

24 Sept 2018

Mr. Andy Fillmore
Province House
1726 Hollis Street
Halifax, N.S. B3J 2Y3

Re: Proposed Amendments to the Nova Scotia Animal Protection Act – Bill 27

Dear Andy Fillmore:

As a citizen and a responsible purebred dog breeder, I would like to add my voice to that of the Canadian Kennel Club (CKC) and request that the Nova Scotia government seek consultation from additional stakeholders, to develop legislation that is well crafted and fair. It is essential that the CKC have the opportunity to weigh in on significant law amendments that directly affect thousands of CKC members and their purebred dogs. We ask that you please consider the following:

- There has been No stakeholder input from local kennel clubs or the Canadian Kennel Club— a recognized Canadian authority and advocate for the health and welfare of purebred dogs—despite the fact that such changes would directly affect thousands of CKC members and their purebred dogs.
- The use of the word “ Custodian” versus “ Owner:

The definition of “Custodian” includes six options as descriptions of custodian. The option that is most concerning is c) any person who has possession of the animal.

This change will strip owners of the rights that come with ownership.

- Proposed Section 20 (2) [Current act Section 23(8bc)]: In the current act, this section falls under the heading “When an animal is found in distress”. In the proposed bill, this heading has been removed entirely. Doing so removes all need for probable cause for an animal being in distress. Inspectors will be able to go onto private property without probable cause, require dog owners to open their doors and present any animal from within the home for inspection at any time. Without the heading of "When animal is found in distress," it provides fewer rights as a dog owner then non-dog owning citizens.
- Proposed Section 20(7) [current act Section 23(10)]: Relates to an inspector being able to stop a moving vehicle. This content used to fall under the heading “When Animal is found in distress” and in proposed act, it does not. Therefore, inspectors could pull residents over on the highway randomly for no probable cause. We ask that this content be placed back under the heading “When Animal is found in distress,” and indicate that an inspector must have probable cause believing an animal is in distress prior to requiring a vehicle to stop.
- Proposed Section 20(8): New. This section indicates (with no mention of needing probable cause of an animal being in distress) that an inspector may enter on or pass over any land or water enclosed or not, without liability and without the owner’s right to object. For private property owners, this section is very concerning. This section could be taken to mean that an inspector can be on a resident’s private property without the requirement of needing probable cause.

I personally support the above statements and hope the Canadian Kennel Club—the canine authority in Canada and representative of over 20,000 individual members and more than 600 Breed Clubs—will have the opportunity to be a part of a consultation process, to ensure the bill is satisfactory to all.

Sincerely,
Troy Whalen