IMPORTANT INFORMATION

This Act is Current to July 5, 2017

LIVESTOCK LIEN ACT

[RSBC 1996] CHAPTER 272

Contents

Definitions

1 In this Act:

"cattle" includes any horse, mule, ass, swine, sheep or goat, or animal of the bovine species, by whatever technical or familiar name it is known;

"livestock" means cattle.

Lien on cattle

2 Keepers of livery, boarding or sale stables and persons who feed and care for cattle for compensation have a lien on any cattle and any effects left with them by the owner of the cattle for the value or price of food, care, attendance or accommodation furnished for the cattle.

Cattle or effects of debtor may be detained

3 A keeper of a livery, boarding or sale stables and a person who feeds and cares for cattle for compensation may detain in the keeper's custody and possession, before they have been removed out of his or her custody and possession, but not afterwards, any cattle, vehicle, harness, furnishings or other gear, or personal effects of another person who is indebted to him or her for stabling, boarding or caring for the cattle.

Responsibility for detained cattle and effects and power to sell

4 (1) Keepers of livery, boarding or sale stables and persons who feed and care for cattle for compensation must keep in their possession and are responsible for any cattle and effects detained by them for the full period of the detention, unless they are released sooner.

(2) If the owner does not reclaim and release the cattle and effects within 3 months from the start of the period of detention, the person detaining them

(a) may sell them by public auction, and

(b) after retaining payment for stabling, boarding or caring for the cattle and the costs of sale, must pay to the owner of the cattle and effects any balance of the price.

Disposition of balance of proceeds if owner not found

5 (1) If the owner cannot be found, the balance must be paid to a registrar of the Supreme Court within the judicial district in which the sale takes place, to be kept for the owner for one year.

(2) If the owner does not appear or claim the amount by the end of the one year period, the amount must be paid into the consolidated revenue fund.

Copy of lien, detention and sale provisions to be posted in office and stable

6 It is the duty of keepers of livery, boarding or sale stables to have a copy of sections 2, 3 and 4 conspicuously posted up in their offices and in at least 2 other conspicuous places in their stables.
