

From: Al and Joanne Matheson <ganymedeborders@gmail.com>
Sent: September 22, 2018 3:25 PM
To: Office of the Legislative Counsel
Cc: lunenburgmla@eastlink.ca; Matheson Al
Subject: Proposed Bill 27 Animal Protection Act

To whom it may concern:

I have been perusing the proposed amended Animal Protection Act and to say the least I feel it reflects very little or no thought as it was drafted. It seems to reflect only the opinions of the SPCA, driven I believe by a case lost in the courts. Almost every point or article other than some of the definitions, are so vague and interpretive that it questions just how this could be applied in the rule of law.

It is proposed as an Animal Welfare Act but yet you have chosen to differentiate between "companion animals" and "farm animals", they are all animals and need to be treated equally, which in this piece of legislature are not!

Section 2 An animal is in distress if the animal is:

(c) deprived of adequate ventilation, space, veterinary care or medical treatment;

This point is totally subjective and open to interpretation

(e) subjected to cosmetic surgery as defined in Section 27;

Again if the procedure was done out of province, what is the status of the person owning the dog???

(g) kept in conditions that contravene the standards of care prescribed by the regulations;

What are the regulations, who sets them and where do you find them?

Society for the Prevention of Cruelty

5 The object of the Society is to provide effective means for the prevention of cruelty to and the promotion of the welfare of companion animals in the Province.

Why only companion animal why not farm animals?

7 (1)(a) promote the humane treatment and welfare of companion animals and the principles of the Society;

Again only companion animals and principles of the Society?

Animal Welfare inspections

11 (1) The Chief Inspector and inspectors appointed under subsection 12(1) are responsible for inspections of companion animals.

(2) The Provincial Inspector and inspectors appointed under Section 17 are responsible for the inspection of farm animals.

Why are different inspectors need for welfare conditions an animals welfare is just that whether it is a dog ,cat, pig, horse etc.

12 (1) The Board of Directors of the Society shall appoint a Chief Inspector and inspectors for the purpose of inspecting companion animals.

(2) The Chief Inspector must meet the minimum qualifications prescribed by the regulations.

What are these qualifications and again what regulations.

13 (1) The Chief Inspector has

- (a) the powers and duties of an inspector of companion animals and the powers and duties prescribed in the regulations;
- (b) the power to establish qualifications, requirements and standards for inspectors of the Society;
- (c) the power to recommend persons to the Society for appointment as inspectors of the Society;
- (d) the power to recommend to the Society the revocation of the appointment of an inspector of the Society; and
- (e) the general power to oversee the inspectors of the Society in the performance of their duties.

(2) The Chief Inspector may formulate and co-ordinate the establishment of industry customs and codes of practice supporting the human treatment of companion animals.

14 (1) The Chief Inspector shall notify the Provincial Inspector of any reports received by the Chief Inspector or the Society respecting the welfare of a farm animal.

(2) The Provincial Inspector shall notify the Chief Inspector of any reports received by the Provincial Inspector respecting the welfare of a companion animal.

There appears to be duplication and I also assume a double standard on companion versus farm animal care.

Section 20 is a draconian piece of legislation written to intimidate the public, I realize that the Inspectors have designation as special constables under the Police Act, but at no time may they enter my private dwelling place without a warrant, unless in very special circumstance and even then the legality will be seriously scrutinized in a court of law. I also do not have to talk to them unless they have a warrant. If there is indeed an infraction that requires this drastic action it surely cannot be that hard to obtain a warrant. On the other hand if the situation is such that an animals life is in imminent danger by all means intervene.

This whole section needs closer scrutiny and verification.

There has been a substantial change in verbiage from the old legislation and one can only wonder why?

I am all for animal welfare, but it needs to be driven by common-sense, not by the heart. By that I mean there are too many people and organizations out there with radical views on animal husbandry and pet ownership. This legislation needs to reflect reality, be decisive and fair.

Al and Joanne Matheson

ganymedeborders@gmail.com

Home of Multiple Best in Show and Best in Specialty Show Winners