Animal Care Appeal Board

Board Members

Chairperson
Dr. Laurie Connor, Winnipeg

Vice-Chair
Brent McCannell, Winnipeg

Members
Perri Gardner, Brandon
Bill McDonald, Winnipeg
David Joycey, Oakbank
Mark Fynn, Winnipeg

Mandate:
The Animal Care Appeal Board was formed to provide a forum for the appeal of animal seizures, orders and licensing decisions.

The Animal Care Appeal Board is established under The Animal Care Amendment Act (The Act). The Animal Care Appeal Board (The Board) is an independent appeal body which hears appeals about animal seizures, orders and adverse licensing decisions, providing open, fair and equitable review of appeal under The Act. The Board holds and adjudicates hearings within the Province of Manitoba.

Responsibilities:
The board’s jurisdiction is to hear appeals submitted by individuals regarding:
   a) the seizure or taking into custody of an animal
   b) a director’s order to take action
   c) the refusal, suspension, cancellation of a licence, or the terms and conditions imposed on a licence.

The board may:
   a) In the case of an appeal of a seizure or animal taken into custody:
      a. order that the animal be returned to the owner,
      b. order that the director sell, give away or destroy the animal, or
      c. make any other order that the appeal board considers appropriate in the circumstances;

   b) In the case of an appeal of a director’s order to take action:
      a. make an order confirming, varying or rescinding the director’s order,
      b. if the director’s order is varied or rescinded, order that all or any part of the costs incurred by the owner in complying with the director’s order be paid by the government to the owner, or
      c. make any other order that the appeal board considers appropriate in the circumstances;
c) In the case of an appeal of the refusal, suspension or cancellation of a licence, or the terms and conditions imposed on a licence:
   a. confirm the refusal, suspension or cancellation, or the term or condition,
   b. direct that the application for a licence be approved, or reinstate a
      suspended or cancelled licence, or direct that any term or condition on
      the licence be amended in such manner as it considers appropriate.

Membership:
The Animal Care Appeal Board will consist of six members (the Act allows up to 10
members) appointed by the Lieutenant Governor in Council (LGIC). The board will
have a chair and vice-chair designated by the LGIC. The membership should include
one French speaking member.

A quorum of the board is three members, of whom one must be the chairperson or the
vice-chairperson or another member of the appeal board appointed by the chair to
preside.

Length of Terms:
A member continues to hold office until he or she is reappointed, the appointment is
revoked or until successors are appointed. No term of office is specified in the Act.

Desirable Expertise:
There is no formal educational requirement; however, potential board members should
demonstrate knowledge of issues relating to animal welfare. Knowledge of the Animal
Care Act and the Animal Care Regulations, and a farming background or animal
welfare expertise is desirable.

Board members must:
   • have the ability to read documentation pertaining to animal welfare, licensing, as
     well as applicable Codes of Practice and other animal care standards;
   • have a good understanding of the rural dynamic, including family farms,
     community relations, and the diversity of agricultural operations;
   • be able to listen openly, question effectively, and evaluate evidence;
   • reach decisions that are fair and unbiased;
   • be able to clearly write resolutions, decisions, letters and other documents that
     are communicated to government and to the public;
   • be able to analyze policy concerning animal welfare policies, and make
     appropriate recommendations to the Minister.

Time Commitment:
Department staff anticipates 8 to 12 appeal panels per year; however the specific
number of meetings is dependent on the number of appeals. There would also be at
least two board meetings per year to review policy.

Meetings:
Meetings will occur in various locations - Winnipeg as well as in government offices
across agricultural Manitoba, depending on the appellant’s location and access to the
provincial computer system.
The board will hear appeals in panels of three as assigned by the board Chair. The process for determining the composition of panels will be established by the board through its Rules of Procedure to enable flexibility to ensure that Panels can be established in a timely manner.

**Remuneration:**
- **Chair:** $191.00 per half day; $336.00 per full day
- **Members:** $109.00 per half day; $192.00 per full day

In addition to the remuneration set out above, members will be:
  a) reimbursed for their reasonable out-of-pocket expenses necessarily incurred by them in discharging their duties as members of the Board and reimbursement of out-of-pocket expenses made shall be made in accordance with approved government rates and procedures; and
  b) compensated for their travel time at the rate of ½ of the applicable half-day meeting rate, where the length of travel time exceeds 3½ hours round trip from the member’s home to the meeting location.