

Policy on Managing Game Farm Program Requirements in Saskatchewan

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A. Background

Game farming is the raising of animals that can be found in the wild (native or exotic) for commercial purposes. The responsible management of these species requires greater oversight than traditional livestock. Additional concerns, such as disease transmission to/from wildlife; risk of impacts on the genetics of wild populations; and other potential threats to wildlife sustainability call for greater care.

In Saskatchewan, domestic game farms are regulated through the *The Animal Products Act*, *The Animal Health Act* and *The Wildlife Act*, as well as their respective regulations: *The Domestic Game Farm Animal Regulations 2019*, *The Animal Health Regulations* and *The Wildlife Regulations, 1981*. Oversight of the health and welfare of all animals within the province is provided under *The Animal Protection Act, 2018* and *The Animal Protection Regulations*.

When game farm operators fail to follow the requirements, the steps taken need to be fair, transparent and consistent. This policy will provide guidance to Ministry of Agriculture staff to ensure the game farm industry is responsibly monitored to protect domestic game farm animals, as well as wildlife.

B. Steps to Manage Requirements

The initial step is for the provincial government to work with industry to develop requirements that are understandable, can be reasonably accomplished, are sustainable, and make sense in how they protect the health and welfare of the farmed herd, as well as wildlife. This is accomplished through regulatory and policy development, and in consultation with game farm operators and other stakeholders. Regular review processes, like Red Tape Reduction, help ensure “smart regulations.”

The next step is to help operators understand the requirements (education) through communication by mail, meetings, and personal conversations during inspections and by phone. These steps promote understanding and co-operation.

If operators still fail to follow requirements, a more formal process of escalating enforcement is started. In general, the steps are as outlined in the following diagram. Some steps may be missed, depending on the type and seriousness of the issue.

Under section 4 of *The Domestic Game Farm Animal Regulations, 2019* a licence may not be issued or renewed by the minister if the operator is non-compliant with the Regulations. The minister may impose terms or conditions on a new game farm licence, game farm licence renewal or any time after a licence has been issued.

Under Section 6 of *The Domestic Game Farm Animal Regulations, 2019* a game farm licence can be amended, suspended or cancelled for non-compliance with *The Animal Products Act*, the regulations or any policies established with respect to domestic game farms; *The Animal Health Act* and regulations; *The Animal Protection Act, 2018*; or with sections 32, 33, 43, or 44 of *The Wildlife Act, 1998*.

While the farm is suspended, the minister may prevent the purchase, sale, trade or movement of animals or animal products by the domestic game farm. Suspended farms are not required to dispose of animals.

When a licence is cancelled or not renewed, the operator has 365 days to dispose of all game farm animals either by slaughter or selling to a licensed game farm operator, if the animals are authorized to move.

When a game farm licence is suspended or cancelled, the operator has 10 business days to make written representation to the minister appealing the suspension/cancellation.

For further information on this process, please contact the lead game farm investigator, Kevin Augustine, at 306-961-0762 or by email at kevin.augustine@gov.sk.ca.

C. Steps to be followed until regulatory compliance is achieved.

Step 1 Verbal

- Is a conversation between the operator and provincial staff;
- Ensures the operator understands what is needed;
- Ensures staff understands what issues the operator may be facing;
- Provides the dialogue needed to develop a plan that can best accommodate the government's and operator's needs; and
- Is usually sufficient to correct an issue.

Step 2 Letter

- If verbal discussion is insufficient to correct an issue or obtain a date to achieve compliance, the next step is often a letter stating a time frame for completion and the consequences if not achieved;
- An agreed-upon action plan can be put in writing and signed by the operator and game farm investigator; and
- The maximum time between verbal discussion and a letter is 60 days.

Step 3 Notice of Violation

- Notice of Violation (NOV): If the letter is unsuccessful, or the agreed-upon timeline is not met, an NOV is hand-delivered to the operator, ensuring there is understanding of the requirement and the consequences if the requirements are not met by a certain time or if the non-compliance is repeated;
- For some violations, such as failure to report an escape or intrusion or a second occurrence of the same offence, the NOV may be the first step taken; and
- Maximum time between a letter requesting compliance and an NOV is 90 days.

Step 4 Suspension

- Licence suspension: If the NOV is unsuccessful, the next step is a suspension of the licence with conditions;
- Conditions can include no movement of animals or animal products on or off the premises;
- A suspension can be appealed through written representation to the minister; and
- The maximum time between an NOV that is issued and not complied with and suspension is 180 days.

Step 5 Cancellation of Licence

- Licence cancellation: This action is taken as a last resort if the previous steps have not worked; and
- If an operator has been suspended for 90 days and not come into compliance, then the final step will be licence cancellation.

The Wildlife Regulations, 1981

Application

3(3) Notwithstanding subsection (1), these regulations, other than sections 4, 6 and 6.2 and subsections 11(1) and 26(1), do not apply:

- (a) to any domestic game farm animal with respect to which a domestic game farm operator holds a valid domestic game farm licence;
- (b) with respect to domestic game farm animals, to any domestic game farm operator who holds a valid domestic game farm licence; or
- (c) to any person who slaughters or processes a domestic game farm animal if the slaughter or processing is done:
 - (i) with the permission and under the direction of a domestic game farm operator; and
 - (ii) on the domestic game farm of the domestic game farm operator.

The Wildlife Act, 1998

Captivity of wildlife

32 No person shall take into or keep in captivity or wilfully destroy or disturb any wildlife, or the eggs or nests of any bird protected pursuant to this Part or the regulations or pursuant to the *Migratory Birds Convention Act, 1994* (Canada) or the regulations made pursuant to that Act without the written permission of the director or without a licence to do so.

Possession of wildlife

33(1) No person shall possess any wildlife taken in contravention of this Part or the regulations
(2) No person shall possess any wildlife without a licence where, pursuant to this Part or the regulations, a licence is required to possess that wildlife.

Sale of hunting rights

43 Subject to this Act and the regulations, no person shall, directly or indirectly, sell, trade or barter or offer for sale, trade or barter the hunting rights for wildlife on any land.

Trafficking

44 Subject to this Act and the regulations, no person shall:
(a) traffic in any wildlife; or
(b) possess any wildlife for the purpose of trafficking.