

Animal Protection and Control Act Regulations 2023

What We Heard




Yukon

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Introduction

The Government of Yukon is taking the final steps to modernize animal protection and control laws in the territory. We heard Yukoners' desire to be engaged in the development of the regulations for the *Animal Protection and Control Act* (the Act), and we have gathered their perspectives on key animal protection and control elements to inform the regulations and ensure they capture Yukoners' concerns.

This document provides a summary of the input we received during the final round of engagement on the *Animal Protection and Control Regulations* and fills in the discussion gaps and next steps identified from the first engagement outlined in the *What We Heard: Review of animal protection and control laws in Yukon* [from July 2019](#).

The engagement was grouped into five main themes: enforcement, ownership of animals, animal control and animal protection (including standards of care and banning of cosmetic surgeries). Through the engagement process we received feedback on related issues not specific to regulations under the Act which have been summarised in a separate section.

Background

The Animal Protection and Control Act was passed in the 2022 Fall Sitting of the Yukon Legislative Assembly and will come into force when the regulations are approved. The Act replaces existing, outdated legislation, including the Dog Act, the Animal Protection Act, and the Pounds Act. It is a modern framework that applies to all domestic animals kept as pets, working animals and livestock. It fills the gaps that were identified to address ownership of exotic species, to regulate animal businesses and to establish tools to manage high risk or feral animals. It was developed and will be enforced jointly by the departments of Environment and Energy, Mines and Resources.

Engagement process

From spring 2023 to fall 2023, we engaged with Yukoners on specific questions to inform the drafting of the regulations. We also shared information about how the Act and new regulations will be implemented.

The engagement was extended to accommodate many stakeholder groups' specific industry obligations, e.g., farming, wilderness tourism, dogsled racing and outfitting. Communities also faced threats of evacuation from flooding and fires, resulting in delays in community meetings.

Communities, First Nations and local governments

Invitations to engage were sent out early in 2023 to all Yukon Local Advisory Councils, Renewable Resource Councils, Yukon First Nations, and municipal governments. Six First Nation governments and nine communities requested meetings to learn about the Act and provide input on the regulations. Engagement events were open to community members and department officials also met with First Nation governments, municipal councils and joint First Nations and municipal councils. These meetings addressed specific concerns identified by each community.

Partners, local stakeholders, businesses and animal organizations

Key stakeholder groups potentially affected by new regulations were invited to engage, and 29 responses were received.

Department of Environment officials gathered feedback from animal rescue organizations, dog musher associations, boarding facilities, the pet store, the Wilderness Tourism Association of the Yukon, the Yukon Fish and Wildlife Management Board, the Yukon Fish and Game Association, the Yukon Outfitters Association, and the Association of Yukon Communities.

The Department of Energy, Mines and Resources obtained input and feedback with the agriculture sector, with virtual and in-person meetings to discuss elements related to livestock. They gathered input from the Yukon Agriculture Association, Growers of Organic Foods Yukon, Klondike Farmers Forum, Game Growers Association, and Equine Association of Yukon and individual stakeholders.

Invitation for public input through Engage Yukon

Between June and September 2023, we extended invitations to the public through multiple media platforms to comment through [Engage Yukon](#) on the following topics:

- Banning of cosmetic surgeries,
- Prohibition, restriction (permit required) or allowance (no permit required) of exotic species,
- Standards of care for dogs, and
- Standards of care for livestock.

We received feedback from 46 public respondents. To support engagement, we provided an information package explaining the changes under the *Animal Protection and Control Act*, the new approach to enforcement, permits and presenting options to address standards of care for dogs and horses.

What we heard

Compliance and enforcement

The *Animal Protection and Control Act* reflects Yukoners' expectations of an enforcement framework with improved tools to control animals and address public safety concerns in their communities. In meetings we advised local governments about opportunities under the new Act to enter into agreements and establish deputy enforcement officer positions within a community.

Comments during stakeholder meetings and written feedback centered on the Act's enforcement tools available to officers. Input provided generally focused on the government's approach, ability and responsibility towards compliance and enforcement. Stakeholder groups provided feedback that compliance and enforcement should be guided by a policy that demonstrates fairness and consistency.

What we heard:

- Any enforcement and compliance policy should focus on education, collaboration and bringing people into compliance with the Act and regulations.
- Regulations should remain non-prescriptive.
- Charging individuals or seizing animals should not be the primary response to non-compliance and instead the focus should be to de-escalate the situation and support the animal owner with preventative actions.

- The guidelines for warrantless entry must be transparent and accountable.
- Many local governments are interested in appointing deputy animal protection and control officers to support local and timely action when there are violations of the Act and would like to see the Government of Yukon provide training and resources for these positions.
- Concerns that officers may hold biases about the care of working animals and will require specific training to understand the roles of, and care for, working dogs or horses.
- Concerns were raised about officers carrying sidearms or wearing uniforms, with respondents citing potential negative associations for farmers, landowners, and pet owners.

Permitting for commercial boarding facilities

Under the *Animal Protection and Control Act*, animal-related businesses such as pet stores, animal rescue organizations and boarding facilities will require a permit that may have specific conditions and will be subject to inspections. Existing operations will have one year from when the Act comes into force to obtain a permit. We asked about duration and cost for permits to ensure that the permit process is not overly burdensome and does not jeopardize these businesses.

What we heard:

- Permits should be for a one-year duration and the permit fee should not exceed 100 dollars.
- Include permit conditions to provide clarity on responsibilities for care and control that may go beyond the obligations in the Act.
- There were questions on whether boarding facilities and abattoirs should require transfer of care documents identifying who is accountable for the welfare of an animal.
- Some respondents felt that individuals should be given notice prior to inspections, others felt that surprise inspections are valid.

Overall, we heard a desire for the regulations to remain non-prescriptive, leaving room to evaluate situations on a case-by-case basis and for officers to work collaboratively with individuals when required to bring them into compliance.

Ownership of animals

Under the *Animal Protection and Control Act* regulations, we propose three categories of domestic animal species – those that may be owned without a permit, those that may be owned with a permit (subject to terms and conditions), and those that may not be owned. Recent engagement mirrored much of what we heard during the 2019 engagement.

What we heard:

- Respondents want to prohibit ownership of exotic animals that pose a risk to Yukon's wildlife, landscape, or public health and safety.
- Common pets should be allowed to be owned without a permit.
- Species that are threatened or endangered elsewhere in the world, especially due to exotic pet trade, should be prohibited.

- Species needing more specialized care and ownership education should require permits to own.
- Species that cannot receive proper medical care in the Yukon should be restricted or prohibited.

We also heard that many support the concept presented of “positive species lists.” These lists clearly define what animal species a person can possess (whether with a permit or without), rather than “negative lists” which sets out what animal species a person cannot keep. This ensures better understanding and regulation of animal species that people are allowed to own. We provided draft “positive style” lists that would be included in regulation to the local pet store for review and received support for the species listed in each category.

Eurasian boar

What we heard:

- Very strong concerns were voiced in community and stakeholder meetings that Eurasian boar pose a risk of escape and can establish feral populations in the wild that have been impossible to eradicate in other jurisdictions. Multiple stakeholders and partners provided written submissions supporting a ban on Eurasian boar during engagement. We received additional written submissions from stakeholders and partners confirming this position citing the risks of ecological damage and the threat they will be a reservoir for disease.
- The agriculture sector supported listing Eurasian boar as a high-risk animal, given the public concerns on risk of escape and establishing a feral population, with regulations on control and containment throughout the supply chain from farm to slaughter and further clarity on the transportation and transfer of Eurasian boar.

Animal control

To be under “control” is defined in the *Animal Protection and Control Act* to mean an animal that is managed in a way that it does not injure or kill any individual, animal or wildlife, does not stray onto public property or the property of another person without consent and the animal does not cause damage to property, wildlife populations or the environment.

What we heard:

- There were concerns raised on the meaning of ‘damages to the environment’ or that it will be applied too broadly. It was recommended that damages to the environment only include public property and water.

Animal protection

Cosmetic surgeries

During our engagement for the *Animal Protection and Control Act*, we heard that cosmetic alterations should be limited but allowed when they are in the health interest of the animal or supported by best practices in the agriculture industry. During our engagement on the regulations, we asked about specific alterations, whether done by veterinarians or competent individuals, that could be banned or allowed.

What we heard:

- De-clawing, ear-cropping and de-barking of animals are unjustified and inhumane and should be banned.
- That if allowed, dewclaw removal and tail docking for dogs to prevent future injury in working animals should occur as soon as possible after birth and be done by a competent individual to minimize distress.

- On-farm surgeries and elective husbandry practices for livestock that are identified in accepted codes of practice should be allowed if performed by a competent individual.
- There were questions on whether elective husbandry practices for livestock would identify what types of surgeries are not allowed and could lead to enforcement actions.

Standards of care

The *Animal Protection and Control Act* includes the option to adopt standards of care (also known as codes of practice) that are endorsed by national or international groups specific to species or category of animals. We sought input on whether to reference these codes of practice in regulations and if so, which standard would be preferred. Alternatively, we asked if the general provisions of the Act would be considered sufficient. The specific categories of animals we sought input on were sled dogs, horses, and livestock.

Sled dogs

We spoke with Yukon First Nations, members of the Dog Powered Sports Association of Yukon, Yukon Dog Musher's Association as well as the Yukon Quest and Wilderness Tourism Association of Yukon to explore whether existing frameworks for sled dog care were desirable. We also heard from individual members of the public on this topic.

We heard the opinions on whether to:

1. Adopt the [Mush with P.R.I.D.E. Sled Dog Care Guidelines](#).
2. Adopt British Columbia's [Sled Dog Standards of Care Regulation](#).
3. No established standard, the requirements of the Act will apply.

What we heard:

- British Columbia's Sled Dog Standards of Care regulation was considered too prescriptive.
- There was an interest in referencing specific items in the Mush with P.R.I.D.E. guidelines, but not all applied in the Yukon.
- In general, there was the opinion that the Act was sufficient, and it was not necessary to adopt a standard of care at this time.
- Yukon First Nations respondents suggested leaving the control and welfare of Indigenous dog teams operating on Settlement Lands to the local Indigenous government.
- Education and support were identified as key tools, before enforcement, to ensure the overall humane treatment of sled dogs in the Yukon.
- Interest was expressed in supporting education for officers about care and management of sled dogs by the Yukon Dog Musher's Association.

Horses

We spoke with animal rescue organizations, Wilderness Tourism Association of Yukon, Equine Association of Yukon, the public and other animal operations who care for and own horses.

We heard opinions on whether to:

1. Reference the National [Code of Practice for the Care and Handling of Equines](#) in the regulations.
2. Not reference a standard of care for horses in the regulations. The requirements of the Act will apply.

What we heard:

- Some support for the National Code of Practice, others support the development of Yukon-specific guidelines.
- There were concerns that the National Code of Practice is too prescriptive, particularly with the requirements on available water sources during the winter, some felt snow is adequate and liquid water should not be required at all times.
- Most horse owners and operations agreed that the Act is sufficient for the protection and control of horses.

Livestock species

We received feedback from agricultural associations and individuals who supported adopting the National Codes of Practice, as established by the National Farmed Animal Care Council, for livestock species.

What we heard:

- The National Codes of Practice for livestock are a good baseline for the protection of livestock.
- These codes outline nationally accepted practices that are typically exceeded by Yukon farmers.
- The regulations on livestock care should not be overly prescriptive and should be outcome-based for care and welfare of livestock.

There were concerns raised on how guidelines could be enforced or applied in certain situations. It was noted from respondents that the outcome of a healthy and cared-for animal is more important than a prescriptive approach.

Additional feedback provided not specific to regulations

Wilderness tourism licensing requirements

During the engagement process, a concern was identified that individuals who have a wilderness tourism license are not held to any requirements for care of the sled dogs or horses that they use in their business. While they would be held to the care requirements of the new Act, enforcement and inspections are driven by complaints.

Identifying and adding species to be considered livestock

Under the *Animal Protection and Control Act*, livestock is defined as “an animal raised for food or fibre or belonging to a species prescribed by the regulations as livestock.” In discussions with stakeholders, we shared the draft list of species intended to be prescribed as livestock.

What we heard:

- Definition of ‘livestock’ should further reflect working animals such as dogs, horses and oxen.

- Definition of 'livestock' should be explicit for 'commercial' purposes and expanded to enable agriculture industry growth. Examples provided that reflected where the definition may be limiting included breeding herds, semen animals and work animals.
- The list of livestock that do not require a permit was not supported by respondents, as it suggests that animals not on the list require a permit. Respondents suggested a list of 'prohibited/permit needed' animals that include an explanation of why those animals are included in the list.
- All livestock species that have a National Code of Practice should be on the livestock species list.

Standards for Halal and Kosher slaughter

The *Animal Protection and Control Act* prohibits particular methods of killing an animal to ensure that animals are killed humanely. In past engagement, we heard that if exsanguination (death by the draining of blood) or killing without prior or simultaneous loss of consciousness, was prohibited, that ritual slaughter should be exempt if done in compliance with national guidelines. When the Act went to the Legislative Assembly, the Act was amended to add "regulations which must allow for reasonable ability to follow cultural or religious practices for animal slaughtering."

Respondents expressed concern around unnecessary suffering of animals related to ritual slaughter practices.

What we heard:

- Clear definitions and standards are needed for "cultural, traditional and religious practices" to ensure there is no unnecessary suffering of the animal.

Livestock Advisory Committee

Respondents expressed a desire to establish a Livestock Advisory Committee to allow participants to engage on policy-related items.

What's next? – What will we do with feedback and why

The feedback received from all rounds of engagements has been used to form a Yukon-based perspective on the new Act and to inform the drafting of the regulations. The Act will come into force once the regulations have been finalized. The departments of Environment and Energy, Mines and Resources will continue to engage stakeholders, communities, local governments, associations and the public on the education, outreach and implementation of the *Animal Protection and Control Act* and regulations.

Conclusion

The input received emphasized the importance of collaboration, education and a relationship-based approach to animal welfare while fostering growth within the agriculture industry.

The departments of Environment and Energy, Mines and Resources remain committed to working with stakeholders, animal owners and other governments to support the successful implementation of this legislation.




Yukon