



## **Animal Health in Yukon**

**Provide Your Opinion on  
Proposed Changes to the *Animal Health Act***

***Help the Government of Yukon better respond to the full range of health threats involving wild and domestic animals.***

***Please review the issues and provide your comments on the proposed solutions.***

**Five ways you can submit your comments:**

- 1. Complete the on-line survey at:**

[www.env.gov.yk.ca/animalhealth](http://www.env.gov.yk.ca/animalhealth)

- 2. Drop this questionnaire at:**

Environment Yukon  
10 Burns Road, Whitehorse

- 3. Mail this questionnaire (by April 25<sup>th</sup>) to:**

Animal Health Act Review  
Environment Yukon  
PO Box 2703, V-2  
Whitehorse, Yukon Y1A 2C6

- 4. Scan and email it to:**

[animalhealth@gov.yk.ca](mailto:animalhealth@gov.yk.ca)

- 5. Fax it to:**

Attn: Diane Nikitiuk  
(867) 393-6213

The collection, use, and disclosure of information is done in compliance with the *Access to Information and Protection of Privacy Act*. Your written comments to the Yukon government may be summarized in order to provide a final report. Personal information that you provide, e.g. your name, will be protected in accordance with the Act.

***Deadline for comments: April 30, 2013***

*Deadline for comments: April 30, 2013*

*Deadline for comments: April 30, 2013*

## **Proposed Changes to the *Animal Health Act***

Yukon's *Animal Health Act* needs to be updated for rapid and decisive action to respond to any threat to the health of wild or domestic animals and prevent risks to public health.

The Act was put in place in 1997, before the position of Chief Veterinary Officer (CVO) and the Animal Health Program were established. Today, there is increased awareness of animal diseases that threaten human health and more evidence of the economic impact that animal disease can have; locally, nationally and internationally.

The departments of Environment (Animal Health Unit) and Energy, Mines and Resources (Agriculture Branch) are seeking comment and suggestions on the changes proposed to update the *Animal Health Act*:

- 1) To expand the scope of the Act;
- 2) To define the role of the Chief Veterinary Officer;
- 3) To address compensation for losses from an order under the Act;
- 4) To introduce a process to appeal decisions; and
- 5) To align penalties to other jurisdictions.

***You can indicate your answer below each question, or use the Answer Summary on the second last page of this book.***

# 1. Scope of the Act

Yukon's *Animal Health Act* only provides the legislative authority to "prevent the entry and spread of disease".

The Yukon government needs to be able to respond to the full range of animal health risks including exposure to toxins and for the protection of food sources.

## Proposed Changes:

*Remove* the limitations with respect to federally reportable diseases.

*Add* the following objectives to the Act:

- protecting animal and human health;
- preventing, detecting, responding to, controlling, and recovering from hazards associated with animals that may affect animal health or human health or both;
- providing a consistent approach to activities related to animals that may affect animal health, human health or both; and
- enhancing food safety from animal products that humans may consume or use.

*Enhance* the scope of the Act to include animal parts, animal products and dead animals, not just live animals.

*Expand* the scope of the Act to allow for disease control areas in addition to the ability to quarantine.

## Question:

1) Do you support expanding the scope of the Act?

Yes

No

.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....

## 2. Chief Veterinary Officer role

The Chief Veterinary Officer needs to be able to act rapidly in response to a disease event, using scientific and technical expertise. The current structure does not enable this.

### Proposed Changes:

*Add* the role of the Chief Veterinary Officer, setting out the qualifications of the position. (Note: any proposed Chief Veterinary Officer authorities would be consistent with those set out in animal health laws in other recently updated Canadian jurisdictions).

*Add* the following areas of authority of the Chief Veterinary Officer including:

- Act as Chief Animal Health Inspector;
- Take action on reportable/notifiable diseases;
- Issue orders relating to infections, quarantines, and actions to be taken to mitigate and or prevent outbreaks;
- Issue permits; and
- Act with authority as delegated by the Minister.

### Question:

2) Do you support adding the role and authority of the Chief Veterinary Officer?

Yes

No

.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....

### 3. Compensation

Animal owners can be ordered to destroy animals in order to limit or eliminate a disease outbreak. Currently animal owners must go to court to obtain compensation.

Most jurisdictions recognize that when government takes action to control a disease outbreak there will likely be a financial impact on animal owners. Granting the Minister the authority to provide compensation will encourage animal owners to report a disease even if it may result in the destruction of their animal(s).

#### Proposed Changes:

*Add to the Animal Health Act the authority for the Minister to offer compensation.*

#### Questions:

3) Do you support adding authority for the Minister to offer compensation in the following circumstances?

a) When the destruction of privately owned animals is ordered,

Yes  No

b) For the costs of disposal, cleaning and disinfection as ordered to control disease,

Yes  No

c) For the loss of an animal that died, was injured or had to be killed as a result of testing or other actions ordered under the Act,

Yes  No

d) Should compensation be adjusted if an owner has, by error or omission, contributed to the introduction or spread of disease?

Yes  No

.....  
.....  
.....  
.....  
.....

*For additional comment space, see inside back cover.*

## 4. The right to appeal

The *Animal Health Act* does not provide for an appeal process.

### Proposed Changes:

*Add* to the Act the specific decisions or actions that may be appealed along with what will be excluded from the appeal process. This would include a clearly-defined time limit and require proof of loss.

### Question:

4) Do you support establishing an appeal process?

Yes

No

.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....



## 5. Penalties for offences

The Yukon government wants individuals to understand that any deliberate action that would jeopardize the health of either the human, domestic or wildlife population is a serious offense (for example the deliberate disregard of orders designed to prevent disease spread, or violation of permit conditions).

The *Animal Health Act* provides for modest fines (\$200-\$500) and the option of six months imprisonment. Other Canadian jurisdictions retain the option of imprisonment (up to one year) and have much higher penalties exceeding \$1,000 per day for the offense.

### Proposed Change:

*Update* the penalties to align them with other Canadian jurisdictions.

Implementing a penalty would be through a graduated response, beginning with educational initiatives intended to encourage voluntary compliance and self-reporting when inadvertent non-compliance occurs. While enforcement actions including penalties and imprisonment would remain an option, this action would be generally reserved for repeated non-compliance or deliberate action/inaction.

### Questions:

a) Do you support increasing penalties to align them with other Canadian jurisdictions?

Yes

No

b) What do you think should be the highest penalty for a *first* offence under the Act?

Up to \$1,000 or  \$1,001 - \$5,000 or  \$5,001 - \$10,000 or  \$\_\_\_\_\_

.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....

**(Optional) Please use the inside back cover to provide any other comments you may have about changes proposed for the Animal Health Act.**

## **ANSWER SUMMARY**

*If you do not have extensive comments, you can mark your answers here, cut or tear the sheet out, and submit this sheet only.*

### **1) Do you support expanding the scope of the Act?**

Yes  No

.....  
.....  
.....

### **2) Do you support adding the role and authority of the Chief Veterinary Officer?**

Yes  No

.....  
.....  
.....

### **3) Do you support adding authority for the Minister to offer compensation in the following circumstances?**

a) When the destruction of privately owned animals is ordered,

Yes  No

b) For the costs of disposal, cleaning and disinfection as ordered to control disease,

Yes  No

c) For the loss of an animal that died, was injured or had to be killed as a result of testing or other actions ordered under the Act,

Yes  No

d) Should compensation be adjusted if an owner has, by error or omission, contributed to the introduction or spread of disease?

Yes  No

Comments on 3) .....  
.....  
.....

**4) Do you support establishing an appeal process?**

Yes  No

.....  
.....  
.....

**5) Penalties for offenses**

a) Do you support increasing penalties to align them with other Canadian jurisdictions?

Yes  No

b) What do you think should be the highest penalty for a *first* offence under the Act?

Up to \$1,000 or  \$1,001 - \$5,000 or  \$5,001 - \$10,000 or  \$\_\_\_\_\_

.....  
.....  
.....

***(Optional)*** Please provide any other comments you may have about changes proposed for the *Animal Health Act*.

.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....

*Deadline for comments: April 30, 2013*



