



June 26, 2015

File: PCAA

DELIVERED BY MAIL OR EMAIL

Abdul Salam
[REDACTED]
[REDACTED]

Dear Mr. Salam:

JUNE 19, 2015 DECISION OF THE BC SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS (BC SPCA) REGARDING THE SEIZURE OF 1 DOG

Under the *Prevention of Cruelty to Animals Act (PCAA)*, a person aggrieved by a seizure decision of the BC SPCA may appeal to the BC Farm Industry Review Board (BCFIRB).

Section 20.3(2)(b) of the *PCAA* requires appeals from BC SPCA decisions such as the June 19, 2015 decision to be filed, complete with filing fee, within four days of the decision. In the interest of timeliness in addressing animal welfare issues, there is no provision under the *PCAA* to extend the filing time for appeals.

However, under s. 22(4) of the *Administrative Tribunals Act*, BCFIRB may “allow for a reasonable period of time within which the notice (of appeal) may be corrected or the fee is to be paid”. That period of time has been established by BCFIRB as being within two days of first receipt of a notice of appeal, as outlined on the board’s website information on how to file an appeal:

To file an appeal with BCFIRB, you need to:

1. Complete a Notice of Appeal Application Form and submit it to BCFIRB by mail, courier, email or fax within the timelines given below. A non-refundable \$100 filing fee...must be included with your application or be received by BCFIRB within 2 calendar days of your application. [emphasis in original]

The June 19, 2015 decision of the BC SPCA advised you of your right to appeal to BCFIRB, noted that “the appeal is time sensitive and must be received within four days from receipt of this decision” and provided BCFIRB telephone and email contact information.

**British Columbia
Farm Industry Review Board**

Mailing Address:
PO Box 9129 Stn Prov Govt
Victoria BC V8W 9B5
Telephone: 250 356-8945
Facsimile: 250 356-5131

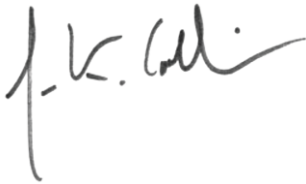
Location:
780 Blanshard St
Victoria BC V8W 2H1
Email: firb@gov.bc.ca
Website: www.firb.gov.bc.ca

On June 23, 2015, prior to the deadline of 4:30 p.m. that day, the BCFIRB office received your notice of appeal by fax. The deadline for receipt of the filing fee was 4:30 p.m., June 25, 2015.

In telephone communications with BCFIRB case management staff on June 22, 23 and 25, 2015, your agents were advised of the strict appeal notice and filing fee requirements in keeping with the timeliness contemplated in the *PCAA* for addressing animal welfare issues on appeal.

Given the foregoing and that the filing fee has not been received by this office as of this date, your appeal of the June 19, 2015 decision was not received in time.

Yours truly,

A handwritten signature in black ink, appearing to read "J. K. Collins". The signature is written in a cursive style with a long, sweeping underline.

Jim Collins
Executive Director/Registrar

cc: Marcie Moriarty
Chief Prevention and Enforcement Officer
BC Society for the Prevention of Cruelty to Animals