PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 286 *, Approved and Ordered* June 1, 2022

~~*Lieutenant Governor*~~
Administrator

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the ~~Lieutenant Governor~~ *Administrator*, by and with the advice and consent of the Executive Council, orders that, effective July 1, 2022, the attached Premises Identification Regulation is made.

Minister of Agriculture and Food

Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Animal Health Act*, S.B.C. 2014, c. 16, ss. 94 (1), 95 (1) and 96 (3)

Other:

R30488603

PREMISES IDENTIFICATION REGULATION

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SCHEDULE 1

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Interpretation

1 In this regulation:

"Act" means the *Animal Health Act*;

"animal" means an animal that is of a type listed in Schedule 1;

"BC Premises ID Program" means the program prescribed under section 2 *[traceability program prescribed]*;

"commingling site" means a premises of a type described in Schedule 2;

"director" means the manager, chief executive officer or other person responsible for operating a commingling site;

"premises" means a parcel of land

(a) that is identifiable by a form referred to in section 5 (b) *[enrolment information]*, and

(b) on which an animal is kept or dealt with;

"premises ID information sharing agreement" means an agreement made between the minister and a producer organization that provides for the sharing of information for one or both of the following purposes:

(a) traceability programs;

(b) notifications respecting emergencies that may adversely affect animal health;

"premises ID number" means a unique identifier, composed of a series of numbers and letters, issued by the minister in respect of a premises;

"producer organization" means any of the following with whom the minister has entered into a premises ID information sharing agreement:

(a) the British Columbia Broiler Hatching Egg Commission;

(b) the British Columbia Chicken Marketing Board;

(c) the British Columbia Dairy Association;

(d) the British Columbia Egg Marketing Board;

(e) the British Columbia Pork Producers Association;

(f) the British Columbia Turkey Marketing Board;

"producer organization member" means a person who is responsible for keeping or dealing with animals and

(a) is subject to regulation, under the *Natural Products Marketing Act*, by a producer organization, or

(b) is a member of a society that is

(i) registered under the *Societies Act*, and

(ii) a producer organization.

Traceability program prescribed

2 The British Columbia Premises Identification Program is prescribed as a traceability program in respect of which section 22 (4) of the Act applies.

Enrolment with the BC Premises ID Program

3 (1) A person who is not enrolled with the BC Premises ID Program in respect of at least one premises must enrol within 30 days after becoming the person responsible for an animal that is kept or dealt with at a premises that is not a commingling site.

(2) A person who enrolled with the BC Premises ID Program, whether directly or through the person's producer organization, before July 1, 2022, is deemed to be enrolled for the purposes of subsection (1).

(3) A person who is the director of a commingling site must enrol within 30 days after becoming the director.

(4) A director who enrolled with the BC Premises ID Program with respect to a particular commingling site, before July 1, 2022, is deemed to be enrolled for the purposes of subsection (3) with respect to that site.

How to enrol

4 (1) A person who is not a producer organization member must enrol with the BC Premises ID Program by giving to the minister the information required under section 5 *[enrolment information]*, in the form and manner required by the minister.

(2) A person who is a producer organization member must enrol with the BC Premises ID Program by giving to the member's producer organization the information required under section 5,

(a) in the form required by the minister, and

(b) in the manner required by that producer organization.

(3) A producer organization that receives information under subsection (2) must forward the information to the minister in accordance with the terms and conditions of the premises ID information sharing agreement.

Enrolment information

5 To enrol with the BC Premises ID Program, a person must give to the minister or producer organization, as applicable, all of the following information:

(a) the person's name and contact information;

(b) the location of a premises on which the person keeps or deals with animals, in the form of any of the following:

(i) a street address;

(ii) a legal land description;

(iii) a Crown range tenure number;

(iv) georeferenced co-ordinates;

(c) a description of the person's relationship to the owner of the land on which the premises is located;

(d) a description of the type of operation that is carried out on the premises with respect to the animals kept or dealt with on the premises;

(e) if a business is carried out on the premises, the business name and the type of business that is carried out;

(f) the species of animal kept or dealt with on the premises, and, for each species, the maximum capacity of the premises.

Assignment of premises ID number

6 (1) If the minister receives enrolment information from a person in accordance with section 4 (1) *[how to enrol]*, the minister may do one or both of the following:

(a) require the person to give additional information;

(b) enrol the person in the BC Premises ID Program by either

(i) assigning a premises ID number with respect to the premises that is the subject of the enrolment information, if no number is currently assigned, or

(ii) giving to the person the premises ID number that is currently assigned with respect to the premises that is the subject of the enrolment information.

(2) If the minister receives enrolment information from a producer organization in respect of one of its members and is satisfied that the requirements of section 4 (2) (a) have been met, the minister may enrol the member in the BC Premises ID Program by either

(a) assigning a premises ID number with respect to the premises that is the subject of the enrolment information, if no number is currently assigned, or

(b) giving to the producer organization the premises ID number that is currently assigned with respect to the premises that is the subject of the enrolment information.

Additional premises ID numbers

7 (1) A person who is enrolled with the BC Premises ID Program may request the minister to assign a premises ID number with respect to additional premises, other than commingling sites, at which the person keeps or deals with an animal.

(2) Sections 4, 5 and 6 apply for the purposes of subsection (1).

Duty of director of commingling site

8 The director of a commingling site must give the premises ID number that is assigned to the commingling site to a person who

(a) owns an animal that is kept or dealt with at that commingling site, and

(b) requests the site's premises ID number.

Changes to information or cessation

9 (1) A person who is enrolled with the BC Premises ID Program must give, in accordance with subsection (2),

(a) updated information if any of the information described in section 5 *[enrolment information]* changes, and

(b) a notice of cessation if the person ceases to keep or deal with animals on a premises, or to be the director of a commingling site, with respect to which a premises ID number has been assigned or given under section 6 (1) (b) or (2) *[assignment of premises ID number]* or 7 *[additional premises ID numbers]*.

(2) Updated information or a notice of cessation must be given under subsection (1) as follows:

(a) the information or notice must be given within 30 days after the applicable circumstance occurs;

(b) a person who is not a producer organization member must give the information or notice to the minister, in the form and manner required by the minister;

(c) a person who is a producer organization member must give the information or notice to the member's producer organization,

(i) in the form required by the minister, and

(ii) in the manner required by that producer organization.

Exchanges of information generally

10 Without limiting section 17 or 18 of the Act, a person engaged in the administration of the BC Premises ID Program may disclose information described in section 16 (1) of the Act and other personal information as follows:

(a) for the purposes of participating in an extrajurisdictional traceability system or traceability program,

(i) to the government of Canada or a province, or

(ii) to a responsible administrator within the meaning of the Health of Animals Regulations (Canada);

(b) for the purposes of planning for, responding to or recovering from an emergency within the meaning of the *Emergency Program Act*,

(i) to the minister responsible for the administration of that Act,

(ii) to the director under that Act, or

(iii) to a person responsible for the Provincial emergency plan or a local emergency plan under that Act.

Exchanges of information with producer organization

11 (1) In this section:

"affected area" means an area to which a declaration of a state of emergency or a declaration of a state of local emergency, made under the *Emergency Program Act*, applies;

"emergency" means an emergency that is the subject of a declaration referred to in the definition of "affected area".

(2) Without limiting section 17 or 18 of the Act, a person engaged in the administration of the BC Premises ID Program may disclose to a producer organization the following:

(a) the information described in section 5 of this regulation with respect to persons who

(i) are producer organization members of the producer organization, and

(ii) keep or deal with animals on a premises in an affected area;

(b) the premises ID numbers of the premises referred to in paragraph (a) (ii).

(3) Information may be disclosed under subsection (2) only for the purposes of responding to or recovering from an emergency.

SCHEDULE 1

(section 1)

Mammals

1 This regulation applies to the following types of mammals:

(a) alpacas, guanacos, llamas and vicuñas;

(b) beef and dairy cattle;

(c) bison, water buffalo and yaks;

(d) chinchilla, fisher, fox, marten, mink and nutria;

(e) donkeys, mules and horses;

(f) fallow deer, reindeer and caribou;

(g) goats;

(h) rabbits;

(i) sheep;

(j) swine and wild boars.

Birds

2 This regulation applies to the following types of birds:

(a) chickens and turkeys;

(b) doves;

(c) ducks;

(d) geese;

(e) guinea fowl, peafowl, pheasants, pigeons and quail;

(f) ratites.

Bees

3 This regulation applies to bees (*Apis mellifera*).

SCHEDULE 2

(section 1)

Commingling sites

1 The following are types of commingling sites for the purposes of this regulation:

(a) exhibitions, fairgrounds and zoos, including petting zoos;

(b) racetracks and facilities for competitions involving animals;

(c) veterinary hospitals, veterinary laboratories, animal insemination centres and animal research facilities;

(d) feedlots, assembly yards and facilities for livestock auctions or sales;

(e) poultry hatcheries;

(f) Crown range tenures;

(g) boarding stables and community pastures;

(h) abattoirs, rendering plants and carcass disposal sites.