
From: Judith Tulloch <[REDACTED]>
Sent: September 23, 2018 7:17 PM
To: brendan@brendanmaguire.ca
Cc: Office of the Legislative Counsel
Subject: Concerns re Bill 27

Dear Mr. Maguire,

As one of your constituents, I am writing to express my opposition to Bill 27. I have a number of concerns but will comment on two specific issues:

- 1) Use of the word "custodian" to include "owner". There is a significant difference between the status of "owner" and "custodian". I would suggest that the two terms be clearly differentiated with "owner" being identified by the common dictionary definition and included as a separate item in Section 2 with "custodian" being limited to items iii vi of Section 2. Further, where the word "custodian" is used in the Bill (e.g. 20-3 a,b,c, 26-2, 3, 29-1, 30-1, 3 and 7) it should be replaced by a phrase used elsewhere in the Bill, viz, "the owner of the animal or, where the owner cannot be found, the custodian on behalf of the owners" (29-3, 30-2 and 8). This change reinforces the primacy of the owner while still permitting the SPCA to take action where the owner of an animal is unknown or impossible to locate.
- 2) A more general concern in the Bill however is the great power given to the SPCA, e.g. 20-2 in which an inspector may require a person to produce any animal from a private home without such limitations as "at a reasonable time" or "on reasonable and probable grounds". These phrases appeared in parallel clauses in the Act currently in force and in fact appear elsewhere in the Bill including, for example, the following clause 20-3. Insertion of this requirement would not unduly limit the actions of SPCA inspectors while supporting the protection of private property, a deeply held concept in our laws.

In light of these concerns, and others raised by speakers at the Law Amendments Committee, it is clear that progress of this Act should be paused while more extensive and transparent consultations are undertaken. This Bill will have a significant impact on all owners of companion animals in the province and some of its provisions should be reconsidered.

Yours sincerely,
Judith Tulloch

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Halifax, Nova Scotia