

Improving animal protection

Highlights of Prince Edward Island's new Animal Welfare Act

The new Animal Welfare Act and regulations came into law April 15.

In developing the legislation, the P.E.I. Department of Agriculture and Fisheries consulted with the Sir James Dunn Animal Welfare Centre at the Atlantic Veterinary College (AVC), P.E.I. Veterinary Medical Association, the P.E.I. Humane Society and the P.E.I. Federation of Agriculture. The new legislation includes livestock and companion animals; this article covers companion animals (dogs, cats or exotic pets).

Dwight Thompson
Animal
Talk



There are a number of changes that improve the protection of animals and how offenders will be dealt with. A significant improvement establishes the duties of the owner. Under the previous legislation, an animal protection officer (APO) could not intervene until an animal was hurt or suffering ("in distress").

The new legislation requires an owner must meet the minimum requirements established by Canadian codes of practice ("duty of care").

The codes identify nationally accepted requirements for food, water, veterinary care, shelter, exercise and protection from injurious heat or cold. Anyone housing cats must follow "A Canadian Code of Practice for Canadian Cattery Operations" while anyone housing dogs must follow "A Code of Practice for Canadian Kennel Operations." Published by the Canadian Veterinary Medical Association, they establish the minimum requirements to ensure an animal's primary welfare needs are met. (Similarly, the Animal Welfare Act references the National Farm Animal Care Council (NFACC) Codes of Practice for farmed animals.)

Not all investigations lead to the laying of charges – the codes of practice also serve as educational tools for APOs investigating complaints, to inform owners of proper and legally required animal care. If these requirements are not met, the APO will act to protect the animal.

There are also a number of actions that cannot be done to an animal.

For example, a person cannot cause or prolong unnecessary pain or suffering, inflict harm or cause a significant impairment or train or use an animal to fight. The cosmetic procedures of tail



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Although this puppy was in fairly good physical condition, the cage conditions are well below the minimal requirements in the Canadian Veterinary Medical Association kennel code of practice.



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A boxer in very poor condition was seized during an investigation. The owner was convicted.

At a glance

To report a concern about a companion animal, please call the P.E.I. Humane Society at 902-892-1190/1191.

For more information, check out:

- Animal Welfare Act, Animal Welfare Regulations and Circus Animals Regulations at <https://www.princeedwardisland.ca/en/legislation/all/all/a>.
- Canadian Code of Practice for Catteries (2009): www.canadianveterinarians.net/documents/a-code-of-practice-for-canadian-cattery-operations.
- Canadian Code of Practice for Kennels (2007, a new edition will be published in 2017): www.canadianveterinarians.net/documents/Code-of-Practice-for-Canadian-Kennel-Operations
- NFACC Codes of Practice for Farmed Animals: www.nfacc.ca/codes-of-practice.

docking (dogs, horses or cattle), tail nicking and setting (horses) and ear cropping (dogs) are also illegal.

When a person is convicted of violating a requirement in

the act and regulations, the court can issue monetary penalties up to \$10,000 and imprisonment for up to six months.

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Happy endings



CHERIE CONSTABLE/SUBMITTED PHOTO

Donner was adopted in December 2016 by Cherie Constable, Tim Doiron and Alena and Shelby Peters. "We are all beyond happy to have adopted our funny, silly, loving, wound-for-sound boy," Constable says. "One of his favourite spots is the window sill. Donner is a huge part of our family and we love him so much."

New act looks to keep animals safe

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If a person is convicted a second or subsequent time, the minimum fine is \$10,000 and imprisonment may be up to 12 months.

For corporations, the penalty is up to \$20,000 for the first conviction and a minimum of \$20,000 for a second or subsequent conviction.

The court can also issue an order to the person convicted that includes prohibition on animal ownership or a requirement to publish the facts of the case or undergo a psychiatric

evaluation. Imprisonment, fines for corporations, no maximum monetary penalty for a second or subsequent offence and the new orders are all improvements over the previous legislation.

Next month in Animal Talk: Adopting a rescued dog.

Dwight Thompson is legislative and program specialist with the P.E.I. Department of Agriculture and Fisheries, a member group of the P.E.I. Companion Animal Welfare Initiative (CAWI). Animal Talk is a monthly column in The Guardian produced by CAWI, the goal of which is to improve the welfare of owned and un-

owned companion animals on P.E.I. Other member groups are the P.E.I. Humane Society, SpayAid, P.E.I. Veterinary Medical Association, Cat Action Team (CAT), P.E.I. 4-H, and Sir James Dunn Animal Welfare Centre at the Atlantic Veterinary College. For more information, see princeedward-island.ca/en/search/site/CAWI. Readers may send questions related to the well-being of owned and unowned companion animals to askcawi@gmail.com.



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