



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

ANIMAL WELFARE ACT ANIMAL WELFARE REGULATIONS

PLEASE NOTE

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This document is *not* the official version of these regulations. The regulations and the amendments printed in the *Royal Gazette* should be consulted on the Prince Edward Island Government web site to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the *Table of Regulations* on the Prince Edward Island Government web site (www.princeedwardisland.ca).

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ANIMAL WELFARE ACT
Chapter A-11.2

ANIMAL WELFARE REGULATIONS

Pursuant to section 45 of the *Animal Welfare Act* R.S.P.E.I. 1988, Cap. A-11.2, Council made the following regulations:

GENERAL MATTERS

Interpretation

1. Definitions

- (1) The following terms are defined for the purposes of these regulations,
- (a) “**Act**” means the *Animal Welfare Act* R.S.P.E.I. 1988, Cap. A-11.2;
 - (b) “**boarding facility**” means a cattery, kennel or other premises where companion animals are kept, bred, boarded or trained;
 - (c) “**Cattery Code**” means *A Code of Practice for Canadian Cattery Operations*, published by the Canadian Veterinary Medical Association, 2009;
 - (d) “**CCAC**” means the Canadian Council on Animal Care;
 - (e) “**enclosure**” means a cage, pen, stall or enclosed space to hold or house an animal;
 - (f) “**exotic companion animal**” means any companion animal other than
 - (i) a domestic cat (*Felis silvestris catus*), and
 - (ii) a domestic dog (*Canis lupus familiaris*);
 - (g) “**food animal**” means an animal slaughtered and processed as a meat product for human consumption and for which an inspection system has been established under the laws of Prince Edward Island or Canada;
 - (h) “**handler**” means a person responsible for the care of an animal;
 - (i) “**Kennel Code**” means *A Code of Practice for Canadian Kennel Operations*, published by the Canadian Veterinary Medical Association, 2007;
 - (j) “**NFACC**” means the National Farm Animal Care Council;
 - (k) “**tether**” means to restrain an animal by attaching one end of a rope, leash, chain or similar restraint to an animal or a collar, halter or hobble on the animal and affixing the other end to a stationary object.

Age and sex of animal

- (2) A reference in the Act or regulations made under the Act to an animal includes a male, female, adult or juvenile of that species or breed of animal.

Domesticated water buffalo

- (3) A domesticated water buffalo is prescribed as a “commercial animal” under subclause 1(1)(h)(xx) of the Act. (EC194/17)

Accepted Activities

2. Prescribed accepted activities

For greater certainty, the following are prescribed as accepted activities for the purpose of clause 7(1)(m) of the Act, if conducted in accordance with the Act and these regulations:

- (a) keeping, breeding, boarding or training companion animals at a boarding facility;
- (b) keeping, handling, displaying and selling companion animals in or for a licensed companion animal retail store. (EC194/17)

Standards and Codes

3. Standards, etc. incorporated as amended

- (1) All standards, codes of practice, criteria, guidelines, reports, policies, practices, procedures and other documents referred to or adopted by these regulations are incorporated by reference as amended from time to time.

Acceptable codes, standards and other documents

- (2) The standards, codes of practice, criteria, guidelines, reports, policies, practices, procedures and other documents set out in these regulations are acceptable activities for the purposes of clause 7(2)(a) of the Act. (EC194/17)

Euthanasia

4. Applicable procedures

- (1) No person shall euthanize an animal except in accordance with the procedure applicable to the animal as set out in the following:
- (a) the *2013 Report of the American Veterinary Medical Association Panel on Euthanasia*, published by the American Veterinary Medical Association;
 - (b) the provisions related to euthanasia in the *Kennel Code* and the *Cattery Code*;
 - (c) the provisions related to euthanasia in the codes of practice listed in Schedule B;
 - (d) the *CCAC guidelines on: euthanasia of animals used in science*, published by the CCAC, 2010.

Idem

- (2) If no procedure for euthanasia is applicable to an animal under subsection (1), the animal may be euthanized in accordance with the *Guidelines for Euthanasia of Domestic Animals by Firearms*, published in the *Canadian Veterinary Journal*, volume 32, December 1991, page 724. (EC194/17)



Unacceptable Activities

5. Tethering standards for horses and dogs

- (1) No person shall tether a horse or a dog, unless the tether
 - (a) allows the animal to reach its food and water and a place to lie down that provides protection from extremes of heat or cold and other adverse weather conditions;
 - (b) allows the animal to move in a manner that is safe and not restricted except by the length of the tether;
 - (c) has a minimum length of at least the greater of
 - (i) five metres, and
 - (ii) five times the length of the animal, as measured from the tip of its nose to the base of its tail;
 - (d) is configured to prevent the animal from
 - (i) becoming entangled with other objects or animals, or
 - (ii) moving in a manner that could result in strangulation of or injury to the animal; and
 - (e) does not otherwise cause the animal distress.

Tethering a horse outdoors

- (2) No person shall tether a horse outdoors, unless the tethering complies with the *Code of Practice for the Care and Handling of Equines* referred to in item 12 of Schedule B.

Tethering dogs outdoors

- (3) Subject to subsection 5(1), no person shall tether a dog outdoors unless,
 - (a) in the case of a sled dog, the tethering complies with the *Sled Dog Code of Practice* referred to in section 23; and
 - (b) in the case of any other dog, the tethering complies with the *Kennel Code* and the dog is not tethered for more than 30 minutes during the period from 11 p.m. to 6 a.m.

Tethering other animals

- (4) In the case of animals other than horses and dogs, no person shall tether the animal contrary to any code or standard adopted by these regulations. (EC194/17)

6. Animals in pickup truck

- (1) No person shall transport a companion animal in the open back of a pickup truck in any manner or circumstances that exposes the animal to a high risk of injury.

Pickup truck on highway

- (2) Despite subsection (1), no person shall transport a companion animal in the open back of a pickup truck on a highway, as defined in the *Highway Traffic Act* R.S.P.E.I. 1988, Cap. H-5, unless the animal is placed in a suitable enclosure or otherwise restrained by a device that ensures the safety and protection of the animal. (EC194/17)

Payments and Costs of Care

7. Form of payment

Any fee or amount payable to the province shall be paid in the form of a cheque or money order payable to the Minister of Finance. *(EC194/17)*

8. Costs of care

- (1) The costs of care payable to the Government or the Society for the care and maintenance of an animal under section 25 of the Act are as follows:
- (a) for the costs associated with providing food and shelter,
 - (i) \$15 per commercial animal per day, and
 - (ii) \$22 per companion animal per day;
 - (b) the actual amount of any costs incurred in transporting the animal;
 - (c) the actual amount of any costs incurred in seizing or taking the animal into custody;
 - (d) the actual amount of any costs incurred in relieving the distress of the animal, including euthanasia;
 - (e) for veterinary care,
 - (i) the actual amount of any overtime wages paid to a veterinarian who is an employee of the Society,
 - (ii) the actual amount of any fees and expenses paid to a veterinarian who is engaged by the Department or the Society, and
 - (iii) the actual amount of any costs for medical supplies or other services provided or used in the course of the veterinary care.

Daily amounts

- (2) Where a cost in subsection (1) is prescribed as an amount per day, the amount is payable for each 24-hour period or part of that period.

Reimbursement of Society

- (3) Where any costs payable to the Society under subsection 27(5) of the Act are outstanding for more than one year, the Minister may reimburse the Society for all or part of those outstanding costs. *(EC194/17)*

Form and Content of Orders

9. Contents of orders

- (1) An order made under the Act shall include the following information:
- (a) the name or identity of the person or persons to whom the order applies;
 - (b) the legal authority for the order and the reasons for making the order;
 - (c) a description of each animal, thing or premises that is subject to the order;
 - (d) a description of any action required to be performed or ceased under the order, including a reference to any applicable standard, code of practice, criterion, guideline, report, policy, practice, procedure, other document or recommendation of a veterinarian;



- (e) any specific time limits applicable in the order, including the time to comply, and any other applicable conditions;
- (f) the date of the order and the name, title and signature of the person issuing the order;
- (g) a statement advising how a person affected by the order may have the order appealed;
- (h) a statement advising that the order is in effect during any appeal.

Form of order

- (2) The Director may determine the form of an order. *(EC194/17)*

Consents and Notices**10. Content of consent**

- (1) Where the Act provides for the consent of a person, that consent shall be in writing and contain the following information:
- (a) the name and address of the person;
 - (b) a description of the animal to which the consent applies;
 - (c) a description of the decision or action to which the person is consenting;
 - (d) the date of the consent;
 - (e) the signature of the person.

Contents of notice to owner

- (2) A notice to an owner under section 22 of the Act regarding actions taken in respect of an animal shall contain the following information:
- (a) the name and address of the owner, or if that is not known, a location associated with the owner or a means of identifying the owner;
 - (b) a description of the animal to which the notice applies;
 - (c) a description of the decision or action taken by the animal protection officer;
 - (d) a reference to any statutory authority for the decision or action taken by the animal protection officer;
 - (e) the date of the notice and the name and title of the person issuing the notice;
 - (f) a statement advising how a person affected by the notice may recover possession of the animal or appeal the notice;
 - (g) a statement advising that the decision or action is in effect during any appeal.

Form of documents

- (3) The Director may determine the form of a consent or notice referred to in this section. *(EC194/17)*

Time Periods**11. Time for recovery of animal**

For the purposes of subsection 23(2) of the Act, the time period within which an owner may recover possession of an animal is five days, not including weekends and holidays, after the day the notice under section 23 of the Act was served on the owner. *(EC194/17)*

Appeals

12. Content of notice of appeal

- (1) A notice of appeal under subsection 29(4) of the Act shall be in a form determined by the Appeal Board that
- (a) is signed and dated by the appellant or counsel for the appellant; and
 - (b) sets out the name, address and telephone number of the appellant and any counsel for the appellant.

Appeal Board

- (2) Members of the Appeal Board shall receive remuneration for the work they perform on an appeal as follows:
- (a) the Chair shall be paid \$70 per hour worked to a maximum of \$1,000 per appeal;
 - (b) the Vice Chair shall be paid \$40 per hour worked to a maximum of \$572 per appeal;
 - (c) every other member shall be paid \$40 per hour worked to a maximum of \$572 per appeal. *(EC194/17)*

Service of Documents

13. Manner of service

- (1) A notice, order or other document may be sent or served on a person to whom it pertains
- (a) by personally delivering it to the person;
 - (b) by mailing or delivering it to the person at their last known address, according to the most recent information of the person serving it, using a mail or delivery service that provides an acknowledgment of receipt; or
 - (c) in the case of service on an owner of an animal, by leaving or posting it at the place where
 - (i) the animal referred to in it was seized or taken into custody, or
 - (ii) the person serving it believes on reasonable grounds the animal is located.

Date of service

- (2) A document sent or served in accordance with subsection (1) is deemed to have been served on and received by the person on the earliest of the day that
- (a) it is personally delivered to the person;
 - (b) its receipt is acknowledged in accordance with clause (1)(b); or
 - (c) it is left at the place referred to in clause (1)(c). *(EC194/17)*

COMPANION ANIMALS

Adoptions by the Society

14. Adoption conditions

Before placing a companion animal for adoption, the Society shall, in addition to any other conditions that the Society may require, ensure that



- (a) the animal has no apparent health or behavioural problems that would make it unsuitable for adoption;
- (b) the prospective owner provides proof of his or her identity in a form satisfactory to the Society;
- (c) the prospective owner is provided with advice about the proper care of and any appropriate training for the animal;
- (d) the prospective owner is, in the Society's opinion, suitable to adopt the animal; and
- (e) the adoption is documented in writing. *(EC194/17)*

Licensing Companion Animal Retail Stores

15. License applications

A person applying for a license to operate a companion animal retail store shall submit to the Director

- (a) a completed application in a form determined by the Director;
- (b) a statement of the types and breeds of animal to be housed or bred and the number of breeding and non-breeding adult animals that will be kept at the companion animal retail store;
- (c) a scale drawing or blueprint of the premises; and
- (d) a license fee in the amount of \$250. *(EC194/17)*

16. No alteration of licensed premises without approval

- (1) No person shall alter or modify the premises or operation of a licensed companion animal retail store without the prior written approval of the Director.

Application for approval

- (2) An application for approval to alter or modify the premises or operation of a licensed companion animal retail store shall be made in the same manner as an application for a license under section 15. *(EC194/17)*

17. Renewal of license

- (1) The holder of a license for a companion animal retail store who wishes to renew the license shall, no later than 30 days before the expiry of the license, submit to the Director
 - (a) an application for renewal in a form approved by the Director;
 - (b) a current inventory of the species, breeds and quantity of animals in the companion animal retail store; and
 - (c) a license fee in the amount of \$250.

Inspection before renewal

- (2) Before renewing a license, the Director may require the premises of the companion animal retail store to be inspected by an inspector or by another person designated by the Director.

Report on results of inspection

- (3) A person who performs the inspection under subsection (2) shall submit a report regarding the results of the inspection to the Director in accordance with the requirements of the Director. *(EC194/17)*

18. Brochure

The holder of a license for a companion animal retail store shall, when selling an animal, ensure that the sales staff gives the buyer a document that

- (a) states the scientific or common name of the animal;
- (b) certifies that the animal is healthy; and
- (c) provides the prospective owner with advice about the proper care of and any appropriate training for the animal. (EC194/17)

19. Maintenance of Records

- (1) The holder of a license for a companion animal retail store shall keep records of
 - (a) the name, address and contact information of each supplier that supplies an animal to the companion animal retail store;
 - (b) the species, breeds and quantity of animals obtained from each supplier; and
 - (c) any other records that may be required under these regulations.

Records retention and production

- (2) The holder of a license for a companion animal retail store shall
 - (a) keep each record for at least two years from the date it is made; and
 - (b) provide any of these records to the Director or an animal protection officer upon request. (EC194/17)

Housing and Construction Standards

20. Application to retail stores and boarding facilities

- (1) Every holder of a license for a companion animal retail store and every owner and operator of a boarding facility shall comply with the codes and standards adopted by this section in respect of the store or facility and the animals in the store or facility.

Construction standards for kennels

- (2) That portion of the premises where dogs are kept shall be constructed in accordance with the standards in the *Kennel Code*.

Construction for catteries

- (3) That portion of the premises where cats are kept shall be constructed in accordance with the standards in the *Cattery Code*.

Standards for exotic companion animals

- (4) That portion of the premises where exotic companion animals are kept shall be constructed in accordance with the standards in Schedule A.

Standards for mixed species

- (5) Where a combination of the species referred to in subsections (2) to (4) are kept on the same premises,
 - (a) the codes and standards referred to in those subsections applies to those parts or areas of the premises in which the applicable species is kept, handled or displayed; and
 - (b) parts or areas of the premises where more than one species are kept, handled or displayed shall comply with the combination of those codes and standards that best



ensures the well-being of all the animals that are kept, handled or displayed in the part or area of the premises.

Separation of species

- (6) If the license holder of a companion animal retail store or the owner or operator of a boarding facility is unable to comply with clause (5)(b), he or she shall not keep, handle or display an animal of a species covered by a code or standard in a part or area of the premises that does not comply with that clause. (EC194/17)

General Standards of Care

21. Application to stores and facilities

- (1) Every holder of a license for a companion animal retail store and every owner and operator of a boarding facility shall comply with the codes and standards adopted by this section in respect of the store or facility and the animals in the store or facility.

Standards for litter and bedding

- (2) The litter or bedding material in every enclosure in the premises shall be changed as often as is necessary to keep the litter or bedding dry, clean and free of noxious fumes.

Other standards for excreta and waste

- (3) Any enclosure using any specialized method for collecting excreta and other waste shall be cleaned and the excreta removed as often as is necessary to maintain the health and comfort of every animal in the premises.

Sanitizing enclosures

- (4) No animal shall be placed in a vacant enclosure of which it has not been the last occupant, unless the enclosure and any equipment in it has first been cleaned and disinfected.

Prevention of contamination

- (5) The walls, floors and holding enclosures in the premises shall be constructed so as to prevent wastes from contaminating adjacent rooms or enclosures.

Standards for watering

- (6) Every device used to supply drinking water to animals in the premises shall be
- (a) maintained in a sanitary condition; and
 - (b) constructed and maintained so as to ensure that the animals are receiving clean and potable water in volumes and at intervals sufficient to meet the requirements of their species.

Standards for food

- (7) Food supplied for animals in the premises shall be of a type and amount that provides a nutritionally adequate diet for each species and is palatable and free from contamination.

Period of feeding

- (8) No animal in the premises shall be deprived of food for longer than the lesser of 24 hours or the period recommended by the code or standard applicable to that animal under these regulations.

Standards of care for dogs

- (9) Dogs on the premises shall be cared for in accordance with the guidelines for immunization and health care set out in the *Kennel Code*.

Standards of care for cats

- (10) Cats on the premises shall be cared for in accordance with the guidelines for immunization and health care set out in the *Cattery Code*.

Health management program

- (11) The licensed premises shall be operated in accordance with a health management program that is approved by a veterinarian and includes a written protocol for
- (a) preventive veterinary care;
 - (b) vaccination;
 - (c) parasite control; and
 - (d) euthanasia, when required.

Veterinary care

- (12) Any animal on the premises that becomes ill shall be presented to a veterinarian for timely diagnosis and treatment. (EC194/17)

Special Standards for Exotic Companion Animals

22. Standards in Schedule A

Every holder of a license for a companion animal retail store and every owner and operator of a boarding facility with an exotic companion animal shall comply with the codes and standards adopted or required by Schedule A in respect of the store or facility and every exotic companion animal in the store or facility. (EC194/17)

Sled Dogs

23. Sled dogs

Every owner of a sled dog shall comply with the *Sled Dog Code of Practice*, January 30, 2012, published by the Ministry of Agriculture, Government of British Columbia. (EC194/17)

Standards of Operation of Boarding Facilities

24. Code applicable to kennel

- (1) Every owner and operator of a boarding facility for dogs shall operate the facility in compliance with the *Kennel Code*.

Code applicable to cattery

- (2) Every owner and operator of a boarding facility for cats shall operate the facility in compliance with the *Cattery Code*. (EC194/17)



Standards for Operation of Companion Animal Retail Stores

25. Application to animal retail stores

- (1) Every holder of a license for a companion animal retail store shall comply with the codes and standards adopted by this section in respect of the store and the animals in the store.

Standards for dogs

- (2) Dogs shall be kept, handled and displayed in accordance with the standards in the *Kennel Code*.

Standards for cats

- (3) Cats shall be kept, handled and displayed in accordance with the standards in the *Cattery Code*.

Standards for birds

- (4) Birds shall be kept, handled and displayed in accordance with the standards in the *Recommended space requirements for birds kept in a pet retail environment*, published by the Pet Industry Joint Advisory Council of Canada.

Standards for small animals

- (5) Small animals shall be kept, handled and displayed in accordance with the standards in the *Recommended space requirements for juvenile small animals kept in a pet retail environment*, published by the Pet Industry Joint Advisory Council of Canada. (EC194/17)

COMMERCIAL ANIMALS

Codes of Practice for Commercial Animals

26. Codes of practice

Every owner of a commercial animal shall comply with the codes of practice listed in Schedule B in respect of the commercial animal to which the code applies. (EC194/17)

Loading Commercial Animals

27. Animals unfit for loading

- (1) No person shall load into a vehicle any animal that, by reason of infirmity, illness, injury, fatigue or any other cause, would suffer unduly while in the vehicle.

Exception

- (2) Despite subsection (1), a person may load into a vehicle an animal for transportation to or from a veterinary clinic, a designated confinement area or the nearest suitable place to deal with health concerns as long as the animal is loaded and will be transported humanely.

Pain, suffering, harm or impairment of health prohibited

- (3) No person shall load commercial animals into a vehicle in a manner that is likely to cause the animals pain, suffering, harm or impairment of health from crowding or any other reason.

Prohibited devices

- (4) No person shall beat or, by use of a prod, goad or other instrument, cause injury to a commercial animal being loaded into a vehicle.

No pregnant animals

- (5) No person shall load into a vehicle a commercial animal that is likely to give birth while in the vehicle, unless the animal is being transported for health reasons.

Insufficient space

- (6) No person shall load a commercial animal into a vehicle that has insufficient space for all the animals to stand in their natural position at the same time without coming into contact with a deck or roof.

Suitable vehicle

- (7) A person who loads commercial animals into a vehicle shall ensure that the vehicle meets the following requirements:
- (a) the area of the vehicle used by the animals is adequately cleaned prior to loading and is maintained in a clean state;
 - (b) exhaust fumes are not able to enter the area of the vehicle used by the animals and cause distress to the animals;
 - (c) the front of the area of the vehicle used by the animals is of sufficient height to protect the animals from direct exposure to any adverse condition;
 - (d) the deck surface consists of a suitable non-slip flooring or is covered with straw, dry sand or other suitable material that is uniformly spread.

Unsuitable vehicle

- (8) No person shall load a commercial animal into a vehicle that has
- (a) a box or stock rack of a strength and height that is insufficient to adequately protect and contain the animal at all times;
 - (b) fittings that are not secure or are inadequately padded, fenced off or obstructed;
 - (c) bolt-heads or other objects projecting into the area of the vehicle used by the animal;
 - (d) any broken, cracked or damaged siding or flooring material;
 - (e) inadequate ventilation;
 - (f) unsafe footholds or footholds that are not secure; or
 - (g) any other equipment in such a condition that it is likely to cause the animal pain, suffering, harm or impairment of health.

Extreme heat or cold

- (9) No person shall load a commercial animal into a vehicle in a manner that could cause undue exposure of the animal to extreme or injurious heat or cold and other adverse weather conditions. (EC194/17)

Unloading Commercial Animals

28. Prohibited unloading

- (1) No person shall unload any commercial animal at a commercial market or assembly yard that, by reason of infirmity, illness, injury, fatigue or other cause, is unable to stand or is unduly suffering.



Injury or undue suffering prohibited

- (2) No person shall unload a commercial animal in a manner that is likely to cause it pain, suffering, harm or impairment of health.

Prohibited devices

- (3) No person shall beat or, by use of a prod, goad or other instrument, cause injury to a commercial animal being unloaded from a vehicle.

Premises for unloading

- (4) No person shall unload a commercial animal from a vehicle for rest, food or water, unless the premises into which the animal is unloaded
- (a) provides sufficient space for all the animals to lie down at the same time;
 - (b) provides for adequate feeding and watering of the animals;
 - (c) has an adequate amount of straw or other suitable material to bed the animals; and
 - (d) provides protection from extreme or injurious heat or cold and other adverse weather conditions. (EC194/17)

Commercial Markets

29. Maintenance requirements

- (1) The operator of a commercial market shall ensure that it is maintained so that
- (a) adequate protection is provided to all calves weighing less than 115 kilograms and all swine that are present at the market;
 - (b) any commercial animal that, by reason of infirmity, illness, injury, fatigue or other cause, is unable to stand or unable to compete with other animals for space, feed or water is kept separated from the other animals;
 - (c) sows, boars or stags that weigh more than 150 kilograms are kept separate from market hogs;
 - (d) boars or stags with tusks are kept in individual enclosures;
 - (e) boars or stags that weigh less than 150 kilograms are kept separate from sows; and
 - (f) adequate shelter from extreme or injurious heat or cold and other adverse weather conditions is provided that is appropriate for the species of commercial animal.

No sale of young animals

- (2) The operator of a commercial market shall not allow the following animals to be present at the commercial market:
- (a) a weaned foal that is less than 30 days old;
 - (b) a weaned pig that weighs less than 10 kilograms; or
 - (c) any other species of weaned animal that is less than eight days old.

Notice to remove young animals

- (3) If any animal described in subsection (2) is present at a commercial market, the operator shall
- (a) keep it separate from other commercial animals; and
 - (b) notify, as soon as possible, the person who delivered the animal to remove it immediately.

Removal of young animals

- (4) A person who receives notice under clause (3)(b) shall immediately remove the animal from the commercial market. (EC194/17)

Care and Handling of Commercial Animals

30. Maximum period at market or yard

- (1) The operator of a commercial market or assembly yard shall not allow commercial animals to remain at the market or yard for a period exceeding 144 hours, unless so directed by an animal protection officer or another officer or inspector appointed under an enactment of Prince Edward Island or Canada.

Provision of care

- (2) If a commercial animal remains at a commercial market or assembly yard for a period of 36 hours, the operator of the market or yard shall provide sufficient space, shelter, feed, water and bedding for that animal for as long as it remains at the market or yard.

Notice of unfit animal

- (3) If any commercial animal at a commercial market or assembly yard becomes unable, by reason of infirmity, illness, injury, fatigue or other cause, to stand or to compete with other animals for space, food or water, the operator of the market or yard shall
- (a) keep that animal separate from the other animals; and
 - (b) provide the care or treatment appropriate to that animal. (EC194/17)

Slaughtering Animals for Food

31. Slaughter

- (1) No person shall slaughter a food animal except in accordance with the provisions of sections 77 to 80 of the *Meat Inspection Regulations, 1990*, including any amendments made to, or successor legislation enacted to replace, those provisions.

Prohibition on slaughtering non-food animals

- (2) No person shall slaughter an animal for food, unless it is a food animal. (EC194/17)

Research Animals

32. Research and teaching animals

- (1) The owner and any other person who has control of animals bred, kept or used for the purpose of research or teaching activities shall keep them in accordance with the following guides, policies and guidelines, published by the Canadian Council on Animal Care:
- (a) *CCAC Guide to the Care and Use of Experimental Animals*, Vol. 1, 2nd ed. (1993);
 - (b) *CCAC Guide to the Care and Use of Experimental Animals*, Vol. 2 (1984);
 - (c) *CCAC guidelines on: animal use protocol review* (1997);
 - (d) *CCAC guidelines on: transgenic animals* (1997);
 - (e) *CCAC guidelines on: choosing an appropriate endpoint in experiments using animals for research, teaching and testing* (1998);



- (f) *CCAC guidelines on: institutional animal user training program (1999);*
- (g) *CCAC guidelines on: antibody production (2002);*
- (h) *CCAC guidelines on: the care and use of wildlife (2003);*
- (i) *CCAC guidelines on: laboratory animal facilities characteristics, design and development (2003);*
- (j) *CCAC guidelines on: the care and use of fish in research, teaching and testing (2005);*
- (k) *CCAC policy statement on: terms of reference for animal care committees (2006);*
- (l) *CCAC policy statement on: ethics of animal investigation (1989);*
- (m) *CCAC policy statement on: social and behavioural requirements of experimental animals (SEBREA) (1990);*
- (n) *CCAC policy statement on: acceptable immunological procedures (1991);*
- (o) *CCAC policy statement on: categories of invasiveness in animal experiments (1991);*
- (p) *CCAC policy statement on: definitions of recommendations made in CCAC assessment reports (2012);*
- (q) *CCAC policy statement on: confidentiality of assessment information (2010);*
- (r) *CCAC policy statement on: CCAC assessment panel policy (1999);*
- (s) *CCAC Certification of Animal Care and Use Programs (2012);*
- (t) *CCAC policy statement on: the importance of independent peer review of the scientific merit of animal based research projects (2000);*
- (u) *CCAC policy statement on: animal based projects involving two or more institutions (2003);*
- (v) *CCAC Guidelines on: the Care and Use of Farm Animals in Research, Teaching and Testing.*

Animal care committee

- (2) No owner or any other person who has control of animals bred, kept or used for the purpose of research or teaching activities shall conduct a study or research involving the animals, unless the study or research is reviewed and approved by an animal care committee structured according to the criteria set out in the policy referred to in clause (1)(k). (EC194/17)

Exhibitions and Fairs

33. Duties of owner and person in charge

- (1) The owner and person in charge of animals present at an exhibition or fair shall ensure that
 - (a) any companion animal in the exhibition or fair is cared for in accordance with the provisions of sections 20 to 25, including Schedule A, applicable to that animal;
 - (b) any commercial animal in the exhibition or fair is cared for in accordance with the provisions of sections 26 to 28 applicable to that animal;
 - (c) an experienced handler is within eye contact of an animal when it is in the presence of the public; and
 - (d) the public is not allowed to approach, touch or feed an animal, unless the interaction is supervised by an experienced handler and the safety of the animal and the public is assured.

Circus animals

- (2) For greater certainty, these regulations do not apply to animals in a circus governed by the Circus Animals Regulations. *(EC194/17)*



SCHEDULE A**(SECTION 22)****STANDARDS FOR EXOTIC COMPANION ANIMALS***Application***1. Exotic companion Animals**

This Schedule applies only in respect of exotic companion animals in a companion animal retail store or a boarding facility.

*Housing and Enclosures***2. Natural enclosures**

- (1) An animal's enclosure shall be constructed to reflect the animal's natural habitat, such as aquatic, terranean or arboreal.

Standards of construction

- (2) An animal's enclosure shall be constructed so that
- (a) it is situated away from areas of disruptive traffic and noise;
 - (b) it can be maintained in a manner that causes minimal disturbance to the animals in it and elsewhere in the premises;
 - (c) it does not contain sharp edges or anything else that can harm the animal; and
 - (d) it is built with materials, such as glass, plexiglass, plastic or steel, that are smooth, non-abrasive, non-absorbent and easy to clean and disinfect.

Wire enclosures

- (3) If all or part of the floor of an animal's enclosure is wire,
- (a) the wire shall be coated with an impervious material;
 - (b) the floor shall be sufficiently strong to support the combined weight of the animals in the enclosure plus any equipment that rests on the wire floor;
 - (c) the floor shall have a mesh size that will not injure any animal in the enclosure but will allow faecal matter to fall freely through the mesh;
 - (d) the floor shall be set up so that there is no contamination of the enclosure underneath; and
 - (e) the floor shall include a partial solid area such as a bed or blanket.

Size of enclosure

- (4) The size of each enclosure shall generally be large enough to allow the animal enough room to move around and to exhibit normal behaviours such as climbing and burrowing.

Stable branches and perches

- (5) If the enclosure contains branches, perches or other structures, they shall be stable, not prone to collapse and capable of being adequately cleaned and disinfected.

3. Water habitats

- (1) A water habitat in an enclosure shall be constructed so that
- (a) it is large enough to accommodate the animal;
 - (b) it provides shallow areas for rest, respiration and basking;
 - (c) except in the case of aquatic species and species that require soaking, it is not deeper than the chin of the animal being housed; and
 - (d) in the case of an enclosure for an aquatic turtle, it is at least as deep as the width of the turtle's carapace to prevent drowning.

Glues for aquariums and water habitats

- (2) If the enclosure is an aquarium or contains a water habitat, only glues approved for use in aquariums shall be used on the enclosure's glass components.

4. Size of bird enclosure

- (1) An enclosure for birds shall be larger than the largest wingspan of any bird housed in the enclosure.

Construction of bird enclosures

- (2) An enclosure for birds shall be built with several perches that
- (a) are easy to clean and disinfect;
 - (b) are of more than one size and texture;
 - (c) allow for proper distribution of the birds' weight; and
 - (d) promote avian foot health.

5. Hiding areas

An animal's enclosure shall be provided with hiding areas that are

- (a) adequate in number for the species and number of animals being housed;
- (b) located across a range of temperature and humidity within the enclosure;
- (c) constructed so as to prevent animals from moving them or becoming trapped inside of them; and
- (d) easy to clean and disinfect.

6. Outdoor premises

Outdoor premises used to house animals shall

- (a) have a perimeter and an enclosed roof, when appropriate, that is reinforced to prevent animal escapes;
- (b) be monitored regularly for signs of escape activity, especially along the perimeter;
- (c) have fencing buried adequately to prevent escapes by underground burrowing;
- (d) not use chicken wire to secure a perimeter; and
- (e) not contain toxic plants, pesticides or other harmful substances.



7. Snake enclosures

- (1) A snake enclosure shall have two contiguous sides with a total length, measured on their inside surfaces, that is equal to or greater than the fully extended length of the longest snake in the enclosure.

Escape-proof snake enclosures

- (2) Snakes shall be kept in a latched or locked escape-proof enclosure.

8. Housing different species together

- (1) species may be housed together only if they do not affect each other negatively.

Cannibalistic species or animals

- (2) Species or animals that are cannibalistic shall be housed individually.

Housing predators and prey species

- (3) Prey species shall not be housed with predators, except for a prey animal that is placed in a predator's enclosure as food.

9. Predation and harassment

An animal shall not be subject to predation or harassment by another animal, except for a prey animal that is placed in a predator's enclosure as food.

10. Bedding

An animal shall be provided with bedding or surface material that is

- (a) not toxic or otherwise harmful;
- (b) not irritating to the animal's skin or respiratory tract;
- (c) either smooth and large enough to prevent its ingestion or small enough to pass uninhibited through the animal's intestinal tract;
- (d) in an amount adequate to permit nesting, egg-laying and burrowing, if applicable; and
- (e) in amount and absorbent capability adequate to contain excreta.

11. Cleanliness of water in water habitats

Water comprising an aquatic or water habitat in an enclosure shall be

- (a) changed at least weekly, and more frequently for an aquarium smaller than 45.5 litres;
- (b) kept as free of contamination as reasonably possible, especially with species that defecate in their water source;
- (c) free of harmful substances;
- (d) aged and acclimatized to the enclosure temperature prior to being added to the animal's environment;
- (e) aerated for water-dwelling species; and
- (f) if the source water is chlorinated or contains other chemicals harmful to the animal, passed through a filter prior to being added to the animal's environment.

12. Temperature, humidity, precipitation and lighting

- (1) The temperature, humidity, precipitation and lighting conditions in an enclosure shall replicate those of the animal's natural habitat as closely as possible while still allowing for appropriate hygiene, breeding and management of the animal.

Amphibian or reptile enclosure

- (2) An amphibian or reptile enclosure shall have
- (a) a range of temperatures appropriate to the species it contains; and
 - (b) different temperature zones within the enclosure if moving between such zones is a part of the animal's usual routine in its natural habitat.

Temperature limit

- (3) The temperature in an enclosure shall not exceed the optimum body temperature for the species it contains.

Thermometers

- (4) The premises shall be equipped with a thermometer capable of measuring air temperature and, for species that thermoregulate, the temperature of the surface of the floors of their enclosures in the premises.

Heating source for exotic companion animals

- (5) The source of heat in the premises shall not be capable of burning an animal.

Hot rocks

- (6) A rock with a heating element shall not be used or placed in an enclosure in such a manner that an animal in the enclosure is able to come into direct contact with the rock.

Ultraviolet-B

- (7) An amphibian or reptile enclosure shall have a source of ultraviolet-B radiation, preferably sunlight, if appropriate for the species contained in the enclosure.

Humidity range

- (8) An amphibian or reptile enclosure shall have a range of humidity appropriate for the species contained in it.

Humidity through lack of ventilation

- (9) The level of humidity required in the premises shall not be provided by excluding ventilation.

13. Ventilation

- (1) The premises shall be provided with adequate ventilation.

Top and sides

- (2) An enclosure shall have a top or side that is not solid, unless the enclosure is otherwise adequately ventilated.

*Food and Water***14. Sanitation of feeding and watering equipment**

Utensils and dishes used to provide food and water to animals shall be



- (a) cleaned daily; and
- (b) disinfected before being used for another animal.

15. Diet

- (1) An animal shall be provided with a diet that is nutritionally balanced and adequate for its species and age.

Regular feeding

- (2) An animal shall be fed at regular intervals appropriate for its species, and individual animals in a group of animals housed together shall be monitored for adequate nutrient intake.

Live prey

- (3) Animals shall not be fed live prey as food, unless necessary for that animal.

Conditions for live prey

- (4) All practicable measures to reduce the suffering of live prey used as food shall be taken, including the following:
 - (a) the prey shall be provided with shelter, food and water;
 - (b) in the case of a sociable species of prey, such as guinea pigs, the prey shall not be put in the predator's enclosure alone as a single animal;
 - (c) any live prey not eaten after six hours shall be removed from the predator's enclosure;
 - (d) any prey that is injured or obviously and excessively frightened as a result of the predator attacking, but not eating, it shall be removed from the predator's enclosure and, if necessary, euthanized.

Change of diet

- (5) Dietary changes shall be made gradually and avoided in species that cannot adapt to variety.

Separate water and feeding

- (6) The animal's food shall be provided separately from its source of drinking water and the drinking water shall be changed within 12 hours after feeding.

Vitamins and minerals

- (7) Animals shall be provided with an adequate source of essential vitamins and minerals, including calcium and vitamin D for amphibians and reptiles.

16. Drinking water

- (1) Drinking water shall be provided in a manner accessible for the species, such as shallow containers on the ground, containers mounted in trees and misting on vegetation or enclosure walls.

Sipper bottles

- (2) Sipper bottles shall be checked daily to ensure that they are flowing.

*Care and Handling***17. Activities and exercise**

Several sources of environmentally enriching items appropriate for the species housed in an enclosure shall be provided in it, such as an exercise wheel for small fur-bearing species.

18. Handling

- (1) An animal shall not be caught or handled by its tail.

Amphibians

- (2) An amphibian shall be handled with gloved or wet hands.

No undue stress

- (3) An animal shall be handled in a way that does not cause undue stress to it and in a room or place that is enclosed and has as few places as reasonably practical for an escaped animal to hide.

Hand washing

- (4) Hands and handling equipment shall be washed and disinfected after an animal is handled.

19. Quarantine

An animal shall be quarantined for a period of time recommended by a veterinarian before it is introduced into the enclosure of another animal.

20. Sick or injured animals

A sick or injured animal shall be treated in its home enclosure if possible and, if this is not possible, a second unoccupied enclosure shall be used for the animal's treatment.

21. Brumation

- (1) Brumation shall be permitted if it is appropriate for the species.

Minimum period

- (2) A minimum period from November to February is recommended for brumation for temperate terrestrial reptiles.

Preconditioning period

- (3) An animal that brumates shall be provided with a preconditioning period before brumation that includes
- (a) a physical exam of the animal; and
 - (b) a period for the animal to acclimatize to room temperature.

Weight and hydration

- (4) An animal that brumates shall be monitored for weight loss and hydration during its brumation period.



Examination for weight loss

- (5) An animal that loses over 7% of its body weight during its brumation period shall be examined for disease or other problems.

Drinking water

- (6) During an animal's brumation period, it shall be provided with drinking water that is changed regularly.

22. Specific provisions for chinchillas and degus

A chinchilla or degu shall be provided with

- (a) access to a sanitized dust bath several times per week; and
- (b) the opportunity to chew and wear down its incisors.

23. Specific provisions for snakes

If neither the length nor the width of a snake enclosure is longer than the full length of a snake contained in the enclosure, the snake shall be allowed out for exercise with direct supervision several times per week.

24. Specific provisions for birds

Birds shall be provided water in a manner suitable for bathing.

Transportation

25. Transportation

Animals shall be transported

- (a) in a dark, confined and secure enclosure; and
- (b) at a temperature within their preferred temperature range.

26. Sanitation of hands and equipment

Hands and equipment shall be washed and disinfected after transporting an animal. (EC194/17)

SCHEDULE B**(SECTION 26)**

1. *Code of Practice for the Care and Handling of Beef Cattle*, published by NFACC (2013)
2. *Code of Practice for the Care and Handling of Dairy Cattle* published by NFACC (2009)
3. *Code of Practice for the Care and Handling of Veal Calves*, published by NFACC
4. *Code of Practice for the Care and Handling of Pigs*, published by NFACC (2014)
5. *Code of Practice for the Care and Handling of Sheep*, published by NFACC (2013)
6. *Codes of Practice for the Care and Handling of Goats*, published by NFACC (2003)
7. *Code of Practice for the Care and Handling of Hatching Eggs, Breeders, Chickens, and Turkeys* published by NFACC (2012)
8. *Code of Practice for the Care and Handling of Rabbits* published by NFACC
9. *Code of Practice for the Care and Handling of Farmed Deer (Cervidae)* published by NFACC (1996)
10. *Code of Practice for the Care and Handling of Farmed Fox (Vulpes vulpes)* published by NFACC (2013)
11. *Code of Practice for the Care and Handling of Farmed Mink*, published by NFACC (2013)
12. *Code of Practice for the Care and Handling of Equines*, published by the NFACC (2013)
13. *Recommended Code of Practice for the Care and Handling of Horses in PMU Operations*, approved by Manitoba Agriculture
14. *Code of Practice for the Care and Handling of Bison*, published by NFACC (2001)
15. *CCAC Guidelines on: the Care and Use of Farm Animals in Research, Teaching and Testing*, published by the Canadian Council on Animal Care
16. *Code of Practice for the Care and Handling of Farm Animals: Transportation*, published by NFACC (2001)

(EC194/17)

