

# Royal Gazette

## Prince Edward Island

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**VOL. CXLIII – NO. 15**

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**Charlottetown, Prince Edward Island, April 15, 2017**

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**CANADA  
PROVINCE OF PRINCE EDWARD ISLAND  
IN THE SUPREME COURT - ESTATES DIVISION**

TAKE NOTICE that all persons indebted to the following estates must make payment to the personal representative of the estates noted below, and that all persons having any demands upon the following estates must present such demands to the representative within six months of the date of the advertisement:

Estate of: Date of the Advertisement	Personal Representative: Executor/Executrix (Ex) Administrator/Administratrix (Ad)	Place of Payment
BOSWELL, Robert Arnold (also known as Arnold Robert Boswell) Stratford Queens Co., PE April 15, 2017 (15-28)*	Tara Christina Lynch (EX.)	Carr, Stevenson & MacKay 65 Queen St. Charlottetown, PE
LANIGAN, Neil Eugene (also known as Neil E. Lanigan Jr.) Gaspereaux Kings Co., PE April 15, 2017 (15-28)*	Katherine Lanigan-Campbell (EX.)	Campbell Lea 65 Water St. Charlottetown, PE
MacBURNIE, Harriet (also known as Harriet Grace MacBurnie) Wellington Prince Co., PE April 15, 2017 (15-28)*	Robert MacBurnie (EX.)	Carr, Stevenson & MacKay 65 Queen St. Charlottetown, PE
MOONEY, Annie Elizabeth Iona Queens Co., PE April 15, 2017 (15-28)*	Timothy Lynch Jr. (EX.) William Naddy (EX.)	Carr, Stevenson & MacKay 65 Queen St. Charlottetown, PE
PROWSE, George Michael (also known as Michael Prowse and/or Mike Prowse) Charlottetown Queens Co., PE April 15, 2017 (15-28)*	Donald P. Large, Q.C. (EX.)	Cox & Palmer 97 Queen St. Charlottetown, PE

\*Indicates date of first publication in the Royal Gazette.

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<http://www.gov.pe.ca/royalgazette>

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Estate of: Date of the Advertisement	Personal Representative: Executor/Executrix (Ex) Administrator/Administratrix (Ad)	Place of Payment
GORMLEY, Carl Raymond Montague Kings Co., PE April 8, 2017 (14-27)	S. Joan Gormley (EX.)	Cox & Palmer 4A Riverside Dr. Montague, PE
LEGERE, Catherine Christina (also known as Catherine Christina Leger) Cape Wolfe Prince Co., PE April 8, 2017 (14-27)	Dorene Costain (EX.)	Cox & Palmer 347 Church St. Alberton, PE
MacMILLAN, Patricia Ann Charlottetown Queens Co., PE April 8, 2017 (14-27)	Jo-Ann MacDonald (EX.)	Key Murray Law 119 Queen St. Charlottetown, PE
MUISE, Dorothy Marie Charlottetown Queens Co., PE April 8, 2017 (14-27)	Dorothy Marie Muiise (EX.)	Ian Bailey 513 B North River Rd. Charlottetown, PE
PAUGH, Ethel Margaret (also known as Ethel M. Paugh) O'Leary Prince Co., PE April 8, 2017 (14-27)	Kathy J. Paugh (EX.)	Cox & Palmer 250 Water St. Summerside, PE
PETERS, Roy Clarence Oyster Bed Queens Co., PE April 8, 2017 (14-27)	Willard Peters (EX.) Ann Murnaghan (EX.)	T. Daniel Tweel 105 Kent St. Charlottetown, PE
POIRER, Doreen M. (also known as Doreen Mary Poirier) St. Nicholas Prince Co. PE April 8, 2017 (14-27)	Robert J. Poirier (EX.)	Cox & Palmer 250 Water St. Summerside, PE

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Estate of: Date of the Advertisement	Personal Representative: Executor/Executrix (Ex) Administrator/Administratrix (Ad)	Place of Payment
MacNEILL, Vivian Rebecca Stratford Queens Co., PE April 1, 2017 (13-26)	Nancy MacNeill-Ramsay (EX.)	Cox & Palmer 250 Water St. Summerside, PE
MATTHEWS, Raeburn Earl Northport Prince Co., PE April 1, 2017 (13-26)	Troy Matthews (EX.)	Cox & Palmer 347 Church St. Alberton, PE
McDONALD, Charles Aloysius (also known as Charles Aloysius MacDonald) Mount Stewart Queens Co., PE April 1, 2017 (13-26)	Charles Brodie Gallant (EX.) Charles James MacDonald (EX.)	McInnes Cooper 141 Kent St. Charlottetown, PE
MONTGOMERY, Carol Jean Belfast (formerly of Montague) Queens Co., PE April 1, 2017 (13-26)	Stephen Alford Montgomery (EX.)	Catherine M. Parkman Law Office 82 Fitzroy St. Charlottetown, PE
MacDONALD, Elizabeth "Betty" Paquet (also known as Elizabeth Ann MacDonald) Charlottetown Queens Co., PE April 1, 2017 (13-26)*	Mary Ellen Paquet (EX.)	Catherine M. Parkman Law Office 82 Fitzroy St. Charlottetown, PE
PROSPER, Peter Joseph Georgetown Royalty Kings Co., PE April 1, 2017 (13-26)	Joedy Ray Peter Prosper (EX.)	Catherine M. Parkman Law Office 82 Fitzroy St. Charlottetown, PE
PROWSE, Samuel Murdock Miscouche Prince Co., PE April 1, 2017 (13-26)	Gerald Alexander Prowse (EX.)	Key Murray Law 494 Granville St. Summerside, PE

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Estate of: Date of the Advertisement	Personal Representative: Executor/Executrix (Ex) Administrator/Administratrix (Ad)	Place of Payment
BLACK, Lewis Daniel Cornwall Queens Co., PE March 25, 2017 (12-25)	Marina Elaine Rita Black (EX.)	Philip Mullally Law Office 51 University Ave. Charlottetown, PE
CAMPBELL, Carolyn Ruth Stratford Queens Co., PE March 25, 2017 (12-25)	Pamela Joyce Campbell (EX.)	Catherine M. Parkman Law Office 82 Fitzroy St. Charlottetown, PE
CAMPBELL, Vera Margaret Spring Valley Prince Co., PE March 25, 2017 (12-25)	Georgie Margaret MacNutt (EX.)	Key Murray Law 494 Granville St. Summerside, PE
CLARK, Joanne Ruth Kensington Prince Co., PE March 25, 2017 (12-25)	Jennifer Jackson (EX.)	Cox & Palmer 250 Water St. Summerside, PE
DEBLOIS, Thomas Lawson Stratford Queens Co., PE March 25, 2017 (12-25)	Claudia Suzanne Deblois (EX.)	HBC Law Corporation 25 Queen St. Charlottetown, PE
FORD, Allison H. (also known as Allison Howard Ford) Winsloe South Queens Co., PE March 25, 2017 (12-25)	Dianne E. A. Ford (EX.) Myrna G. Clow (EX.)	Stewart McKelvey 65 Grafton St. Charlottetown, PE
GALLANT, Elizabeth Ann (also known as (Elizabeth) Betty Ann Gallant) Souris Kings Co., PE March 25, 2017 (12-25)	Douglas (Doug) Cox (EX.)	Cox & Palmer 4A Riverside Dr. Montague, PE
HERBERT, Grace Florence Marie Stratford (formerly Riverview, NB) Queens Co., PE March 25, 2017 (12-25)	Ronald Joseph Herbert (EX.)	Carr Stevenson & MacKay 65 Queen St. Charlottetown, PE

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Estate of: Date of the Advertisement	Personal Representative: Executor/Executrix (Ex) Administrator/Administratrix (Ad)	Place of Payment
LAWLESS, Mary Beryl (also known as Beryl Lawless) Summerside Prince Co., PE March 25, 2017 (12-25)	Sandra McCourt (EX.) Mildred "Millie" Hamill (EX.)	McInnes Cooper 141 Kent St. Charlottetown, PE
MacLEOD, Agnes Ruth Burlington, ON March 25, 2017 (12-25)	Catherine Ella Payne (EX.) Cheryl Anne French (EX.) Roberta Ruth Brignell (EX.) Heather Mae (Gauvin) MacLeod (EX.) Joan MacLeod-Follows (EX.) Pauline MacLeod-Farley (EX.) Dianna MacLeod (EX.)	Cox & Palmer 4A Riverside Dr. Montague, PE
MOASE, Eric Noy Margate Prince Co., PE March 25, 2017 (12-25)	Gwenyth Elaine Moase (EX.)	Key Murray Law 494 Granville St. Summerside, PE
MURPHY, Dale Patrick Charlottetown Queens Co., PE March 25, 2017 (12-25)	Jodie Lee-Anne Murphy-Whitehead (EX.)	Stewart McKelvey 65 Grafton St. Charlottetown, PE
POWER, Henry Edwin Dartmouth, NS March 25, 2017 (12-25)	Jean Margaret MacRae (EX.)	Carr Stevenson & MacKay 65 Queen St. Charlottetown, PE
RICHARDS, Alan Vere Murray Harbour Kings Co., PE March 25, 2017 (12-25)	Suzanne Richards (EX.)	Stewart McKelvey 65 Grafton St. Charlottetown, PE
BOWMAN, Kathryn Helena Toronto, ON March 25, 2017 (12-25)	Royal Trust Corporation of Canada (AD.)	Cox & Palmer 97 Queens St. Charlottetown, PE
BARTOSZYNSKI, Madeleine Summerside Prince Co., PE March 18, 2017 (11-24)	Gordon (Gordie) McCarville (EX.)	Key Murray Law 494 Granville Street Summerside, PE

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Estate of: Date of the Advertisement	Personal Representative: Executor/Executrix (Ex) Administrator/Administratrix (Ad)	Place of Payment
CALVER, Jean Victoria Charlottetown Queens Co., PE March 18, 2017 (11-24)	Judith Anne Pye Trevor John Pye (EX.)	HBC Law Corporation 25 Queen Street Charlottetown, PE
CREED, Phyllis Ann (also known as Phyllis Anne Creed) Sturgeon Kings Co., PE March 18, 2017 (11-24)	Valerie Creed (EX.)	McInnes Cooper 141 Kent Street Charlottetown, PE
CREGIER, Don Mesick Valleyfield Kings Co., PE March 18, 2017 (11-24)	Sharon Kathleen Ellis Cregier (EX.)	Cox & Palmer 4A Riverside Dr. Montague, PE
GASS, Jessie Mae (also known as Jessie M. Gass) Charlottetown Queens Co., PE March 18, 2017 (11-24)	Ann Laverty (nee MacLeod) (EX.)	T. Daniel Tweel 105 Kent Street Charlottetown
HAMILL, Phyllis Joan Hunter River Queens Co., PE March 18, 2017 (11-24)	Paul Marcellus Hagen (EX.)	McLellan Brennan 37 Central Street Summerside, PE
HOGAN, Elizabeth Lloyd Charlottetown Queens Co., PE March 18, 2017 (11-24)	Robert Allison Jewell David Forsythe (EX.)	Cox & Palmer 250 Water Street Summerside, PE
HOWATT, Mary Josephine Crapaud Queens Co., PE March 18, 2017 (11-24)	Paul Leroy Howatt (EX.)	Key Murray Law 494 Granville Street Summerside, PE
MacDONALD, Gail Roma Elmsdale Prince Co., PE March 18, 2017 (11-24)	Derwin MacDonald (EX.)	Key Murray Law 494 Granville Street Summerside, PE

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ROBERTS, Marilyn Joy New Annan Prince Co., PE March 18, 2017 (11-24)	Naomi Johnna Howard (formerly Naomi Johnna Roberts) Victoria Amy Roberts (EX.)	Key Murray Law 494 Granville Street Summerside, PE
ROGERS, Norman P. Brattleboro Vermont, USA March 18, 2017 (11-24)	Patricia Chamberlin-Rogers (EX.)	Lecky Quinn 129 Water Street Charlottetown, PE
WHITE, Everett Harold Aulden Charlottetown Queens Co., PE March 18, 2017 (11-24)	Gary Drake (EX.)	Carr Stevenson & MacKay 65 Queen Street Charlottetown, PE
JENKINS, Susan Adele Ottawa, ON March 18, 2017 (11-24)	Richard Jenkins (AD.)	Campbell Lea 65 Water Street Charlottetown, PE
McINNIS, John Joseph Edmonton, AB March 18, 2017 (11-24)	Leo McInnis Bernadette McInnis (AD.)	Cox & Palmer 4A Riverside Dr. Montague, PE
HENDERSON, Kathleen Loraine (Lori) (also known as Lori Kathleen Henderson) Montague, Kings Co., PE March 11, 2017 (10-23)	Deborah Anne Cameron-Fawkes (EX.)	Cox & Palmer 97 Queen Street Charlottetown, PE
RAMSAY, Keith Murchison Clinton Queens Co., PE March 11, 2017 (10-23)	Carl Ramsay Kenneth Ramsay (EX.)	Ramsay Law 303 Water Street Summerside, PE
TAYLOR, John Gaspereaux Kings Co., PE March 11, 2017 (10-23)	Myra Elizabeth Taylor (EX.)	Cox & Palmer 4A Riverside Dr. Montague, PE
DUNPHY, Sheila Jean Charlottetown Queens Co., PE March 4, 2017 (9-22)	Paul Power George Power (EX.)	Stewart McKelvey 65 Grafton Street Charlottetown, PE

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PETER, Georgette (also known Georgette Alice Peter) Souris Kings Co., PE March 4, 2017 (9-22)	Gerard Baldwin (EX.)	Cox & Palmer as 4A Riverside Drive Montague, PE
KEOUGHAN, Mary Teresa Stratford Queens Co., PE March 4, 2017 (9-22)	Sharon (King) Gotell (EX.)	Carr Stevenson & MacKay 65 Queen Street Charlottetown, PE
KINSMAN, Ronald John Petrolia, ON March 4, 2017 (9-22)	Steven James Kinsman (EX.)	Cox & Palmer 4A Riverside Montague, PE
KIRK, Maria Charlottetown Queens Co., PE (formerly of St. Stephen, NB) March 4, 2017 (9-22)	William Larry Kirk (EX.)	Carr Stevenson & MacKay 65 Queen Street Charlottetown, PE
MacDONALD, Lomer Sterling Cornwall Queens Co., PE March 4, 2017 (9-22)	Jeremy Joseph MacDonald (EX.)	Campbell Lea 65 Water Street Charlottetown, PE
MacEACHERN, Bonnie Kalmia Charlottetown, PE Queens Co., PE March 4, 2017 (9-22)	Leslie MacEachern Allan MacEachern (EX.)	Cox & Palmer 4A Riverside Drive Montague, PE
GILLIS, Hubert Stephen Stoney Creek, ON March 4, 2017 (9-22)	David Archibald Gillis Angela Fitzsimmons (AD.)	Key Murray Law 494 Granville Street Summerside, PE
McCORMACK, Pius Alexander (also known as Pius McCormack) Vancouver, BC March 4, 2017 (9-22)	The Public Guardian and Trustee of British Columbia (AD.)	Carr Stevenson & MacKay 65 Queen Street Charlottetown, PE

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MORRISON, Jean (also known as Jean Elizabeth Morrison) Charlottetown Queens Co., PE March 4, 2017 (9-22)	Mark Trevor Morrison (AD.)	Carr Stevenson & MacKay 65 Queen Street Charlottetown, PE
BASCHKIN, Millicent A. (also known as Millicent Auerbach Baschkin) New York, USA February 25, 2017 (8-21)	Karen-Anne Baschkin Paul (EX.)	Key Murray Law 119 Queen Street Charlottetown, PE
CLAY, Mona J. (also known as Mona Jean Clay) Charlottetown Queens Co., PE February 25, 2017 (8-21)	Elizabeth (Betsy) Epperly (EX.)	Stewart McKelvey 65 Grafton Street Charlottetown, PE
DesROCHES, Michael Charlottetown Queens Co., PE February 25, 2017 (8-21)	Brian DesRoches (EX.)	Campbell Lea 65 Water Street Charlottetown, PE
DRISCOLL, Brenda Mary Adele Donagh (formerly of Johnston's River) Queens Co., PE February 25, 2017 (8-21)	Brian Joseph Driscoll (EX.)	Carr Stevenson & MacKay 65 Queen Street Charlottetown, PE
LUND, Judith Arlene Charlottetown Queens Co., PE February 25, 2017 (8-21)	Michael Parker Lund (EX.)	HBC Law Corporation 25 Queen Street Charlottetown, PE
MacDOUGALL, Lloyd S. Nine Mile Creek Queens Co., PE February 25, 2017 (8-21)	Anita D. McCabe (EX.)	Campbell Stewart 137 Queen Street Charlottetown, PE
MacLEOD, Margaret Grace Charlottetown Queens Co., PE February 25, 2017 (8-21)	John Allan MacLeod Valerie Grace MacLeod (EX.)	Carr Stevenson & MacKay 65 Queen Street Charlottetown, PE

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MacNEVIN, Charles Victor Charlottetown Queens Co., PE February 25, 2017 (8-21)	Nancy Thomson Wanda Pollard Bonnie McCloskey (EX.)	HBC Law Corporation 25 Queen Street Charlottetown, PE
MATTHEWS, Elizabeth Catherine Alberton Prince Co., PE February 25, 2017 (8-21)	Andrew Kerr (EX.)	Cox & Palmer 347 Church Street Alberton, PE
MORRISON, Steven South Winsloe Queens Co., PE February 25, 2017 (8-21)	Holly Morrison (EX.)	Holly Morrison 2595 Horne Cross Rd. South Winsloe, PE
SULLIVAN, Anna Marie (also known as A.M. Sullivan, Anna Sullivan & Anna M. Sullivan) Lethbridge, AB February 25, 2017 (8-21)	Jacinta Miller (EX.)	Cox & Palmer 97 Queen Street Charlottetown, PE
THOMPSON, Andrew Ernest Joseph Baja California Sur Mexico (formerly of Clarke, Ontario) February 25, 2017 (8-21)	Elvio DelZotto (EX.)	Cox & Palmer 97 Queen Street Charlottetown, PE
McGREGOR, Robin Leslie Kensington Prince Co., PE February 25, 2017 (8-21)	Audrey T. Moore (AD.)	Key Murray Law 494 Granville Street Summerside, PE
MOLONY, Michael Francis Union Road Queens Co., PE February 25, 2017 (8-21)	Gregory Molony (AD.)	Carr Stevenson & MacKay 65 Queen Street Charlottetown, PE
AXWORTHY, Lois Marion Charlottetown Queens Co., PE February 11, 2017 (6-19)	Carol Axworthy (EX.)	Campbell Lea 65 Water Street Charlottetown, PE

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HANCOX, Dorothy Mary Charlottetown Queens Co., PE February 11, 2017 (6-19)	Amanda Jane Hancox (EX.)	McInnes Cooper 141 Kent Street Charlottetown, PE
HANDRAHAN, John Joseph George Charlottetown Queens Co., PE February 11, 2017 (6-19)	Edward Handrahan (EX.)	Carr Stevenson & MacKay 65 Queen Street Charlottetown, PE
HEAD, Courtney Edmund Charlottetown Queens Co., PE February 11, 2017 (6-19)	Melford F. Head (EX.)	MacNutt & Dumont 57 Water Street Charlottetown, PE
LAVA, Etienne Frank Montague Kings Co., PE February 11, 2017 (6-19)	Gary Sioen (EX.)	Cox & Palmer 4A Riverside Drive Montague, PE
ROSE, Samuel Summerside Prince Co., PE February 11, 2017 (6-19)	Dawn Woodside Richard Rose (EX.)	Donald Schurman 155A Arcona Street Summerside, PE
VLOET, Peter William Anthony Charlottetown Queens Co., PE February 11, 2017 (6-19)	Margaret Vloet-Morrison Gerard Vloet (EX.)	MacNutt & Dumont 57 Water Street Charlottetown, PE
WAUGH, Henrietta Jean Summerside Prince Co., PE February 11, 2017 (6-19)	Charles Garth Waugh Gaelyne Joy Ramsay (EX.)	Ramsay Law 303 Water Street Summerside, PE
BEARS, Glen Morris Merland, Antigonish Nova Scotia February 4, 2017 (5-18)	Tracey June Bears (EX.)	Stewart McKelvey 65 Grafton Street Charlottetown, PE

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LIN, Dr. Wei Ching Charlottetown Queens Co., PE February 4, 2017 (5-18)	Hsey-Er Lin (EX.)	Cox & Palmer 97 Queen Street Charlottetown, PE
RANKIN, John David Norman Bethel Queens Co., PE February 4, 2017 (5-18)	Melissa Rankin (EX.)	Stewart McKelvey 65 Grafton Street Charlottetown, PE
SCHULZE, Kathleen Elizabeth Kensington Prince Co., PE February 4, 2017 (5-18)	William George Schulze (EX.)	Law Office of E.W. Scott Dickieson 10 Pownal Street Charlottetown, PE
CARVER, L. George Alexandra Queens Co., PE January 28, 2017 (4-17)	Brenda Beaton (EX.)	T. Daniel Tweel 105 Kent Street Charlottetown, PE
KIRK, Harriet Eva (also known as Hetty Eva Kirk) Kings Co., PE January 28, 2017 (4-17)	Evelyn (Lyn) Marie Campbell (EX.)	Allen J. MacPhee Law Corporation 106 Main Street Souris, PE
MacLEOD, Leo Austin Clinton Queens Co., PE January 28, 2017 (4-17)	Judith Marilyn Green (EX.)	Key Murray Law 494 Granville Street Summerside, PE
PERRY, Benedict Joseph Roland Charlottetown Queens Co., PE January 28, 2017 (4-17)	Mary Cheryl Ann MacDougall (EX.)	Stewart McKelvey 65 Grafton Street Charlottetown, PE
GALLANT, Roger Joseph Pownal Queens Co., PE January 28, 2017 (4-17)	Arlene Margaret Gallant (AD.)	Philip Mullally Law Office 151 Great George Street Charlottetown, PE

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NICHOLSON, Roger Murray Harbour Kings Co., PE January 28, 2017 (4-17)	Cindy McKenna Keith Nicholson (AD.)	T. Daniel Tweel 105 Kent Street Charlottetown, PE
WAGNER, James Edgar Port Hill Prince Co., PE January 28, 2017 (4-17)	Judy Casey (AD.)	Cox & Palmer 250 Water Street Summerside, PE
BIRCHARD, Karen Louise Charlottetown Queens Co., PE January 21, 2017 (3-16)	Sarah Elizabeth (Beth) MacKenzie (EX.)	Lecky Quinn 129 Water Street Charlottetown, PE
COLES, Ann (also known as L. Ann Coles) North Milton Queens Co., PE January 21, 2017 (3-16)	John W. L. Coles (EX.)	Carr Stevenson & MacKay 65 Queen Street Charlottetown, PE
COMPTON, Marie Lois Summerside Prince Co., PE January 21, 2017 (3-16)	Randy Compton Steven Compton Michael Compton (EX.)	Cox & Palmer 250 Water Street Summerside, PE
FURNESS, Alice Beatrice Belfast Queens Co., PE January 21, 2017 (3-16)	Shirley Jaunita Wilson (EX.)	Stewart McKelvey 65 Grafton Street Charlottetown, PE
GORVEATT, Oswald Crapaud (formerly Fairview) Queens Co., PE January 21, 2017 (3-16)	Rozanna Gorveatt-Flynn Pamela Gorveatt (EX.)	HBC Law Corporation 25 Queen Street Charlottetown, PE
HICKOX, Freda Mae Bennett Charlottetown Queens Co., PE January 21, 2017 (3-16)	Roderick Paul Hickox Karyn Joanne Hickox MacDonald (EX.)	Catherine M. Pakman Law Office 82 Fitzroy Street Charlottetown, PE

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VAIVE, Sheila Marie Charlottetown Queens Co., PE January 21, 2017 (3-16)	John P. Butler (EX.)	Stewart McKelvey 65 Grafton Street Charlottetown, PE
DUGAY, Lavada W. Lincoln County Maine, USA January 14, 2017 (2-15)	Patricia A. Cunningham (EX.)	Key Murray Law 494 Granville Street Summerside, PE
KINCH, Robert (Bob) John Alberton Prince Co., PE January 14, 2017 (2-15)	Roland Kinch (EX.)	Cox & Palmer 347 Church Street Alberton, PE
DELODDER, Jenny Mary Brudenell Queens Co., PE January 14, 2017 (2-15)	John Willy Delodder (AD.)	Cox & Palmer 4A Riverside Dr. Montague, PE
ELDERSHAW, Mary Catherine Brackley Beach Queens Co., PE January 14, 2017 (2-15)	Brodie Eldershaw (AD.)	E.W. Scott Dickieson 10 Pownal Street Charlottetown, PE
KINCH, Mary Elizabeth Northport Prince Co., PE January 14, 2017 (2-15)	Roland Kinch (AD.)	Cox & Palmer 347 Church Street Alberton, PE
KINCH, Phillip John Northport Prince Co., PE January 14, 2017 (2-15)	Roland Kinch (AD.)	Cox & Palmer 347 Church Street Alberton, PE

### NOTICE OF COMPANY AMALGAMATIONS

*Companies Act*

R.S.P.E.I. 1988, Cap. C-14, s.77

Public Notice is hereby given that under the *Companies Act* letters patent have been issued by the Minister to confirm the following amalgamation:

MIDWAY HOLDINGS LTD.  
ISLAND SHIPPING LIMITED  
JONMAK HOLDINGS LTD.

Amalgamating companies

ISLAND SHIPPING LIMITED

Amalgamated company

Date of Letters Patent: April 01, 2017

DRM COMPANY LTD.

101891 P.E.I. INC.

Amalgamating companies

DRM COMPANY LTD.

Amalgamated company

Date of Letters Patent: April 01, 2017

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### NOTICE OF DISSOLUTION

*Partnership Act*

R.S.P.E.I. 1988, Cap. P-1

Public Notice is hereby given that a Notice of Dissolution has been filed under the *Partnership Act* for each of the following:

Name: BEIJING RESTAURANT

Owner: Peie Zhao

Douyuan Yan

Registration Date: April 04, 2017

Name: BEIJING RESTAURANT

Owner: Peie Zhao

Registration Date: April 06, 2017

Name: ISLAND MOBILE MECHANIC

Owner: Miles Troy Campbell

Registration Date: April 03, 2017

Name: JDR MOTORS

Owner: Danny Rashed

Joe Rashed

Registration Date: April 06, 2017

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### NOTICE OF GRANTING LETTERS PATENT

*Companies Act*

R.S.P.E.I. 1988, Cap. C-14, s.11,

Public Notice is hereby given that under the *Companies Act* Letters Patent have been issued by the Minister to the following:

Name: 102084 P.E.I. INC.

36 Beach Grove Rd, Apt. 9

Charlottetown, PE C1E 1Y3

Incorporation Date: March 31, 2017

Name: 102086 P.E.I. INC.

1678 Covehead Road

Little York, PE C0A 1P0

Incorporation Date: April 05, 2017

Name: BEYOND THE SUNSET INC.

2086, Rte., 152

RR #2

Alberton, PE C0B 1B0

Incorporation Date: April 04, 2017

Name: BRUDENELL RIDING STABLES INC.

649 Dover Road

Murray River, PE C0A 1W0

Incorporation Date: April 05, 2017

Name: DREAM HOUSE RENO INC.

145 Queen Elizabeth Drive

Charlottetown, PE C1A 3B2

Incorporation Date: March 30, 2017

Name: EAST POINT FISHERIES INC.

15 Souris River Road

PO Box 950

Souris, PE C0A 2B0

Incorporation Date: March 31, 2017

Name: VISION AUTOMOTIVE INC.

20 Great George Street

Charlottetown, PE C1A 4J6

Incorporation Date: April 05, 2017

15

**NOTICE OF GRANTING  
SUPPLEMENTARY LETTERS PATENT**

*Companies Act*

R.S.P.E.I. 1988, Cap. C-14, s.18, s.3

Public Notice is hereby given that under the *Companies Act* supplementary letters patent have been issued by the Minister to the following:

Name: DR. GARY D. MCLEAN  
PROFESSIONAL CORPORATION  
INC.

Purpose To increase the authorized capital.  
To amend the By-Law 1.19 of the  
company. (Granted on March 30,  
2017)

Effective Date: March 30, 2017

Name: KEPPOCH INVESTMENTS INC.

Purpose To increase the authorized capital.  
To amend By-Law 1.19

Effective Date: March 30, 2017

15

**NOTICE OF REGISTRATION**

*Partnership Act*

R.S.P.E.I. 1988, Cap. P-1, s.52 and s.54(1)

Public Notice is hereby given that the following  
Declarations have been filed under the *Partnership Act*:

Name: AFIRM

Owner: CANADA-REPORTS, ULC

850 - 333 Bay Street

Toronto, ON M5H 2R2

Registration Date: March 28, 2017

Name: THE REAL ESTATE MAGAZINE

Owner: MRE GROUP INC.

94 Kent Street

Charlottetown, PE C1A 1M9

Registration Date: April 03, 2017

Name: WEST IP COMMUNICATIONS

Owner: WEST UNIFIED COMMUNICATIONS  
SERVICES CANADA, INC.

100 King Street West

Suite 6000, 1 First Canadian Place

Toronto, ON M5X 1E2

Registration Date: April 03, 2017

Name: RV NOW

Owner: 3287646 NOVA SCOTIA COMPANY

1959 Upper Water Street, Suite 900

Halifax, NS B3J 2X2

Registration Date: March 31, 2017

Name: THE CREATIVE PLANOGRAM  
COMPANY

Owner: 2177420 Ontario Inc.

802 Cochrane Drive, Unit 1

Markham, ON L3R 8C9

Registration Date: March 31, 2017

Name: DRIVE SMART ACCIDENT  
PREVENTION

Owner: 101896 P.E.I. INC.

97 Cormac Crescent

York, PE C0A 1P0

Registration Date: April 05, 2017

Name: TIMELESS TREASURES ANTIQUES  
& MORE

Owner: MITCHELL SEED INC.

40 Cove Road

Fortune RR#4

Souris, PE C0A 2B0

Registration Date: April 06, 2017

Name: JDR MOTORS

Owner: J.D.R. ENTERPRISES INC.

78 Cottonwood Drive

Charlottetown, PE C1E 1A7

Registration Date: April 06, 2017

Name: BEIJING RESTAURANT

Owner: Peie Zhao

512 Malpeque Road

Charlottetown, PE C1E 1Z2

Owner: Duoyuan Yan

512 Malpeque Road

Charlottetown, PE C1E 1Z2

Registration Date: April 06, 2017

Name: CRACKED DEVICE COMPANY

Owner: Lori Ashley

375 St. Catherines Road

Bonshaw, PE C0A 1C0

Owner: Mark Richards

66 Essex Crescent

Charlottetown, PE C1E 0G8

Registration Date: April 04, 2017

Name: FARMED - MARKET AND CRAFT  
BUTCHERY  
Owner: 10148407 Canada Inc.  
2805 Kerrytown Road  
Clinton, PE C0B 1M0  
Registration Date: April 03, 2017

Name: BEIJING RESTAURANT  
Owner: Peie Zhao  
512 Malpeque Road  
Charlottetown, PE C1E 1Z2  
Registration Date: April 04, 2017

Name: FIX AUTO CHARLOTTETOWN  
Owner: 10014729 Canada Inc.  
11 Camburhill Court  
Charlottetown, PE C1E 0E2  
Registration Date: April 03, 2017

Name: GILLIS WINDOW & DOOR REPAIR  
Owner: Merrill R. Gillis  
214 Gillis Road  
Eldon, PE C0A 1A0  
Registration Date: April 03, 2017

Name: HIREGEN SOLUTIONS  
Owner: Rahul Kalvakolan  
13 Brown Court, Unit 103  
Charlottetown, PE C1A 9H3  
Registration Date: April 03, 2017

Name: ISLAND THREADS  
Owner: Darlene MacKenzie  
491 Church Road  
Souris, PE C0A 2B0  
Registration Date: April 06, 2017

Name: LIGHTERS CANDLE COMPANY  
Owner: Megan Ruth Grady  
8 Belvedere Avenue  
Charlottetown, PE C1A 6A8  
Registration Date: April 04, 2017

Name: NANCY QUINN BUSINESS  
Owner: Nancy Quinn  
211 Arcona Street  
Summerside, PE C1N 2W5  
Registration Date: January 30, 2017

Name: NATHAN TERSTEEG CONSULTING  
Owner: Nathan Alexandre Tersteeg  
55 Glencove Drive  
Stratford, PE C1B 1Y2  
Registration Date: April 03, 2017

Name: ROBERT MACKAY PROFESSIONAL  
BUSINESS SERVICES  
Owner: Robert Kenneth MacKay  
60 Spring Lane  
Charlottetown, PE C1A 5Z9  
Registration Date: April 03, 2017

Name: THE BEER STATION  
Owner: Prince Edward Island Brewing  
Company Ltd.  
96 Kensington Road  
Charlottetown, PE C1A 5J4  
Registration Date: April 05, 2017

Name: THE NEAT KEEP  
Owner: Victoria Kingyens  
229 Gunning Shore Road  
Summerside, PE C1N 4J8  
Registration Date: April 06, 2017

Name: THE OLDE VILLAGE BAKERY  
Owner: Barbara Joan Blacquiere  
69 Gulfview Crescent  
North Rustico, PE C0A 1X0  
Registration Date: April 03, 2017

Name: TWIN BROOK FARMS  
Owner: Ewen Stetson  
1261 O'Leary Road  
Unionvale, PE C0B 1V0  
Registration Date: April 03, 2017

Name: WRITE AWAY SIGNS  
Owner: Patrick FitzGerald  
119 Matheson Street  
Summerside, PE C1N 5A8  
Registration Date: April 04, 2017

**NOTICE OF REVIVED COMPANIES**

*Companies Act*  
R.S.P.E.I. 1988, Cap. C-14 s.73

Public Notice is hereby given that under the *Companies Act* the following companies have been revived:

Name: SELL REAL ESTATE INC.  
Effective Date: March 29, 2017  
15

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**NOTICE OF APPLICATION  
FOR LEAVE TO SURRENDER CHARTER**

TAKE NOTICE that **AIM & SHOOT LTD.**, a body corporate, duly incorporated in compliance with the laws of the Province of Prince Edward Island, with head office at Charlottetown, in Queens County, Province of Prince Edward Island, hereby gives notice pursuant to the *Companies Act* of the Province of Prince Edward Island, R.S.P.E.I. 1988, Cap. C-14, that it intends to make Application to the Director of the Consumer, Corporate and Financial Services Division, Department of Justice and Public Safety, for leave to surrender the Charter of the said Company.

DATED at Charlottetown, in Queens County, Province of Prince Edward Island, this 10th day of April, 2017.

GARY SCALES  
McINNES COOPER  
141 Kent Street, Suite 300  
Charlottetown, PE C1A 1N3  
Solicitor for the Applicant

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**NOTICE  
JUDICATURE ACT**  
(Section 30)

Pursuant to subsection 30(1) of the *Judicature Act*, R.S.P.E.I. 1988, Cap. J-2.1,

**Kerrilee MacConnell**

is from this date hereby appointed as a member of the Finance Committee of the Supreme Court.

Dated this 10th day of April, 2017.

Wade MacLauchlan  
Minister of Justice and Public Safety  
and Attorney General of Prince Edward Island  
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**NOTICE  
CHANGE OF NAME**

Be advised that a name change under the *Change of Name Act* S.P.E.I. 1997, C-59 was granted as follows:

Former Name: **William Devin Clements**  
Present Name: **William Devin Clément**

March 16, 2017

Adam Peters  
Director of Vital Statistics  
15

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**NOTICE  
CHANGE OF NAME**

Be advised that a name change under the *Change of Name Act* S.P.E.I. 1997, C-59 was granted as follows:

Former Name: **Troy James MacLean**  
Present Name: **Jamie Kelsea MacLean**

February 9, 2017

Adam Peters  
Director of Vital Statistics  
15

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The ROYAL GAZETTE is issued every Saturday from the office of Michael Fagan, Queen's Printer, PO Box 2000, Charlottetown, PEI C1A 7N8. All copy must be received by the Tuesday preceding the day of publication. The subscription rate is \$75.00 per annum, postpaid; single copies are \$2.00 each, postpaid or \$1.25 each, over the counter.

## PART II REGULATIONS

**EC2017-194**

### ANIMAL WELFARE ACT ANIMAL WELFARE REGULATIONS

(Approved by His Honour the Lieutenant Governor in Council dated April 3, 2017.)

Pursuant to section 45 of the *Animal Welfare Act* R.S.P.E.I. 1988, Cap. A-11.2, Council made the following regulations:

#### GENERAL MATTERS

##### Interpretation

1. (1) The following terms are defined for the purposes of these regulations, Definitions

- (a) “Act” means the *Animal Welfare Act* R.S.P.E.I. 1988, Cap. A-11.2; Act
- (b) “boarding facility” means a cattery, kennel or other premises where companion animals are kept, bred, boarded or trained; boarding facility
- (c) “Cattery Code” means *A Code of Practice for Canadian Cattery Operations*, published by the Canadian Veterinary Medical Association, 2009; Cattery Code
- (d) “CCAC” means the Canadian Council on Animal Care; CCAC
- (e) “enclosure” means a cage, pen, stall or enclosed space to hold or house an animal; enclosure
- (f) “exotic companion animal” means any companion animal other than
  - (i) a domestic cat (*Felis silvestris catus*), and
  - (ii) a domestic dog (*Canis lupus familiaris*); exotic companion animal
- (g) “food animal” means an animal slaughtered and processed as a meat product for human consumption and for which an inspection system has been established under the laws of Prince Edward Island or Canada; food animal
- (h) “handler” means a person responsible for the care of an animal; handler

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Kennel Code	(i) “ <i>Kennel Code</i> ” means <i>A Code of Practice for Canadian Kennel Operations</i> , published by the Canadian Veterinary Medical Association, 2007;
NFACC	(j) “NFACC” means the National Farm Animal Care Council;
tether	(k) “tether” means to restrain an animal by attaching one end of a rope, leash, chain or similar restraint to an animal or a collar, halter or hobble on the animal and affixing the other end to a stationary object.
Age and sex of animal	(2) A reference in the Act or regulations made under the Act to an animal includes a male, female, adult or juvenile of that species or breed of animal.
Domesticated water buffalo	(3) A domesticated water buffalo is prescribed as a "commercial animal" under subclause 1(1)(h)(xx) of the Act.

#### Accepted Activities

Prescribed accepted activities	<p><b>2.</b> For greater certainty, the following are prescribed as accepted activities for the purpose of clause 7(1)(m) of the Act, if conducted in accordance with the Act and these regulations:</p> <p>(a) keeping, breeding, boarding or training companion animals at a boarding facility;</p> <p>(b) keeping, handling, displaying and selling companion animals in or for a licensed companion animal retail store.</p>
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#### Standards and Codes

Standards, etc. incorporated as amended	<p><b>3.</b> (1) All standards, codes of practice, criteria, guidelines, reports, policies, practices, procedures and other documents referred to or adopted by these regulations are incorporated by reference as amended from time to time.</p>
Acceptable codes, standards and other documents	<p>(2) The standards, codes of practice, criteria, guidelines, reports, policies, practices, procedures and other documents set out in these regulations are acceptable activities for the purposes of clause 7(2)(a) of the Act.</p>

#### Euthanasia

Applicable procedures	<p><b>4.</b> (1) No person shall euthanize an animal except in accordance with the procedure applicable to the animal as set out in the following:</p> <p>(a) the <i>2013 Report of the American Veterinary Medical Association Panel on Euthanasia</i>, published by the American Veterinary Medical Association;</p> <p>(b) the provisions related to euthanasia in the <i>Kennel Code</i> and the <i>Cattery Code</i>;</p>
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- (c) the provisions related to euthanasia in the codes of practice listed in Schedule B;
- (d) the *CCAC guidelines on: euthanasia of animals used in science*, published by the CCAC, 2010.

(2) If no procedure for euthanasia is applicable to an animal under subsection (1), the animal may be euthanized in accordance with the *Guidelines for Euthanasia of Domestic Animals by Firearms*, published in the *Canadian Veterinary Journal*, volume 32, December 1991, page 724. *Idem*

#### Unacceptable Activities

- 5.** (1) No person shall tether a horse or a dog, unless the tether Tethering standards for horses and dogs
- (a) allows the animal to reach its food and water and a place to lie down that provides protection from extremes of heat or cold and other adverse weather conditions;
  - (b) allows the animal to move in a manner that is safe and not restricted except by the length of the tether;
  - (c) has a minimum length of at least the greater of
    - (i) five metres, and
    - (ii) five times the length of the animal, as measured from the tip of its nose to the base of its tail;
  - (d) is configured to prevent the animal from
    - (i) becoming entangled with other objects or animals, or
    - (ii) moving in a manner that could result in strangulation or injury to the animal; and
  - (e) does not otherwise cause the animal distress.
- (2) No person shall tether a horse outdoors, unless the tethering complies with the *Code of Practice for the Care and Handling of Equines* referred to in item 12 of Schedule B. Tethering a horse outdoors
- (3) Subject to subsection 5(1), no person shall tether a dog outdoors unless, Tethering dogs outdoors
- (a) in the case of a sled dog, the tethering complies with the *Sled Dog Code of Practice* referred to in section 23; and
  - (b) in the case of any other dog, the tethering complies with the *Kennel Code* and the dog is not tethered for more than 30 minutes during the period from 11 p.m. to 6 a.m.
- (4) In the case of animals other than horses and dogs, no person shall tether the animal contrary to any code or standard adopted by these regulations. Tethering other animals
- 6.** (1) No person shall transport a companion animal in the open back of a pickup truck in any manner or circumstances that exposes the animal to a high risk of injury. Animals in pickup truck

Pickup truck on  
highway

(2) Despite subsection (1), no person shall transport a companion animal in the open back of a pickup truck on a highway, as defined in the *Highway Traffic Act* R.S.P.E.I. 1988, Cap. H-5, unless the animal is placed in a suitable enclosure or otherwise restrained by a device that ensures the safety and protection of the animal.

#### Payments and Costs of Care

Form of payment

**7.** Any fee or amount payable to the province shall be paid in the form of a cheque or money order payable to the Minister of Finance.

Costs of care

**8.** (1) The costs of care payable to the Government or the Society for the care and maintenance of an animal under section 25 of the Act are as follows:

- (a) for the costs associated with providing food and shelter,
  - (i) \$15 per commercial animal per day, and
  - (ii) \$22 per companion animal per day;
- (b) the actual amount of any costs incurred in transporting the animal;
- (c) the actual amount of any costs incurred in seizing or taking the animal into custody;
- (d) the actual amount of any costs incurred in relieving the distress of the animal, including euthanasia;
- (e) for veterinary care,
  - (i) the actual amount of any overtime wages paid to a veterinarian who is an employee of the Society,
  - (ii) the actual amount of any fees and expenses paid to a veterinarian who is engaged by the Department or the Society, and
  - (iii) the actual amount of any costs for medical supplies or other services provided or used in the course of the veterinary care.

Daily amounts

(2) Where a cost in subsection (1) is prescribed as an amount per day, the amount is payable for each 24-hour period or part of that period.

Reimbursement of  
Society

(3) Where any costs payable to the Society under subsection 27(5) of the Act are outstanding for more than one year, the Minister may reimburse the Society for all or part of those outstanding costs.

#### Form and Content of Orders

Contents of orders

**9.** (1) An order made under the Act shall include the following information:

- (a) the name or identity of the person or persons to whom the order applies;
- (b) the legal authority for the order and the reasons for making the order;
- (c) a description of each animal, thing or premises that is subject to the order;

- (d) a description of any action required to be performed or ceased under the order, including a reference to any applicable standard, code of practice, criterion, guideline, report, policy, practice, procedure, other document or recommendation of a veterinarian;
- (e) any specific time limits applicable in the order, including the time to comply, and any other applicable conditions;
- (f) the date of the order and the name, title and signature of the person issuing the order;
- (g) a statement advising how a person affected by the order may have the order appealed;
- (h) a statement advising that the order is in effect during any appeal.

(2) The Director may determine the form of an order.

Form of order

#### Consents and Notices

**10.** (1) Where the Act provides for the consent of a person, that consent shall be in writing and contain the following information:

Content of consent

- (a) the name and address of the person;
- (b) a description of the animal to which the consent applies;
- (c) a description of the decision or action to which the person is consenting;
- (d) the date of the consent;
- (e) the signature of the person.

(2) A notice to an owner under section 22 of the Act regarding actions taken in respect of an animal shall contain the following information:

Contents of notice to owner

- (a) the name and address of the owner, or if that is not known, a location associated with the owner or a means of identifying the owner;
- (b) a description of the animal to which the notice applies;
- (c) a description of the decision or action taken by the animal protection officer;
- (d) a reference to any statutory authority for the decision or action taken by the animal protection officer;
- (e) the date of the notice and the name and title of the person issuing the notice;
- (f) a statement advising how a person affected by the notice may recover possession of the animal or appeal the notice;
- (g) a statement advising that the decision or action is in effect during any appeal.

(3) The Director may determine the form of a consent or notice referred to in this section.

Form of documents

#### Time Periods

**11.** For the purposes of subsection 23(2) of the Act, the time period within which an owner may recover possession of an animal is five days,

Time for recovery of animal

not including weekends and holidays, after the day the notice under section 23 of the Act was served on the owner.

### Appeals

- Content of notice of appeal** **12.** (1) A notice of appeal under subsection 29(4) of the Act shall be in a form determined by the Appeal Board that
- (a) is signed and dated by the appellant or counsel for the appellant; and
  - (b) sets out the name, address and telephone number of the appellant and any counsel for the appellant.
- Appeal Board** (2) Members of the Appeal Board shall receive remuneration for the work they perform on an appeal as follows:
- (a) the Chair shall be paid \$70 per hour worked to a maximum of \$1,000 per appeal;
  - (b) the Vice Chair shall be paid \$40 per hour worked to a maximum of \$572 per appeal;
  - (c) every other member shall be paid \$40 per hour worked to a maximum of \$572 per appeal.

### Service of Documents

- Manner of service** **13.** (1) A notice, order or other document may be sent or served on a person to whom it pertains
- (a) by personally delivering it to the person;
  - (b) by mailing or delivering it to the person at their last known address, according to the most recent information of the person serving it, using a mail or delivery service that provides an acknowledgment of receipt; or
  - (c) in the case of service on an owner of an animal, by leaving or posting it at the place where
    - (i) the animal referred to in it was seized or taken into custody, or
    - (ii) the person serving it believes on reasonable grounds the animal is located.
- Date of service** (2) A document sent or served in accordance with subsection (1) is deemed to have been served on and received by the person on the earliest of the day that
- (a) it is personally delivered to the person;
  - (b) its receipt is acknowledged in accordance with clause (1)(b); or
  - (c) it is left at the place referred to in clause (1)(c).

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## COMPANION ANIMALS

### Adoptions by the Society

**14.** Before placing a companion animal for adoption, the Society shall, in addition to any other conditions that the Society may require, ensure that

Adoption conditions

- (a) the animal has no apparent health or behavioural problems that would make it unsuitable for adoption;
- (b) the prospective owner provides proof of his or her identity in a form satisfactory to the Society;
- (c) the prospective owner is provided with advice about the proper care of and any appropriate training for the animal;
- (d) the prospective owner is, in the Society's opinion, suitable to adopt the animal; and
- (e) the adoption is documented in writing.

### Licensing Companion Animal Retail Stores

**15.** A person applying for a license to operate a companion animal retail store shall submit to the Director

License applications

- (a) a completed application in a form determined by the Director;
- (b) a statement of the types and breeds of animal to be housed or bred and the number of breeding and non-breeding adult animals that will be kept at the companion animal retail store;
- (c) a scale drawing or blueprint of the premises; and
- (d) a license fee in the amount of \$250.

**16.** (1) No person shall alter or modify the premises or operation of a licensed companion animal retail store without the prior written approval of the Director.

No alteration of  
licensed premises  
without approval

(2) An application for approval to alter or modify the premises or operation of a licensed companion animal retail store shall be made in the same manner as an application for a license under section 15.

Application for  
approval

**17.** (1) The holder of a license for a companion animal retail store who wishes to renew the license shall, no later than 30 days before the expiry of the license, submit to the Director

Renewal of license

- (a) an application for renewal in a form approved by the Director;
- (b) a current inventory of the species, breeds and quantity of animals in the companion animal retail store; and
- (c) a license fee in the amount of \$250.

(2) Before renewing a license, the Director may require the premises of the companion animal retail store to be inspected by an inspector or by another person designated by the Director.

Inspection before  
renewal

Report on results of inspection	(3) A person who performs the inspection under subsection (2) shall submit a report regarding the results of the inspection to the Director in accordance with the requirements of the Director.
Brochure	<p><b>18.</b> The holder of a license for a companion animal retail store shall, when selling an animal, ensure that the sales staff gives the buyer a document that</p> <ul style="list-style-type: none"> <li>(a) states the scientific or common name of the animal;</li> <li>(b) certifies that the animal is healthy; and</li> <li>(c) provides the prospective owner with advice about the proper care of and any appropriate training for the animal.</li> </ul>
Maintenance of Records	<p><b>19.</b> (1) The holder of a license for a companion animal retail store shall keep records of</p> <ul style="list-style-type: none"> <li>(a) the name, address and contact information of each supplier that supplies an animal to the companion animal retail store;</li> <li>(b) the species, breeds and quantity of animals obtained from each supplier; and</li> <li>(c) any other records that may be required under these regulations.</li> </ul>
Records retention and production	<p>(2) The holder of a license for a companion animal retail store shall</p> <ul style="list-style-type: none"> <li>(a) keep each record for at least two years from the date it is made; and</li> <li>(b) provide any of these records to the Director or an animal protection officer upon request.</li> </ul>

#### Housing and Construction Standards

Application to retail stores and boarding facilities	<b>20.</b> (1) Every holder of a license for a companion animal retail store and every owner and operator of a boarding facility shall comply with the codes and standards adopted by this section in respect of the store or facility and the animals in the store or facility.
Construction standards for kennels	(2) That portion of the premises where dogs are kept shall be constructed in accordance with the standards in the <i>Kennel Code</i> .
Construction for catteries	(3) That portion of the premises where cats are kept shall be constructed in accordance with the standards in the <i>Cattery Code</i> .
Standards for exotic companion animals	(4) That portion of the premises where exotic companion animals are kept shall be constructed in accordance with the standards in Schedule A.
Standards for mixed species	<p>(5) Where a combination of the species referred to in subsections (2) to (4) are kept on the same premises,</p> <ul style="list-style-type: none"> <li>(a) the codes and standards referred to in those subsections applies to those parts or areas of the premises in which the applicable species is kept, handled or displayed; and</li> <li>(b) parts or areas of the premises where more than one species are kept, handled or displayed shall comply with the combination of those codes and standards that best ensures the well-being of all the</li> </ul>

animals that are kept, handled or displayed in the part or area of the premises.

(6) If the license holder of a companion animal retail store or the owner or operator of a boarding facility is unable to comply with clause (5)(b), he or she shall not keep, handle or display an animal of a species covered by a code or standard in a part or area of the premises that does not comply with that clause.

Separation of species

#### General Standards of Care

**21.** (1) Every holder of a license for a companion animal retail store and every owner and operator of a boarding facility shall comply with the codes and standards adopted by this section in respect of the store or facility and the animals in the store or facility.

Application to stores and facilities

(2) The litter or bedding material in every enclosure in the premises shall be changed as often as is necessary to keep the litter or bedding dry, clean and free of noxious fumes.

Standards for litter and bedding

(3) Any enclosure using any specialized method for collecting excreta and other waste shall be cleaned and the excreta removed as often as is necessary to maintain the health and comfort of every animal in the premises.

Other standards for excreta and waste

(4) No animal shall be placed in a vacant enclosure of which it has not been the last occupant, unless the enclosure and any equipment in it has first been cleaned and disinfected.

Sanitizing enclosures

(5) The walls, floors and holding enclosures in the premises shall be constructed so as to prevent wastes from contaminating adjacent rooms or enclosures.

Prevention of contamination

(6) Every device used to supply drinking water to animals in the premises shall be

Standards for watering

(a) maintained in a sanitary condition; and

(b) constructed and maintained so as to ensure that the animals are receiving clean and potable water in volumes and at intervals sufficient to meet the requirements of their species.

(7) Food supplied for animals in the premises shall be of a type and amount that provides a nutritionally adequate diet for each species and is palatable and free from contamination.

Standards for food

(8) No animal in the premises shall be deprived of food for longer than the lesser of 24 hours or the period recommended by the code or standard applicable to that animal under these regulations.

Period of feeding

(9) Dogs on the premises shall be cared for in accordance with the guidelines for immunization and health care set out in the *Kennel Code*.

Standards of care for dogs

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Standards of care for cats	(10) Cats on the premises shall be cared for in accordance with the guidelines for immunization and health care set out in the <i>Cattery Code</i> .
Health management program	(11) The licensed premises shall be operated in accordance with a health management program that is approved by a veterinarian and includes a written protocol for <ul style="list-style-type: none"> <li>(a) preventive veterinary care;</li> <li>(b) vaccination;</li> <li>(c) parasite control; and</li> <li>(d) euthanasia, when required.</li> </ul>
Veterinary care	(12) Any animal on the premises that becomes ill shall be presented to a veterinarian for timely diagnosis and treatment.

#### Special Standards for Exotic Companion Animals

Standards in Schedule A	<b>22.</b> Every holder of a license for a companion animal retail store and every owner and operator of a boarding facility with an exotic companion animal shall comply with the codes and standards adopted or required by Schedule A in respect of the store or facility and every exotic companion animal in the store or facility.
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#### Sled Dogs

Sled dogs	<b>23.</b> Every owner of a sled dog shall comply with the <i>Sled Dog Code of Practice</i> , January 30, 2012, published by the Ministry of Agriculture, Government of British Columbia.
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#### Standards of Operation of Boarding Facilities

Code applicable to kennel	<b>24.</b> (1) Every owner and operator of a boarding facility for dogs shall operate the facility in compliance with the <i>Kennel Code</i> .
Code applicable to cattery	(2) Every owner and operator of a boarding facility for cats shall operate the facility in compliance with the <i>Cattery Code</i> .

#### Standards for Operation of Companion Animal Retail Stores

Application to animal retail stores	<b>25.</b> (1) Every holder of a license for a companion animal retail store shall comply with the codes and standards adopted by this section in respect of the store and the animals in the store.
Standards for dogs	(2) Dogs shall be kept, handled and displayed in accordance with the standards in the <i>Kennel Code</i> .
Standards for cats	(3) Cats shall be kept, handled and displayed in accordance with the standards in the <i>Cattery Code</i> .
Standards for birds	(4) Birds shall be kept, handled and displayed in accordance with the standards in the <i>Recommended space requirements for birds kept in a pet</i>

*retail environment*, published by the Pet Industry Joint Advisory Council of Canada.

(5) Small animals shall be kept, handled and displayed in accordance with the standards in the *Recommended space requirements for juvenile small animals kept in a pet retail environment*, published by the Pet Industry Joint Advisory Council of Canada. Standards for small animals

## COMMERCIAL ANIMALS

### Codes of Practice for Commercial Animals

**26.** Every owner of a commercial animal shall comply with the codes of practice listed in Schedule B in respect of the commercial animal to which the code applies. Codes of practice

### Loading Commercial Animals

**27.** (1) No person shall load into a vehicle any animal that, by reason of infirmity, illness, injury, fatigue or any other cause, would suffer unduly while in the vehicle. Animals unfit for loading

(2) Despite subsection (1), a person may load into a vehicle an animal for transportation to or from a veterinary clinic, a designated confinement area or the nearest suitable place to deal with health concerns as long as the animal is loaded and will be transported humanely. Exception

(3) No person shall load commercial animals into a vehicle in a manner that is likely to cause the animals pain, suffering, harm or impairment of health from crowding or any other reason. Pain, suffering, harm or impairment of health prohibited

(4) No person shall beat or, by use of a prod, goad or other instrument, cause injury to a commercial animal being loaded into a vehicle. Prohibited devices

(5) No person shall load into a vehicle a commercial animal that is likely to give birth while in the vehicle, unless the animal is being transported for health reasons. No pregnant animals

(6) No person shall load a commercial animal into a vehicle that has insufficient space for all the animals to stand in their natural position at the same time without coming into contact with a deck or roof. Insufficient space

(7) A person who loads commercial animals into a vehicle shall ensure that the vehicle meets the following requirements: Suitable vehicle

- (a) the area of the vehicle used by the animals is adequately cleaned prior to loading and is maintained in a clean state;
- (b) exhaust fumes are not able to enter the area of the vehicle used by the animals and cause distress to the animals;

- (c) the front of the area of the vehicle used by the animals is of sufficient height to protect the animals from direct exposure to any adverse condition;
- (d) the deck surface consists of a suitable non-slip flooring or is covered with straw, dry sand or other suitable material that is uniformly spread.

Unsuitable vehicle

- (8) No person shall load a commercial animal into a vehicle that has
- (a) a box or stock rack of a strength and height that is insufficient to adequately protect and contain the animal at all times;
  - (b) fittings that are not secure or are inadequately padded, fenced off or obstructed;
  - (c) bolt-heads or other objects projecting into the area of the vehicle used by the animal;
  - (d) any broken, cracked or damaged siding or flooring material;
  - (e) inadequate ventilation;
  - (f) unsafe footholds or footholds that are not secure; or
  - (g) any other equipment in such a condition that it is likely to cause the animal pain, suffering, harm or impairment of health.

Extreme heat or cold

- (9) No person shall load a commercial animal into a vehicle in a manner that could cause undue exposure of the animal to extreme or injurious heat or cold and other adverse weather conditions.

#### Unloading Commercial Animals

Prohibited unloading

- 28.** (1) No person shall unload any commercial animal at a commercial market or assembly yard that, by reason of infirmity, illness, injury, fatigue or other cause, is unable to stand or is unduly suffering.

Injury or undue suffering prohibited

- (2) No person shall unload a commercial animal in a manner that is likely to cause it pain, suffering, harm or impairment of health.

Prohibited devices

- (3) No person shall beat or, by use of a prod, goad or other instrument, cause injury to a commercial animal being unloaded from a vehicle.

Premises for unloading

- (4) No person shall unload a commercial animal from a vehicle for rest, food or water, unless the premises into which the animal is unloaded
- (a) provides sufficient space for all the animals to lie down at the same time;
  - (b) provides for adequate feeding and watering of the animals;
  - (c) has an adequate amount of straw or other suitable material to bed the animals; and
  - (d) provides protection from extreme or injurious heat or cold and other adverse weather conditions.

#### Commercial Markets

Maintenance requirements

- 29.** (1) The operator of a commercial market shall ensure that it is maintained so that

- (a) adequate protection is provided to all calves weighing less than 115 kilograms and all swine that are present at the market;
- (b) any commercial animal that, by reason of infirmity, illness, injury, fatigue or other cause, is unable to stand or unable to compete with other animals for space, feed or water is kept separated from the other animals;
- (c) sows, boars or stags that weigh more than 150 kilograms are kept separate from market hogs;
- (d) boars or stags with tusks are kept in individual enclosures;
- (e) boars or stags that weigh less than 150 kilograms are kept separate from sows; and
- (f) adequate shelter from extreme or injurious heat or cold and other adverse weather conditions is provided that is appropriate for the species of commercial animal.

(2) The operator of a commercial market shall not allow the following animals to be present at the commercial market: No sale of young animals

- (a) a weaned foal that is less than 30 days old;
- (b) a weaned pig that weighs less than 10 kilograms; or
- (c) any other species of weaned animal that is less than eight days old.

(3) If any animal described in subsection (2) is present at a commercial market, the operator shall Notice to remove young animals

- (a) keep it separate from other commercial animals; and
- (b) notify, as soon as possible, the person who delivered the animal to remove it immediately.

(4) A person who receives notice under clause (3)(b) shall immediately remove the animal from the commercial market. Removal of young animals

#### Care and Handling of Commercial Animals

**30.** (1) The operator of a commercial market or assembly yard shall not allow commercial animals to remain at the market or yard for a period exceeding 144 hours, unless so directed by an animal protection officer or another officer or inspector appointed under an enactment of Prince Edward Island or Canada. Maximum period at market or yard

(2) If a commercial animal remains at a commercial market or assembly yard for a period of 36 hours, the operator of the market or yard shall provide sufficient space, shelter, feed, water and bedding for that animal for as long as it remains at the market or yard. Provision of care

(3) If any commercial animal at a commercial market or assembly yard becomes unable, by reason of infirmity, illness, injury, fatigue or other cause, to stand or to compete with other animals for space, food or water, the operator of the market or yard shall Notice of unfit animal

- (a) keep that animal separate from the other animals; and

- (b) provide the care or treatment appropriate to that animal.

#### Slaughtering Animals for Food

- |  |   |
|--|---|
| Slaughter                                    | <b>31.</b> (1) No person shall slaughter a food animal except in accordance with the provisions of sections 77 to 80 of the <i>Meat Inspection Regulations, 1990</i> , including any amendments made to, or successor legislation enacted to replace, those provisions. |
| Prohibition on slaughtering non-food animals | (2) No person shall slaughter an animal for food, unless it is a food animal.   |

#### Research Animals

- |                               |   |
|-------------------------------|---|
| Research and teaching animals | <p><b>32.</b> (1) The owner and any other person who has control of animals bred, kept or used for the purpose of research or teaching activities shall keep them in accordance with the following guides, policies and guidelines, published by the Canadian Council on Animal Care:</p> <ul style="list-style-type: none"> <li>(a) CCAC <i>Guide to the Care and Use of Experimental Animals</i>, Vol. 1, 2nd ed. (1993);</li> <li>(b) CCAC <i>Guide to the Care and Use of Experimental Animals</i>, Vol. 2 (1984);</li> <li>(c) CCAC <i>guidelines on: animal use protocol review</i> (1997);</li> <li>(d) CCAC <i>guidelines on: transgenic animals</i> (1997);</li> <li>(e) CCAC <i>guidelines on: choosing an appropriate endpoint in experiments using animals for research, teaching and testing</i> (1998);</li> <li>(f) CCAC <i>guidelines on: institutional animal user training program</i> (1999);</li> <li>(g) CCAC <i>guidelines on: antibody production</i> (2002);</li> <li>(h) CCAC <i>guidelines on: the care and use of wildlife</i> (2003);</li> <li>(i) CCAC <i>guidelines on: laboratory animal facilities characteristics, design and development</i> (2003);</li> <li>(j) CCAC <i>guidelines on: the care and use of fish in research, teaching and testing</i> (2005);</li> <li>(k) CCAC <i>policy statement on: terms of reference for animal care committees</i> (2006);</li> <li>(l) CCAC <i>policy statement on: ethics of animal investigation</i> (1989);</li> <li>(m) CCAC <i>policy statement on: social and behavioural requirements of experimental animals (SEBREA)</i> (1990);</li> <li>(n) CCAC <i>policy statement on: acceptable immunological procedures</i> (1991);</li> <li>(o) CCAC <i>policy statement on: categories of invasiveness in animal experiments</i> (1991);</li> <li>(p) CCAC <i>policy statement on: definitions of recommendations made in CCAC assessment reports</i> (2012);</li> <li>(q) CCAC <i>policy statement on: confidentiality of assessment information</i> (2010);</li> <li>(r) CCAC <i>policy statement on: CCAC assessment panel policy</i> (1999);</li> </ul> |
|-------------------------------|---|

- (s) CCAC Certification of Animal Care and Use Programs (2012);
- (t) CCAC policy statement on: the importance of independent peer review of the scientific merit of animal based research projects (2000);
- (u) CCAC policy statement on: animal based projects involving two or more institutions (2003);
- (v) CCAC Guidelines on: the Care and Use of Farm Animals in Research, Teaching and Testing.

(2) No owner or any other person who has control of animals bred, kept or used for the purpose of research or teaching activities shall conduct a study or research involving the animals, unless the study or research is reviewed and approved by an animal care committee structured according to the criteria set out in the policy referred to in clause (1)(k). Animal care committee

#### Exhibitions and Fairs

- 33.** (1) The owner and person in charge of animals present at an exhibition or fair shall ensure that Duties of owner and person in charge
- (a) any companion animal in the exhibition or fair is cared for in accordance with the provisions of sections 20 to 25, including Schedule A, applicable to that animal;
  - (b) any commercial animal in the exhibition or fair is cared for in accordance with the provisions of sections 26 to 28 applicable to that animal;
  - (c) an experienced handler is within eye contact of an animal when it is in the presence of the public; and
  - (d) the public is not allowed to approach, touch or feed an animal, unless the interaction is supervised by an experienced handler and the safety of the animal and the public is assured.

(2) For greater certainty, these regulations do not apply to animals in a circus governed by the Circus Animals Regulations. Circus animals

**34.** These regulations come into force on April 15, 2017. Commencement

### SCHEDULE A

#### (Section 22)

#### Standards for Exotic Companion Animals

##### Application

**1.** This Schedule applies only in respect of exotic companion animals in a companion animal retail store or a boarding facility. Exotic companion Animals

## Housing and Enclosures

- |  |  |
|--|--|
| Natural enclosures                     | 2. (1) An animal's enclosure shall be constructed to reflect the animal's natural habitat, such as aquatic, terranean or arboreal.   |
| Standards of construction              | (2) An animal's enclosure shall be constructed so that <ul style="list-style-type: none"> <li>(a) it is situated away from areas of disruptive traffic and noise;</li> <li>(b) it can be maintained in a manner that causes minimal disturbance to the animals in it and elsewhere in the premises;</li> <li>(c) it does not contain sharp edges or anything else that can harm the animal; and</li> <li>(d) it is built with materials, such as glass, plexiglass, plastic or steel, that are smooth, non-abrasive, non-absorbent and easy to clean and disinfect.</li> </ul>   |
| Wire enclosures                        | (3) If all or part of the floor of an animal's enclosure is wire, <ul style="list-style-type: none"> <li>(a) the wire shall be coated with an impervious material;</li> <li>(b) the floor shall be sufficiently strong to support the combined weight of the animals in the enclosure plus any equipment that rests on the wire floor;</li> <li>(c) the floor shall have a mesh size that will not injure any animal in the enclosure but will allow faecal matter to fall freely through the mesh;</li> <li>(d) the floor shall be set up so that there is no contamination of the enclosure underneath; and</li> <li>(e) the floor shall include a partial solid area such as a bed or blanket.</li> </ul> |
| Size of enclosure                      | (4) The size of each enclosure shall generally be large enough to allow the animal enough room to move around and to exhibit normal behaviours such as climbing and burrowing.   |
| Stable branches and perches            | (5) If the enclosure contains branches, perches or other structures, they shall be stable, not prone to collapse and capable of being adequately cleaned and disinfected.  |
| Water habitats                         | 3. (1) A water habitat in an enclosure shall be constructed so that <ul style="list-style-type: none"> <li>(a) it is large enough to accommodate the animal;</li> <li>(b) it provides shallow areas for rest, respiration and basking;</li> <li>(c) except in the case of aquatic species and species that require soaking, it is not deeper than the chin of the animal being housed; and</li> <li>(d) in the case of an enclosure for an aquatic turtle, it is at least as deep as the width of the turtle's carapace to prevent drowning.</li> </ul>  |
| Glues for aquariums and water habitats | (2) If the enclosure is an aquarium or contains a water habitat, only glues approved for use in aquariums shall be used on the enclosure's glass components.   |

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4. (1) An enclosure for birds shall be larger than the largest wingspan of any bird housed in the enclosure. Size of bird enclosure
- (2) An enclosure for birds shall be built with several perches that Construction of bird enclosures
- (a) are easy to clean and disinfect;
  - (b) are of more than one size and texture;
  - (c) allow for proper distribution of the birds' weight; and
  - (d) promote avian foot health.
5. An animal's enclosure shall be provided with hiding areas that are Hiding areas
- (a) adequate in number for the species and number of animals being housed;
  - (b) located across a range of temperature and humidity within the enclosure;
  - (c) constructed so as to prevent animals from moving them or becoming trapped inside of them; and
  - (d) easy to clean and disinfect.
6. Outdoor premises used to house animals shall Outdoor premises
- (a) have a perimeter and an enclosed roof, when appropriate, that is reinforced to prevent animal escapes;
  - (b) be monitored regularly for signs of escape activity, especially along the perimeter;
  - (c) have fencing buried adequately to prevent escapes by underground burrowing;
  - (d) not use chicken wire to secure a perimeter; and
  - (e) not contain toxic plants, pesticides or other harmful substances.
7. (1) A snake enclosure shall have two contiguous sides with a total length, measured on their inside surfaces, that is equal to or greater than the fully extended length of the longest snake in the enclosure. Snake enclosures
- (2) Snakes shall be kept in a latched or locked escape-proof enclosure. Escape-proof snake enclosures
8. (1) species may be housed together only if they do not affect each other negatively. Housing different species together
- (2) Species or animals that are cannibalistic shall be housed individually. Cannibalistic species or animals
- (3) Prey species shall not be housed with predators, except for a prey animal that is placed in a predator's enclosure as food. Housing predators and prey species
9. An animal shall not be subject to predation or harassment by another animal, except for a prey animal that is placed in a predator's enclosure as food. Predation and harassment
10. An animal shall be provided with bedding or surface material that is Bedding
- (a) not toxic or otherwise harmful;
  - (b) not irritating to the animal's skin or respiratory tract;

- (c) either smooth and large enough to prevent its ingestion or small enough to pass uninhibited through the animal's intestinal tract;
- (d) in an amount adequate to permit nesting, egg-laying and burrowing, if applicable; and
- (e) in amount and absorbent capability adequate to contain excreta.

Cleanliness of water  
in water habitats

- 11.** Water comprising an aquatic or water habitat in an enclosure shall be
- (a) changed at least weekly, and more frequently for an aquarium smaller than 45.5 litres;
  - (b) kept as free of contamination as reasonably possible, especially with species that defecate in their water source;
  - (c) free of harmful substances;
  - (d) aged and acclimatized to the enclosure temperature prior to being added to the animal's environment;
  - (e) aerated for water-dwelling species; and
  - (f) if the source water is chlorinated or contains other chemicals harmful to the animal, passed through a filter prior to being added to the animal's environment.

Temperature,  
humidity,  
precipitation and  
lighting

- 12.** (1) The temperature, humidity, precipitation and lighting conditions in an enclosure shall replicate those of the animal's natural habitat as closely as possible while still allowing for appropriate hygiene, breeding and management of the animal.

Amphibian or  
reptile enclosure

- (2) An amphibian or reptile enclosure shall have
- (a) a range of temperatures appropriate to the species it contains; and
  - (b) different temperature zones within the enclosure if moving between such zones is a part of the animal's usual routine in its natural habitat.

Temperature limit

- (3) The temperature in an enclosure shall not exceed the optimum body temperature for the species it contains.

Thermometers

- (4) The premises shall be equipped with a thermometer capable of measuring air temperature and, for species that thermoregulate, the temperature of the surface of the floors of their enclosures in the premises.

Heating source for  
exotic companion  
animals

- (5) The source of heat in the premises shall not be capable of burning an animal.

Hot rocks

- (6) A rock with a heating element shall not be used or placed in an enclosure in such a manner that an animal in the enclosure is able to come into direct contact with the rock.

Ultraviolet-B

- (7) An amphibian or reptile enclosure shall have a source of ultraviolet-B radiation, preferably sunlight, if appropriate for the species contained in the enclosure.

(8) An amphibian or reptile enclosure shall have a range of humidity appropriate for the species contained in it. Humidity range

(9) The level of humidity required in the premises shall not be provided by excluding ventilation. Humidity through lack of ventilation

**13.** (1) The premises shall be provided with adequate ventilation. Ventilation

(2) An enclosure shall have a top or side that is not solid, unless the enclosure is otherwise adequately ventilated. Top and sides

#### Food and Water

**14.** Utensils and dishes used to provide food and water to animals shall be Sanitation of feeding and watering equipment

(a) cleaned daily; and

(b) disinfected before being used for another animal.

**15.** (1) An animal shall be provided with a diet that is nutritionally balanced and adequate for its species and age. Diet

(2) An animal shall be fed at regular intervals appropriate for its species, and individual animals in a group of animals housed together shall be monitored for adequate nutrient intake. Regular feeding

(3) Animals shall not be fed live prey as food, unless necessary for that animal. Live prey

(4) All practicable measures to reduce the suffering of live prey used as food shall be taken, including the following: Conditions for live prey

(a) the prey shall be provided with shelter, food and water;

(b) in the case of a sociable species of prey, such as guinea pigs, the prey shall not be put in the predator's enclosure alone as a single animal;

(c) any live prey not eaten after six hours shall be removed from the predator's enclosure;

(d) any prey that is injured or obviously and excessively frightened as a result of the predator attacking, but not eating, it shall be removed from the predator's enclosure and, if necessary, euthanized.

(5) Dietary changes shall be made gradually and avoided in species that cannot adapt to variety. Change of diet

(6) The animal's food shall be provided separately from its source of drinking water and the drinking water shall be changed within 12 hours after feeding. Separate water and feeding

(7) Animals shall be provided with an adequate source of essential vitamins and minerals, including calcium and vitamin D for amphibians and reptiles. Vitamins and minerals

- Drinking water      **16.** (1) Drinking water shall be provided in a manner accessible for the species, such as shallow containers on the ground, containers mounted in trees and misting on vegetation or enclosure walls.
- Sipper bottles      (2) Sipper bottles shall be checked daily to ensure that they are flowing.

#### Care and Handling

- Activities and exercise      **17.** Several sources of environmentally enriching items appropriate for the species housed in an enclosure shall be provided in it, such as an exercise wheel for small fur-bearing species.
- Handling      **18.** (1) An animal shall not be caught or handled by its tail.
- Amphibians      (2) An amphibian shall be handled with gloved or wet hands.
- No undue stress      (3) An animal shall be handled in a way that does not cause undue stress to it and in a room or place that is enclosed and has as few places as reasonably practical for an escaped animal to hide.
- Hand washing      (4) Hands and handling equipment shall be washed and disinfected after an animal is handled.
- Quarantine      **19.** An animal shall be quarantined for a period of time recommended by a veterinarian before it is introduced into the enclosure of another animal.
- Sick or injured animals      **20.** A sick or injured animal shall be treated in its home enclosure if possible and, if this is not possible, a second unoccupied enclosure shall be used for the animal's treatment.
- Brumation      **21.** (1) Brumation shall be permitted if it is appropriate for the species.
- Minimum period      (2) A minimum period from November to February is recommended for brumation for temperate terrestrial reptiles.
- Preconditioning period      (3) An animal that brumates shall be provided with a preconditioning period before brumation that includes  
    (a) a physical exam of the animal; and  
    (b) a period for the animal to acclimatize to room temperature.
- Weight and hydration      (4) An animal that brumates shall be monitored for weight loss and hydration during its brumation period.
- Examination for weight loss      (5) An animal that loses over 7% of its body weight during its brumation period shall be examined for disease or other problems.
- Drinking water      (6) During an animal's brumation period, it shall be provided with drinking water that is changed regularly.
- Specific provisions for chinchillas and degus      **22.** A chinchilla or degu shall be provided with  
    (a) access to a sanitized dust bath several times per week; and

(b) the opportunity to chew and wear down its incisors.

**23.** If neither the length nor the width of a snake enclosure is longer than the full length of a snake contained in the enclosure, the snake shall be allowed out for exercise with direct supervision several times per week.

Specific provisions  
for snakes

**24.** Birds shall be provided water in a manner suitable for bathing.

Specific provisions  
for birds

#### Transportation

**25.** Animals shall be transported

Transportation

(a) in a dark, confined and secure enclosure; and

(b) at a temperature within their preferred temperature range.

**26.** Hands and equipment shall be washed and disinfected after transporting an animal.

Sanitation of hands  
and equipment

### SCHEDULE B

(Section 26)

1. *Code of Practice for the Care and Handling of Beef Cattle*, published by NFACC (2013)

2. *Code of Practice for the Care and Handling of Dairy Cattle* published by NFACC (2009)

3. *Code of Practice for the Care and Handling of Veal Calves*, published by NFACC

4. *Code of Practice for the Care and Handling of Pigs*, published by NFACC (2014)

5. *Code of Practice for the Care and Handling of Sheep*, published by NFACC (2013)

6. *Codes of Practice for the Care and Handling of Goats*, published by NFACC (2003)

7. *Code of Practice for the Care and Handling of Hatching Eggs, Breeders, Chickens, and Turkeys* published by NFACC (2012)

8. *Code of Practice for the Care and Handling of Rabbits* published by NFACC

9. *Code of Practice for the Care and Handling of Farmed Deer (Cervidae)* published by NFACC (1996)

10. *Code of Practice for the Care and Handling of Farmed Fox (Vulpes vulpes)* published by NFACC (2013)

11. *Code of Practice for the Care and Handling of Farmed Mink*, published by NFACC (2013)

12. *Code of Practice for the Care and Handling of Equines*, published by the NFACC (2013)

13. *Recommended Code of Practice for the Care and Handling of Horses in PMU Operations*, approved by Manitoba Agriculture

14. *Code of Practice for the Care and Handling of Bison*, published by NFACC (2001)

15. *CCAC Guidelines on: the Care and Use of Farm Animals in Research, Teaching and Testing*, published by the Canadian Council on Animal Care

16. *Code of Practice for the Care and Handling of Farm Animals: Transportation*, published by NFACC (2001)

## EXPLANATORY NOTES

**SECTION 1** establishes definitions for the purposes of the regulations.

**SECTION 2** specifies accepted activities for the purposes of clause 7(1)(m) of the Act.

**SECTION 3** provides for the adoption of standards, codes of practice and other documents as amended from time to time.

**SECTION 4** prohibits euthanizing an animal except in accordance with the specified procedure applicable to the animal.

**SECTION 5** prohibits the tethering of specified types of animals except in accordance with the section or as otherwise specified.

**SECTION 6** prohibits the transportation of companion animals in the open back of a pickup truck, as specified.

**SECTION 7** provides for the form of payment of required fees and other amounts.

**SECTION 8** specifies the authorized costs of care and maintenance for an animal for the purposes of section 25 of the Act.

**SECTION 9** specifies the form and required content of orders issued for the purposes of the Act.

**SECTION 10** establishes the requirements respecting consents and notices for the purposes of the Act.

**SECTION 11** establishes the time period for the recovery of possession of an animal by the owner for the purposes of subsection 23(2) of the Act.

**SECTION 12** authorizes the content of a notice of appeal under subsection 29(4) of the Act and the remuneration payable to the members of the Appeal Board.

**SECTION 13** provides for the manner in which documents may be sent or served for the purposes of the Act.

**SECTION 14** establishes conditions that must be observed by the Humane Society prior to placing an animal for adoption.

**SECTION 15** establishes the requirements for an application for a license to operate a companion animal retail store.

**SECTION 16** prohibits alterations or modifications to the premises or operation of a licensed companion animal retail store except with the prior written approval of the Director.

**SECTION 17** establishes the requirements for the renewal of a license for a companion animal retail store.

**SECTION 18** requires the holder of a license for a companion animal retail store to provide the buyer of an animal with specified information about the animal and to certify that the animal is healthy.

**SECTION 19** specifies the records that the holder of a license for a companion animal retail store is required to keep and to provide to the Director or an animal protection officer on request.

**SECTION 20** provides that the holder of a license for a companion animal retail store and each owner and operator of a boarding facility is required to comply with the codes and standards respecting construction and housing for animals specified in the section.

**SECTION 21** provides that the holder of a license for a companion animal retail store and each owner and operator of a boarding facility is required to comply with the general standards of care for animals specified in the section.

**SECTION 22** provides that the holder of a license for a companion animal retail store and each owner and operator of a boarding facility is required to comply with the codes and standards specified in Schedule A to the regulations in respect of exotic companion animals.

**SECTION 23** provides that the owner of a sled dog is required to comply with the specified code of practice.

**SECTION 24** provides that the owner and operator of a boarding facility for dogs or cats is required to comply with the applicable standard as specified.

**SECTION 25** establishes specified standards for the operation of companion animal retail stores.

**SECTION 26** provides that the owner of a commercial animal is required to comply with the applicable codes of practice listed in Schedule B to the regulations.

**SECTION 27** establishes rules that apply to the loading of commercial animals into a vehicle, including rules that govern the suitability of the vehicle for the transportation of the animals.

**SECTION 28** establishes rules that apply to the unloading of commercial animals from a vehicle.

**SECTION 29** establishes rules respecting the operation of commercial markets and the housing of animals present at the market.

**SECTION 30** establishes rules respecting the care and handling of animals at a commercial market.

**SECTION 31** prohibits the slaughtering of food animals except in accordance with the specified sections of the *Meat Inspection Regulations, 1990*.

**SECTION 32** establishes the standards that apply to animals bred, kept or used for research or teaching activities, and to studies or research involving those animals.

**SECTION 33** establishes the requirements that must be complied with by a person in charge of animals in an exhibition or fair.

**SECTION 34** provides for the commencement of the regulations.

Certified a true copy,

Paul T. Ledwell

Clerk of the Executive Council and Secretary to Cabinet

## EC2017-195

### ANIMAL WELFARE ACT CIRCUS ANIMALS REGULATIONS

(Approved by His Honour the Lieutenant Governor in Council dated April 3, 2017.)

Pursuant to section 45 of the *Animal Welfare Act* R.S.P.E.I. 1988, Cap. A-11.2, Council made the following regulations:

#### Interpretation

1. The following terms are defined for the purposes of these regulations,
 

Definitions	
(a) “Act” means the <i>Animal Welfare Act</i> R.S.P.E.I. 1988, Cap. A-11.2;	Act
(b) “Chief Conservation Officer” means the Chief Conservation Officer appointed under the <i>Wildlife Conservation Act</i> R.S.P.E.I. 1988, Cap. W-4.1;	Chief Conservation Officer
(c) “circus” means a travelling establishment that keeps, trains or exhibits animals to perform behaviours for the entertainment or education of the public;	circus
(d) “circus license” means a license to operate a circus under these regulations;	circus license
(e) “equine” means a horse or pony ( <i>Equus ferus</i> ), a donkey ( <i>Equus africanus asinus</i> ) or a mule;	equine
(f) “escape and recapture plan” means a written plan describing the measures used by a circus to prevent the escape of animals from the circus and the measures it would use to recapture any animal that does escape;	escape and recapture plan
(g) “handler” means the person responsible for the care of an animal in a circus;	handler

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operator	(h) “operator” means the person responsible for operating the circus while it is in the province;
tether	(j) “tether” means to restrain an animal by attaching one end of a rope, leash, chain or similar restraint to an animal or a collar, halter or hobble on the animal and affixing the other end to a stationary object;
trainer	(i) “trainer” means the person responsible for training an animal to perform in a circus.

#### Licensing Circuses

Circus license	<b>2.</b> (1) No person shall operate a circus unless the person holds a license issued by the Director for that purpose under section 11 of the Act.
Not applicable to exhibitions and fairs	(2) For greater certainty, these regulations do not apply to an exhibition or fair where animals do not perform behaviours for the entertainment or education of the public.
License applications	<b>3.</b> (1) A person applying for a license to operate a circus shall submit to the Director <ul style="list-style-type: none"> <li>(a) a completed application in a form approved by the Director;</li> <li>(b) a list of all the animals in the circus and the documents establishing the identity and ownership of each animal;</li> <li>(c) a copy of any import permit required under the <i>Wildlife Conservation Act</i> and any other federal and provincial import and export permits required for the animals;</li> <li>(d) a list of all the activities that each animal would perform while in the province;</li> <li>(e) copies of all health certificates and medical records for each animal and a certificate signed by a veterinarian, licensed or registered in the jurisdiction in which the animals are located, that each animal was examined within the previous 30 days and is in good health;</li> <li>(f) a description of all the enclosures used to transport and display each animal, including their dimensions and the materials used in their construction;</li> <li>(g) a signed and dated declaration from the operator that each handler understands the level of animal care expected under the Act and these regulations;</li> <li>(h) a letter, signed by the person responsible for operating each venue hosting the circus, confirming that he or she is able and willing to provide the facilities required for operating the circus under the Act and these regulations;</li> <li>(i) a copy of the circus’s escape and recapture plan;</li> <li>(j) certified copies of the insurance policies or related documentation, in a form and content acceptable to the Director, documenting compliance with section 4;</li> </ul>

- (k) a copy of the letter to the police required under subsection 5(3); and
- (l) the license fee set out in subsection (2).

(2) The fee for a circus license is \$500 and shall be paid in the form of a cheque or money order payable to the Minister of Finance.

License fee

(3) An application for a circus licence shall be submitted at least 180 days in advance of the first day that the circus proposes to operate in the province.

180 days in advance

#### Insurance Requirements

4. (1) The operator shall, at the operator's own expense, obtain liability insurance to protect the Government of Prince Edward Island, the circus and its contractors and sub-contractors, their successors and assigns and their respective directors, officers, employees, agents and servants.

Liability insurance

(2) The insurance shall provide commercial general liability protection for liabilities arising out of property damage, personal injury, bodily injury and death resulting from any activity connected with the existence, management or operation of the circus.

Scope of coverage

(3) For greater certainty, the insurance shall be extended or endorsed to include coverage related to expenses arising from any costs associated with or incurred by any provincial, municipal or police agency in the recapture of any animal that may escape from the circus.

Recapture costs

(4) The insurance coverage shall be written on an occurrence basis with a limit of liability of not less than two million dollars per occurrence.

Limits

#### Escape and Recapture Plan

5. (1) The operator shall develop and maintain an escape and recapture plan that includes the following information:

Contents of plan

- (a) a description of the point after an escape when the circus will notify the local police, the Director and the Chief Conservation Officer;
- (b) the name and telephone number of the person responsible for notifying the authorities referred to in clause (a);
- (c) a list of the equipment that would be used for crowd control and to recapture any escaped animal, such as vehicles, public address system and related items;
- (d) a description of how the venue hosting the circus and the circus will coordinate their activities if an animal does escape;
- (e) a list of the personnel responsible for recapturing an escaped animal that clearly indicates their individual responsibilities and duties.

Available drugs (2) The escape and recapture plan shall not include or rely upon any drugs that are not carried by the circus.

Advise police (3) The operator of the circus shall, in writing, provide the police at each venue with

(a) a list of the types of firearms, ammunition and drugs held by the circus at each venue; and

(b) a written and signed undertaking that these firearms, ammunition and drugs will remain under the control of the circus at all times.

#### Authorized Circus Animals

List of authorized animals **6.** (1) A license may only be issued for a circus that keeps, trains or exhibits any of the following animals:

(a) a domestic cat (*Felis silvestris catus*);

(b) a domestic dog (*Canis lupus familiaris*);

(c) an equine;

(d) a domesticated pigeon or dove (*Columba livia*);

(e) domestic poultry (*Gallus gallus domesticus*).

Prohibition (2) No operator of a circus shall allow any animal not authorized under subsection (1) to be in a circus.

#### Circus Standards

Standards for circuses **7.** (1) Every operator shall comply with, and ensure that the circus and its personnel comply with, the Schedule to these regulations, including, in particular, the standards in the Schedule respecting treatment, care, safety, transportation, display, housing, health, hygiene, exercise, training, handling, veterinary care, drug administration, euthanasia, public interaction, record keeping, and the specific standards respecting individual species of circus animals.

Other codes of practice (2) Subject to any standard expressly provided in these regulations, including the Schedule, every operator shall comply with, and ensure that the circus and its personnel comply with, the standards applicable to an animal as set out in the following:

(a) *A Code of Practice for Canadian Cattery Operations*, published by the Canadian Veterinary Medical Association, 2009;

(b) *A Code of Practice for Canadian Kennel Operations*, published by the Canadian Veterinary Medical Association, 2007;

(c) the *Code of Practice for the Care and Handling of Equines*, published by the National Farm Animal Care Council, 2013.

Standards and codes incorporated as amended (3) All standards and codes of practice referred to or adopted by these regulations are incorporated by reference as amended from time to time.

### License Conditions

- 8.** (1) It is a condition of a circus license that the operator complies with provisions of these regulations, including the Schedule. Compliance with Schedule a license condition
- (2) It is a condition of a circus license that the operator review the escape and recapture plan on a regular basis and hold a drill at least once a month to make circus staff aware of the plan and how to put its measures into action. Regular review
- (3) It is a condition of a circus license that any escape of any animal shall be immediately reported to the local police, the Director and the Chief Conservation Officer. Report of escape
- 9.** These regulations come into force on April 15, 2017. Commencement

## SCHEDULE

(Subsection 7(1))

### STANDARDS FOR CIRCUS ANIMALS

- 1.** This Schedule applies in respect of a circus and every animal in a circus.

#### Animal Dignity

- 2.** (1) The circus audience shall be encouraged to treat the animals with respect during all stages of the animals' performance.
- (2) All trainers and handlers shall demonstrate respect, knowledge and humane treatment of the animals in the circus.
- (3) All trainers and handlers shall develop a solid relationship with the animals in their care.
- (4) No person shall dress an animal in a costume that belittles the animal.
- (5) Subject to subsection (4), it is an acceptable activity for performance purposes to ceremonially dress an animal in a manner traditionally or culturally practised.

#### Housing – General Requirements

- 3.** (1) The dimensions of the housing provided to the animals shall meet or exceed the minimum sizes set out in this Schedule.

(2) Each animal shall be securely contained and, for greater certainty, the minimum dimensions for housing required under these regulations do not necessarily assure secure containment.

(3) Animals shall not be housed on a sealed surface, such as asphalt or concrete, unless covered by a suitable material that insulates the animal from the heat and cold effects of the sealed surface.

(4) Animals shall be provided with suitable bedding material for insulation that is maintained in a dry and clean condition at all times.

(5) Facilities for exercising animals shall be provided for the animals at each venue.

#### Safety

**4.** (1) The circus shall use mobile communications that enable fast access to police, ambulance and veterinarians.

(2) All animals shall be under the direct supervision of a handler at all times during the animals' performances.

(3) A reasonable inventory of emergency medical supplies shall be available at the circus.

(4) Each handler shall, at a minimum, have the following equipment under his or her immediate control at all times:

- (a) a dart gun in good working condition that is effective to a minimum distance of 30 metres;
- (b) multiple dart needles of a length appropriate for each species under the handler's control;
- (c) multiple dart barrels of a volume appropriate for each species and appropriate for the drug being used;
- (d) all associated equipment necessary for the preparation and use of darts and the dart gun.

(5) Each handler shall be able to demonstrate proficiency with the equipment referred to in subsection (4).

(6) The entrances to the circus ring, and any exercise yards, shall be installed so that the entrance's gate or door only swings inwards.

(7) The circus ring shall be adequately illuminated whenever animals are within it.

(8) Warning signs shall be placed on all entrances to the circus ring that warn when animals are in the ring outside of performance times.

(9) Standoff barriers with a minimum distance of two metres beyond the maximum reach of animals in display housing shall be placed if members of the public are able to approach the animals.

(10) Any incident caused by an animal involving the death of a person, or any injury to a person that requires medical treatment, shall be immediately reported to the Director and the local police.

#### Transportation

5. (1) When transporting animals, a regular rest stop shall be made after a maximum duration of two hours of travel in order to

- (a) inspect the animals and their facilities;
- (b) offer potable water to the animals; and
- (c) offer food to the animals if necessary.

(2) Water shall be removed from the animal housing before the vehicle transporting animals resumes transportation after the rest stop.

(3) If a vehicle transporting animals in a circus stops for a period longer than 15 minutes in an area away from a populated area, the vehicle shall be opened to allow fresh air to enter the animal housing, when weather permits.

(4) Each vehicle transporting the animals shall

- (a) be fitted with mobile communication equipment;
- (b) enable appropriate transport of the animals from venue to venue;
- (c) include adequate ventilation for the animals that provides a minimum of 12 to 15 complete air exchanges per hour; and
- (d) provide adequate insulation to protect the animals from environmental extremes while still maintaining the ventilation required for the vehicle.

(5) When circuses are at a layover site or performance venue, the animal housing provided shall comply with the standards for display housing required under these regulations.

(6) When animals, such as retired animals, breeding animals or display animals being rested, are held in holding parks, the animal housing shall comply with the requirements for each species set out in these regulations.

(7) The operator shall comply with all other laws respecting transportation, in addition to the provisions respecting the transportation of animals under these regulations.

#### Display Housing – General Requirements

6. (1) No vehicle or trailer shall be used for the display housing of animals.

(2) If an animal trailer forms the basis for the display facilities, it shall contain a platform that is

- (a) raised off floor level;

- (b) kept dry and clean; and
- (c) provides an area that the animals can retreat to while the floor is cleaned and while it dries.

(3) Display facilities shall, where practicable, maximize the size of the temporary housing used for the animals.

#### Health and Hygiene

**7.** (1) All animals shall be provided with dry shelter and protection from extremes of heat or cold and other adverse weather conditions at all times, and access to potable drinking water when the circus is not travelling.

(2) Animal excrement shall be removed from the animal's environment as soon as possible and in a manner that is not a source of stress to the animal.

(3) Since most caged animals tend to defecate in one given area of their housing cage, commonly called "cage discipline",

- (a) each animal's food presentation and sleeping areas shall be set as far away as possible from areas of defecation to prevent faecal contamination of food and bedding; and
- (b) when animals are seen not to practise "cage discipline", containers and bedding areas shall be raised above cage floor level.

(4) All food offered to animals shall be clean, fresh, appropriate and wholesome.

(5) Water and food containers shall never be placed under perches of birds.

(6) All tools, utensils and working surfaces associated with the preparation of food for animal consumption shall be kept clean and in good repair.

(7) Circus personnel shall regularly inspect and evaluate animal housing, when feeding and cleaning, to monitor hygiene levels and potential health problems.

(8) Circus personnel shall be trained to recognize the following signs of possible animal stress:

- (a) self-mutilation of no dermatological cause;
- (b) unusual hair loss, dermatitis, scouring or excessive self-grooming;
- (c) repetitive stereotypical behaviour or abnormal activity levels;
- (d) weight loss or changes in eating, defecating and urination habits;
- (e) abnormal aggression or withdrawal toward cage mates, handlers or trainers;
- (f) catatonia, depression or elevated aggression levels;

- (g) increased incidence of illness or disease.
- (9) The operator shall ensure that
  - (a) circus personnel ascertain the cause of any stress;
  - (b) the causes of any stress is removed or alleviated as much as is possible; and
  - (c) veterinary advice is obtained where the cause of stress cannot be identified.

#### Exercise

- 8.** (1) Daily exercise periods shall be provided to the animals in a form and duration appropriate for the well being of the individual species.
- (2) Each animal shall be provided with at least 45 minutes of exercise each day in the form of training sessions or public performance.
- (3) Animals shall be provided with opportunities for enrichment based on species-appropriate fixed and movable furnishings within the animal's environment and procedures to increase both physical and mental activity.

#### Training – General Requirements

- 9.** (1) No person shall use a training method that causes distress to any animal.
- (2) No person shall use fire in an animal's training or performance.
- (3) The skeleton and musculature of the animals shall be developed, or developing, sufficiently to meet the demands placed on it by its exercise or training and special care shall be used and training regimes modified for young growing animals and old animals.
- (4) No person shall exercise or train an animal or cause it to perform if a worsening musculoskeletal condition manifests in the animal, until this condition and its cause are properly diagnosed and treated by a veterinarian experienced with the species of animal involved.
- (5) If an animal is clinically ill, no person shall exercise or train the animal or cause it to perform until a veterinarian experienced with that species of animal states that the animal has fully recovered or is capable of exercising, training or performing.
- (6) All training methods shall be based on a positive reinforcement approach, namely the anticipation of a reward for successfully completing a desired behaviour.
- (7) The reward for the successful completion of a desired behaviour shall be immediate and tangible for the animal.

(8) No person shall physically punish any animal.

(9) The operator shall ensure that

- (a) any props used with the animals are well designed and as simple as possible;
- (b) any stools, ladders, planks or steps used as props are either fixed to the sides of the circus ring or have a wide enough base to be sufficiently stable;
- (c) any wood elements in the props are not splintery or split; and
- (d) the colour and shape of any props are designed to enhance their visibility to the animal.

#### Veterinary Care

**10.** (1) The circus shall establish a regular arrangement with a veterinarian who has knowledge of the animals in the circus.

(2) The circus shall have a medical record for each animal in the circus showing that each animal was examined by a veterinarian at least once every six months, regardless of its state of health, and showing the results of that examination.

(3) The operator shall maintain all medical records pertaining to each animal in the circus and ensure that copies of these records travel with the animals in a single, accessible location that is available for immediate review by any consulting veterinarian.

(4) Circuses shall maintain an up-to-date list of suitably qualified local veterinarians and have ready access to the name and location of the nearest veterinarian upon arriving at a given venue.

(5) If a sick or injured animal's regular veterinarian is unavailable, the animal shall be examined by a local veterinarian who is provided with the regular veterinarian's contact address and phone number.

(6) If the medical treatment of an animal involves the use of a prescription or scheduled drug, the advice and attendance of a veterinarian, licensed to practise in the province, shall be sought.

(7) If a suitably qualified veterinarian is not available, the advice of a veterinarian shall be obtained verbally by telephone and later confirmed in writing by an email, fax or letter that is placed in the animal's medical record.

(8) If an animal is diagnosed with a disease by a veterinarian and the animal requires hospitalization, the animal shall be removed for treatment or, if the space is available, a separated area may be set up within the circus where the animal can be contained, isolated, monitored and nursed if necessary.

(9) If the animal's disease involves an infectious agent that is communicable to other animals or to humans,

- (a) any separated area containing the animal within the circus shall be isolated;
- (b) only selected personnel shall have access to the area; and
- (c) disinfection measures shall be implemented under the guidance of the attending veterinarian to prevent the spread of the disease.

(10) No person, other than a veterinarian, shall perform surgery on an animal.

(11) A veterinarian's opinion shall be sought before moving an animal in late stages of pregnancy.

#### Drug Administration

**11.** (1) No drugs under the *Controlled Drugs and Substances Act* (Canada) shall be administered to an animal unless prescribed by a veterinarian.

- (2) Circus personnel may administer drugs to an animal if
- (a) they have previous experience in the procedure; and
  - (b) they do so under the direction of a veterinarian.

(3) Circus personnel shall be aware of and comply with the limitations that the *Veterinary Profession Act* places on what procedures may be performed by lay people.

(4) Circus personnel administering non-prescription drugs shall follow the labelled directions.

(5) Sterile disposable needles and syringes shall be used for all injections.

(6) Darts may be used to administer drugs if necessary.

(7) Adequate equipment and facilities to restrain the animals shall be part of the circus inventory.

#### Euthanasia

**12.** (1) The operator of the circus shall develop and maintain a protocol on animal euthanasia and ensure that pertinent personnel are familiar with the protocol.

(2) The protocol on animal euthanasia must comply with the codes and standards on animal euthanasia in the Animal Welfare Regulations relevant to the animals in the circus.

(3) Subject to the powers of the Director or an animal welfare officer under the Act to euthanize an animal, the operator or his or her delegate

is responsible for making the decision to perform euthanasia under the protocol on animal euthanasia.

(4) No person other than a veterinarian shall euthanize an animal.

(5) Despite subsection (4), in an emergency when a veterinarian is not available, a person with knowledge of, or prior experience with, the methods of successful euthanasia for that particular species of animal may perform the euthanasia if the person acts in accordance with the advice of a veterinarian obtained verbally by telephone before an animal is euthanized.

(6) The only method of non-veterinary euthanasia that is permissible for birds is cervical dislocation.

(7) Suitable methods of euthanasia shall be available for all animals.

#### Training and Handling

**13.** (1) No training or command implement shall be used in a manner that causes distress to an animal.

(2) Collars, head collars or leads shall not be jerked or pulled forcefully in order to guide an animal.

(3) Rattans, canes and other types of rods may be used to push or guide an animal, and they may be struck against each other or against another object to provide a noise stimulus, but they shall not be used to strike an animal and the ends shall always be blunt.

(4) The composition and construction of all training implements shall be non-toxic to animals.

(5) No person shall strike an animal with any training device, unless the safety of humans or animals is under direct threat.

(6) Trained behaviours shall incorporate bodily movements that are within the normal physical capability of the animal.

(7) Animals shall not be made to perform movements that have a high risk of injury.

(8) The apparatus that animals may make use of in the course of their trained behaviours shall be easy for them to use and have no foreseeable potential to cause them injury.

(9) No person shall force an animal to continue to perform a desired behaviour if the animal is unwilling.

(10) Animals shall be constantly provided with minor changes in their behavioural repertoire to provide a constant level of mental stimulation.

**14.** (1) Trainers shall halt a training session if a decreased attention span and an increasing level of unwillingness to perform a behaviour by the animal become apparent.

(2) A secondary handler or trainer shall be on site if the primary handler or trainer is sick, injured or unavailable.

(3) If a trained act is to change hands, the trainer or handler shall undertake a transfer period in the presence of the new handler or trainer until the new handler or trainer can satisfactorily work the act and gain the confidence of the animals.

(4) Each handler or trainer shall be committed to the welfare of the animals under that person's care and understand the important relationship between animal and human in the circus environment.

(5) Trainers shall aim to relate to their charges on an individual basis in order to detect problems, whether physical, medical or psychological, and hidden talents in their animals before anybody else.

(6) Handlers shall develop educational information on the animals in their care to promote better understanding and respect for the animals.

(7) Each handler or trainer shall be thoroughly competent with and knowledgeable about the following:

- (a) the behavioural tendencies of the species in their care;
- (b) the potential physical capabilities of the species in their care;
- (c) the accepted methods of handling, physically restraining and training of the species in their care;
- (d) proper hygiene, cleanliness and neatness in regard to facilities, equipment and feed;
- (e) basic skills in visually assessing animal demeanour, physical condition, fecal output, feed intake and other behavioural factors;
- (f) the ability to maintain coherent, comprehensive and relevant records in relation to the animals in their care;
- (g) the ability to liaise with the circus management;
- (h) the ability to delegate responsibility appropriately where circumstances warrant;
- (i) the ability to recognize and carry out safe work practices;
- (j) the ability to liaise with and answer questions from the public;
- (k) the ability and willingness to consult and communicate with veterinary consultants.

(8) Circus personnel involved in the care and handling of animals shall have access to the following avenues for obtaining the necessary skills and competencies regarding animals:

- (a) undertaking formal courses dealing specifically with specialized animal care, such as animal husbandry, zoo keeping and animal ethics;

- (b) regular access to relevant new literature in order to keep abreast of recent developments in animal care, husbandry and training;
- (c) regular opportunities to attend conferences or visit other circuses or circus personnel.

(9) Interested members of the public shall be encouraged to watch training sessions and to ask questions and all handlers shall be prepared to answer their questions at reasonable times regarding the animals in their care.

(10) Circus personnel involved in the care of animals shall first undergo work experience on an apprenticeship basis with a person who is recognized as having experience in animal care with the relevant species.

(11) Each animal act shall have two handlers or trainers capable of working the act or exercising the animals, so that the absence from the circus by one handler or trainer does not cause the animals stress through separation from their familiar trainer or handler or a lack of training, performance or exercise.

#### Public Interaction with Animals

**15.** (1) The circus shall provide a place for any injured or otherwise compromised animal to have privacy from the public.

(2) When an animal is in the presence of the public, an experienced handler shall be within eye contact of the animal.

(3) The public shall not be allowed to feed the animals or perform with them.

(4) No member of the public shall be allowed to directly approach an animal, unless under the direct supervision of an experienced animal handler or trainer and the public's safety is assured.

(5) Circus personnel shall ensure that no animal is tormented or otherwise abused by members of the public.

#### Record Keeping

**16.** Records shall be maintained for each animal that include the following information:

- (a) its species, referring to its common and scientific names;
- (b) its gender;
- (c) its given name, if any;
- (d) its date of birth;
- (e) its current owner;
- (f) its insurer and the name, address and phone number of a contact person with the insurer;
- (g) the person responsible for the animal while in the circus;

- (h) the name, address and phone number of its regular veterinarian;
- (i) the name of its breeder and the place of its birth;
- (j) the names of its sire and dam, if known;
- (k) the date of its acquisition by the circus;
- (l) the names of all its previous owners and the dates of their ownership;
- (m) its breeding history, including mating dates, mating partners, the number and gender of any offspring and the fate of those offspring;
- (n) its medical history, including a description and the dates of any diagnoses of disease, medical treatments or procedures, surgeries, weight and vaccinations;
- (o) any scarring or distinguishing marks;
- (p) any noteworthy incidents involving the animal;
- (q) any comments or precautions relevant to the animal, such as the side effects of certain drugs;
- (r) any permanent identification of the animal, such as a permanently locked wing band or ear tag, microchip, tattoo number or appropriate photograph;
- (s) any dietary preferences and its current diet;
- (t) its routine husbandry procedures, such as nail trimming, hoof trimming and deworming.

#### Dogs

17. (1) Since dogs have a strong hierarchical tendency that tends to make colony situations self-regulating, therefore
- (a) protective measures to intervene shall only be taken if one individual is being constantly attacked or if an attack is likely to lead to serious injury or death for the loser; and
  - (b) a retreat area shall always be provided for individuals from the group.
- (2) Dogs shall be provided with stimulation through
- (a) interacting with people;
  - (b) training and learning new performance behaviours; and
  - (c) interacting with other dogs.
- (3) Dogs may be trained to perform the following basic behaviours on command:
- (a) assemblage;
  - (b) stationing;
  - (c) bipedal walking and dancing;
  - (d) vocalizing;
  - (e) leaping on or over various objects;
  - (f) rolling;
  - (g) retrieving objects.
- (4) Dogs shall be housed together wherever possible.

(5) Enclosures for dogs shall be constructed of material that is suitably strong to contain the dogs.

(6) Enclosures for dogs shall have an interior height sufficient to allow the dogs to stand fully and comfortably.

(7) The dimensions for enclosures or housing for dogs weighing less than 15 kilograms shall comply with the following standards:

- (a) the minimum floor space for one pair is 4.5 square metres;
- (b) the minimum floor space for each additional animal is 2.25 square metres; and
- (c) the minimum width is 3 metres.

(8) The dimensions for enclosures or housing for dogs weighing 15 kilograms or more shall comply with the following standards:

- (a) the minimum floor space for one pair is 6 square metres;
- (b) the minimum floor space for each additional animal is 3 square metres; and
- (c) the minimum width is 3 metres.

(9) The area in which the dogs are kept while not performing shall have access to sunlight and shade from direct sunlight during daylight hours.

(10) An area free of bedding shall also be available for each dog at night.

(11) No dog shall be transported in the back of an open vehicle unless the dog is placed in a suitable enclosure or otherwise restrained by a device that ensures the safety and protection of the animal.

(12) Dogs shall not be confined in a manner that make it impossible for them to retreat from members of the public and they shall always be provided with an area where they can remove themselves from public attention while still receiving socialization from other dogs.

(13) Dogs may be tethered via a running lead that

- (a) has a minimum length of 4 metres; and
- (b) has a lead with swivels to prevent tangling.

(14) Non-chafing collars may be worn by dogs at all times.

(15) Collars for dogs shall be regularly checked to ensure that they have not become too tight or too loose.

(16) Non-chafing shoulder harnesses may be worn by dogs during performances and training sessions.

#### Equines

**18.** (1) An equine shall be transported in a vehicle that has

- 
- (a) internal partitioning or stalls to safely restrain each individual animal;
  - (b) roofing to provide shade and shelter from rain or other inclement weather; and
  - (c) solid sides with apertures to admit light and adequate ventilation and to allow visual inspection of all animals contained within.
- (2) When transporting an equine
- (a) animals of the same size may be housed together and need not be provided with separate stalls;
  - (b) animals of differing sizes and weights shall be provided with separate stalls to eliminate crushing of smaller animals;
  - (c) each animal shall be sufficiently contained so that it cannot turn around; and
  - (d) as added protection, a padded breast bar is compulsory within each stall.
- (3) While the circus is at a performance site, equines shall have access to overnight shelter and shall not be housed only in their vehicle, unless
- (a) the vehicle is the best form of shelter for a sick animal or to protect it from inclement weather; and
  - (b) proper bedding, ventilation and hygienic conditions are maintained in the vehicle.
- (4) Equines shall be confined in a compound by ordinary or electric fencing when at the performance site.
- (5) Since equines are social herd animals, they shall
- (a) be housed with their own kind wherever possible, unless sharing the same enclosure results in constant fighting or bullying; and
  - (b) always have visual access to others of their species.
- (6) The compound for an equine shall have access to sunlight and shade from direct sunlight during daylight hours and the ground underfoot shall be clean, well drained, non-abrasive and not stony.
- (7) Equines may be contained by stabling them, if an outdoor compound is not available for this purpose.
- (8) Stables for equines shall be
- (a) provided with appropriate bedding and drainage for the animals;
  - (b) adequately ventilated; and
  - (c) provided with lighting that is as natural as possible.
- (9) The dimensions for an enclosure or housing for an equine shall comply with the following standards:
- (a) the minimum floor space for one animal is an area, measured in square metres, equal to twice the height of the animal at its withers squared;

(b) the interior height is sufficient to allow 0.61 metres of clearance above the animal's head when standing.

(10) Equines shall be confined so that they can avoid the attentions of members of the public, if the animals wish to do so.

(11) Feed and suitable areas of the enclosure shall be made equally available to all equines.

(12) Feed cribs may only be used for equines if the feed cribs cannot cause the animals injury in any way.

(13) An equine may be trained to perform the following basic behaviours on command:

- (a) assemblage;
- (b) stationing;
- (c) gait changes on command;
- (d) dancing;
- (e) rearing;
- (f) bipedal walking;
- (g) foot tapping;
- (h) vocalizing;
- (i) retrieving objects;
- (j) wheeling;
- (k) synchronized movement.

(14) During performances, halters, bridles with bits, saddles, trap and carriage harnesses may be used on equines only if

- (a) they have no components which may injure the animals; and
- (b) they are applied so that no galls, rubs, bruises or cuts result.

(15) Equines shall not be tethered while they are in a stable.

(16) When an equine is tethered or not performing,

- (a) no harnesses of any sort except a light headstall shall be worn by the animal; and
- (b) the headstall shall not rub around the animal's ears or cheeks.

(17) Tethers for an equine shall be constructed of rope or other material that is strong enough to contain the animal, but does not weigh the animal's head down.

(18) A metal chain shall only be used as part of a tether for an equine if

- (a) the animal is to be staked outdoors;
- (b) the chain forms the extreme lower section of the tether nearest the ground; and
- (c) the chain does not exceed 0.3 metres in length.

(19) Equines shall have their coats groomed sufficiently often to maintain the desired level of cleanliness.

(20) The teeth of an equine shall be inspected once every three months to ensure that no sharp points are developing and any sharp points shall be rasped back.

#### Birds

**19.** (1) During transportation, birds shall be contained in small cages to provide them with physical protection.

(2) Once the circus has arrived at the performance venue, birds shall be released as soon as possible from their travelling cages into their display cages.

(3) Display cages for birds shall be provided with

- (a) perches of uneven diameter made of natural tree branches that do not have an abrasive surface; and
- (b) at least one perch high enough above the cage floor that the bird using the perch has all its extremities, including its feathers, at least six centimetres above the cage floor, regardless of the posture of the bird.

(4) Within their display cages, birds shall have high perches or night boxes that

- (a) provide shelter for them when they roost for the night; and
- (b) are set well away from the sides of the cages to prevent cage panic.

(5) Each display cage shall be large enough that the bird contained within it can extend its head, feet, wingtips and any feathers, and be able to turn around regardless of its posture, whether or not it is on its perch, without touching any cage walls, ceiling or solid cage furniture.

(6) If the species of bird is capable of flight, the dimensions of the display cage shall comply with the following standards:

- (a) the cage shall be large enough for a bird of that species to be able to attain active flight within the cage by taking five unhurried wing beats along the length of the cage;
- (b) the cage width for a single bird shall be a minimum of 1.5 times the wingspan of an adult of that species; and
- (c) for each additional bird, the cage width shall be increased by at least half the wingspan of an adult of that species.

(7) Compatible birds may be housed together, if the display cage is large enough to prevent harassment by cage mates, after considering that the personal space required by each bird is entirely dependent on the species and temperament of the individual.

(8) Incompatible individual birds shall be assigned separate, appropriately dimensioned cages.

(9) Cages holding birds shall

- (a) have access to sunlight and shade from direct sunlight during daylight hours;
- (b) be placed well away from any animals that may cause them to injure themselves through cage panic; and
- (c) be set above ground to provide the birds with protection from predators.

(10) If impervious flooring is to be used for birdcages, the bedding or litter for birds shall be plentiful and absorbent.

(11) Display cages for birds shall include some form of solid partition or small box to which they can remove themselves from public view if they wish.

(12) Birds may be trained to perform the following basic behaviours on command:

- (a) assemblage;
- (b) stationing;
- (c) vocalizing;
- (d) dancing;
- (e) balancing acts, which may involve the use of apparatus;
- (f) retrieving objects.

(13) Birds shall not be tethered.

(14) Birds shall be provided with

- (a) access to baths;
- (b) access to cuttlebone and similar substances to aid beak and claw maintenance; and
- (c) perches made of natural branches of varying diameter and bedding or litter made of natural material to maintain the birds' claws.

## EXPLANATORY NOTES

**SECTION 1** establishes definitions for the purposes of the regulations.

**SECTION 2** prohibits any person from operating a circus except under the authority of a license issued under section 11 of the Act.

**SECTION 3** establishes the requirements for an application for a license to operate a circus, including the fee.

**SECTION 4** establishes the insurance requirements that the operator of a circus must comply with.

**SECTION 5** requires the operator of a circus to develop and maintain an escape and recapture plan for the animals in the circus that includes the specified information.

**SECTION 6** specifies the animals that are permitted to be kept, trained and exhibited in a circus for which a license has been issued.

**SECTION 7** provides for the adoption of standards, including standards set out in the Schedule to the regulations, applicable to the housing, care, handling, training and exhibition of animals in a circus and requires compliance by the operator and other circus personnel with the standards as adopted.

**SECTION 8** specifies conditions that apply to every circus license.

**SECTION 9** provides for the commencement of these regulations.

Certified a true copy,

Paul T. Ledwell

Clerk of the Executive Council and Secretary to Cabinet

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**EC2017-210**

**ROADS ACT  
HIGHWAY ACCESS REGULATIONS  
AMENDMENT**

(Approved by His Honour the Lieutenant Governor in Council dated April 3, 2017.)

Pursuant to subsection 29(1) of the *Roads Act* R.S.P.E.I. 1988, Cap. R-15, Council made the following regulations:

**1. Schedule C-2, LOCAL (CLASS 2) HIGHWAYS, to the *Roads Act* Highway Access Regulations (EC580/95) is amended by the addition of the following after subsection (192):**

(192.1) **Lambs Lane RI11015:** The paved portion of the Lambs Lane commencing at the intersection of Route 12 in the settlement of Anglo Tignish.

**2. Schedule C-3, LOCAL (CLASS 3) HIGHWAYS, to the regulations is amended**

**(a) by the revocation of subsection (386); and**

**(b) by the addition of the following after subsection (291):**

(291.1) **Lambs Lane RI11015:** The unpaved portion of the Lambs Lane in the settlement of Anglo Tignish, commencing at the end of the pavement, to a point 0.82 km from the intersection of Route 12.

**3. Schedule D, SEASONAL HIGHWAYS, to the regulations is amended**

**(a) by the revocation of subsection (440); and**

**(b) by the addition of the following after subsection (314):**

(314.1) **Lambs Lane RI11015:** The unpaved portion of the Lambs Lane in the settlement of Anglo Tignish, commencing at a point 0.82 km from the intersection of Route 12, to the end of the road, a distance of approximately 0.06 km.

**4. These regulations come into force on April 15, 2017.**

**EXPLANATORY NOTES**

**SECTION 1** classifies approximately 0.16 km of Lambs Lane (RI11015) in the Settlement of Anglo Tignish as a Local Class 2 (year-round paved) highway. This portion (actually 0.1 km) was previously classified as a Local Class 3 (year-round unpaved) highway and was also referred to as Palm Lane (RI11015). Not including the length of the pavement will negate the need for further reclassification should the pavement be extended. The remainder of the road will be classified as a Local Class 3 (year-round unpaved) and Seasonal highways, also being corrected in clauses 2(a) and 3(a) respectively of the amendments.

**SECTION 2** corrects the name (formerly Palm Lane) of Lambs Lane and redefines the length of the Local Class 3 (year-round unpaved) highway. Formerly the Local Class 3 portion began at Route 12 and was only 0.1 km in length. The new length of Local Class 3 (year-round unpaved) portion will begin at the end of the pavement, which is approximately 0.16 km from Route 12 and extends to a point 0.82 km from Route 12 which coincides with the beginning of the sandstone section as well as the intersection of the eastern intersection of a private road referred to as Ballyvaughn Rd. Using the reference to the start of this section beginning at the end of the pavement will negate the need for further reclassification should the pavement be extended. The remainder of the road will remain classified as a Seasonal Highway, also being corrected in 3(a) of the amendments.

**SECTION 3** corrects the name (formerly Palm Lane) of Lambs Lane and redefines the length of the Seasonal Highway. Formerly the Seasonal

portion began at 0.1 km from Route 12 and extended to the end of the road a distance of 0.7 km. The new length of the Seasonal portion will now begin at a distance of 0.82 km from Route 12 and extend to the end of the road, a distance of approximately 0.06 km.

**SECTION 4** provides for the commencement of these regulations.

Certified a true copy,  
Paul T. Ledwell  
Clerk of the Executive Council and Secretary to Cabinet

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**EC2017-211**

**SHERIFFS ACT  
FEES REGULATIONS  
REVOCATION**

(Approved by His Honour the Lieutenant Governor in Council dated April 3, 2017.)

Pursuant to section 11 of the *Sheriffs Act* R.S.P.E.I. 1988, Cap. S-4.1 Council made the following regulations:

- 1. The Fees Regulations (EC303/93) are revoked.**
- 2. These regulations come into force on April 15, 2017.**

**EXPLANATORY NOTES**

**SECTION 1** revokes the Fees Regulations made under the *Sheriffs Act*. These fees are now prescribed in the *Court Fees Act* Fees Regulations (EC446/12).

**SECTION 2** provides for the commencement of these regulations.

Certified a true copy,  
Paul T. Ledwell  
Clerk of the Executive Council and Secretary to Cabinet

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**PART II**  
**REGULATIONS INDEX**

Chapter Number	Title	Original Order Reference	Amendment	Authorizing Order and Date	Page
A-11.2	<b>Animal Welfare Act</b> Animal Welfare Regulations		[new] [eff] April 15/2017	EC2017-194 (03.04.2017)	37-61
A-11.2	<b>Animal Welfare Act</b> Circus Animals Regulations		[new] [eff] April 15/2017	EC2017-195 (03.04.2017)	61-81
R-15	<b>Roads Act</b> Highway Access Regulations	EC580/95	Sched. C-2 s.192.1 [added] Sched. C-3 s.386 [rev] s.291.1 [added] Sched. D s.440 [rev] s.314.1 [added] [eff] April 15/2017	EC2017-210 (03.04.2017)	81-83
S-4.1	<b>Sheriffs Act</b> Fees Regulations	EC303/93	[rev] [eff] April 15/2017	EC2017-211 (03.04.2017)	83