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***Animal Care Appeal Board***

**Board Members**

Chairperson

Dr. Laurie Connor, Winnipeg

Vice-Chair

Brent McCannell, Winnipeg

Members

David Joycey, Oakbank

Perri Gardner, Brandon

Bill McDonald, Winnipeg

Mark Fynn, Winnipeg

**Mandate:**

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

**Authority:**

The Animal Care Amendment Act

**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 license, or the terms and conditions imposed on a license.

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  - b. if the director's order is varied or rescinded, order that all or any part of the costs incurred by the owner in complying with the director's order be paid by the government to the owner, or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 license, or the terms and conditions imposed on a license:
  - a. confirm the refusal, suspension or cancellation, or the term or condition,
  - b. direct that the application for a license be approved, or reinstate a suspended or cancelled license, or direct that any term or condition on the license 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. 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.

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.

**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 Experience:**

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:**

Location: 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.

Frequency: 8 to 12 Appeal Panels Annually

**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  $\frac{1}{2}$  of the applicable half-day meeting rate, where the length of travel time exceeds  $3\frac{1}{2}$  hours round trip from the member's home to the meeting location.