

BRITISH COLUMBIA FARM INDUSTRY REVIEW BOARD
PRACTICE DIRECTIVE:
PREVENTION OF CRUELTY TO ANIMALS ACT APPEALS

Whereas:

- A. Section 12 of the *Administrative Tribunals Act*, S.B.C. 2004, c. 45 (*ATA*) has been incorporated by reference into section 20.41 1(a) of the *Prevention of Cruelty to Animals Act*, R.S.B.C. 1996, c. 372 (*PCAA*); and
- B. Section 12(1) of the *ATA* requires a tribunal to which it applies to issue practice directives respecting (i) the usual time period for completing an appeal and for completing the procedural steps within an appeal, and (ii) the usual time period within which the tribunal's final decision and reasons are to be released after the hearing of the appeal is completed.

Therefore the British Columbia Farm Industry Review Board (BCFIRB) now issues these practice directives respecting appeals to the Provincial board under section 20.3 of the *PCAA*:

1. The usual time period for BCFIRB to hold a hearing of an appeal, and for completing the procedural steps required beforehand, is not later than 19 business days from the date that a Notice of Appeal meeting the requirements of s. 22 of the *ATA* is received by BCFIRB.
2. The usual time period within which the final decision and reasons of a panel hearing an appeal are to be released is not later than 10 business days following the completion of the hearing.
3. Despite 1 and 2, where the appeal relates solely to the amount of costs for which an owner is liable and the return or disposal of the animal is not dependent on the payment of costs (*PCAA*, s. 20.3(1)(c)), the usual time period for BCFIRB to hold an appeal and issue a decision is not later than 45 business days from the date a Notice of Appeal meeting the requirements of s. 22 of the *ATA* is received by BCFIRB.
4. The reference in s. 12 of the *ATA* to the "usual time period" recognizes that circumstances will arise where it is impractical or unjust to complete a matter within the usual time period. In such cases, BCFIRB will on a case by case basis establish time periods which are as short as possible consistent with the realities of the case.
5. In these practice directives, the "usual time period" excludes any period in which the appeal is ordered adjourned under s. 39 of the *ATA*.

Dated: December 11, 2013 at Victoria, British Columbia



John Les, Chair
British Columbia
Farm Industry Review Board