

Relevant Sections of the Provincial Animal Welfare Services (PAWS) Act

Section 31 of the PAWS Act

Taking possession of animal in distress

31 (1) An animal welfare inspector may remove an animal from the place where it is and take possession of the animal for the purpose of relieving its distress if,

- (a) a veterinarian has advised the inspector in writing that relieving the animal's distress necessitates its removal;
- (b) the inspector has inspected the animal and has reasonable grounds for believing that,
 - (i) the animal is in distress and the owner or custodian of the animal is not present and cannot be found promptly, or
 - (ii) the animal is in critical distress; or
- (c) an order respecting the animal has been made under section 30 and the order has not been complied with. 2019, c. 13, s. 31 (1); 2023, c. 12, Sched. 6, s. 5 (1-3).

Taking possession, animal trained to or participating in fight

(2) An animal welfare inspector may remove an animal from the place where it is and take possession of the animal if the inspector has reasonable grounds for believing that,

- (a) the animal is being trained to fight another animal; or
- (b) the animal is participating or soon will participate in a meeting, competition, exhibition, pastime, display or event at or in the course of which an animal fights another animal. 2019, c. 13, s. 31 (2).

Section 60 of the PAWS Act

Police and First Nation Officer powers

60 (1) Subject to the regulations, a police officer or First Nation Officer may exercise the powers of an animal welfare inspector under sections 28, 29, 31, 32, 33, 41, 42, 43, 44, 47 and 48. 2019, c. 13, s. 71 (5).

Exercise of powers to be reported

(2) A chief of police, or person who is in charge of a group of First Nation Officers, shall report as prescribed to the Chief Animal Welfare Inspector regarding the exercise of powers described in subsection (1) by police officers or First Nation Officers who are under that person's direction. 2019, c. 13, s. 71 (5).

Prompt notice to animal welfare inspector

(3) A police officer or First Nation Officer who exercises the power in section 31 to take possession of an animal shall promptly notify an animal welfare inspector. 2019, c. 13, s. 71 (5).

Inspector to take possession

(4) The animal welfare inspector who is notified under subsection (3) shall inspect the animal and determine whether to take possession of it pursuant to section 31. 2019, c. 13, s. 71 (5).