

Standards of Care for Cats and Dogs Regulations
made under Section 46 of the
Animal Protection Act
S.N.S. 2018, c. 21
N.S. Reg. 182/2019 (effective November 12, 2019)

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Please note: this table of contents is provided for convenience of reference and does not form part of the regulations.

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Citation

1 These regulations may be cited as the *Standards of Care for Cats and Dogs Regulations*.

Application of these regulations

2 (1) Except as provided in subsection (2), these regulations apply to

(a) only animals that are cats and dogs; and

(b) every custodian of a cat or dog.

(2) These regulations do not apply with respect to a cat or dog that is being cared for at a veterinarian facility in any of the categories set out in Section 70 of the *Veterinary Medical Regulations* made under the *Veterinary Medical Act*.

Definitions

3 In these regulations,

“Act” means the *Animal Protection Act*;

“pen” means an outdoor enclosure used to confine an animal by means of a fence, wall or natural structure in order to prevent the animal from leaving a property;

“shelter” means a structure, such as a dog house, shed, hangar, barn or garage, or part of such a structure, to which an animal has access;

“tether” means a rope or similar material that is attached on one end to the neck, head or body of an animal for restraint or control and is affixed at the other end to a stationary object.

General standards of care

4 (1) For the purposes of clause 2(2)(a) of the Act,

(a) water is adequate if it meets all of the following criteria:

(i) it is clean, fresh, potable, unfrozen water of a drinkable temperature,

(ii) it is accessible by an animal in sufficient volume, taking into account the weather and temperature, to maintain normal hydration for the age, species, condition, size and type of the animal, or in a volume prescribed by a veterinarian;

(b) food is adequate if it meets all of the following criteria:

(i) it is accessible to an animal in sufficient quantities and nutritive value to enable the animal to maintain healthy growth and a healthy body weight for the age, breed, condition and size of the animal, or in quantities or nutritive value prescribed by a veterinarian,

(ii) it is provided at suitable intervals for the species, age, and condition of the animal, but at least once daily, or at intervals prescribed by a veterinarian.

(2) An animal’s custodian must ensure that a receptacle or container that is intended for providing food or water to the animal is usable and designed and placed in a manner that prevents spillage, injury and contamination.

(3) An animal’s custodian must ensure that the animal receives regular grooming and claw care.

(4) An animal’s custodian must ensure that a collar or restraining device that is used on the animal meets all of the following criteria:

(a) it is well-fitted;

- (b) it is appropriate to the age and size of the animal;
- (c) it does not hamper the animal's ability to breathe;
- (d) it does not cause trauma or injury to the animal.

Standards of care for animals outdoors

5 An animal's custodian must ensure that an area in which the animal is being kept outdoors meets all of the following criteria:

- (a) the area provides protection from inclement weather to which the animal could otherwise be exposed and that could cause the animal to be in distress, as determined in accordance with Section 7;
- (b) shade is accessible to the animal at all times within the area;
- (c) the area is clean and free from excess excrement.

Standards of care for shelters

6 (1) An animal's custodian must ensure that the animal has continuous access to a shelter if the animal is kept outdoors

- (a) for more than 12 hours at a time; or
- (b) in any weather conditions that could cause the animal to be in distress, as determined in accordance with Section 7.

(2) An animal's custodian must ensure that a shelter required by this Section meets all of the following:

- (a) it does not present a risk to the health or safety of the animal;
- (b) it is accessible to the animal;
- (c) it provides protection from inclement weather;
- (d) it is sufficiently ventilated to prevent the accumulation of moisture and odours;
- (e) it has flooring and bedding that is clean and dry and sufficient to provide adequate insulation from inclement weather;
- (f) for a dog shelter, its ceiling height is at least 5 cm greater than the height of the dog in a sitting position measured from the top of the dog's head to the ground;

- (g) its sleeping area allows for the animal to easily turn around and lie down.

Animal's ability to adapt to weather conditions

7 In deciding whether protection from inclement weather is required under clause 5(a) or whether weather conditions require an animal to have continuous access to a shelter under clause 6(b), an animal's custodian must consider all of the following to determine the animal's ability to adapt to weather conditions:

- (a) the animal's age;
- (b) the animal's health;
- (c) the animal's breed;
- (d) the animal's ability to adapt to the heat or cold;
- (e) the animal's coat;
- (f) the outdoor temperature;
- (g) the inclement weather that the animal could be exposed to.

Standards of care for pens

8 (1) An animal's custodian must ensure that a pen used for the animal meets all of the following:

- (a) it is designed and located to prevent injury or distress to the animal;
- (b) it has a clean and dry place that is free from excessive excrement where the animal can lie down;
- (c) it is kept in good repair.

(2) If more than 1 animal is kept in a pen, the animals' custodian must ensure that the pen has an area large enough to provide the animals with adequate space for all of the following:

- (a) feeding, resting, urinating and defecating;
- (b) engaging in species-typical behaviours and maintaining adequate social distances.

(3) An animal's custodian must ensure that the animal is not left in a pen unsupervised for more than 12 consecutive hours.

- (4) If an animal is kept in a pen for longer than 12 consecutive hours in any 24-hour period, the animal's custodian must ensure that the animal has time out of the pen during that same 24-hour period to allow for exercise, socialization and protection from inclement weather.

Standards of care for tethering

- 9 (1) An animal's custodian may tether the animal for a maximum of 12 hours in any 24-hour period.
- (2) If an animal has been tethered for 12 consecutive hours, the custodian of the animal must untether the animal for 12 consecutive hours before tethering the animal again.
- (3) An animal's custodian must ensure that the minimum length of a tether used on the animal is the greater of
 - (a) 5 m; and
 - (b) 5 times the length of the animal, as measured from the tip of its nose to the base of its tail.
- (4) In addition to the length requirement of subsection (3), an animal's custodian must ensure that a tether used on the animal meets all of the following:
 - (a) it allows the animal to reach its food and water and a clean, dry, place to lie down in a shaded area or shelter, if required by these regulations;
 - (b) it allows the animal to move in a manner that is safe and, except by the length of the tether, is unrestricted;
 - (c) it is configured to prevent the animal from doing any of the following:
 - (i) becoming entangled with other objects or animals,
 - (ii) moving over an edge, such as the edge of a wall or stairway, in a manner that could result in strangulation or injury of the animal;
 - (d) it does not cause discomfort for the animal because of its type or weight.

Standards of care for transporting animals

- 10 (1) Except as provided in subsection (2), a person must not transport an animal in the trunk of a motor vehicle.

- (2) Subsection (1) does not apply to a motor vehicle that does not have a closed area as its main storage compartment, such as a station wagon, passenger van, sport-utility vehicle or hatchback model.
- (3) A person must not transport an animal in a motor vehicle outside the passenger compartment unless the animal is confined or secured
 - (a) in a container that meets the requirements of subsection (4); and
 - (b) in a manner that prevents the animal from
 - (i) experiencing injury or distress,
 - (ii) falling off the vehicle or otherwise injuring itself, and
 - (iii) causing a hazard to other vehicles.
- (4) A container that is used to transport an animal in a motor vehicle outside the passenger compartment must meet all of the following requirements:
 - (a) it must be constructed to prevent an animal from escaping;
 - (b) it must be constructed to allow the animal to have good footing, protection from inclement weather and adequate ventilation;
 - (c) it must be durable and kept in good repair;
 - (d) it must be large enough to enable the animal to turn around normally, to stand and sit erect and to lie in a natural position;
 - (e) it must be secured to the motor vehicle.
- (5) A person must not leave or confine an animal in any unattended motor vehicle or enclosed container under any conditions that could endanger the health or well-being of the animal or any circumstances that could reasonably be expected to cause distress or death to the animal, including any of the following:
 - (a) heat;
 - (b) cold;
 - (c) lack of adequate ventilation;
 - (d) lack of food or water.

Inspector or peace officer removing animal from motor vehicle

- 11** (1) An inspector or peace officer may remove an animal from a motor vehicle or other enclosed container if the animal's safety appears to be in immediate danger from any of the conditions or circumstances referred to in subsection 10(5).
- (2) An inspector or peace officer who removes an animal from a motor vehicle must take it to an animal shelter or other place of safekeeping or, if the inspector or peace officer considers it necessary, to a veterinary hospital for treatment.
- (3) After a reasonable effort to locate the owner or other person responsible has been made, an inspector or peace officer is authorized to take all steps that are reasonably necessary to remove an animal from a motor vehicle or other enclosed container, including breaking into the motor vehicle.
- (4) An inspector or peace officer who removes an animal from a motor vehicle must leave a written notice that states all of the following in a secure and conspicuous location on or within the motor vehicle:
- (a) their name and title;
 - (b) the address of the location where the animal can be claimed.
- (5) Subject to the Act, an animal that has been removed from a motor vehicle or enclosed container by an inspector or peace officer may be claimed by the owner only after payment of any expenses that have accrued for maintaining, caring for, medically treating or impounding the animal.
- (6) This Section does not affect in any way existing liabilities or immunities under the Act, or create any new immunities or liabilities.

Certificate of health on sale of animal

- 12** (1) In this Section, "certificate of health" means the veterinarian's certificate of health required by subsection 26(6) of the Act on the sale of an animal.
- (2) A certificate of health is valid for only 1 animal.
- (3) A certificate of health is valid for 6 months from the date it is issued and is valid for only 1 sale.
- (4) A certificate of health must be in the form posted on the Department of Agriculture website.
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Legislative History Reference Tables

Standards of Care for Cats and Dogs Regulations
Animal Protection Act

N.S. Reg. 182/2019

Note: The information in these tables does not form part of the regulations and is compiled by the Office of the Registrar of Regulations for reference only.

Source Law

The current consolidation of the *Standards of Care for Cats and Dogs Regulations* made under the *Animal Protection Act* includes all of the following regulations:

N.S. Regulation	In force date*	How in force	Royal Gazette Part II Issue
182/2019	Nov 12, 2019	date that S.N.S. 2018, c. 21 comes into force	Nov 22, 2019

The following regulations are not yet in force and are not included in the current consolidation:

N.S. Regulation	In force date*	How in force	Royal Gazette Part II Issue
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*See subsection 3(6) of the *Regulations Act* for rules about in force dates of regulations.

Amendments by Provision

ad. = added
am. = amended

fc. = fee change
ra. = reassigned

rep. = repealed
rs. = repealed and substituted

Provision affected

How affected

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Provision affected**How affected**

Note that changes to headings are not included in the above table.

Editorial Notes and Corrections

Note	Effective date
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Repealed and Superseded

N.S. Regulation	Title	In force date	Repealed date
182/2014	<i>Standards of Care for Cats and Dogs Regulations</i>	Dec 2, 2014	Nov 12, 2019

Note: Only regulations that are specifically repealed and replaced appear in this table. It may not reflect the entire history of regulations on this subject matter.