



## **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 to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the [Table of Regulations](#).

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## CHAPTER C-14.1

### COMPANION ANIMAL PROTECTION ACT

#### REGULATIONS

Pursuant to section 18 of the *Companion Animal Protection Act S.P.E.I.* 2001, c.4, Council made the following regulations:

- 1.** In these regulations
- |   | Definitions |
|---|-------------|
| (a) "Act" means the <i>Companion Animal Protection Act</i> ;  | Act         |
| (b) "circus" means a companion animal establishment that shows or displays companion animals and that moves from place to place for that purpose;             | circus      |
| (c) "Code" means the Code incorporated by reference under clause 2(c);  | Code        |
| (d) "Guide" means the Guide incorporated by reference under clause 2(b);  | Guide       |
| (e) "Manual" means the Manual incorporated by reference under clause 2(d);  | Manual      |
| (f) "pet store" means a companion animal establishment that sells companion animals on a regular basis and includes an establishment operated by the Society; | pet store   |
| (g) "Report" means the Report incorporated by reference under clause 2(a);  | Report      |
| (h) "zoo" means a companion animal establishment that shows or displays companion animals at a fixed or permanent location. (EC249/02)                        | zoo         |

#### CODES AND MANUALS

**2.** The following codes and manuals of animal care, maintenance, treatment and procedures, as amended from time to time, are incorporated by reference as part of these regulations for the purposes specified in these regulations:

- (a) the 2000 Report of the American Veterinary Medical Association Panel on Euthanasia, published in the *Journal of the American Veterinary Medical Association*, volume 218, number 5, March 1, 2001, p.669;

(b) the Guide to the Care and Use of Experimental Animals, published by the Canadian Council on Animal Care, volume 1 (2nd ed.) 1993 and volume 2, 1984, both as supplemented by policies and guidelines published and revised from time to time by the Canadian Council on Animal Care;

(c) A Code of Practice for Canadian Kennel Operations, published by the Canadian Veterinary Medical Association, 1994;

(d) the Animal Husbandry Manual, published by the Pet Industry Joint Advisory Council, 1987. (EC249/02)

#### ACCEPTED ACTIVITIES

- |   |  |
|---|--|
| Description of designated activities -research and teaching | <b>3.</b> A companion animal used for research or teaching must be kept in accordance with the standards of care, maintenance and treatment set out in the Guide. (EC249/02) |
| Euthanasia  | <b>4.</b> Euthanasia of a companion animal must be carried out in accordance with the procedures set out in either the Report or the Guide. (EC249/02)                       |

#### COMPANION ANIMAL ESTABLISHMENTS

- |   |  |
|---|--|
| Cats and dogs   | <b>5.</b> (1) Subject to subsection (3), the licensee of a companion animal establishment at which cats and dogs are housed shall ensure that <ul style="list-style-type: none"> <li>(a) the companion animal establishment is constructed in accordance with the standards for constructions set out in the Code; and</li> <li>(b) the cats and dogs kept in the companion animal establishment are provided with the standards of animal care, maintenance and treatment set out in the Code.</li> </ul> |
| Other animals   | (2) The licensee of a companion animal establishment shall ensure that companion animals, other than cats and dogs, are provided with the standards of animal care, maintenance and treatment set out in the Manual.   |
| Housing standards for cats and dogs regulations prevail | (3) Where there is a conflict between this section and a provision of the Housing Standards for Cats and Dogs in Companion Animal Establishments Regulations (EC/682/03), the provision of the Housing Standards for Cats and Dogs in Companion Animal Establishments Regulations shall prevail to the extent of the conflict. (EC249/02; 683/03)  |
| Types   | <b>6.</b> For the purposes of these regulations, the following types of companion animal establishments are established: <ul style="list-style-type: none"> <li>(a) pet stores;</li> <li>(b) circuses;</li> <li>(c) zoos. (EC249/02)</li> </ul>  |

## PROHIBITED PRACTICES

**7.** No person who owns or has custody or control of a companion animal shall permit or cause it to engage in a contest involving fighting by the companion animal and any other animal. (EC249/02) Contests

**8.** No person shall keep or confine a companion animal in any place, including a companion animal establishment, or in any vehicle, that contains an item or debris or is in a state of such disrepair that the item or debris or state of disrepair constitutes a hazard likely to injure, or endanger the health of, the companion animal. (EC249/02) Dangerous  
confinement

## EXCLUDED ANIMALS

**9.** Fish of all species, types and categories are prescribed to be excluded animals. (EC249/02) Fish

## OFFICERS AND INSPECTORS

**10.** (1) Unless the appointment of an officer is sooner terminated by the Minister, the appointment is terminated on the officer's ceasing to be Termination of  
appointment of an  
officer

- (a) a member or employee of the Society; or
- (b) a veterinarian.

(2) Where the appointment of a person as an inspector or officer either expires or is terminated, the person shall return the certificate of appointment issued to the person under subsection 5(3) of the Act. (EC249/02) Return of certificate  
of appointment

**11.** (1) The appeals officer may not be paid more than \$500 for each day worked in accordance with the Act. Remuneration of  
appeals officer

(2) Unless the appointment of the appeals officer is sooner terminated by the Minister, the appointment is terminated on the appeals officer's ceasing to be a veterinarian. (EC249/02) Termination of  
appointment of an  
appeals officer

## ORDERS

**12.** An order made under subsection 7(2) or 8(1) of the Act shall include the following information: Content

- (a) a description of each companion animal in distress;
- (b) a description of the nature of the distress;
- (c) a statement of the actions required to relieve the distress of the companion animal or to improve the conditions that are causing the distress that
  - (i) contains a standard of care that the inspector or officer considers appropriate from a manual or code incorporated by

reference in these regulations, where there is such a standard of care, or

- (ii) contains a standard of care instructed by a veterinarian;
  - (d) the name of the examining veterinarian, if the order contains a standard of care as instructed by the examining veterinarian;
  - (e) the date of the order;
  - (f) the name and signature of the inspector or officer issuing the order;
  - (g) a description of or the name of the place where the animal was found;
  - (h) the name of the person to whom the order was issued.
- (EC249/02)

#### RECOVERY OF AN ANIMAL WITH THE SOCIETY

Seven days to  
recover

**13.** (1) For the purposes of subsection 9.1(1) of the Act, a companion animal placed in the possession and charge of the Society may be recovered in accordance with the Act and these regulations within seven days of the day the animal was caught or removed, as the case may be.

Exception -rabies

(2) Where a companion animal placed in the possession and charge of the Society is under observation for rabies, it may be kept by the Society until released by a veterinarian, and the time for the recovery of the animal under subsection (1) runs from the day the animal is released.

Exception - non-  
compliance with  
order

(3) Where a companion animal is placed in the possession and charge of the Society after being removed pursuant to clause 9(2)(b) of the Act, because an order has not been complied with, the animal shall be kept by the Society until the order is complied with, as determined by an inspector or officer, and the time for the recovery of the animal under subsection (1) runs from the earlier of

- (a) the day the order is complied with; and
- (b) two weeks after the day the animal was removed. (EC249/02)

#### LICENSE APPLICATIONS

Required  
information

**14.** For the purposes of clause 10.2(1)(a) of the Act, a license application shall include the following information respecting the companion animal establishment for which the application is made:

- (a) the name of the companion animal establishment;
- (b) the location of the companion animal establishment;
- (c) the name of the owner of the companion animal establishment and the person, if any, operating the companion animal establishment for the owner;
- (d) the type of companion animal establishment that is to be operated;

(e) the types of companion animals that are to be kept or housed.  
(EC249/02)

#### FEES

- 15.** The fee payable to the Provincial Treasurer License fees  
(a) for a license application is .....\$50;  
and  
(b) for the issuance of a license is .....\$50.  
(EC249/02)
- 16.** The fee payable to the Society under subclause 13(1)(a)(i) of the Act Society fees  
for the care and maintenance of a companion animal is \$18 per day.  
(EC249/02)
- 17.** No interest on any fees and costs owing to the Society may be paid No interest to be  
paid  
by the Minister in respect of any reimbursement paid to the Society in  
accordance with subsection 13(5) of the Act. (EC249/02)