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SNL1996 cH-2.1

HERITAGE ANIMALS ACT

Amended:

CHAPTER H-2.1

AN ACT RESPECTING THE PROTECTION OF HERITAGE ANIMALS

(Assented to December 19, 1996)

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*Be it enacted by the Lieutenant-Governor and House of Assembly in Legislative
Session convened, as follows:*

Short title

1. This Act may be cited as the *Heritage Animals Act* .

1996 cH-2.1 s1

Definitions

2. In this Act

(a) "animal" means all non-human vertebrates;

(b) "minister" means the minister appointed under the *Executive Council Act* to administer this Act; and

(c) "society" means an organization or group of persons whether incorporated or not designated by the minister to act in the protection of heritage animals.

1996 cH-2.1 s2

Purpose of Act

3. The purpose of this Act is to provide the means for the recognition and protection of heritage animals within the province.

1996 cH-2.1 s3

Heritage animals

4. (1) The minister may, by order, designate a certain class or breed of animals as heritage animals.

(2) In designating a class or breed of animals as heritage animals under subsection (1), the minister shall consider

(a) the historic, cultural, natural, scientific or aesthetic value of those animals; and

(b) any other criteria that the minister considers appropriate.

1996 cH-2.1 s4

Protection of heritage animals

5. (1) A person shall not, except with the consent of the minister or his or her designate, destroy, interfere with, or dispose of a heritage animal.

(2) A person shall not damage or mistreat a heritage animal.

(3) The minister may, by order, exempt a heritage animal from the application of subsection (1).

Powers of minister

6. (1) The minister may

- (a) designate a society to act in the preservation of heritage animals;
- (b) prescribe those sections of this Act and the regulations that the society may enforce;
- (c) designate inspectors to enforce this Act and the regulations; and
- (d) prescribe signs, symbols or images to describe heritage animals and the uses of those signs, symbols or images.

(2) An inspector designated under paragraph (1)(c) shall have the same powers as a peace officer designated under the *Animal Protection Act* .

Objects of society

7. The objects of a society designated by the minister under paragraph 6(1)(a) shall be to

- (a) promote an appreciation for and an awareness of heritage animals;
- (b) support and contribute to the preservation and renewal of heritage animals; and
- (c) contribute to the increase and dissemination of knowledge about heritage animals.

Duties of society

8. Subject to the approval of the minister, a society designated under section 6 shall

- (a) define the characteristics of a class or breed of animals designated as heritage animals;
- (b) prescribe the method of establishing a breed book for heritage animals;
- (c) keep and maintain a registry of heritage animals within the province;
- (d) enforce those provisions of this Act and any regulations made under it as prescribed by the minister; and
- (e) prescribe by-laws for the enforcement of their duties under this section.

Regulations

9. The minister may prescribe regulations

- (a) for the preservation, promotion and protection of heritage animals including
 - (i) the terms and conditions under which a heritage animal may be disposed of or destroyed, and
 - (ii) the usage of heritage animals; and
- (b) generally, to give effect to the purpose of this Act.

Offence and penalty

10. A person who contravenes this Act or the regulations is guilty of an offence and liable on summary conviction,

- (a) for a first and second offence, to a fine of not less than \$50 and not more than \$200 and in default of payment to imprisonment for a term not exceeding 3 months, or to both a fine and imprisonment; and
- (b) for a third or subsequent offence, to a fine of not less than \$200 and not more than \$500 and in default of payment to imprisonment for a term not exceeding 6 months, or to both a fine and imprisonment.

Conflicting Acts

11. Nothing in this Act shall be construed as affecting a right, power, duty or prohibition relating to animals conferred or imposed under another Act and where a conflict exists between this Act and that other Act, that other Act prevails.