

Animal Protection and Control Act and Regulations

What Yukoners need to know

This legislation replaces three existing Acts and creates a comprehensive, modern framework to ensure individuals are responsible for providing care for and control of the animals that they own.

- It authorizes tools for government officials to manage high-risk or feral animals that threaten public safety or may damage ecosystems.
- It provides for inspection and permitting of businesses that care for or hold animals.
- It recognizes private ownership of common and captive-reared pets while regulating those exotic species that are threatened in the wild or would represent a danger to people or the environment.
- The enforcement regime includes opportunities for partnership with community and First Nations' governments to appoint deputy officers and apply enforcement locally with respect for local values.

Outcome-based legislation

Rather than being prescriptive, the legislation defines requirements broadly – **what** must be achieved, not in details of **how** that must be accomplished. It is the outcome that matters.

For example, animals must be controlled so they cannot inflict harm – but there are not specific requirements like 'kept on a six foot leash'. Animals must be in healthy body condition and hydrated – but the type or method of providing feed and water are not specified.

Prohibitions

There are new prohibitions aligned with what Yukoners have told us they expect.

This includes the prohibition of:

- **Cosmetic surgeries** like ear cropping and de-barking dogs or de-clawing cats. The legislation provides clarity on distinction between cosmetic surgeries and functional alterations.
- **Abuse, animal fighting or training animals to fight.** There are also obligations on veterinarians to report suspicions of this nature.
- **Unconfined transportation methods.** Animals must be enclosed or restrained.
- **Abandonment after vehicle strikes.** Reasonable action must be taken to ensure care.

Species schedules

There are now categories of animals that are allowed, restricted, high-risk or prohibited. Animals that are prohibited, such as venomous reptiles, large carnivores and exotic animals that are species at risk in their country of origin, are subject to seizure.



Feral animals

The new legislation addresses concerns for feral (self-sustaining) populations of domestic animals that are free-ranging in Yukon. These animals are ownerless and previously there was no authority to provide for their care and control.

- The Act now prohibits anyone from killing or capturing feral animals unless authorized.
- They are also protected from abuse by general provisions in the Act.

In Yukon, there have been feral populations of cats, dogs and horses. We recognize that there are diverse opinions about their place on the landscape.

Permits

Businesses that handle or house animals including pet stores, boarding facilities and animal rescues will now require a \$50 permit and be subject to conditions such as inspections by officers. Businesses will have a year to get the first permit and come into compliance. The Act also includes options to address animal hoarding. Some exotic species will also now require a permit to be owned in the Yukon.

Enforcement

The new legislation is shared between the departments of Energy, Mines and Resources and Environment. The Agriculture Branch will have officers responsible for concerns related to livestock and the Animal Health and Protection officers are responsible for all other species.

- Officers will have authorities similar to those under the past legislation including powers of inspection and investigation. The difference is that the new legislation is wider in scope and that officers can issue orders to address violations of the laws.
- Notices or warnings, orders and inspections are tools that allow officers to work with animal owners to ensure that the needs of their animals are being met and that they are under control.
- These tools are an alternative to tickets or charges being laid and are consistent with an enforcement policy that focuses on bringing people into compliance with the law instead of moving directly to punishment.
- There is an appeal process if someone feels an order is not justified.

Implementation

The principles guiding the implementation of this new legislative regime are:

- Individual responsibility for care and control
- Education before punishment
- Implementation aligned with local values
- Support to achieve compliance
- Enforcement through partnerships

