

The Animal Protection Regulations, 2018

being

[Chapter A-21.2 Reg 1](#) (effective September 17, 2018).

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-21.2 REG 1
The Animal Protection Act, 2018

PART 1
Preliminary Matters

Title

1 *These regulations may be cited as The Animal Protection Regulations, 2018.*

Definitions and Interpretation

2(1) In these regulations:

“**Act**” means *The Animal Protection Act, 2018*;

“**Form**” means a form set out in Part 1 of the Appendix.

(2) For the purposes of clause 2(2)(e) of the Act, “abandoned” includes an animal that is left uncared for as a result of any of the following:

- (a) the arrest of the person responsible for the animal;
- (b) the hospitalization of the person responsible for the animal;
- (c) the death of the person responsible for the animal.

21 Sep 2018 cA-21.2 Reg 1 s2.

PART 2
Standards, Codes of Practice and Guidelines

Prescribed standards, codes of practice and guidelines

3 For the purposes of clause 2(3)(a) of the Act, the standards, codes of practice and guidelines set out in Part 2 of the Appendix are prescribed as acceptable.

21 Sep 2018 cA-21.2 Reg 1 s3.

Prescribed standards, codes of practice and guidelines

4 For the purposes of subsection 6(2) of the Act, the standards, codes of practice and guidelines set out in Part 2 of the Appendix are prescribed.

21 Sep 2018 cA-21.2 Reg 1 s4.

PART 3

Animal Protection Agencies and Animal Protection Officers**Approval of organizations**

5(1) For the purposes of clause 8(1)(a) of the Act, any organization that wishes to be approved by the minister shall:

- (a) apply to the minister in the manner specified by the minister; and
- (b) provide the minister with:
 - (i) evidence satisfactory to the minister that the organization:
 - (A) meets the requirements set out in subclauses 8(1)(a)(i) and (ii) of the Act;
 - (B) is able to provide enforcement of the Act in accordance with the Act and these regulations; and
 - (C) will comply with any terms and conditions imposed pursuant to subsection 8(3) 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 that applies pursuant to subsection (1) if the minister is satisfied that the organization has complied with the Act and these regulations.

(3) If the minister proposes to not approve an organization pursuant to subsection (1), the minister shall provide written notice of that proposal along with written reasons to the organization making the application and give that organization 10 days from the date of receipt to make written representations.

(4) After reviewing any written representations made pursuant to subsection (3) or, if no written representations are made, after the expiry of the 10-day period mentioned in subsection (3), the minister:

- (a) may make a final decision to approve or not approve the organization; and
- (b) shall provide a written notice to the organization of the minister's decision.

(5) The minister shall issue a certificate of designation to each organization that is approved pursuant to this section.

(6) An approval remains in effect until the minister suspends or cancels the approval in accordance with these regulations.

21 Sep 2018 cA-21.2 Reg 1 s5.

Animal protection officers

6(1) An application to have a person appointed as an animal protection officer must be submitted by an animal protection agency.

(2) An animal protection agency 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);
 - (ii) satisfies the requirement of clause 9(1)(b) of the Act; and
 - (iii) will comply with any terms and conditions imposed pursuant to subsection 9(2) of the Act.
- (3) For the purposes of subclause (2)(b)(i), a person must:
- (a) demonstrate:
 - (i) knowledge of the care of 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) be legally entitled to drive in Saskatchewan;
 - (c) subject to section 8, have successfully completed investigative training that is approved by the minister; and
 - (d) obtain, at the person's own expense, and provide to the animal protection agency recommending the appointment, a criminal record check of the person that:
 - (i) is satisfactory to the minister;
 - (ii) was completed by a police service not more than 30 days before the date on which the animal protection agency forwards its written recommendation to the minister; and
 - (iii) discloses to the ministry whether the person has been charged with, discharged from or convicted of an offence pursuant to the *Criminal Code* or the *Controlled Drugs and Substances Act* (Canada).
- (4) If the minister is satisfied that the application complies with this section and that it is appropriate to do so, the minister may, subject to section 8, appoint the person who is the subject of the application as an animal protection officer.
- (5) The minister shall issue a certificate of appointment to every person appointed as an animal protection officer.
- (6) The animal protection agency that recommended a person as an animal protection officer shall:
- (a) immediately notify the minister in writing if the animal protection officer resigns, dies or ceases to be employed or engaged by the animal protection agency; and
 - (b) as soon as is practicable, return the animal protection officer's certificate of appointment to the minister.
- (7) On receipt of a written notice pursuant to subsection (6), the minister may immediately cancel the animal protection officer's appointment without being required to comply with section 10.

Reappointment

7 On the application of the animal protection agency that employs the animal protection officer, an animal protection officer may be reappointed if the minister is satisfied that the animal protection officer meets the criteria set out in section 6.

21 Sep 2018 cA-21.2 Reg 1 s7.

Certain animal protection officers conditionally appointed

8(1) The minister may appoint a person mentioned in subsection 6(2) as an animal protection officer notwithstanding that the person has not successfully completed the investigative training mentioned in clause 6(3)(c).

(2) Every person who is appointed as an animal protection officer without having successfully completed the investigative training mentioned in clause 6(3)(c) must successfully complete that training within 16 months after being appointed.

(3) Until an animal protection officer successfully completes the investigative training mentioned in clause 6(3)(c):

(a) that animal protection officer must perform the duties of an animal protection officer under the supervision or direction of an animal protection officer who has successfully completed that training; and

(b) a certificate of appointment issued to the animal protection officer must clearly indicate that the animal protection officer is in training.

(4) If an animal protection officer successfully completes the investigative training mentioned in clause 6(3)(c), the animal protection agency that recommended the person as an animal protection officer shall provide the minister with evidence satisfactory to the minister that the animal protection officer has successfully completed investigative training.

(5) If an animal protection officer fails to successfully complete the investigative training mentioned in clause 6(3)(c) within the 16-month period set out in this section, the minister may immediately cancel the animal protection officer's appointment without being required to comply with section 10.

21 Sep 2018 cA-21.2 Reg 1 s8.

Suspension or cancellation

9(1) Subject to section 10, the minister may suspend or cancel the approval of an animal protection agency made pursuant to section 5 if, in the minister's opinion, the animal protection agency:

(a) has failed to comply with the Act, these regulations or a term or condition imposed on the designation as an animal protection agency;

(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;

(d) has ceased to be incorporated, continued or registered as a non-profit corporation pursuant to an Act;

(e) is unable to provide enforcement of the Act in accordance with the Act and these regulations; or

(f) has provided false or misleading information to the minister in an application submitted pursuant to section 5 or at any other time.

- (2) If the minister suspends the approval of an animal protection agency pursuant to subsection (1), the appointment of each animal protection officer for whom the animal protection agency submitted an application pursuant to subsection 6(1) is automatically suspended.
- (3) If the minister cancels the approval of an animal protection agency pursuant to subsection (1):
- (a) the animal protection agency shall return its certificate of designation to the minister;
 - (b) the appointment of each animal protection officer for whom the animal protection agency submitted an application pursuant to subsection 6(1) is automatically cancelled; and
 - (c) each animal protection officer mentioned in clause (b) shall return to the minister the certificate of appointment issued by the minister.
- (4) Section 10 does not apply to an animal protection officer whose appointment is suspended in accordance with subsection (2) or cancelled in accordance with subsection (3).
- (5) Subject to section 10, the minister may suspend or cancel the appointment of an animal protection officer if, in the minister's opinion, the animal protection officer:
- (a) has failed to comply with the Act, these regulations or a term or condition of the appointment;
 - (b) has acted in a manner that is contrary to the public interest while performing the duties and responsibilities of an animal protection officer;
 - (c) has provided false or misleading information to the animal protection agency or to the minister in obtaining the appointment or at any other time; or
 - (d) no longer meets the qualifications set out in subsection 6(3).
- (6) If the minister cancels the appointment of an animal protection officer pursuant to subsection (5), the animal protection officer shall return to the minister the certificate of appointment issued by the minister.
- (7) The minister may suspend or cancel the designation of a humane society mentioned in subsection 38(2) of the Act in the same manner and on the same grounds as an animal protection agency approved pursuant to section 8 of the Act.
- (8) For the purposes of subsection 38(5) of the Act, the prescribed date is the date, if any, on which a humane society mentioned in subsection 38(2) of the Act has its designation cancelled by the minister.

21 Sep 2018 cA-21.2 Reg 1 s9.

Opportunity to make written representations

10(1) The minister shall not:

- (a) suspend or cancel the approval of an animal protection agency pursuant to subsection 9(1) without giving the animal protection agency an opportunity to make written representations within 10 days after the notice is received; or
- (b) suspend or cancel the appointment of any animal protection officer pursuant to subsection 9(5) without giving the animal protection officer an opportunity to make written representations within 10 days after the notice is received.

- (2) After receiving any written representations pursuant to subsection (1) or, if no written representations are received within the 10-day period, the minister shall:
- (a) make a final decision to suspend or cancel or not suspend or cancel; and
 - (b) provide written notice of the decision along with reasons to the animal protection agency or the animal protection officer, as the case may be.
- (3) Notwithstanding subsection (1), if the minister considers that it is necessary in order to protect the public interest, the minister may immediately suspend or cancel an approval of an animal protection agency or an appointment of an animal protection officer without giving the animal protection agency or animal protection officer, as the case may be, an opportunity to make written representations, but the minister shall give the animal protection agency or animal protection officer, as the case may be, an opportunity to make written representations within 10 days after the date on which the minister takes any of those actions.

21 Sep 2018 cA-21.2 Reg 1 s10.

Record keeping requirements

- 11(1) Every animal protection agency 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 animal protection agency.
- (2) Every animal protection agency shall maintain a written record of:
- (a) all complaints with respect to the protection of animals received by the animal protection agency; and
 - (b) the steps taken by the animal protection agency with respect to each complaint.
- (3) Each year, within 4 months after the end of the animal protection agency's fiscal year, every animal protection agency shall prepare and submit a report to the minister, in a form acceptable to the minister, that includes the records required to be maintained pursuant to subsections (1) and (2) with respect to the preceding fiscal year.
- (4) The minister may, at any time, request any information that the minister considers necessary in order to ascertain whether the Act and these regulations are being complied with.
- (5) Every animal protection agency shall retain the records mentioned in subsections (1) and (2) for at least 6 years after the expiration of the year in which the records were created.

21 Sep 2018 cA-21.2 Reg 1 s11.

PART 4
Other Matters

Search warrants

12(1) The information to be sworn by an animal protection officer pursuant to subsection 14(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 14(1) of the Act is to be in Form B.

(3) An animal protection officer who obtains a search warrant pursuant to section 14 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.

21 Sep 2018 cA-21.2 Reg 1 s12.

Sale of detained animals

13(1) Before selling an animal that has been detained pursuant to the Act, an animal protection agency shall comply with this section.

(2) An animal protection agency is responsible for any animal that it detains or causes to be detained for the period that the animal is detained.

(3) Subject to subsection (5), the animal protection agency shall post a notice of the sale, for at least 2 consecutive days before the sale:

(a) at any premises of the animal protection agency 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 animal protection agency considers appropriate in the circumstances.

(4) The notice mentioned in subsection (3) must include:

(a) the name and address of the animal protection agency;

(b) a description of the animal; and

(c) the location of the premises where the animal will be offered for sale.

(5) An animal protection agency is not required to post the notice mentioned in subsection (3) if:

(a) the person responsible for the animal is known to the animal protection agency; and

- (b) the animal protection agency has sent a written notice to the person responsible for the animal that the animal protection agency may sell the animal if that person does not, within the period specified by the animal protection agency in the written notice:
 - (i) comply with any corrective action order that has been issued with respect to the animal; and
 - (ii) either:
 - (A) pay to the animal protection agency the expenses incurred with respect to the animal; or
 - (B) enter into an agreement with the animal protection agency 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:
 - (a) first, to the expenses incurred in connection with the sale of the animal pursuant to clause 20(1)(b) of the Act; and
 - (b) second, to the expenses mentioned in section 19 of the Act related to the detention.
- (7) Subject to subsection (8), the animal protection agency 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 animal protection agency; and
 - (b) on receipt of a claim pursuant to clause (a), the animal protection agency 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) If an animal is sold pursuant to this section, the animal becomes the property of the person to whom it is sold.
- (10) A person responsible for an animal that is detained by an animal protection agency pursuant to the Act may, at any time before the animal is sold pursuant to the Act and these regulations, reclaim the animal by satisfying the animal protection agency that he or she has complied with any corrective action order and by:
 - (a) paying to the animal protection agency the expenses incurred with respect to the animal; or
 - (b) entering into an agreement with the animal protection agency for the payment of the expenses incurred with respect to the animal.

Prescribed manner of destroying dogs

14 For the purposes of subsection 29(2) of the Act, a person who destroys a dog shall destroy the dog in a humane manner using a firearm of sufficient calibre to kill the dog quickly and painlessly.

21 Sep 2018 cA-21.2 Reg 1 s14.

PART 5**Repeal and Coming into Force****RRS c A-21.1 Reg 1 repealed**

15 *The Animal Protection Regulations, 2000* are repealed.

21 Sep 2018 cA-21.2 Reg 1 s15.

Coming into force

16(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Animal Protection Act, 2018* comes into force.

(2) If section 1 of *The Animal Protection Act, 2018* comes into force before the day on which these regulations are filed with the Registrar of Regulations, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

21 Sep 2018 cA-21.2 Reg 1 s16.

Appendix

PART 1

Forms

FORM A

[Subsection 12(1)]

**Information to Obtain a Search Warrant
The Animal Protection Act, 2018**

Canada,
Province of Saskatchewan.

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

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

The informant says that: _____

_____.

(Describe animal in distress or likely to be 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, or likely to be 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 (OR AFFIRMED) BEFORE ME
at _____, Saskatchewan,
(city, town, etc.)
this ____ day of _____,
(day) *(month)* *(year)*

(Signature of informant)

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

FORM B
[Subsection 12(2)]

Search Warrant
The Animal Protection Act, 2018

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 or affirmation of _____ ,

(name of informant)

of _____ , Saskatchewan, that there are reasonable grounds
(city, town, etc.)

for believing that: _____

*(Describe animal in distress or likely to be 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/judge 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 12(3)]

Report to a Justice
The Animal Protection Act, 2018

Canada,
Province of Saskatchewan.

To the justice of the peace or provincial court judge who issued a warrant to the undersigned pursuant to section 14 of *The Animal Protection Act, 2018*.

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

section 14 of *The Animal Protection Act, 2018*:

(a) searched the land, buildings or other place situated at _____, Saskatchewan; and

(b) relieved the following animal from distress, or the likelihood of distress, or seized the following things and dealt with them as follows:

Property	
Seized <i>(describe each animal relieved from distress, or the likelihood of distress, or each thing seized)</i>	Disposition <i>(state, with respect to each animal relieved from distress, or the likelihood of distress, the action taken to relieve the animal's distress, or the likelihood of the animal being in distress;)</i> <i>(state, with respect to each thing seized, whether:</i> <i>(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</i> <i>(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.)</i>

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

(Signature of animal protection officer)

PART 2
Standards, Codes of Practice and Guidelines
[Sections 3 and 4]

1. *AVMA Guidelines for the Euthanasia of Animals: 2013 Edition*, published by the American Veterinary Medical Association (AVMA).
2. *A Code of Practice for Canadian Cattery Operations* (2009), published by the Canadian Veterinary Medical Association.
3. *A Code of Practice for Canadian Kennel Operations: Third Edition* (2018), published by the Canadian Veterinary Medical Association.
4. *Code of Practice for the Care and Handling of Beef Cattle* (2013), published by the National Farm Animal Care Council.
5. *Code of Practice for the Care and Handling of Bison* (2017), published by the National Farm Animal Care Council.
6. *Code of Practice for the Care and Handling of Dairy Cattle* (2009), published by the National Farm Animal Care Council.
7. *Code of Practice for the Care and Handling of Equines* (2013), published by the National Farm Animal Care Council.
8. *Code of Practice for the Care and Handling of Farmed Fox (*Vulpes vulpes*)* (2013), published by the National Farm Animal Care Council.
9. *Code of Practice for the Care and Handling of Farmed Mink* (2013), published by the National Farm Animal Care Council.
10. *Code of Practice for the Care and Handling of Hatching Eggs, Breeders, Chickens, and Turkeys* (2016), published by the National Farm Animal Care Council.
11. *Code of Practice for the Care and Handling of Horses on PMU Ranches* (2018), developed by Manitoba Agriculture and Pfizer Canada Inc.
12. *Code of Practice for the Care and Handling of Pigs* (2014), published by the National Farm Animal Care Council.
13. *Code of Practice for the Care and Handling of Pullets and Laying Hens* (2017), published by the National Farm Animal Care Council.
14. *Code of Practice for the Care and Handling of Rabbits* (2018), published by the National Farm Animal Care Council.
15. *Code of Practice for the Care and Handling of Sheep* (2013), published by the National Farm Animal Care Council.
16. *Code of Practice for the Care and Handling of Veal Cattle* (2017), published by the National Farm Animal Care Council.

17. *Minimum Standards for Wildlife Rehabilitation*, 4th ed. (2012), published by the International Wildlife Rehabilitation Council and the National Wildlife Rehabilitators Association.
18. *Mush with P.R.I.D.E. Sled Dog Care Guidelines* (3rd ed., 2009), published by Mush with P.R.I.D.E.
19. *Recommended code of practice for the care and handling of farm animals: Goats* (2003), published by the Canadian Agri-Food Research Council.
20. *Recommended code of practice for the care and handling of farm animals: Transportation* (2001), published by the National Farm Animal Care Council.
21. *Recommended code of practice for the care and handling of Farmed Deer (Cervidae)* (1996), published by the Canadian Agri-Food Research Council.

21 Sep 2018 cA-21.2 Reg 1.