

The Diseases of Domestic Game Farm Animals Regulations

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Chapter D-30 Reg 1 (effective May 19, 1999).

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 D-30 REG 1

The Diseases of Animals Act

Title

- 1 These regulations may be cited as *The Diseases of Domestic Game Farm Animals Regulations*.

Interpretation

- 2 In these regulations:

- (a) “**Act**” means *The Diseases of Animals Act*;
- (b) “**appraised value**” means the average market value of an animal, as determined pursuant to section 7, based on the animal’s age and sex;
- (c) “**big game animal**” means a big game animal as defined in *The Domestic Game Farm Animal Regulations*;
- (d) “**designated disease**” means a disease designated by the minister pursuant to subsection 3(1);
- (e) “**domestic game farm**” means a domestic game farm as defined in *The Domestic Game Farm Animal Regulations*;
- (f) “**domestic game farm animal**” means a domestic game farm animal as defined in *The Domestic Game Farm Animal Regulations*;
- (g) “**industry consultation committee**” means the Domestic Game Farm Animal Consultation Committee appointed pursuant to *The Domestic Game Farm Animal Regulations*;
- (h) “**owner**” means a person having a domestic game farm animal in his or her possession or under his or her charge, and includes a domestic game farm operator as defined in *The Domestic Game Farm Animal Regulations*;
- (i) “**quarantine**” means the isolation of a domestic game farm and the prohibition of the movement of domestic game farm animals onto or off the farm.

4 Jun 99 cD-30 Reg 1 s2.

Disease prevention

- 3(1) To prevent the spread of diseases in domestic game farm animals, the minister may designate diseases that adversely affect the health of domestic game farm animals.
- (2) To prevent the importation of diseased domestic game farm animals, the minister may establish and impose import restrictions or protocols for the importation of domestic game farm animals, their semen and embryos.

(3) For the purposes of designating diseases pursuant to subsection (1) or establishing import restrictions or protocols pursuant to subsection (2), the minister shall consider:

- (a) available scientific information respecting diseases in domestic game farm animals or in big game animals that may threaten domestic game farm animals;
- (b) information respecting diseases in domestic game farm animals, or in big game animals that may threaten domestic game farm animals, obtained through consultations with the industry consultation committee; and
- (c) information respecting diseases in domestic game farm animals, or in big game animals that may threaten domestic game farm animals, obtained through consultations with the minister responsible for the administration of *The Wildlife Act, 1997*.

4 Jun 99 cD-30 Reg 1 s3.

Owner's duty to report

4(1) Every owner shall immediately report to the minister any domestic game farm animal in the owner's possession or under the owner's charge that the owner:

- (a) knows or suspects is affected with a designated disease; or
- (b) knows or suspects has been in contact with an animal affected with a designated disease.

(2) Without the authorization of the minister, no owner of an animal mentioned in subsection (1) shall transfer the animal, or allow the animal to be transferred, to another person.

4 Jun 99 cD-30 Reg 1 s4.

Powers of inspector

5 An inspector may do any or all of the following:

- (a) inspect, examine and test domestic game farm animals affected with or suspected of being affected with a designated disease, and perform autopsies on deceased domestic game farm animals to detect designated diseases;
- (b) vaccinate or order the vaccination of domestic game farm animals;
- (c) inspect the records maintained by owners pursuant to section 14 of *The Domestic Game Farm Animal Regulations* to determine the extent or spread of designated diseases;
- (d) determine the manner in which domestic game farm animals affected with or suspected of being affected with designated diseases, or domestic game farm animals that have been in contact with an animal affected with or suspected of being affected with a designated disease, are to be kept;
- (e) inspect domestic game farm animals that:
 - (i) have been in contact with an animal affected with or suspected of being affected with a designated disease; and
 - (ii) are to be transferred to another person;

- (f) prohibit or regulate the sale or other disposition of domestic game farm animals affected with a designated disease or that have been in contact with an animal affected with a designated disease;
- (g) take any measures that the minister deems advisable for the suppression or limitation of designated diseases.

4 Jun 99 cD-30 Reg 1 s5.

Quarantine and disposition of diseased animals

6(1) On written notice to the owner, an inspector may do any or all of the following:

- (a) order a domestic game farm to be quarantined where a designated disease has affected, or is suspected to have affected, a domestic game farm animal on the farm until the inspector is satisfied that the disease is under control;
- (b) order a domestic game farm animal affected with a designated disease, or that has been in contact with an animal affected with a designated disease, to be destroyed in a humane manner.

(2) Every owner who is subject to an order made pursuant to subsection (1) shall immediately comply with that order.

4 Jun 99 cD-30 Reg 1 s6.

Compensation

7(1) At the discretion of the minister, the minister may compensate an owner for the value of a domestic game farm animal ordered to be destroyed pursuant to clause 6(1)(b), to a maximum of 80% of the animal's appraised value less the value of any salvage.

(2) An appraiser approved by the minister, after consultation with the industry consultation committee, shall determine the appraised value of any animal ordered to be destroyed pursuant to clause 6(1)(b).

4 Jun 99 cD-30 Reg 1 s7.

Written notice

8 Any written notice required by these regulations is deemed to be delivered to the owner:

- (a) on the day the notice is personally handed to the owner;
- (b) on the day the notice is posted in a prominent place on the domestic game farm; or
- (c) where the notice is sent by prepaid registered mail addressed to the owner at the owner's last known address, on the seventh day after mailing.

4 Jun 99 cD-30 Reg 1 s8.

Health of Animals Act (Canada)

9 Nothing in subsection 3(1) or section 4, 6, 7 or 8 of these regulations applies to diseases named pursuant to the *Health of Animals Act* (Canada), administered by the Canadian Food Inspection Agency.

4 Jun 99 cD-30 Reg 1 s9.

