

Bill 54

**An Act to improve the legal situation of
animals**

Section 1

AMENDMENT:

Insert "and of any other Act" after "Code" in the second paragraph of proposed article 898.1.

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Section 7

AMENDMENT:

Replace "race" in subparagraph *a* of subparagraph 1 of the second paragraph of proposed section 1 by "breed".

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Section 7

AMENDMENT:

Insert after subparagraph *b* of subparagraph 1 of the second paragraph of proposed section 1:

(c) any other animal to which the Act respecting the conservation and development of wildlife (chapter C-61.1) does not apply and that is designated by regulation;

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Section 7

AMENDMENT:

Insert “, a miniature donkey” after “a domestic donkey” in subparagraph 3 of the second paragraph of proposed section 1.

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Section 7

AMENDMENT:

1. Replace “the needs” in the first line of subparagraph 5 of the second paragraph of proposed section 1 by “the physical, physiological, behavioural and psychological needs”.
2. Add “, sociability with humans and other animals, cognitive abilities” after “activity” in the third line of subparagraph 5 of the second paragraph of proposed section 1.
3. Replace “or heat” in the fourth line of subparagraph 5 of the second paragraph of proposed section 1 by “or heat or to bad weather”.

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Section 7

AMENDMENT:

Insert "an agrologist," after "a veterinary surgeon," in subparagraph 6 of the second paragraph of proposed section 1.

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Section 7

AMENDMENT:

Replace "race" by "breed" in proposed section 3.

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Section 7

AMENDMENT:

Insert “and from bad weather” after “excessive heat or cold” in subparagraph 4 of the first paragraph of proposed section 5.

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Section 7

AMENDMENT:

Replace "a veterinary hospital" in the second paragraph of proposed section 10 by
"a veterinary establishment".

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AMENDMENT:

Strike out "is unable to stand or" in the first paragraph of proposed section 10.

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Section 7

AMENDMENT:

Replace “races” in the first paragraph of proposed section 11 by “species”.

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Section 7

AMENDMENT:

Add at the end of proposed section 11:

For the purposes of this section, "animal assembling station" means premises where animals are assembled for shipment, by any means of transportation, to other premises.

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AMENDMENT:

Replace “treatment that compromises its welfare or safety or that an animal” in the first paragraph of proposed section 14 by “abuse or mistreatment or that it”

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AMENDMENT:

Insert "or an agrologist" after "veterinary surgeon" in the first paragraph of proposed section 14.

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AMENDMENT:

Insert "or an agrologist" after "veterinary surgeon" in the second paragraph of proposed section 14.

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Section 7

AMENDMENT:

Replace "No person may directly or indirectly touch a personal service animal with a view to hindering it or obstructing its passage or view." in the first paragraph of proposed section 13 by "No person may in any way hinder a personal service animal with a view to hampering it, including by touching it directly or indirectly or by blocking its way."

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Section 7

AMENDMENT:

Add at the end of proposed section 20:

The Government may, by regulation, determine the other cases in which a person who offers companion animals for sale must hold such a permit.

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Section 7

AMENDMENT:

Replace “no pet shop permit holder” in the first paragraph of proposed section 21
by “no holder of a permit required under section 20”.

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Section 7

AMENDMENT:

Replace "No pet shop permit holder" in proposed section 22 by "No holder of a permit required under section 20".

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Section 7

AMENDMENT:

Replace "14" by "16" in proposed section 22.

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Section 7

AMENDMENT:

In proposed section 22:

1. Add "give away or" after "may".
2. Add "given away or" after "allow a companion animal to be".

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Section 7

AMENDMENT:

Insert "or may require an inspection of the premises for which the permit is sought" after "necessary" in proposed section 25.

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Section 7

AMENDMENT:

Replace the first paragraph of proposed section 26:

“26. The term of a permit is 12 months, except in the cases prescribed by regulation. However, the Minister may set a shorter term if the Minister considers that it is in the animals’ interest to do so.

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Section 7

AMENDMENT:

Insert "agrologists," after "veterinary surgeons," in the first paragraph of proposed section 35.

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Section 7

AMENDMENT:

Insert after proposed section 35:

“35.1. The Minister determines by directive, taking into account the type of livestock, the biosecurity rules to be complied with during the inspection of premises used for animal production.

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AMENDMENT:

Add at the end of proposed section 35:

Inspectors must exercise their functions in the public interest, with honesty, impartiality and to the best of their ability. They must also undergo any training required by the Minister.

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Section 7

AMENDMENT:

Replace paragraph 1 of proposed section 63 by:

(1) designate any other animal that is to be included in the definition of "animal" in subparagraph 1 of the second paragraph of section 1;

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AMENDMENT:

Strike out “, unless it provides greater protection to animals” in the first paragraph of proposed section 4.

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AMENDMENT:

Replace “codes of practice published by the National Farm Animal Care Council the application of which is made mandatory by regulation” in the second paragraph of proposed section 4 by “standards or codes of practice compliance with which is made mandatory by the Government under paragraph 3 of section 63”.

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AMENDMENT:

Strike out the last paragraph of proposed section 4.

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AMENDMENT:

Replace “a code of practice published by the National Farm Animal Care Council” in paragraph 3 of proposed section 63 by “farm animal care standards or codes of practice”;

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AMENDMENT:

Replace "less than 12 months" in subparagraph *c* of paragraph 6 of proposed section 63 by "different from the term prescribed by section 26";

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Section 7

AMENDMENT:

Insert after subparagraph *c* of paragraph 6 of proposed section 63:

(c.1) determine the other cases in which a permit required under the second paragraph of section 20 is required;

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Section 7

AMENDMENT:

Insert after paragraph 17 of proposed section 63:

(17.1) to ensure the traceability of animals belonging to a specific species or category, require such animals to be identified on the conditions and according to the rules or procedures it determines, prescribe the obligations of owners or custodians of such animals or of any other person, and determine the fees payable;

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AMENDMENT:

Replace "race" in paragraphs 2, 9 and 19 of proposed section 63 by "breed".

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AMENDMENT:

Insert "or a regulation made under paragraph 17.1 of section 63" after "30" in proposed section 64.

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Section 7

AMENDMENT:

Strike out "7, 12," in proposed section 66.

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Section 7

AMENDMENT:

Replace "sections 5, 6, 8 to 11," in paragraph 1 of proposed section 67 by "sections 5, 6, 8 to 10, the first or second paragraph of section 11, sections 12,".

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Section 7

AMENDMENT:

Insert after subparagraph 1 of the first paragraph of proposed section 74:

(1.1) the number of animals involved;

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Section 7

AMENDMENT:

Replace "36" in proposed paragraph 4.0.0.1 of proposed section 78 by "34".

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Section 7

AMENDMENT:

Replace proposed section 7 by:

“7. Sections 5 and 6 do not apply in the case of agricultural activities, veterinary medicine activities, teaching activities or scientific research activities carried on in accordance with generally recognized rules.

Agricultural activities include, in particular, the slaughter or euthanasia of animals and the use of animals for agricultural purposes or at agricultural exhibitions or fairs.

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Section 7

AMENDMENT:

1. Replace "or" in proposed section 18 by ",";
2. Insert "or any other animal or fish designated by regulation in accordance with paragraph 1 of section 63" after "American mink" in proposed section 18.

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Section 7

AMENDMENT:

Replace "cats or dogs" in the first paragraph of proposed section 19 by "cats, dogs or equines".

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Section 7

AMENDMENT:

Replace "A pet shop permit holder" in proposed section 23 by "The holder of a permit required under section 20";

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AMENDMENT:

Replace "business" in proposed section 23 by "premises".

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Section 7

AMENDMENT:

Replace “the physical, physiological, behavioural and psychological needs” in subparagraph 5 of the second paragraph of proposed section 1, as amended, by “the basic physical, physiological and behavioural needs”.

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Section 8.1

AMENDMENT:

Insert after section 8:

8.1. Until a first regulation is made under paragraph 14 of section 63 of the Animal Welfare and Safety Act enacted by section 7, an inspector may sell an animal, give it away or have it euthanized or slaughtered in the case described in the second paragraph of section 52, after having first sought a veterinary surgeon's opinion.

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Section 9

AMENDMENT:

Replace section 9 by:

9. This Act comes into force on (*insert the date of assent to this Act*), except sections 16 to 20 of the Animal Welfare and Safety Act, enacted by section 7, which come into force on the date or dates to be set by the Government.

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