

report from  
the ministry of agriculture

# AMENDMENTS TO THE ANIMAL PROTECTION ACT



**Kathryn Tonita**  
Animal Health and  
Welfare Specialist,  
Ministry of Agriculture

**T**he Government of Saskatchewan is committed to a high standard of animal welfare. The Ministry of Agriculture continues to ensure animals are treated humanely through education, training and enforcement of effective animal protection legislation. The Ministry recently submitted *The Animal Protection Act, 1999* (the Act), for legislative review in order to ensure the Act is up-to-date in the interest of the public's increasing intolerance for animal cruelty.

One of the proposed additions of special interest to Saskatchewan Veterinary Medical Association (SVMA) members is the veterinarian's duty to report suspected animal neglect or abuse to an Animal Protection Officer. The addition of this provision is supported by the SVMA and provides better alignment with other provincial jurisdictions' animal welfare legislation. This may increase involvement of veterinarians in animal welfare cases and give veterinarians support to report suspected animal neglect or abuse.

The current Act does not have any provisions regarding abandoned animals and in order for an Animal Protection Officer to take custody of an animal it must first be in distress. The proposed addition will allow an Animal Protection Officer to take an abandoned animal into custody prior to it suffering from distress.

It was identified that the legal definition of distress needed to be updated in order to reflect the growing societal expectations of what constitutes distress to an animal and provide clearer information for Animal Protection Officers in providing intervention or relief of distress. The proposed definition of distress will include

previous wording such as: deprived of adequate food, water, care or shelter; injured, sick, in pain or suffering and abused or neglected. It will add that animals are not in distress if handled according to an accepted standard or code of conduct, criteria, practice or procedure or using generally accepted animal management practices. The definition of distress is further expanded to include: deprived of food and water to maintain an animal's health, deprived of veterinary care or medical attention, protection from injurious temperatures, an animal kept in conditions that are: unsanitary, impair the animal's health over time, cause extreme anxiety or suffering or contravene standards of care, or an animal abandoned by the owner or person responsible which will or may cause distress.

Addition of an animal care duties section provides more clarity to animal owners on their duty of care for any animal they own or are responsible for. This change will align with other provinces' animal welfare legislation, as several provinces specify duties of people who own or are responsible for animals.

A prohibition on transporting unfit animals was included in order to improve animal welfare oversight during transportation to ensure minimum standards and public expectations are met. As well, an addition related to humane slaughter and euthanasia ensures the person responsible for the animal utilizes a method that is not cruel and minimizes pain and anxiety to the animal.

Other areas of change include having the ability to appoint Animal Protection Officers as Peace Officers to improve their protections, training and scope of duties.

Also, the proposed Act expands the locations an Animal Protection Officer can inspect during ordinary business hours to include any vehicle, place of premises where animals are kennelled or assembled or kept for sale, slaughter, hire or exhibition, other than a private dwelling. As currently required by the Charter of Rights, a private dwelling can only be searched under warrant.

The ability to issue corrective action orders has been added which would allow Animal Protection Officers to order a person responsible for the animal to take any corrective actions necessary to relieve the animal of distress. As well, this allows for Animal Protection Officers to follow-up with the person responsible for the animal to ensure interventions are continuing and take action if the person responsible has not complied with the order. Animal Protection Officers do ask for specific actions to be followed now, but the orders have limited power.

Currently, if a person is found guilty of an offence and liable on summary conviction to a fine of not more than \$25,000, to imprisonment for not more than two years or to both. It has been proposed that on second or subsequent offences the fine and/or imprisonment time would increase per day if the offence continues, as this may prevent repeat offenders.

Animal welfare stakeholders in Saskatchewan have high expectations regarding the welfare of animals. Stakeholder consultations on the proposed changes are to be completed this July and any concerns noted during the consultation period will be considered by the Ministry. Proposed changes to the Act will be submitted for legislative review this summer. 🐾