

APPENDIX A: APPEAL FORM – Prevention of Cruelty to Animals Act



British Columbia Farm Industry Review Board

Mailing Address (Canada Post):

PO Box 9129 Stn Prov Govt
Victoria BC V8W 9B5

Street Address (Courier or in-person):

780 Blanshard St.
Victoria BC V8W 2H1

Telephone: 250 356-8945, Facsimile: 250 356-5131

Email: firb@gov.bc.ca

Website: www.gov.bc.ca/BCFarmIndustryReviewBoard

Notice of Appeal

You can use this form to file an appeal with the British Columbia Farm Industry Review Board (BCFIRB) about the seizure of your animal by the BC Society for the Prevention of Cruelty to Animals (BC SPCA) and/or related costs. Please read the following instructions carefully. BCFIRB cannot hear appeals of BC SPCA review or costs decisions submitted outside of the time limits set out in this form.

- 1. THE NOTICE OF APPEAL MUST BE MADE IN WRITING AND RECEIVED BY BCFIRB BY THE DEADLINE SET ON PAGE 3 OF THIS FORM.**
- 2. A \$100.00 (ONE HUNDRED DOLLARS) FILING FEE (CHEQUE OR MONEY ORDER PAYABLE TO THE MINISTER OF FINANCE) MUST BE RECEIVED BY BCFIRB BY THE DEADLINE SET ON PAGE 3 OF THIS FORM.**
- 3. A COPY OF THE COMPLETED NOTICE OF APPEAL AND ANY ATTACHMENTS (NOT INCLUDING THE FILING FEE) MUST BE SUBMITTED TO THE BC SPCA.**

Please note that BCFIRB may use the contact information below for the purpose of conducting surveys to evaluate and improve services as per (ATA s 59.1).

A: Appellant Information

Appellant Name:		
Address:		
City:	Province:	Postal Code:
Telephone: ()	Fax: ()	E-Mail:
Mailing Address: if different from above		
City:	Province:	Postal Code:
Telephone: ()	Fax: ()	E-Mail:
Agent/Representative Name: (if applicable)		
Address:		
City:	Province:	Postal Code:
Telephone: ()	Fax: ()	E-Mail:

Complete next page

B. Options for Appeal – Please check one or more of the options below

<input type="checkbox"/> Decision of the BC SPCA following a request for review (notice given that animal will be destroyed, sold or otherwise disposed of). See #1 below for time limits.	Date BC SPCA Decision Received:
<input type="checkbox"/> No decision received from BC SPCA 28 days following a request for a review. See #2 below for time limits.	Date Review Requested:
<input type="checkbox"/> Payment of costs. See #3 below for time limits.	Date BC SPCA Invoice Received:

C. Grounds for Appeal

I am appealing (Enter the BC SPCA Decision):	Date of Decision:
Specify why the decision should be changed.	
State the outcome requested from BCFIRB (remedy/decision).	
<i>If more room is needed please attach a separate sheet and include any relevant documentation.</i>	
Signature: (of Appellant or Agent) X	Date: <input type="checkbox"/> \$100 Filing fee attached <input type="checkbox"/> Copy to BC SPCA <input type="checkbox"/> Documentation attached

APPEAL TIME LIMITS

Notices of appeal must be made in writing and received by BCFIRB within the following time limits. Under the *Prevention of Cruelty to Animals Act*, BCFIRB cannot hear appeals of BC SPCA review or costs decisions submitted outside of the time limits set out on page 3.

1. *I asked the BC SPCA to review the seizure of my animal. The BC SPCA reviewed the seizure and told me they will not return my animal. I am appealing their review decision to not return my animal.*

Appeal must be received by BCFIRB within four (4) calendar days of you getting the BC SPCA decision.

Filing fees for these appeals must be received by BCFIRB within six (6) calendar days of you getting the BC SPCA decision.

To calculate the four (4) days, start counting on the day after you receive the BC SPCA decision. If BCFIRB is not open on the 4th day (e.g. weekend or holiday) the time is extended to the next day the office is open. The same method is used to calculate the six (6) days for the filing fee.

2. *I asked the BC SPCA to review the seizure of my animal. The BC SPCA has not provided a decision. I want to appeal the original decision to take my animal.*

Appeal must be in writing and received by BCFIRB no earlier than 28 calendar days following your request to the BC SPCA for a review.

Filing fees for these appeals must be received by BCFIRB within two (2) calendar days of the written Notice of Appeal.

To calculate the 28 days, start counting on the day after you requested a review. You can file an appeal on or as soon as possible after the 29th day.

3. *I am appealing the amount of costs the BC SPCA has told me I must pay.*

Appeal must be received by BCFIRB within four (4) calendar days of you receiving the BC SPCA decision.

Filing fees for these appeals must be received by BCFIRB within six (6) calendar days of you receiving the BC SPCA decision.

To calculate the four (4) days, start counting on the day after you receive the BC SPCA decision. If BCFIRB is not open on the 4th day (e.g. weekend or holiday) the time is extended to the next day the office is open. The same method is used to calculate the six (6) days for the filing fee.

BCFIRB and BC SPCA contact information:

<p>British Columbia Farm Industry Review Board</p> <p>Mailing Address (Canada Post): PO Box 9129 Stn Prov Govt Victoria BC V8W 9B5</p> <p>Street Address (Courier or in-person): 1st Fl., 780 Blanshard St. Victoria BC V8W 2H1</p> <p>Telephone: 250 356-8945 Facsimile: 250 356-5131 Email: firb@gov.bc.ca Website: www.gov.bc.ca/BCFarmIndustryReviewBoard</p>	<p>BC Society for the Prevention of Cruelty to Animals</p> <p>Mailing Address: 1245 East 7th Avenue Vancouver, BC V5T 1R1</p> <p>Telephone: 604 681-7271 Facsimile: 604 681-7022 Email: mmoriarty@spca.bc.ca</p>
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