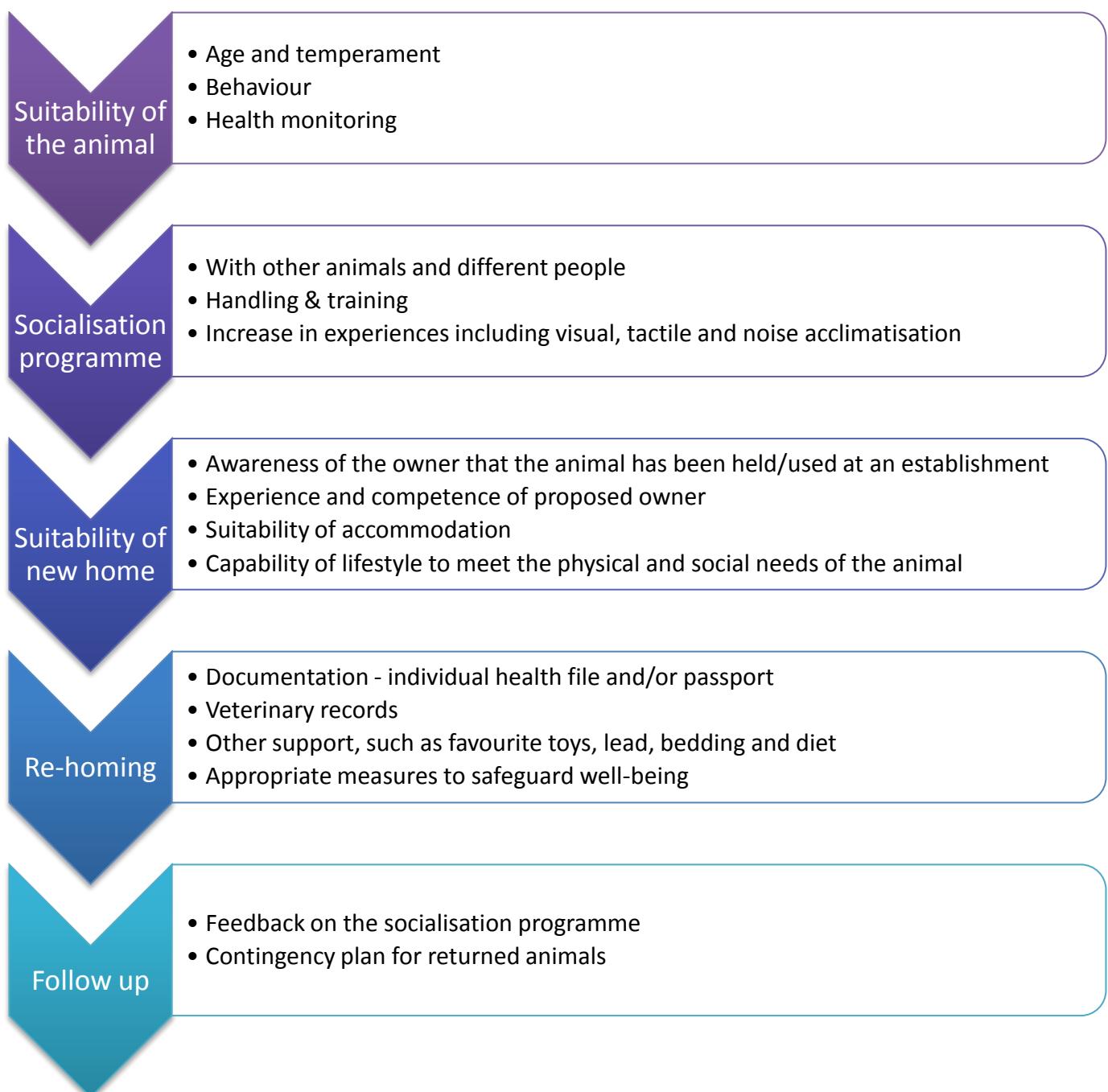
Registered animal charities and wildlife sanctuaries may offer a partnership opportunity to establishments, and can provide specific expertise in assessing the suitability of the animal for re-homing or setting free, advising on training and behavioural management, designing appropriate socialisation schemes and rehabilitation programmes, and assessing the suitability of homes or environmental locations to receive animals.

Section 3: Re-homing

3.1. General health considerations

Animals should only be re-homed if it would be beneficial for the welfare of the individual animal. Careful individual assessment should be undertaken on the suitability of the animal for re-homing and its ability as an individual to adapt to a new environment. Younger animals usually acclimatise more easily to new situations; however, this should not preclude the re-homing of older animals, as a structured socialisation scheme may be adjusted to assist them in adapting to their new circumstances.

Figure 3: Factors to consider in an effective re-homing programme



Any consideration should be species specific, and take into account if there are animals of the same species already resident in the new home, or whether re-homing with a companion will unduly affect the adaptation of the individual into the new home.

Advice should also be sought from a veterinary surgeon regarding any health monitoring or prophylactic treatments such as vaccinations, worming, parasitic treatments, microchipping, neutering, teeth cleaning or other veterinary procedures that may need to be completed prior to re-homing. Consideration should also be given to whether an animal may have any zoonotic diseases, and if confirmed, whether treatment prior to re-homing is appropriate or whether re-homing is inadvisable.

3.2 Socialisation scheme

Socialisation forms a very important part of ensuring the suitability of the animal for re-homing. Where it is considered appropriate, species-specific advice from a behaviourist should be incorporated into the programme.

Establishments often have a controlled and uniform environment and specific individuals that care for the animals. A socialisation scheme should therefore explore ways in which animals can be exposed to a variety of new and different experiences. These should be species specific and could include:

- different animals of the same or other species, if appropriate;
- a wide variety of people, and could include both sexes, those with facial hair, glasses, carrying objects etc.;
- different visual and tactile objects, for example tiles, carpets, stairs, grass, balls, toys etc.;
- acclimatisation to loud noises, for example noises in the domestic home such as children playing, cats miaowing, dogs barking, washing machine noises, traffic noises etc., which can be played on a CD.

Handling and training plans are good practice, and could include lead or halter training, house training, litter training or separation training. Though not mandatory, it is expected that unless the specific circumstances make training unnecessary, that this will be undertaken to ensure that the animal can be controlled and does not pose a risk to human or animal health due to aggressive behaviour on release from ASPA regulation.

The requirements for handling and training are obviously species specific, for example we would not expect a specific training programme as part of socialisation in the re-homing of tropical fish.

3.3 Assessing the suitability of the new home

Assessing the suitability of the new owner and environment can be critical to the successful re-homing of animals. The new owner will ideally be experienced in the requirements of the species, be competent in the care, handling and diet of the animal(s) and have access to appropriate veterinary care.

The attitude of the new owner to the animal(s) should be considered. It is important to the continued well-being of the animal that the new owner understands that the animal has been used in research and has only been kept alive as it is not suffering or likely to suffer in the future. This is essential so new owners do not misinterpret behavioural difficulties as an

indicator of mistreatment, and ensure behavioural problems, such as house training, are appropriately managed.

It is useful to assess the suitability of the accommodation in the new home, for example when re-homing dogs, the garden should be checked to ensure that it is escape proof, the tanks for receiving tropical fish should be sufficiently large with adequate filtration to maintain water quality, or there should be sufficient quality grazing, companionship and shelter for a re-homed pony.

Consideration should also be given to the transport to be used on re-homing to ensure it meets the animal's needs and complies with any additional legislation. For example, if a commercial animal transporter is to be used, then the Welfare of Animals (Transport) Order (2006) requires the transporter to have authorisation and a certificate of vehicle approval.

3.4 Actions on re-homing

3.4.1. Documentation

Establishments should consider what documentation, identification, feeding instructions and health information is given to the new owner on re-homing. Information on the legal requirements for records can be found in section 1.6 of this Advice Note (see above).

If the establishment chooses to supply a veterinary certificate with an animal on re-homing, then the RCVS guidance on veterinary certification should be followed.

3.4.2. Clarification of responsibility

The new owner should be made aware that as soon as the animal(s) is re-homed with them they become responsible for its health and well-being. It is considered good practice to have a transfer-of-ownership document signed by both the establishment and the new owner to clarify the responsibility for the animal on re-homing. It is also good practice for the establishment to provide contact details for any additional advice on issues following re-homing.

3.4.3. Feed and other provisions

It would be good practice to provide some of the current feed to the new owner to ease dietary change on re-homing.

In addition, when re-homing animals as domestic pets it can be helpful to provide to the new owner objects that the animal is familiar with, for example a favourite toy or blanket, and any lead or halter. This can provide familiarity for the animal and ease transition into its new home.

3.4.4. Additional support

Guidance should be provided by the establishment to the new owner on the care of the animal. This could be achieved by highlighting appropriate animal care websites and links to common advice sources.

When re-homing companion animals as domestic pets, some establishments identify a contact within the establishment should the new owner's veterinary surgeon request additional information on the history of the animal to assist with on-going care.

3.5 Follow up after re-homing

3.5.1 Feedback on the re-homing programme

It is good practice to make contact with the new owner and see how the re-homed animal has settled into its new home. This is to make sure that all appropriate measures have been taken to ensure the animal's well-being and to provide valuable feedback into the socialisation scheme to enable this to be improved if necessary. Contact may be continued for weeks or months, and some establishments request notification when the animal dies so that their records can be updated.

3.5.2. Contingency plans

As good practice, an establishment should have a contingency plan for occasions where animals do not settle in their new home. This could include signposting to sources of information or providing additional support, such as access to animal behaviourists and identification of training opportunities within the animal's new home or ensuring that the animal is appropriately euthanased.

If appropriate, the contingency plan could include provision for the return of an animal. The plan could incorporate suitable accommodation and other actions if the animal is returned and specify who has responsibility for the care and well-being of an animal after its return. Further socialisation and retraining may be appropriate before trying again to re-home the animal; however, it is recommended that any individual animal is not re-homed more than twice, as repeated attempts may be detrimental to the on-going well-being of the animal.

3.6 Re-homing companion animals

The general public have a significant interest in the re-homing of companion animals as pets that were intended for, or used in, animal research. Re-homing of such animals can be seen as a positive endorsement of an establishment's culture of care.

Companion animals are also sometimes used in veterinary research at POLEs, for example at veterinary practices.

Particular considerations for re-homing companion animals are:

17A 3(a) State of health

The animals must be healthy. Age is not a barrier to re-homing pets, for example ex-breeding animals, as the socialisation scheme can be adjusted to aid the animal in adapting.

17A 3(b) Risk to human health, animal health and the environment

Companion animals should be assessed for behaviour such as aggression. Animals that display aggressive behavioural traits should not normally be considered for re-homing as they may pose a risk to human and animal health.

Animals that are imported under the rabies quarantine waiver of the BALAI directive must become compliant with the Pet Travel Scheme before they can be considered for re-homing (see section 3.6.1 below).

17A 3(c) Socialisation scheme

Animals undergoing veterinary research procedures at a POLE do not require a socialisation scheme as they are adequately socialised in their owner's homes.

Companion animals are frequently re-homed from UK establishments to employees and their families. This approach can be very beneficial for the animal as it enables the staff members to socialise with the animal as part of the structured scheme and this aids in relationship development and adaptation into the new home.

Many of the socialisation measures mentioned in section 3.2 are applicable to re-homing schemes for companion animals, including CDs of domestic noise and access to outdoor runs for house training.

17A 3(d) Other appropriate measures

Dogs and cats re-homed from establishments must be appropriately identified and their veterinary and social information included in the individual history file provided to the new owner (see section 1.6.1).

Other appropriate measures for the re-homing of companion animals may include:

- routine vaccination and worming;
- provision of a supply of feed to ease dietary change;
- provision of the animal's favourite toy, blanket, collar and lead etc.;
- assessing the suitability of the new home;
- assessing the suitability of transport arrangements;
- signposting to local puppy parties or dog training courses.

3.6.1 Dogs, cats and ferrets imported under BALAI

Dogs, cats and ferrets imported under the rabies quarantine waiver of the BALAI directive¹⁴ to establishments that are approved BALAI premises can still be re-homed as companion animals following their supply or use in regulated procedures by ensuring the animals become compliant with the Pets Travel Scheme (PETS)¹⁵.

When identifying the need to import animals under BALAI, consideration should be given to:

- assessing the scientific purpose of the study and ascertaining whether the animals could be brought in PETS compliant rather than under BALAI;
- at what point in the regulated procedures the animals could start to complete the PETS compliance process;
- at the end of regulated procedures, running the PETS compliance process alongside the normal health and socialisation schemes utilised by the establishment;
- developing a relationship with another BALAI-approved premise where the PETS compliance and on-going socialisation process can be completed.

Once the animal has been made PETS compliant, the Approved Veterinarian at the BALAI-approved premises should confirm to the relevant authorities the identities of the animals that are now PETS compliant and confirm that they no longer pose a risk of spreading rabies. The relevant authorities will then authorise the movement outside of the BALAI-approved premises.

Full information on the requirements for PETS compliance can be obtained from the relevant authorities.

3.6.2 Example of an application for consent to re-home dogs by individual letter

Scenario: For a canine vaccine study, a research establishment has purchased from a breeding establishment three bitches known to be in pup. Two of the bitches are four years old and one is five years old. The bitches moved to the research establishment where they whelped 16 pups. Only 12 pups are needed for the vaccine study and the establishment would like to re-home the four extra pups and the three bitches after weaning.

Application to the Home Office for individual consent to re-home:

We would like to re-home three Beagle bitches and four Beagle puppies (names, microchip numbers, ages and other details as attached) to new homes as pets with members of our staff and their families.

We feel these dogs meet the criteria required for consent to re-home as:

17A(3a) – All bitches and puppies have been examined by our Named Veterinary Surgeon (NVS) and are in a good state of health. Our NVS will examine them again immediately before re-homing and provide a veterinary certification of health to the new owner. All dogs will have completed a primary course of vaccinations before re-homing and will have been wormed.

17A(3b) – The bitches and puppies have undergone no regulated procedures and our NVS is content that they do not pose any risk to human health, animal health or the environment.

17A(3c) – All the dogs are undergoing a socialisation scheme designed for us by a registered canine behaviourist which includes an individual behaviour assessment for each dog, lead training, separation training, house training, a play and puppy socialisation scheme and guided interaction with the new owners. The socialisation scheme has been approved by the AWERB.

¹⁴ BALAI directive <https://www.gov.uk/guidance/balai-directive-moving-live-animals-semen-and-embryos>

¹⁵ PET travel scheme <https://www.gov.uk/pet-travel-information-for-pet-owners>

17A(3d) – All new homes have been inspected by the Named Animal Care and Welfare Officer (NACWO) and are considered suitable for the re-homing of these dogs. On re-homing all dog owners will be provided with their individual health record, collar and lead, blanket, favourite toy and two weeks' supply of current diet. All new owners will sign a declaration to state that they are aware that on re-homing they become wholly responsible for the veterinary care and welfare of the dogs. All new owners have agreed to provide feedback to the NACWO on how the dogs settle into their new homes and this will be provided to the AWERB to aid in evaluating the success of the socialisation scheme. The establishment will record the animal's details, date of re-homing and the name and address of the new owner, and has requested that the new owner inform the establishment when the dog dies.

Outcome: Consent given by the Secretary of State to re-home by individual letter.

3.7 Re-homing rabbits, rodents and fish

Laboratory animals and fish are frequently re-homed, mostly to the animal technicians that have been looking after them and are usually well socialised with their new owner before re-homing takes place.

3.7.1: Example of an establishment licence providing consent for re-homing wild-type Zebrafish

Scenario: An establishment would like to re-home wild-type Zebrafish that are surplus to the requirements on the project with authority for the breeding and maintenance of genetically altered Zebrafish.

Application on the establishment licence:

Setting free and re-homing of protected animals after completion of a series of regulated procedures	
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <i>If yes please complete sections below</i>	
Provide details of the circumstances under which this may occur, see section 17A of the Act, subsection 3 and 4.	Example text Wild-type Zebrafish may occasionally be re-homed (but not set free to the wild) subject to the following conditions. 1. The fish are not genetically altered and either have not undergone any regulated procedures or have undergone no more than a single fin clip procedure to determine genotype. 2. Where a fish has undergone the regulated fin clip procedure the NVS has determined that it is not suffering and is not likely to suffer adverse effects in the future as a result of the regulated procedure. 3. The NVS has advised immediately prior to the fish being re-homed that in his/her opinion their state of health allows them to be re-homed and that to the best of his/her knowledge the potential re-homing poses no danger to public health, animal health or the environment. 4. The NVS and relevant NACWO have together devised and implemented a suitable socialisation programme for the fish, which has been approved by the AWERB, aimed at ensuring that they are well prepared to adapt to any change to their environment. 5. The NACWO, in consultation with the NVS, will only re-home Zebrafish where they are satisfied, after making suitable enquiries, that the fish are likely to successfully settle into the new environment and is confident that the new owner has both the knowledge and proper aquarium facilities to provide for the care and welfare of the animals. 6. The prospective new owner has confirmed that they are aware that the animal has previously been held at an establishment licensed for scientific research, that (when relevant to the animal's history) they are aware that the animal was previously subjected to regulated procedures but is no longer suffering or likely to suffer adverse effects as a result of those regulated procedures, that they have received instructions and advice on the care of the Zebrafish and that they have suitable facilities for the ongoing care and welfare of the Zebrafish.
Provide details of the animals to be set free or re-homed.	Wild-type Zebrafish bred at the establishment.

Outcome: Consent given by the Secretary of State to re-home the Zebrafish on the establishment licence.

3.7.2: Example of a request for individual consent to re-homing a rabbit

Scenario: An establishment would like to re-home a rabbit to an animal technician at the end of regulated procedures.

Application for individual consent to re-home:

We would like to apply to re-home one rabbit 'O', microchip number 111111 with the animal technician who has been caring for the rabbit for the past 3 months. The rabbit has been kept alive following regulated procedures after it was examined by a veterinary surgeon and considered not to be suffering or likely to suffer in the future. The rabbit poses no threat to human health, animal health or the environment and will be kept as a pet by the experienced animal technician in the family home where it will be adequately socialised. The animal technician has a suitable hutch and the rabbit will leave with a month's supply of the current diet.

Outcome: Consent given by the Secretary of State to re-home rabbit 'O' by individual letter.

3.8 Re-homing farm animals and equines

Farm animals are frequently re-homed either because they have been supplied or kept for use in regulated procedures and not used, or because they meet the criteria for consent to re-home at the end of a series of regulated procedures. The majority of farm animals are re-homed into commercial flocks or herds, though some may also be re-homed direct to commercial slaughter. The majority of equines are re-homed to private homes.

Regulated work on farm animals and equines is also often carried out at commercial farms and stables as POLEs and in these instances the animals used for the series of regulated procedures are re-homed directly back into the flock or herd they originated from, meeting the criteria for an adequate socialisation scheme.

3.8.1 Example of a project licence protocol providing consent for re-homing pigs at a POLE

Scenario: An establishment wishes to obtain porcine vaccine efficacy data in a commercial husbandry environment subject to natural infection pressures. It has requested an amendment in the project licence to allow the use of pigs at a POLE and to allow them to be re-homed into the herd when regulated procedures have been completed.

Fate of animals not killed at the end of the protocol

Indicate the proposed fate of animals which are not killed at the end of the protocol.

Continued use in another protocol under this or another project licence.

Give details below and ensure that you give an appropriate cross reference in the protocol sheet under which the continued use will occur.

Kept alive at the licensed establishment. Note that any subsequent re-use must be authorised in the relevant project licence.

Discharge from the controls of the Act by setting free to the wild or by re-homing. Specify below the particular circumstances when animals may be set free to the wild or re-homed and detail how the qualifying criteria set out in section 17A(3) and (4) will be met.

Example text Pigs undergoing regulated procedures at a POLE can be immediately re-homed back into the commercial pig herd at the POLE provided.

17A (3a) – State of health. The pigs meet the criteria for keeping alive at the end of procedures.

17A (3b) – Risk to human health, animal health or the environment – The pigs have undergone only the vaccine and blood sample procedures outlined in this protocol and will not pose a threat to human health, animal health or the environment. Any pigs entering the human food chain will comply with drug treatment meat withdrawal times.

17A (3c) – Adequate socialisation scheme – The pigs will be kept in their current social groups within the commercial herd and follow normal commercial husbandry practices.

17A (3d) – No other appropriate measures.

17A (4) – Not applicable

Outcome: Consent given by the Secretary of State to re-home the pigs from the project licence.

3.8.2 Example of an establishment licence providing consent for re-homing chicks that have been supplied for a regulated procedure but not used

Scenario: An establishment regularly purchases day-old chicks for vaccine efficacy trials, purchasing 2–5% more than are required on the study to ensure that they have the experimental numbers at the start of the procedure to account for any natural losses due to transport stress or illness prior to the start of regulated procedures. The establishment would like authority to re-home these surplus chicks.

Application on the establishment licence:

Setting free and re-homing of relevant protected animals	
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <i>If yes please complete sections below</i>	
Provide details of the circumstances under which this may occur, see section 17A of the Act, subsections 3 and 4.	Example text Chicks up to five days old purchased from UK commercial farms for vaccine efficacy studies but not used in any regulated procedures may be re-homed to appropriately knowledgeable UK hobby or commercial poultry homes. All chicks re-homed will be clinically examined immediately prior to re-homing by a veterinary surgeon who will confirm that their state of health is suitable for re-homing to take place. Chicks will undergo a socialisation scheme approved by the AWERB and only be re-homed in compatible groups to minimise any bullying or distress, with a minimum of two chicks being re-homed on any occasion. The NACWO will have responsibility for assessing the suitability of the proposed new home, transport and care. The NACWO, on behalf of the establishment, and the new owner will sign a transfer-of-ownership document to clarify that the new owner is aware that the chicks have come from a licensed establishment and have undergone no procedural work and that they will be responsible for the care of the chicks on re-homing. All chicks will be re-homed with a week's supply of feed, health information and a welfare sheet detailing solutions for common problems faced on rearing chicks and introducing them to a new flock. The NACWO will contact the applicant within five days of the re-homing to assess the success of the introduction to the flock. If significant welfare issues arise during introduction to the new flock, the establishment will be willing to take back the chicks. Any future re-homing will be through an individual application and no chicken will be re-homed on more than two occasions.
Provide details of the animals to be set free or re-homed.	Chicks up to five days old purchased from UK commercial farms.

Outcome: Consent given by the Secretary of State to re-home and establishment licence updated.

3.9 Re-homing for immediate killing

3.9.1 Re-homing direct to commercial slaughter

Farm animals that have been bred, supplied or kept at establishments or are kept alive having completed a series of regulated procedures, can be sent for commercial slaughter provided they meet the criteria required for re-homing consent from the Secretary of State.

In contrast, farm animals that are sent to slaughter before regulated procedures are finished – i.e. data and products need to be collected at or after slaughter – have not reached the end of the regulated procedures and therefore do not need to be re-homed. These farm animals can be sent to slaughter under **PPL standard condition 24(b)**, and the requirement for sending the animals for slaughter during the course of procedures will need to be explained in the project licence application.

Applications for consent to re-home farm animals direct to commercial slaughter will need to satisfy the following criteria:

17A 3(a) State of health and 17A 3(b) Risk to human health, animal health and the environment

The animals sent to slaughter must be healthy and meet the commercial requirements for meat hygiene to enable them to enter the food chain. They must not be infected with any notifiable disease and comply with the relevant substance withdrawal times.

17A 3(c) Socialisation scheme

While kept alive at establishments pending transport to the slaughterhouse animals should be kept in appropriate social groups under the supervision of the NVS. There is no requirement for a specific socialisation scheme for animals being transported to the slaughterhouse.

17A 3(d) Other appropriate measures

All animals will be appropriately identified and travel in accordance with the relevant welfare in transport legalisation.

3.9.2 Sentinel animals – killing at a diagnostic laboratory

Sentinel animals are kept in many establishments for monitoring the health status of an animal facility or group of animals. Whilst many sentinels are killed at the establishment and their tissues and organs sent to diagnostic laboratories for analysis, on occasion the animals themselves may need to be sent to the laboratory for killing and then tissue recovery. Consent from the Secretary of State for moving sentinel animals from an establishment may be needed. To determine whether this is necessary, you need to establish whether or not the sentinels are relevant protected animals and if so, whether they have been used in regulated procedures. The status of the diagnostic laboratory is also relevant, i.e. whether or not it is a licensed establishment.

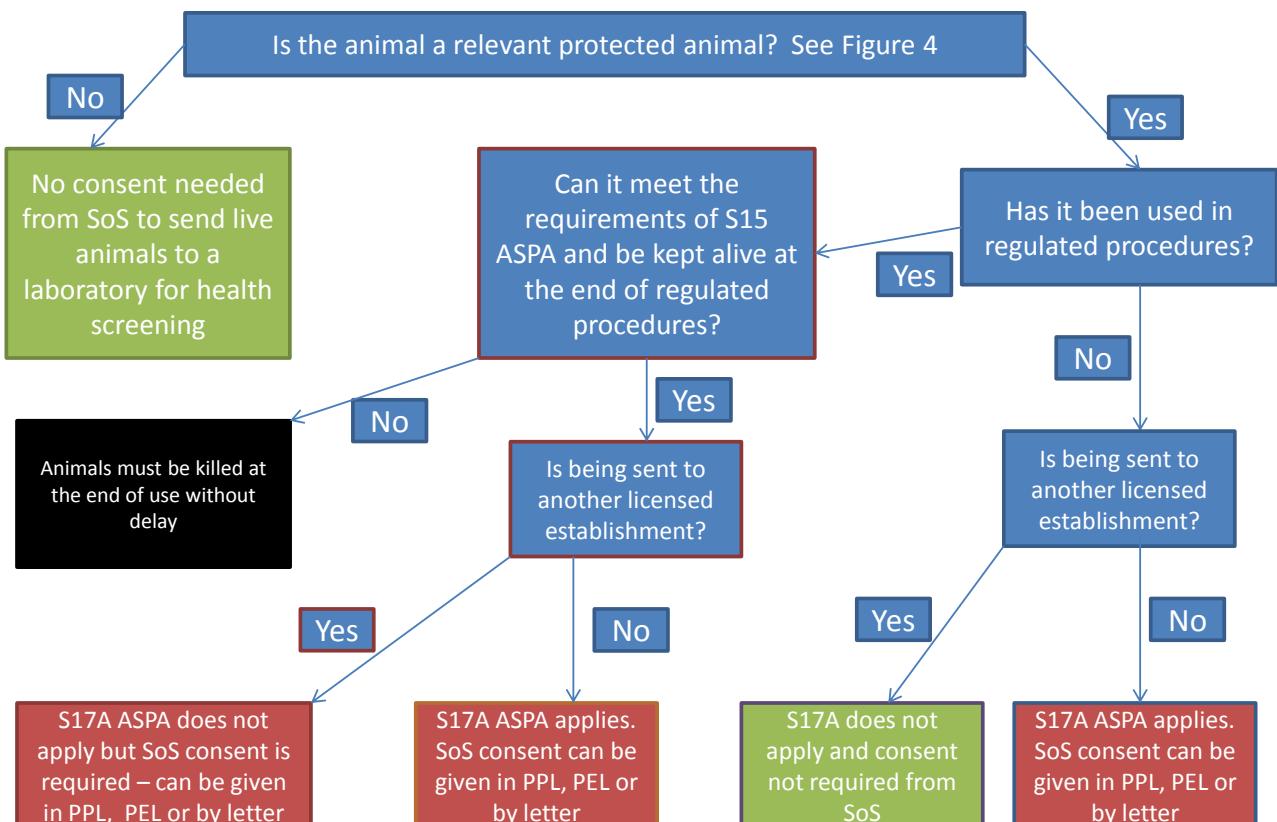
Figure 4 gives examples of when sentinel animals are, or are not, relevant protected animals. Figure 5 provides a decision tree for determining what type of consent is required for sending to diagnostic laboratories sentinels that are relevant protected animals.

Figure 4 -Examples of relevant protected animals

Origin of animal	Is it a relevant protected animal?
Bred at licensed commercial breeder, then moved to another licensed establishment for use in RP*, but subsequently not used	Yes, because all the animals at the commercial breeder have been bred with the intent for use in RP
Bred at a licensed commercial breeder then moved to another licensed establishment for use as a sentinel	Yes, even though the animal is not now going to be used for RP, it was bred with the intent for use in RP
Bred at a licensed establishment specifically for use as sentinel	No, because it was not bred with the intention of use in RP
Animals used in RP (including GA animals)	Yes
Animals bred at a place other than a licensed establishment and supplied for use as sentinels	No, because it was not bred with the intention of use in RP

* RP = regulated procedures

Figure 5 Decision tree for consents needed before sentinel animals can be moved from a licensed establishment for health screening



3.10 Re-homing to research institutes for non-regulated research

Occasionally animals bred for or kept for use in regulated research may be supplied or used in non-regulated research, such as non-regulated behavioural research at a place that does not have an establishment licence, or in a place that is not on the schedule of an establishment licence.

As these animals have been bred or kept with the intention of using them in regulated procedures, they are relevant protected animals and as such must have consent from the Secretary of State before they can be re-homed.

3.10.1 Example of an establishment licence providing consent for re-homing rats for behavioural observation

Scenario: A breeding establishment wishes to regularly provide rats for non-regulated behavioural observations on a university undergraduate course and would like to request authority on the establishment licence.

Application on the establishment licence:

Setting free and re-homing of relevant protected animals	
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <i>If yes please complete sections below</i>	
Provide details of the circumstances under which this may occur, see section 17A of the Act, subsections 3 and 4.	Example text A maximum of 20 adult Wistar rats will be provided at any one occasion for non-regulated behavioural observations at University XX. These animals will be re-homed (not set free) to University XX when: 17A(3a) The NVS or competent person following NVS direction has inspected and confirmed that the rats are in a good state of health and not suffering or likely to suffer due to the move to University XX. 17A(3b) The NVS has confirmed that the move poses no risk to human or animal health or the environment. 17A(3c) The rats will be transported in their current social groups and housed in these groups on receipt at University XX. 17A(3d) University XX has suitable rodent accommodation and animals will be looked after by a qualified animal technician with access to veterinary care. Animals will be transported in accordance with all relevant regulations regarding welfare of animals in transit. Following their use in non-regulated behavioural experiments the rats will be killed by a schedule 1 method. 17A(4) A rehabilitation programme is not required.
Provide details of the animals to be set free or re-homed.	Adult rats (20 maximum per re-homing event).

Outcome: Consent given by the Secretary of State to re-home and establishment licence updated.

3.11 Re-homing to research establishments abroad

The Secretary of State provides consent in the project licence to enable genetically altered rodents, genetically altered Zebrafish and genetically altered Xenopus species, and their controls, bred and/or maintained under the authority of the project, to be re-homed to scientific establishments outside of the UK if they comply with the criteria specified in the '**Transfer of Animals' section Part D of the project licence.**'

Other types of animals will require specific consent from the Secretary of State for re-homing if they are to be supplied alive to a recognised research establishment abroad and are:

- a species other than a genetically altered rodent, Zebrafish or Xenopus;
- any medically or surgically prepared.

As with the transfer of GAAs, consent will only be given if the re-homing is to a recognised scientific research establishment with a scientific requirement for the specific live animals and sending tissue is not practicable.

Section 4: Setting free of Wild Animals

Figure 6: Considerations for setting free relevant protected animals



Scientific research, that requires the capture of animals taken from the wild and their subsequent release at the end of regulated procedures, must be considered and planned to minimise any potential impact on the local population and any stress caused to the released individual animal(s). ASPA allows for setting free of animal(s) back into the wild to occur both during the course of a series of regulated procedures and at the end of a series of regulated procedures. This Advice Note only covers setting free animals at the end of regulated procedures. Information on setting free during the course of procedures and on other aspects of the use of wild animals for scientific or educational purposes can be found in the Advice Note on Work with wild animals¹⁶.

There are risks associated with releasing animals back into the wild and this should only be considered if the animal is fit to be set free and will be at no biological (or competitive) disadvantage because of the procedures it has undergone or because of its time in captivity. If setting free is not appropriate, then consideration could be given to either re-homing the animal(s) to a suitable zoo or wildlife collection where additional support and adequate socialisation can be provided in captivity.

It is good practice that animals set free into the wild at the end of regulated procedures are released:

- at the original site of capture, or at a suitable alternative site with animals of the same species when dictated by conservation efforts or safety considerations;
- if their ability to survive in nature has not been impaired;
- where there is a reasonable expectation that the animal will integrate into the social hierarchy;
- where release is not going to spread pathogens parasites or chemicals which may be dangerous to human health, animal health or the environment;

¹⁶ Advice Note on Work with Wild animals (November 2015)

- when local and seasonal conditions are conducive to survival after release.
- Any such setting free must comply with any other licences or legislation in force at the time.

Setting free animals back into the wild can either be ‘hard’, with immediate release from capture; or ‘soft’, which can include holding for a period of time at the release site, gradual acclimatisation and staged release into wild with or without on-going support.

4.1 Considerations prior to release from an establishment

4.1.1. Assessment of health status for setting free

Prior to setting free, the animal’s state of health should be assessed by a veterinary surgeon, suitably qualified person for that specific species, or other competent person under direction from a veterinary surgeon.

When assessing the animal’s health and well-being, animals should be able to demonstrate species-specific normal activities such as running, leaping, flying, swimming, and diving with the absence of abnormal behaviours, auditory and/or visual dysfunction. The age and reproductive status of the animal should be considered however, these are not prohibitive for setting free as long as there are appropriate additional measures in place to support the animal on release. Animals that are held in captivity at an establishment prior to release should only be released when they have achieved a robust body condition that will provide adequate reserves for survival once the animal is set free.

Animals should only be set free if they will be at no biological (or competitive) disadvantage because of the procedures has undergone or because of its time in captivity¹⁷.

The behaviour of the animal is important, as stereotypical or detrimental behaviours in captivity can have a negative impact on an animal’s ability to survive when set free. Any socialisation and rehabilitation programme should be structured to maximise the natural behaviour of the animal prior to release and include opportunities for natural foraging and the ability to socially interact with conspecifics.

Veterinary advice should be sought about the desirability of treating animals prior to setting free, such as with species-specific vaccinations and anti-parasitics. This is because such treatments could interfere with post-release health monitoring, for example if it is intended to monitor serology for disease diagnosis as part of a surveillance programme. If vaccinations are given when the animal is held in captivity at an establishment, then they should be given sufficient time to allow immunity to develop before the animal is released.

Identification is often important for post-release monitoring to provide feedback on the success of the rehabilitation programme or for the on-going conservation of the species. However, marking methods may affect the animal’s health, for example if devices carry an increased metabolic cost due to weight/effect on aerodynamics etc., behaviour, mating attractiveness, dominance status, or aggression in some species, so the choice of identification design, weight and colour, for example luminous paint, ring, tag, collar or harness, is very important and expert advice should be obtained.¹⁸

¹⁷ See section 5.21 the Guidance

¹⁸ Further information can be obtained from the Guidance and the Advice Note on Work with Wild Animals (November 2015).

Note: location tracking devices such as GPS devices are not usually considered to be methods of identification. Their use for a scientific or educational purpose may be considered to be a regulated procedure. Please see the Work with Wild Animals Advice Note for further advice.

4.1.2. Assurances for public health, animal health and the environment

Where animal(s) are set free back into the wild at the end of regulated procedures, the assurance required by the Secretary of State is that the animal(s) pose no additional threat to public health, animal health or the environment additional to that which was present when the animal was captured¹⁹.

For animal(s) that have been held in captivity for more than about 24 hours or are to be released somewhere other than where they were captured, it is likely that consideration will need to be given to the following points before the Secretary of State can make a decision on consent to set free.

- the effects setting free might have on the existing gene pool, the current hierarchical structure and to disturbance of the predator-prey interactions within the proposed geographic area for release.
- the possibility that released animals may pose a risk to wild populations at the release site. This could be due either because the animal was exposed during captivity to infections and parasites which did not affect itself, but could affect wild populations; or pre-existing conditions the animal had before capture, which could affect wild populations if the animal was to be released at a different place to where it was caught. Pre-release health screening can help mitigate these risks.
- risk of infection to the released animal from exposure to pathogens naturally occurring in the wild population. Consideration should be given to protecting the animal to optimise survival post-release by vaccination where this does not compromise any on-going disease surveillance or changes to a population being studied.

4.1.3. Socialisation schemes for release to the wild

Socialisation schemes for animals to be released into the wild should be structured to include appropriate visual, auditory, olfactory, and tactile contact between conspecifics to enable the animal(s) to develop the behaviours required to successfully integrate into societies in the wild. An assessment of the success of any socialisation and/or rehabilitation scheme should be undertaken prior to the animal(s) being released into the wild.

Exposing animals to predator clues can be very stressful, and if they cannot escape from the clue this is likely to be a regulated procedure as the resulting suffering and distress is usually considered to be above the lower threshold for regulation under ASPA²⁰. If the animal is unlikely to have skills in predator recognition and avoidance, then it will be important to the animal's survival to be released with or near other cohorts, and this should be incorporated into any socialisation scheme.

Some species will have optimal group sizes for survival after release into the wild. It may be appropriate therefore to delay release until the group size is attained prior to setting free. Familiarisation of male and female pairs for an appropriate time prior to release will increase the likelihood that they will remain together when set free.

¹⁹ See paragraph 5.21 of the Guidance

²⁰ See paragraph 1.6 of the Guidance

It is important that females with their dependent young are released together, or they are held until the young are able to hunt and feed themselves independently of the mother, as this is critical to the successful integration of these groups into the wild. Consideration may also need to be given to releasing any males a suitable distance apart to reduce immediate aggression over territory and mates.

4.1.4. Rehabilitation programme

When working with animals captured from the wild it is good practice to consider all the options for veterinary and rehabilitative care in advance of the planned capture. Where a programme of rehabilitation is appropriate it should be aimed at ensuring the relevant protected animal develops the skills necessary to recognise and capture food in the wild.

Animals kept in captivity may lose, or not learn, foraging skills and become dependent on humans for their food. The rehabilitation programme should ensure the creation of appropriate foraging cycles, by altering the light cycles or environment to aid natural foraging. Animals should be encouraged to recognise natural food sources and their complexity should be increased to eventually mimic the wild situation. Any supplementary foods the animals will not encounter in the wild should be gradually removed. Consideration should be given to post-release supplementary feeding as this may increase the chance of animal's survival by providing adequate nutrition during the adaptation period while it learns to find natural food sources.

Pre-release conditioning to maximise survival is an essential part of any rehabilitation programme. This may include examples such as housing birds in a large flight cage or aviary to improve flight musculature, exposing animals to natural weather conditions with an ability to shelter to allow a period of adaptation, increasing the size, complexity, water temperature and light-dark cycle of a sea-water tank prior to the release of rays into the sea, or adding hazel twigs to the enclosures of dormice to increase manual dexterity.

Reducing contact with humans is an important part of the rehabilitation programme. Animals overly habituated to humans should not be set free, though consideration could be given to rehoming them in an appropriate zoological collection. Remote monitoring should be considered where this is feasible; however, there is still a requirement for daily inspections of the animal(s) by a competent person under **PEL standard condition 4(5)**.

4.1.5. Suitability of the release habitat

Ideally animals should be set free directly back into the habitat in which they were captured, as this should provide the best chance for their survival and social acceptance following release.

Where this is not possible, a single site or interconnected sites with a supportive, conserved environment tailored to the needs of the specific animal species should be identified. The current population size, territorial pressures for food, water, shelter and mates and the health of the resident population should all be considered prior to release. If the animal species to be set free is migratory, any release environment should be on the migratory flight or swim pathway.

4.2. Actions on release

4.2.1 Records

Information of the legal requirements for species and date of setting free can be found in section 2.5 of this Advice Note (see above).

4.2.2. Timing of release

Researchers must be familiar with the biology, ecology and behaviour of the species they are using for regulated procedures, and plan all releases accordingly. Unless release follows immediately from capture, setting free should be timed for optimal seasonal and local conditions that will minimise any additional energetic and social demands on the released animal(s), and increase their chances of survival by promoting foraging success and ease of acceptance into existing wild animal social structures.

Consideration should be given to the:

- number of animals to be released;
- number and training of staff required to support release;
- time of day and seasonal time of year (moult or breeding status of the animals);
- weather conditions;
- position and flow of air, river or oceanographic currents;
- availability of forage or prey;
- location of conspecifics;
- migration activities;
- possibility of predation; and
- threat posed by human activity in the vicinity.

For example, some bird species are flightless during moult and should be captured and released in a way that does not affect their survival during this vulnerable stage.

Females who are potentially incubating eggs or could have dependent young should be released as soon as possible to avoid prolonged absence from the den, sett or nest which would adversely affect the developing young.

Where release is not immediate following capture, animals should be released at an optimal point in the day when they will be able to feed and locate suitable resting sites.

For example, crepuscular birds and mammals should never be released after nightfall, as they may have difficulty finding suitable roosts or shelter for the night and this could increase the risk of nocturnal predation.

If release occurs in the late summer, then there should be sufficient natural provision of food and shelter for the animals released and any young to survive the winter.

4.2.3. Transportation to release site

The key to successful transportation is a carefully designed and constructed container to minimise stress and prevent injury and escape. Any container should be clean and sterilised, of sufficient size, be free from protrusions, and have a suitable environment including, for example, non-slip flooring, adequate bedding, water of sufficient oxygen quality for the transport duration, the provision of variable secure perches for birds, etc. The ventilation should be sufficient to ensure an adequate temperature range is maintained throughout the journey, and food and water provision should be sufficient for the duration.

It may benefit crepuscular birds and mammals to transport them at night for release at dawn, when they are less active and when both ambient temperatures and their own body temperatures are likely to be low.

4.2.4. Supportive actions on release

The ideal weather for release is fine and dry, though shelter can be provided at the release site to shade it on very hot days, or to provide initial protection from wind and rain.

Before releasing an animal back into the wild it is good practice to scan the area for predators and to undertake a final check on the condition of the animal. Released animals may initially be disorientated and slower to react, making it harder for them to evade predators. Some species are also susceptible to capture myopathy, also known as cramp or exertional rhabdomyosis, which can result from handling and capture. If capture myopathy is identified, release should be delayed and supportive treatment provided. If the animal is injured or suffering then it should not be released until it has been assessed by a veterinary surgeon, or other competent person following direction from a veterinary surgeon, and action taken to minimise its suffering or the animal is killed.

4.3. Appropriate measures on release to support well-being

Consideration should be given to selecting a release site that should provide a supportive environment for the biological and social needs of the animal, and where possible, will be sustained by on-going habitat conservation.

When an animal has been held in captivity for a time prior to release, it is preferable to acclimatise the animal to the release location and its resources to reduce the risk of dispersal and increase the chance of survival when set free.

Where possible, animals should be established in pre-release cages or pens for days, weeks or months prior to release to allow for acclimatisation and the development of appropriate foraging cycles. Researchers should continue with organised daily inspection and health checks and ensuring there is sufficient appropriate food and water provision. Feed should be continued to be supplied until there is sufficient natural foliage, fruit, or nut crop, or the presence of sufficient insects or prey. Eventually pre-release cages can be opened fully and the animals released into the wild. Support could be continued for a suitable period by researchers or wildlife conservationists leaving the nesting boxes in-situ for the animal to use and providing supplementing feed to complement the food the animal has foraged for itself.

4.4 Follow-up after release

Post-release monitoring provides a method for assessing and revising the effectiveness of socialisation and rehabilitation programmes for releasing relevant protected animals into the wild. Reviewing the success of programmes enables them to be revised and improved if necessary. On-going monitoring as part of any contingency measures may also provide an opportunity to recover individuals that are unable to readjust to the wild. Methods that minimise disturbance to the animals or the environment, such as camera traps or remote video surveillance, should be utilised.

For example, post-release monitoring of birds with young should be done remotely to reduce the risk of loss of regurgitated food by young birds and the avoidance of actions that might cause a chick to become separated from its parents.

Where on-site visits are required to monitor species, it is good practice for researchers to wear inconspicuous clothing and ensure that their actions do not lead to increased predation rates. Nesting sites or animal locations should never be flagged, as predators can quickly learn these

clues and home in on prey. Ideally animal locations should be approached tangentially, via a variety of routes which are then retraced. Non-harmful smelling crystals may also be used to decrease the likelihood of predators following frequent human scent pathways to obtain prey.

4.5 Setting free animals at the end of procedures where animals were set free during the course of regulated procedures but not recaptured

For many studies using wild caught animals, the animals are released back to the wild during the course of regulated procedures to enable data to be collected whilst the animal is in the wild or at a subsequent re-capture. However, for some of these studies there may be no intention to re-capture the animal as data can be obtained without re-capture. Consequently it can be difficult to establish the precise timing of the end of regulated procedures for a particular animal and it may not be possible to observe the animal to make an assessment of its state of health for the purposes of setting free at the end of procedures. This is a complex area and detailed advice is provided in the Work with Wild Animals Advice Note.

4.6 Examples of setting free

4.6.1 Example of a project licence providing consent setting free

Scenario: A project licence applicant wishes to set free birds captured from the wild at the end of a series of regulated procedures.

Application for consent:

Fate of animals not killed at the end of the protocol

Indicate the proposed fate of animals which are not killed at the end of the protocol.

Continued use in another protocol under this or another project licence.

Give details below and ensure that you give an appropriate cross reference in the protocol sheet under which the continued use will occur.

Kept alive at the licensed establishment. Note that any subsequent re-use must be authorised in the relevant project licence.

Discharge from the controls of the Act by setting free to the wild or by re-homing. Specify below the particular circumstances when animals may be set free to the wild or re-homed and detail how the qualifying criteria set out in section 17A(3) and (4) will be met.

Example text Starlings captured from the wild will be released back into the wild at the end of regulated procedures on this protocol under the following conditions.

1. The starlings were assessed on capture to be clinically well and have undergone no more than the procedures authorised under this protocol.
2. The Project Licence Holder, acting as a competent person for this species under the direction of a veterinary surgeon, has determined that each starling is not suffering and is not likely to suffer adverse effects in the future as a result of the regulated procedures undertaken by authority of this protocol.
3. The Project Licence Holder, acting as a competent person for this species under the direction of a veterinary surgeon, has advised immediately prior to the starlings being released back into the wild that in his opinion their state of health allows them to be set free and that to the best of his knowledge the setting free back into the wild of these starlings poses no danger to public health, animal health or the environment.
4. The AWERB-approved socialisation scheme and rehabilitation programme for these starlings includes transporting them to a specially constructed release cage in the immediate vicinity of the capture site. The cage site includes access to natural feed and water sources with additional supplementary feed and the starlings will continue to be inspected on a daily basis. Once the NACWO and NVS are satisfied that the starlings are adequately socialised and have fully acclimatised to the release cage, the external hatches will be opened and the starlings will be released into the wild. Full details of the socialisation scheme and rehabilitation programme for this protocol are available through the Project Licence Holder.
5. Other appropriate measures to safeguard the starlings used on this protocol upon being set free are the recording of their leg ring identification or the application of a BTO approved leg ring to ensure no starling is re-used and on-going monitoring by the Project Licence Holder and Personal Licensees as outlined in the programme of work for this project following release to ensure there are no on-going welfare or health concerns following procedures authorised under this protocol. Supplementary feed will be provided in the release cage for a further two to four weeks to aid the starlings in adapting to their release environment.

Outcome: Consent given by the Secretary of State through the project licence to set free the starlings on this protocol.

Appendix 1: Other sources of advice

Home Office guidance:

Guidance on the Operation of the Animals (Scientific Procedures) Act 1986

<https://www.gov.uk/government/publications/operation-of-aspa>

Other regulators:

Animal and Plant Agency (APHA)

<https://www.gov.uk/government/organisations/animal-and-plant-health-agency>

BALAI directive

<https://www.gov.uk/balai-directive-moving-live-animals-semen-and-embryos>

Defra Animal Welfare Codes of Practice

<https://www.gov.uk/animal-welfare>

Defra Animal Welfare during transport

<https://www.gov.uk/animal-welfare#animal-welfare-during-transport>

Royal College of Veterinary Surgeons – Guidance on the role of the NVS and other Suitably Qualified Persons

<http://www.rcvs.org.uk/advice-and-guidance/code-of-professional-conduct-for-veterinary-surgeons/supporting-guidance/named-veterinary-surgeons>

Veterinary Medicines Directorate

<https://www.gov.uk/government/organisations/veterinary-medicines-directorate>

Natural England

<https://www.gov.uk/government/organisations/natural-england>

Scottish Natural Heritage

<http://www.snh.gov.uk/>

Natural Resources Wales

<http://naturalresourceswales.gov.uk/?lang=en>

The Health and Safety Executive

<http://www.hse.gov.uk/biosafety/gmo/whatare.htm>

Veterinary contacts:

Fish Veterinary Society

<http://www.fishvetsociety.org.uk/>

Laboratory Animal Veterinary Association – LAVA guidance on the re-homing of dogs

<http://lava.uk.net/>

Re-homing references:

LASA guidance on the re-homing of dogs

<http://www.lasa.co.uk/PDF/LASA%20Guidance%20on%20the%20Rehoming%20of%20Laboratory%20Dogs.pdf>

PET travel scheme

<https://www.gov.uk/pet-travel-information-for-pet-owners>

Beagle Welfare

<http://www.beaglewelfare.org.uk/>

RSPCA

<http://www.rspca.org.uk/findapet/rehomeapet>

LASA Guidelines on the Transport of Laboratory Animals

[http://www.lasa.co.uk/PDF/LASA%20Transport%20of%20Lab%20Animals%20\(UK\)%202.pdf](http://www.lasa.co.uk/PDF/LASA%20Transport%20of%20Lab%20Animals%20(UK)%202.pdf)

Setting free references:

The British Trust for Ornithologists

[Welcome to the BTO | BTO - British Trust for Ornithology](#)

The Ornithological Council guidelines to the use of wild birds in research

[BIRDNET :: Guidelines to the Use of Wild Birds in Research](#)

The Mammal Society

http://www.mammal.org.uk/science_research

NC3Rs Wildlife research

<http://www.nc3rs.org.uk/wildlife-research>

American Fisheries Society guidelines on the use of fishes in research

http://fisheries.org/docs/policy_useoffishes.pdf

American Society of Mammalogists guidelines of the use of wild animals in research

<http://www.mammalogy.org/uploads/Sikes%20et%20al%202011.pdf>

Canadian Council on Animal Care guidelines on the care and use of wildlife

<http://www.ccac.ca/Documents/Standards/Guidelines/Wildlife.pdf>

The National Marine Fisheries Service Release of marine mammals – best practices for these taxa (http://www.nmfs.noaa.gov/pr/pdfs/health/release_guidelines.pdf).

Appendix 2:

Application form for re-homing or setting free relevant protected animals in individual cases



Home Office

Animals in Science Regulation Unit

For applicant's use:

Please complete this application form supplying the detail where requested, and send the completed form electronically to the Home Office [aspa.london@homeoffice.gsi.gov.uk].

1 (a). Person applying for consent to re-home or set free:

Name of applicant	PEL number	PPL number (if applicable)

1 (b). Details of animals to be re-homed or set free:

Please include, number of animals to be re-homed or set free, animal identifications, breed, age, sex, etc.

1 (c). Location where animals are currently being kept:

1 (d). Location where animals will be re-homed or set free:

2. The animals are relevant protected animals because they have been:

- bred for regulated use
 - supplied for regulated use
 - kept for regulated use
 - used or are being used in regulated procedures
-

3 (a). State of health:

Does the animal's state of health allow it to be re-homed or set free?

- Yes No

Please provide details

Application form for re-homing or setting free relevant protected animals – continued

3 (b). Risk to human health, animal health or the environment:

Does the animal(s) pose a risk to human health, animal health or the environment if re-homed or set free?

Yes No

Please provide details

3 (c). Socialisation scheme:

Is there an adequate socialisation scheme for the animal(s)?

Yes No

Please provide information about the socialisation scheme

3 (d). Other additional measures:

Are there appropriate other additional measures to safeguard the welfare the animal(s) on re-homing or setting free?

Yes No

If yes, please provide details of the additional measures

4. Rehabilitation programme:

Is the animal(s) taken from the wild?

Yes [Please complete section] No [Not required]

Rehabilitation undertaken Rehabilitation not required

If a rehabilitation programme has been undertaken, please provide details. If a rehabilitation programme is not considered necessary, please explain why this is the case

For Inspector's use:

Inspector assessment

Recommendation to the Secretary of State:

Give Consent

Withhold Consent

Referral

Inspector signature	Inspector name	Date