

# Botanical and zoological gardens

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Characteristics and functions of botanical and zoological gardens

## Botanical gardens

The Nature Conservation Act of 16 April 2004 provides regulations concerning botanical gardens, such as the definition of a botanical garden (Art. 5 par. 10 of the Nature Conservation Act), means of protection of botanical gardens including specific bans (Art. 65 and 66 of the Nature Conservation Act) as well as the conditions of transferring a botanical garden to the natural environment of the endangered plant species (Art. 74 of the Nature Conservation Act).

On the basis of Art. 67 para. 1 of the Nature Conservation Act, the establishment and maintenance of a botanical garden requires the permission of the General Director for Environmental Protection. The permit is issued at the request referred to in paragraphs 3 and 4 of the provision cited above, after consultation with the regional director for environmental protection with jurisdiction over the location of the garden and the general organization of the representatives of botanical gardens. Those operators who receive the license in question, pursuant to Art. 69, para. 1 of the Nature Conservation Act, the following duties, among others, are imposed:

- participation in scientific research, which are aimed to protect endangered species in free state;
- education for the protection of plant species, including the conservation of biological diversity;
- growing of endangered species of plants, for the purpose of ex situ conservation, and an introduction to the natural environment under programmes aimed at protecting these species;
- keeping plants in conditions appropriate to their biological needs;
- keeping growing records.

On the basis of Art. 77 of the Nature Conservation Act, the regional director of environmental protection with jurisdiction over the location of the facility shall carry out control of botanical gardens in terms of their activities shall not less frequently than once every three years, on his own initiative or at the request of the General Director for Environmental Protection.

The permit to establish and operate a botanical garden may be withdrawn or amended by the General Director for Environmental Protection in case the entity that it has been awarded to:

- does not meet the conditions for running the garden;
- does not comply with the scope of activities of the garden;
- does not fulfil the obligations of the gardens;
- does not remove the irregularities found during the inspections carried out by the regional director of environmental protection and other authorities empowered under separate regulations within the deadline, which is no longer than two years.

The organisation of Polish representatives of botanical gardens is the [Board of Botanical Gardens and Arboreta in Poland](#).

[List of botanical gardens in Poland](#)

## Zoological gardens

According to Article 5 point 11 of Act of 16 April 2004 on Environmental Protection (Dz.U. of 2009 No. 151, item 1220, as amended), the zoo is an organised, developed area with technical infrastructure and functionally related buildings where living animals of wild species are kept and displayed publicly for at least 7 days per year, excluding circuses, animal shops and establishments where no more than 15 such species and no more than 50 reptiles, birds or mammals are displayed.

Pursuant to Article 67(1-4) of the said Act, establishing and operating a zoo requires obtaining a permit from the General Directorate for Environmental Protection. The permit is issued upon request, after consultation with the Regional Director for Environmental Protection competent for the location of the zoo and after an opinion from the association of representatives of zoos is obtained. In Poland, the zoo representatives are associated under the Council of Directors of Polish Zoos and Aquaria.

Pursuant to Article 69(1) points 1-5, entities which have obtained the permit under discussion are required to fulfil the following obligations:

- participating in scientific research aimed at protecting wild species at risk of extinction;
- educating in respect of the protection of animal species, including the protection of biodiversity;
- rearing animal species at risk of extinction in order to protect them ex situ, and then introducing them into the natural environment as part of protection programmes for those species;
- keeping animals in conditions appropriate for their biological needs;
- maintaining breeding documentation.

Animals kept in zoos should be provided with conditions appropriate for their biological needs. The conditions for breeding and keeping animals in zoos are specified in the ordinance of the Minister of the Environment of 20 December 2004 on the conditions for breeding and keeping particular groups of animal species in zoos. The Regulation sets out the conditions, necessary facilities and technical equipment required in the presence of animals and the minimum spatial conditions for breeding and keeping of animals per species or groups of species, as well as the necessary conditions for the conduct of animal reproduction.

Moreover, zoos must meet health and safety conditions associated with animal breeding in accordance with the Regulation of the Minister of the Environment of 10 December 2003 on health and safety in zoos.

On the basis of the provisions laid down in Art. 71 of the Nature Conservation Act, only animals born and raised outside of their natural environment, which do not have a chance to survive outside of a garden can be kept in zoos, or if it is necessary to protect the population or species, or for scientific purposes.

Pursuant to Article 77 of the Act on Environmental Protection, the activity of zoos is controlled not less often than once in three years by the Regional Director for Environmental Protection competent for the location of the establishment on their own initiative or upon request of the General Director for Environmental Protection.

The permit to establish and operate a zoo may be withdrawn or amended by the General Director for Environmental Protection in case the entity that it has been awarded to:

- does not meet the conditions for running the garden;
- does not comply with the scope of activities of the garden;
- does not fulfil the obligations of the gardens;
- does not provide the conditions specified in the Regulation on conditions for breeding and maintenance of various groups of animal species in the zoo;
- does not remove the irregularities found during the inspections carried out by the regional director of environmental protection and other authorities empowered under separate regulations within the deadline, which is no longer than two years.

The Nature Conservation Act, in addition to the above provisions, contains penal provisions relating to zoos (Art. 131, items 2, 3 and 5 of the Nature Conservation Act).

The organisation of Polish representatives of zoos is the [Board of Directors of Polish Zoos and Aquariums](#). In contrast, most important zoos in Europe are participating in the European Association of Zoos and Aquaria (EAZA). Eleven Polish zoos are members of the association, including zoos in Warsaw, Poznan, Gdansk. EAZA members exchange experiences in the field of breeding, scientific research on animals, as well as exchange individuals of each species. The following schemes are implemented under EAZA:

- European Endangered Species Programme (EEP), which is based on the appropriate management of the population of species in zoos;
- European StudBook (ESB) - maintaining a Stud Book for selected species, containing information on births, deaths, and transfers between zoos of individuals within EAZA.

[List of zoos in Poland](#)