

The Animal Health Regulations

being

Chapter A-20.01 Reg 1 (effective November 15, 2019) as
amended by Saskatchewan Regulations 64/2023.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER A-20.01 REG 1

The Animal Health Act

PART 1

Preliminary Matters

Title

- 1** These regulations may be cited as *The Animal Health Regulations*.

Definitions

- 2** In these regulations, “**Act**” means *The Animal Health Act*.

15 Nov 2019 cA-20.01 Reg 1 s2.

PART 2

Identification of Inspectors

Identification

- 3** The identification that must be carried by inspectors for the purposes of the Act is:
- (a) an inspector identification card issued by the Government of Saskatchewan and bearing the photograph of the inspector; or
 - (b) a letter of appointment signed by the chief veterinary officer supplemented by an identification card bearing the photograph of the inspector issued by the Government of Saskatchewan or the Government of Canada.

15 Nov 2019 cA-20.01 Reg 1 s3.

PART 3

Reportable and Notifiable Diseases

Reportable diseases prescribed

- 4** For the purposes of clause 3-1(1)(b) of the Act, the diseases listed in Table 1 of the Appendix are prescribed as reportable diseases.

15 Nov 2019 cA-20.01 Reg 1 s4.

Notifiable diseases prescribed

- 5** For the purposes of clause 3-2(1)(b) of the Act, the diseases listed in Table 2 of the Appendix are prescribed as notifiable diseases.

15 Nov 2019 cA-20.01 Reg 1 s5.

A-20.01 REG 1**ANIMAL HEALTH****Additional testing**

6(1) If the operator of a laboratory reports a reportable or notifiable disease pursuant to section 3-3 or 3-4 of the Act, the chief veterinary officer may require the operator to conduct specified tests on a sample or specimen within the period specified by the chief veterinary officer.

(2) The operator of a laboratory who is required to conduct specified tests on a sample or specimen pursuant to subsection (1) shall:

- (a) conduct the required tests within the specified period; and
- (b) report the results of the testing to the chief veterinary officer immediately after the results are known.

15 Nov 2019 cA-20.01 Reg 1 s6.

PART 4**Service of Orders****Service of orders**

7(1) For the purposes of section 4-6 of the Act, the prescribed manner of service of an order made pursuant to Divisions 1 to 3 of Part 4 of the Act is by one of the following methods:

- (a) by personal service;
- (b) by registered mail sent to the person's last address known to the ministry;
- (c) by email sent to an email address provided by the person to the ministry;
- (d) if the order is with respect to a place, by posting it at a conspicuous location at the place;
- (e) if the order is with respect to a class of persons:
 - (i) by delivering it to each person in the class by one or more of the methods set out in clause (a), (b) or (c); or
 - (ii) if, in the opinion of an inspector, delivery to each person would be impractical in the circumstances or would be likely to cause a delay that could significantly increase the risk to the health of any animal or person:
 - (A) by delivering the order by any public communications medium; and
 - (B) by posting the order at the location where the order is most likely to be brought to the attention of the members of the class.

(2) An order sent by registered mail is deemed to have been served on the 14th day after mailing unless the person received actual service before that date.

(3) If an order is sent by email, the order is not effectively served unless all of the following conditions are met:

- (a) the person who is subject to the order confirms that the order was received;

- (b) the confirmation is made:
 - (i) orally;
 - (ii) by email;
 - (iii) by fax, including the person's signature; or
 - (iv) in writing, including the person's signature.

15 Nov 2019 cA-20.01 Reg 1 s7.

PART 5

Compensation

Claims for compensation

8 A person who wishes to make a claim for compensation pursuant to section 4-12 of the Act shall apply to the minister in a form acceptable to the minister.

15 Nov 2019 cA-20.01 Reg 1 s8.

Payment of compensation

9 The minister may authorize the payment of compensation pursuant to section 4-12 of the Act:

- (a) in the amounts determined in accordance with this Part; and
- (b) on any terms and conditions that the minister considers appropriate.

15 Nov 2019 cA-20.01 Reg 1 s9.

Amount of compensation

10(1) The owner of an animal for which compensation is payable pursuant to clause 4-12(1)(a) of the Act may be compensated for the following:

- (a) the market value of the animal as at the date that the destruction of the animal is ordered, as determined by the minister in accordance with the valuation made pursuant to section 13, less the value received with respect to the animal's carcass;
- (b) costs reasonably incurred by the owner for the destruction of the animal;
- (c) costs reasonably incurred by the owner for the disposal of the animal carcass;
- (d) costs reasonably incurred by the owner in connection with the cleaning and disinfection of the premises;
- (e) any other costs reasonably incurred as a result of measures taken for suppression and limitation of the disease;

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- (f) losses due to disruption of business as a result of an outbreak of disease if the minister considers that compensation should be paid, taking into account all of the following:
 - (i) the duration of the restrictions imposed on the business as a result of the outbreak;
 - (ii) the degree of impact of the disruption to the business;
 - (iii) the number of animals affected by the outbreak of disease and the extent of the outbreak in Saskatchewan;
 - (iv) any other factors that the minister considers appropriate.
- (2) The owner of an animal for which compensation is payable pursuant to clause 4-12(1)(b) of the Act may be compensated for:
 - (a) the market value of the animal as at the date that the animal died or was required to be destroyed, as determined by the minister in accordance with the valuation made pursuant to section 13, less the value received with respect to the animal's carcass; and
 - (b) any other applicable costs set out in clauses (1)(b) to (f).
- (3) The owner of an animal product, animal by-product, agricultural input, food, fomite, waste material, conveyance or other thing for which compensation is payable pursuant to clause 4-12(1)(c) of the Act may be compensated for:
 - (a) the market value of the thing, as determined by the minister, less any value received for it on its disposal; and
 - (b) any costs reasonably incurred by the owner in the destruction or disposal of the thing, as the case may be.
- (4) Any person to whom compensation is payable pursuant to clause 4-12(1)(d) of the Act may be compensated for the cleaning costs and disinfecting costs that were reasonably incurred by the person.
- (5) Any person to whom compensation is payable pursuant to clause 4-12(1)(e) of the Act may be compensated for the costs reasonably incurred by the person for destruction and disposal of the animal, animal product, animal by-product, agricultural input, food, fomite, waste material, conveyance or other thing, as the case may be, less any value received with respect to that animal, animal product, animal by-product, agricultural input, food, fomite, waste material, conveyance or other thing.

15 Nov 2019 cA-20.01 Reg 1 s10.

Evidence of costs

11 Every person claiming compensation for costs pursuant to section 10 must establish to the minister's satisfaction that the costs have been incurred by submitting any receipts or other evidence of payment that the minister may require.

15 Nov 2019 cA-20.01 Reg 1 s11.

Costs not reasonably incurred

12(1) The following costs are deemed not to be reasonably incurred in relation to the costs for cleaning and disinfection mentioned in section 10 and are not to be included in any compensation paid pursuant to the Act:

- (a) costs to repair equipment that breaks down or is damaged in the course of cleaning or disinfecting;
 - (b) costs to repair property, including property owned by a third party, that is damaged in the course of cleaning and disinfecting;
 - (c) costs for routine cleaning and disinfection;
 - (d) costs for rodent control;
 - (e) costs of repairs to a building or structure that are needed before cleaning and disinfection can take place or that are unrelated to an order made pursuant to the Act.
- (2)** The following costs are deemed not to be reasonably incurred in relation to the costs for disposal or destruction of an animal, animal carcass, animal product, animal by-product, agricultural input, food, fomite, waste material, conveyance or other thing mentioned in section 10 and are not to be included in any compensation paid pursuant to the Act:
- (a) costs to repair equipment that breaks down or is damaged in the course of the destruction or disposal;
 - (b) costs to repair property, including property owned by a third party, that is damaged in the course of the destruction or disposal.

15 Nov 2019 cA-20.01 Reg 1 s12.

Valuation by appraiser

13 The value of an animal for which compensation is payable pursuant to section 4-12 of the Act must be calculated by an independent appraiser approved by the minister.

15 Nov 2019 cA-20.01 Reg 1 s13.

Market value of animals

14(1) The calculation of the market value of an animal must be made in accordance with the following:

- (a) the appraiser must prepare a written estimate of the market value of the animal and submit it to the minister;
- (b) the market value of the animal may be based on:
 - (i) evidence of the animal's value provided by the person claiming compensation, including receipts, current inventories, sales records or registration papers;

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- (ii) information as to the current prices in industry sales of animals of a similar breed, production type, age, gender, stage of production or of pregnancy, if any, health status, physical condition, genetic merit, pedigree and weight;
- (iii) a combination of information described in subclauses (i) and (ii); or
- (iv) any other information that the minister may require;
- (c) the minister may accept, modify or reject the estimate of the market value of the animal prepared by the appraiser;
- (d) the market value of the animal must not exceed the maximum market value determined pursuant to subsection (2).
- (2) The maximum market value that may be assigned to an animal is:
 - (a) for an animal listed in Column 1 of the Schedule to the *Compensation for Destroyed Animals Regulations* made under the *Health of Animals Act* (Canada), the amount set out opposite the animal in Column 3 of the Schedule; or
 - (b) for any animal that is not listed in the Schedule mentioned in clause (a), \$30.00.

15 Nov 2019 cA-20.01 Reg 1 s14.

Refusal of or reduction in compensation

15 For the purposes of clause 4-12(3)(e) of the Act, the minister may refuse to authorize compensation or reduce the amount of compensation authorized pursuant to the Act for any of the following reasons:

- (a) the person claiming compensation fails to provide the minister with the information required by the minister to substantiate the claim;
- (b) the person claiming compensation provides the minister with false, misleading or deceptive information with respect to the claim or withholds statements or information with respect to the claim;
- (c) the person claiming compensation has received, or is eligible to receive, compensation, reimbursement or damages for the same loss or costs from any other source;
- (d) the person claiming compensation failed to implement or adhere to any commonly accepted biosecurity measures customarily practised by persons having animals, animal products, animal by-products, agricultural inputs, food, fomites, waste material, conveyances or other things in similar situations in Saskatchewan, and the failure caused or contributed to the loss or costs for which compensation is being claimed;
- (e) the wilful or negligent conduct of the person claiming compensation caused or contributed to the loss or costs for which compensation is being claimed;

(f) in the case of a claim for compensation for cleaning costs and disinfecting costs pursuant to clause 4-12(1)(d) of the Act:

(i) the person claiming compensation failed to obtain estimates from more than 2 service providers before engaging a person to provide the service; and

(ii) the service could have been provided at a lower cost;

(g) in the case of a claim for compensation for destruction and disposal costs pursuant to clause 4-12(1)(e) of the Act, the service could have been provided at a lower cost;

(h) in cases where an order made pursuant to the Act gave rise to the claim for compensation, the person claiming compensation makes the claim more than 12 months after the day the order was made.

15 Nov 2019 cA-20.01 Reg 1 s15.

PART 6

Proceeds of Disposition

Proceeds of disposition

16 Any proceeds realized from a disposition made pursuant to clause 5-6(4)(a) of the Act must be paid to the general revenue fund.

15 Nov 2019 cA-20.01 Reg 1 s16.

PART 7

Prohibition re Imported Animals

Imported animals

17 For the purposes of section 4-18 of the Act, if the chief veterinary officer prohibits the possession of an imported animal or species or the class or subset of imported animal or species, the chief veterinary officer shall:

(a) publish a notice of the prohibition on the ministry's website and make the notice available to the public in any other manner that the chief veterinary officer considers appropriate;

(b) in the notice, state the imported animal or species, or the class or subset of imported animals or species, that is the subject of the order; and

(c) if the chief veterinary officer considers it necessary for the purposes of the Act, state in the notice that semen and embryos from the imported animal or species or a class or subset of imported animal or species shall not be imported.

15 Nov 2019 cA-20.01 Reg 1 s17.

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PART 8
Repeal

Sask Reg 274/75 repealed

18 The Control of Animal Diseases Regulations, being Saskatchewan Regulations 274/75, are repealed.

15 Nov 2019 cA-20.01 Reg 1 s18.

RRS D-30 Reg 1 repealed

19 *The Diseases of Domestic Game Farm Animals Regulations* are repealed.

15 Nov 2019 cA-20.01 Reg 1 s19.

PART 9
Coming into Force

Coming into force

20(1) Subject to subsection (2), these regulations come into force on the day on which section 1-1 of *The Animal Health Act* comes into force.

(2) If section 1-1 of *The Animal Health Act* comes into force before the day on which these regulations are filed with the Registrar of Regulations, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

15 Nov 2019 cA-20.01 Reg 1 s20.

Appendix

TABLE 1

*[section 4]***Reportable Diseases**

Anthrax
Chronic Wasting Disease
Rabies

TABLE 2

*[section 5]***Notifiable Diseases**

African Swine Fever
American Foulbrood
Avian Influenza
Bovine Anaplasmosis
Equine Herpes Virus
Foot and Mouth Disease
Infectious Laryngotracheitis
Lyme Disease
Malignant Catarrhal Fever
Porcine Epidemic Diarrhea
Q Fever
Salmonella Dublin
Salmonella Enteritidis
Swine Delta Coronavirus
Swine Influenza
Transmissible Gastroenteritis
West Nile Virus

15 Nov 2019 cA-20.01 Reg 1; 4 Aug 2023 SR
64/2023 s2.

