

The Animal Protection Regulations, 2000

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Chapter A-21.1 Reg 1 (effective November 1, 2000).

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-21.1 REG 1
The Animal Protection Act, 1999

PART I
Title and Interpretation

Title

- 1** These regulations may be cited as *The Animal Protection Regulations, 2000*.

Interpretation

- 2** In these regulations:

- (a) **“Act”** means *The Animal Protection Act, 1999*;
- (b) **“Form”** means a form set out in Part I of the Appendix.

11 Aug 2000 cA-21.1 Reg 1 s2.

PART II
Animals in Distress

Codes of practice for care and handling of animals

- 3** The standards or codes of conduct, criteria, practices or procedures set out in Part II of the Appendix are prescribed as acceptable for the purposes of clause 2(3)(a) of the Act.

11 Aug 2000 cA-21.1 Reg 1 s3.

Approval of humane societies

- 4(1)** Any organization that wishes to be approved as a humane society for the purposes of the Act shall:

- (a) apply to the minister in the form specified by the minister; and
- (b) provide the minister with:
 - (i) evidence satisfactory to the minister that the organization meets the requirements set out in clause 3(1)(a) of the Act; and
 - (ii) any additional information that the minister may reasonably require to consider the application.

- (2)** The minister may approve an organization as a humane society where the minister:

- (a) receives an application pursuant to subsection (1); and
- (b) is satisfied that the applicant has complied with the Act and these regulations.

- (3) The minister shall issue a certificate of approval to each organization that is approved as a humane society.
- (4) An approval granted pursuant to this section remains in effect until:
 - (a) the organization dissolves or ceases to operate or ceases to be registered as a corporation pursuant to an Act; or
 - (b) the minister suspends or revokes the approval in accordance with these regulations.

11 Aug 2000 cA-21.1 Reg 1 s4.

Animal protection officers

- 5(1) An application to have a person appointed as an animal protection officer must be submitted by a humane society.
- (2) A humane society that wishes to have a person appointed as an animal protection officer for the purposes of the Act shall:
 - (a) recommend that person to the minister in writing; and
 - (b) along with the written recommendation mentioned in clause (a), provide the minister with evidence satisfactory to the minister that the person:
 - (i) meets the qualifications set out in subsection (3) and the requirements of clause 3(2)(b) of the Act; or
 - (ii) was, on the day before the coming into force of the Act, a peace officer appointed pursuant to Part I of *The Animal Protection Act*.
- (3) For the purposes of subclause (2)(b)(i), a person must:
 - (a) demonstrate:
 - (i) knowledge of the care of livestock and other animals;
 - (ii) knowledge of the Act, these regulations, and the cruelty to animals provisions in the *Criminal Code*; and
 - (iii) ability to carry out the duties and responsibilities imposed on animal protection officers pursuant to the Act;
 - (b) hold a valid Saskatchewan driver's licence;
 - (c) subject to section 6, have successfully completed an investigative training course conducted by the Royal Canadian Mounted Police; and
 - (d) obtain, at his or her own expense, and submit to the humane society recommending the appointment, a copy of a criminal record check of himself or herself dated not more than 30 days before the date the humane society forwards its written recommendation to the minister.
- (4) The minister shall issue a certificate of appointment to every person appointed as an animal protection officer.

(5) The humane society that recommended a person as an animal protection officer shall:

- (a) immediately inform the minister in writing if the animal protection officer dies or resigns or ceases to be employed or engaged by the humane society; and
- (b) as soon as possible return the animal protection officer's certificate of appointment to the minister.

(6) On receipt of a written notice pursuant to subsection (5), the minister may immediately revoke the animal protection officer's appointment without being required to comply with section 8.

11 Aug 2000 cA-21.1 Reg 1 s5.

Certain animal protection officers conditionally appointed

6(1) The minister may appoint a person mentioned in subclause 5(2)(b)(i) as an animal protection officer notwithstanding that the person has not successfully completed the training course mentioned in clause 5(3)(c).

(2) Every person mentioned in subsection (1) who is appointed as an animal protection officer without having successfully completed the training course mentioned in clause 5(3)(c) must successfully complete that course within 12 months after being appointed.

(3) Every person mentioned in subclause 5(2)(b)(ii) who is appointed as an animal protection officer without having successfully completed the training course mentioned in clause 5(3)(c) must successfully complete that course within 12 months after the coming into force of these regulations.

(4) Every animal protection officer who is required to successfully complete the training course mentioned in clause 5(3)(c) must work under the supervision or direction of an animal protection officer who has successfully completed that training course while performing his or her duties as an animal protection officer until he or she has successfully completed the course.

(5) Where a person is required by this section to complete the training course mentioned in clause 5(3)(c) does successfully complete the course, the humane society that recommended the person as an animal protection officer shall provide the minister with evidence satisfactory to the minister that the person has successfully completed the training course.

(6) If a person who is required by this section to complete the training course mentioned in clause 5(3)(c) fails to successfully do so within the relevant 12-month period set out in this section, the minister may immediately revoke the animal protection officer's appointment without being required to comply with section 8.

11 Aug 2000 cA-21.1 Reg 1 s6.

Suspension or revocation

7(1) Subject to section 8, the minister may suspend or revoke the approval of a humane society where, in the minister's opinion, the humane society:

- (a) has failed to comply with the Act or these regulations;
- (b) has acted in a manner that is contrary to the public interest;
- (c) has ceased to have as a principal object the prevention of cruelty to animals; or
- (d) has provided false or misleading information to the minister in an application submitted pursuant to section 4 or at any other time.

(2) Where the minister revokes the approval of a humane society pursuant to subsection (1), the humane society shall return its certificate of approval to the minister.

(3) Subject to section 8, the minister may suspend or revoke the appointment of an animal protection officer where, in the minister's opinion, the animal protection officer:

- (a) has failed to comply with the Act or these regulations;
- (b) has acted in a manner that is contrary to the public interest while performing his or her duties and responsibilities as an animal protection officer;
- (c) has provided false or misleading information to the humane society or to the minister in obtaining the appointment or at any other time; or
- (d) no longer meets the qualifications set out in section 5.

(4) Where the minister revokes the appointment of an animal protection officer pursuant to subsection (3), the animal protection officer shall return his or her certificate of appointment to the minister.

11 Aug 2000 cA-21.1 Reg 1 s7.

Opportunity to be heard

8(1) Subject to subsection (2), the minister shall not suspend or revoke:

- (a) the approval of a humane society pursuant to subsection 7(1) without giving the humane society an opportunity to be heard; or
- (b) the appointment of any animal protection officer pursuant to subsection 7(3) without giving the animal protection officer an opportunity to be heard.

(2) If the minister considers that it is necessary to do so to protect the public interest, the minister may immediately suspend or revoke an approval of a humane society or an appointment of an animal protection officer without giving the humane society or animal protection officer, as the case may be, an opportunity to be heard, but shall give the humane society or animal protection officer, as the case may be, an opportunity to be heard within 15 days after the date on which the minister suspends or revokes the approval or appointment.

11 Aug 2000 cA-21.1 Reg 1 s8.

Record keeping requirements

- 9(1)** Every humane society shall maintain a written record of the names and addresses of the animal protection officers appointed by the minister as animal protection officers for that humane society.
- (2) Every humane society shall maintain a written record of:
- (a) all complaints received by the humane society respecting the mistreatment of animals; and
 - (b) the steps taken by the humane society with respect to each complaint.
- (3) Every humane society shall, at the time and in the manner that the minister may request, forward to the minister for the purposes of inspection:
- (a) any records required to be maintained pursuant to subsections (1) and (2) or any extract from those records; and
 - (b) any additional information that the minister considers necessary in order to ascertain whether the Act and these regulations are being complied with.
- (4) Every humane society shall retain the records mentioned in subsections (1) and (2) for at least six years after the expiration of the year in which the records were created.

11 Aug 2000 cA-21.1 Reg 1 s9.

Search warrants

- 10(1)** The information to be sworn by an animal protection officer pursuant to subsection 7(1) of the Act for the purposes of obtaining a search warrant is to be in Form A.
- (2) A search warrant issued pursuant to subsection 7(1) of the Act is to be in Form B.
- (3) An animal protection officer who obtains a search warrant pursuant to section 7 of the Act shall, after executing the warrant, file a report in Form C with the justice of the peace or the provincial court judge who issued the warrant.

11 Aug 2000 cA-21.1 Reg 1 s10.

Sale of detained animals

- 11(1)** Before selling an animal detained by it pursuant to clause 13(1)(b) of the Act, a humane society shall comply with this section.
- (2) The humane society is responsible for the proper care of the animal that it detains or causes to be detained for the period of detention.
- (3) Subject to subsection (5), the humane society shall post a notice of the sale, for at least two consecutive days before the sale:
- (a) at any premises of the humane society that are accessible to the public; and

- (b) either:
 - (i) at the place of sale, if the animal is to be sold by auction;
 - (ii) at the local detachment of the Royal Canadian Mounted Police; or
 - (iii) in any public place that the humane society considers appropriate in the circumstances.
- (4) The notice mentioned in subsection (3) must state:
 - (a) the name and address of the humane society;
 - (b) a description of the animal; and
 - (c) the location of the premises where the animal will be offered for sale.
- (5) A humane society is not required to post the notice mentioned in subsection (3) where:
 - (a) the person responsible for the animal is known to the humane society; and
 - (b) the humane society has sent a written notice to the person responsible for the animal that the humane society may sell the animal if that person does not, within the period specified by the humane society in the written notice:
 - (i) pay to the humane society the expenses incurred with respect to the animal; or
 - (ii) enter into an agreement with the humane society for the payment of the expenses incurred with respect to the animal.
- (6) The proceeds derived from the sale of the detained animal must be applied in priority of payment:
 - (a) first to the expenses incurred in connection with the detention, advertising and sale of the detained animal pursuant to clause 13(1)(b) of the Act; and
 - (b) second to the expenses mentioned in section 12 of the Act related to the detention.
- (7) Subject to subsection (8), the humane society may retain the balance of the sale proceeds remaining after the payment of the expenses mentioned in subsection (6).
- (8) If the sale proceeds exceed the expenses mentioned in subsection (6):
 - (a) within 30 days after the date of the sale of the animal, the person formerly responsible for the animal may claim the balance from the humane society; and
 - (b) on receipt of a claim pursuant to clause (a), the humane society shall pay the balance to that person, on being satisfied that the person was the person responsible for the animal at the time the animal was taken into custody.

(9) Where an animal is sold pursuant to this section and section 13 of the Act, the animal becomes the property of the person to whom it is sold.

(10) A person responsible for an animal detained by a humane society pursuant to the Act may, at any time before the animal is sold pursuant to the Act and these regulations, reclaim the animal by:

- (a) paying to the humane society the expenses incurred with respect to the animal; or
- (b) entering into an agreement with the humane society for the payment of the expenses incurred with respect to the animal.

11 Aug 2000 cA-21.1 Reg 1 s11.

SSPCA address

12 For the purposes of section 16 of the Act, the prescribed address of The Saskatchewan Society for the Prevention of Cruelty to Animals is:

SSPCA
Box 37
Saskatoon, Saskatchewan
S7K 3K1.

11 Aug 2000 cA-21.1 Reg 1 s12.

PART III
Protection of Certain Animals against Dogs

Destruction of dogs

13 A person who destroys a dog pursuant to Part III of the Act shall destroy the dog in a humane manner using a firearm of sufficient calibre to kill the dog quickly and painlessly.

11 Aug 2000 cA-21.1 Reg 1 s13.

PART IV
Repeal and Coming into Force

Sask. Reg. 219/72 repealed

14 The Animal Protection Regulations, being Saskatchewan Regulations 219/72, are repealed.

11 Aug 2000 cA-21.1 Reg 1 s14.

Coming into force

15(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Animal Protection Act, 1999* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the day on which section 1 of *The Animal Protection Act, 1999* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

11 Aug 2000 cA-21.1 Reg 1 s15.

Appendix**PART I
Forms****FORM A**
[Subsection 10(1)]**Information to Obtain a Search Warrant**
The Animal Protection Act, 1999

Canada,
Province of Saskatchewan.

This is the information of _____, of _____, Saskatchewan,
(name of informant) (city, town, etc.)

_____ (the "informant") taken before me.
(occupation)

The informant says that: _____

_____.
(Describe animal in distress or things to be searched for and, where applicable, the offence with respect to which search is to be made.)

And that the informant believes on reasonable grounds that the animal described is in distress at, or the things described or part of them are located at, _____,
(land, buildings, etc., to be searched)

and the person responsible is _____, of _____ Saskatchewan.
(name) (city, town, etc.)

_____.
(Here add the grounds of belief, whatever they may be.)

Wherefore the informant prays that a search warrant may be granted to search that

_____.
(land, buildings, etc.)

for the animal described, or for those things described, as the case may be.

Sworn before me this _____ day of _____,
(day) (month)

_____, at _____, _____
(year) (city, town, etc.) (Signature of informant)
Saskatchewan.

A Justice of the Peace in and for Saskatchewan or
A Judge of the Provincial Court of Saskatchewan.

FORM B
[Subsection 10(2)]

Search Warrant
The Animal Protection Act, 1999

Canada,
Province of Saskatchewan.

To the named animal protection officer(s):

_____.
(Insert name(s) of animal protection officer(s) to whom this search warrant is being issued.)

Whereas it appears on the oath of _____, of _____, Saskatchewan,
(name of informant) (city, town, etc.)

that there are reasonable grounds for believing that: _____

(Describe animal in distress or things to be searched for and, where applicable,
the offence with respect to which search is to be made.)

is/are located at _____ at _____, Saskatchewan,
(land, buildings, etc., to be searched) (city, town, etc.)

(the "place")

This is, therefore, to authorize and require you between the hours of _____
(as the justice may direct) to enter into that place and to search for that animal or those things.

Dated this _____ of _____, _____, at _____, Saskatchewan.
(day) (month) (year) (city, town, etc.)

A Justice of the Peace in and for Saskatchewan or
A Judge of the Provincial Court of Saskatchewan.

FORM C
[Subsection 10(3)]

Report to a Justice
The Animal Protection Act, 1999

Canada,
Province of Saskatchewan.

To the justice of the peace or provincial court judge who issued a warrant to the undersigned pursuant to section 7 of *The Animal Protection Act, 1999*.

I, _____, having acted pursuant to a warrant
(name of animal protection officer)

issued pursuant to section 7 of *The Animal Protection Act, 1999*:

- (a) searched the land, buildings or other place situated at _____, Saskatchewan; and
- (b) relieved the following animal from distress or seized the following things and dealt with them as follows:

Property	
Seized (describe each animal relieved from distress or each thing seized)	Disposition (state, with respect to each animal relieved from distress, the action taken to relieve the animal's distress; (state, with respect to each thing seized, whether: (i) it was returned to the person lawfully entitled to its possession, in which case the receipt for the thing shall be attached to this report; or (ii) it is being detained to be dealt with according to law, and the location and manner in which, or where applicable, the person by whom it is being detained.)

Dated this _____ of _____, _____, at _____, Saskatchewan.
(day) (month) (year) (city, town, etc.)

(Signature of animal protection officer)

PART II

Codes of Practice

[Section 3]

1. *Recommended Code of Practice for the Care and Handling of Farm Animals: Beef Cattle*, published by Agriculture Canada;
2. *Recommended Code of Practice for the Care and Handling of Dairy Cattle*, published by Agriculture Canada;
3. *Recommended Code of Practice for the Care and Handling of Special Fed Veal Calves*, published by Agriculture Canada;
4. *Recommended Code of Practice for the Care and Handling of Farm Animals: Pigs*, published by Agriculture and Agri-Food Canada;
5. *Recommended Code of Practice for the Care and Handling of Farm Animals: Horses*, published by the Canadian Agri-Food Research Council;
6. *Recommended Code of Practice for the Care and Handling of Sheep*, published by the Canadian Agri-Food Research Council;
7. *Recommended Code of Practice for the Care and Handling of Poultry from Hatchery to Processing Plant*, published by Agriculture Canada;
8. *Recommended Code of Practice for the Care and Handling of Farmed Deer (Cervidae)*, published by the Canadian Agri-Food Research Council;
9. *Recommended Code of Practice for the Care and Handling of Ranched Fox*, published by Agriculture Canada;
10. *Recommended Code of Practice for the Care and Handling of Mink*, published by Agriculture Canada;
11. *1993 Report of the American Veterinary Medical Association Panel on Euthanasia*, published in the *Journal of the American Veterinary Medical Association*, volume 202, number 2, January 15, 1993, page 229;
12. *Guidelines for Euthanasia of Domestic Animals by Firearms*, published in the *Canadian Veterinary Journal*, volume 32, December 1991, page 724;
13. *Animal Safety and Security Manual*, published by the Canadian Association of Fairs and Exhibitions, Second Edition, 1995;
14. *Guide to the Care and Use of Experimental Animals*, published by the Canadian Council on Animal Care, volume 1, Second Edition, 1993, as supplemented by policies and guidelines published and revised from time to time by the Canadian Council of Animal Care;
15. *A Code of Practice for Canadian Kennel Operations*, published by the Canadian Veterinary Medical Associations, 1994;
16. *Mush with P.R.I.D.E. Sled Dog Care Manual*, published by Mush with P.R.I.D.E.;
17. *Recommended Code of Practice for the Care and Handling of Horses in PMU Operations*, developed by the Manitoba PMU Study Committee.

