

# Livestock Health Services Act

## CHAPTER 8

### OF THE

### ACTS OF 2001

amended 2007, c. 19

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#### An Act Respecting Livestock Health Services

#### Short title

1 This Act may be cited as the Livestock Health Services Act. 2001, c. 8, s. 1.

#### Interpretation

2 In this Act,

- (a) "Administrator" means the Administrator appointed pursuant to this Act;
- (b) "agreement" means a funding and service agreement made between the Minister and the Veterinary Association for the provision of livestock health services by veterinarians;
- (c) "Board" means the Livestock Health Services Board;
- (d) "enrolled practice centre" means a veterinary practice accredited as a large-animal facility by the Veterinary Association and enrolled by the Minister to participate in the provision of livestock health services to eligible livestock owners;
- (e) "former Act" means Chapter 262 of the Revised Statutes, 1989, the Livestock Health Services Act;
- (f) "livestock" means livestock for farming purposes as designated by the Minister for the purpose of this Act and the regulations;
- (g) "livestock for farming purposes" means an animal used for the production of
  - (i) human or animal food, or
  - (ii) feed, fibre, skin or hide;
- (h) "livestock health services" means the professional services of veterinarians to livestock owners;

(i) "livestock owner" means a person who is the owner of or has the responsibility for livestock for farming purposes;

(j) "Minister" means the Minister of Agriculture;

(k) "practice zone" means an area approved by the Minister in which veterinarians operating from an enrolled practice centre provide livestock health services to livestock owners in respect to the terms and conditions for which payments are made to the veterinarians;

(l) "veterinarian" means a person, partnership or corporation licensed as a veterinarian under the Veterinary Medical Act;

(m) "Veterinary Association" means the Nova Scotia Veterinary Medical Association. 2001, c. 8, s. 2; 2007, c. 19, s. 1.

#### Supervision and management of Act

3 The Minister has the general supervision and management of this Act and the regulations. 2001, c. 8, s. 3.

#### Administrator

4 The Minister shall appoint, from the public service of the Province, a suitable person to be the Administrator who shall, under the supervision of the Minister, administer the program of livestock health services provided pursuant to this Act and the regulations. 2001, c. 8, s. 4.

#### Power to make agreements

5 The Minister may enter into a funding and service agreement with the Veterinary Association for the purpose of providing livestock health services by veterinarians to eligible livestock owners through enrolled practice centres to ensure adequate services are provided to eligible livestock owners. 2001, c. 8, s. 5.

#### Livestock Health Services Board

6 (1) The Minister may appoint a Livestock Health Services Board consisting of

(a) three members who are livestock owners recommended by the Nova Scotia Federation of Agriculture;

(b) two members recommended by the Veterinary Association; and

(c) two public servants.

(2) Each member of the Board holds office for a term of up to five years, unless the appointment is revoked, and is eligible for re-appointment.

(3) Each member appointed pursuant to clause (1)(a) or (b) may serve a maximum of two consecutive terms.

(4) Each member of the Board shall be paid such remuneration as determined by the Minister.

(5) Each member of the Board shall be reimbursed as determined by the Minister for reasonable travel and other expenses necessarily incurred by that member in carrying out the duties of a member of the Board. 2001, c. 8, s. 6.

#### Quorum

7 A majority of the members of the Board constitutes a quorum. 2001, c. 8, s. 7.

#### Effect of vacancy

8 A vacancy on the Board does not impair the ability of the Board to act. 2001, c. 8, s. 8.

#### Chair and Secretary

9 The Board shall appoint

- (a) one member to be the Chair for a term of one year, who may be re-appointed; and
- (b) one member appointed pursuant to clause 6(1)(c) to be the Secretary. 2001, c. 8, s. 9; 2007, c. 19, s. 2.

#### Rules of procedure

10 The Board may make rules of procedure for the conduct and management of its affairs. 2001, c. 8, s. 10.

#### Duties of Board

11 The Board shall

- (a) periodically review the functioning of livestock health services in the Province;
- (b) make recommendations to the Minister respecting terms and conditions of the agreement;
- (c) make recommendations to the Minister respecting criteria for practice zones and enrolled practice centres;
- (d) make recommendations to the Minister respecting the amount of payments to veterinarians;
- (e) prepare a report on livestock health services to be made available on an annual basis to the Minister;
- (f) approve any form to be completed by veterinarians for making claims respecting the provision of livestock services;
- (g) make recommendations to the Minister respecting the removal and disposal of dead stock; and
- (h) carry out such further or other duties as may be assigned to it by this Act or regulations. 2001, c. 8, s. 11.

#### Review of claims

12 (1) The Board may appoint a person to periodically monitor and review claims made by a veterinarian.

(2) The person appointed pursuant to subsection (1) may be paid such remuneration as the Minister may determine.

(3) The person appointed pursuant to subsection (1) shall

- (a) for the purposes of carrying out the duties under this Section, have access to the claim information submitted by the veterinarian; and
- (b) identify any discrepancies to the Administrator. 2001, c. 8, s. 12.

#### Powers of Minister

13 For the purpose of this Act and the regulations, the Minister may

- (a) designate a type of livestock that constitutes livestock for farming purposes;
- (b) determine eligibility requirements of a livestock owner;
- (c) enroll a practice centre;
- (d) approve a practice zone. 2001, c. 8, s. 13.

#### Auditor

14 The Minister may appoint an auditor to investigate the records of activities relating to the funding and provision of livestock health services of an approved practice centre. 2001, c. 8, s. 14.

#### Reimbursement of veterinarians

15 With the approval of the Minister, the Administrator may request and reimburse veterinarians for the provision of veterinary services including

- (a) inspection duties pursuant to the Meat Inspection Act and Animal Health Protection Act; and
- (b) assistance in the investigation of cruel, inhumane or neglectful treatment of livestock. 2001, c. 8, s. 15.

#### Regulations by Minister

15A (1) The Minister may make regulations

- (a) prescribing the minimum or maximum fees that may be charged to livestock owners by any veterinarian in receipt of assistance under an agreement;
- (b) prescribing the maximum amount that may be paid to veterinarians.

(2) The exercise by the Minister of the authority contained in subsection (1) is regulations within the meaning of the Regulations Act. 2007, c. 19, s. 3.

#### Regulations by Governor in Council

16 (1) The Governor in Council may make regulations

- (a) repealed 2007, c. 19, s. 4.
- (b) respecting the terms and conditions under which payments may be made to veterinarians;
- (c) repealed 2007, c. 19, s. 4.
- (d) prescribing the records to be completed by an enrolled practice centre or veterinarian;
- (e) providing for the exemption of any person or class of livestock;
- (f) prescribing eligibility requirements;
- (g) prescribing the criteria for approving practice zones;
- (h) prescribing the criteria for enrolling a practice centre;
- (i) respecting the provision of veterinary services pursuant to Section 5 or 15;
- (j) defining any word or expression used but not defined in this Act;

(k) respecting any matter the Governor in Council considers necessary or advisable to carry out effectively the intent and purpose of this Act.

(2) The exercise by the Governor in Council of the authority contained in subsection (1) is regulations within the meaning of the Regulations Act. 2001, c. 8, s. 16; 2007, c. 19, s. 4.

#### Existing boards

17 (1) Livestock health services boards continued by or established under the former Act are hereby dissolved.

(2) Upon payment of any liabilities,

(a) the assets of a livestock health services board provided directly by a municipality shall be transferred to the municipality in which the board was established; and

(b) all other assets of a livestock health services board shall be transferred to Her Majesty in right of the Province.

(3) The records of the livestock health services boards are deemed to be records of Her Majesty in right of the Province. 2001, c. 8, s. 17.

#### Repeal of former Act

18 The former Act is repealed. 2001, c. 8, s. 18.