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**LIVESTOCK IDENTIFICATION AND
BRAND INSPECTION ACT**

Chapter L-16

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HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

Definitions

1 In this Act,

- (a) “brand” means a brand recorded under the Brand Act;
- (b) “cattle” means a bull, cow, calf, steer, heifer or ox of the bovine family;
- (c) “community pasture” means
 - (i) a community grazing reserve, or
 - (ii) public land subject to a grazing lease or permit between the Government and a grazing association or a group of individuals under the Public Lands Act;
- (d) “contributor” means a person who sends livestock to a market, country sale or feedlot;
- (e) “country sale” means a public sale of livestock at any place other than a market;

- (f) “Department” means the Department administered by the Minister;
- (f.1) “domestic cervid” means a domestic cervid within the meaning of the Livestock Industry Diversification Act;
- (g) “feedlot” means, except in clause (m), a feedlot where livestock are brought for a purpose other than for sale or slaughter;
- (h) repealed 2003 c26 s18;
- (i) “horse” means a stallion, mare, gelding, filly, colt, ass or mule;
- (j) “inspected market outside Alberta” means a market at any place outside Alberta designated in regulations made by the Minister where livestock inspection is required to be provided by an official inspector under legislation of the jurisdiction in which it is located;
- (k) “inspector” means a livestock inspector appointed under section 2 and includes a member of the Royal Canadian Mounted Police;
- (l) “livestock” means cattle, domestic cervids, horses and any other animal prescribed in the regulations and includes the whole or a portion of a carcass as defined in the regulations;
- (m) “market” means a stock yard, abattoir or auction market and includes a feedlot where livestock is held for sale or slaughter;
- (n) “market operator” means the owner or the operator of a market or a livestock dealer licensed under the Livestock and Livestock Products Act;
- (o) “Minister” means the Minister determined under section 16 of the Government Organization Act as the Minister responsible for this Act;
- (p) “pedigreed livestock” means livestock that is registered under the Animal Pedigree Act (Canada);
- (q) “supervisor” means a supervisor appointed under section 2;
- (r) “vehicle” means
 - (i) a car, truck, trailer or any device in or on which any livestock may be transported,
 - (ii) an aircraft in which livestock may be transported, or
 - (iii) a train in or on which livestock may be transported.

RSA 2000 cL-16 s1;2003 c26 s18

Appointments

2(1) The Minister may appoint supervisors, livestock inspectors and any other persons required for the purposes of this Act and the regulations, and may prescribe the duties and fix the remuneration for any person appointed who is not an employee as defined in the Public Service Act.

(2) Every member of the Royal Canadian Mounted Police is by virtue of that position an inspector under this Act and has the same powers and duties as are conferred or imposed on an inspector under this Act and the regulations.

(3) An inspector, in the exercise and discharge of the inspector's powers and duties, is a person employed for the preservation and maintenance of the public peace.

1985 cL-22.5 s2;1998 c1 s2

Transportation of livestock

3(1) Except where livestock is accompanied with a livestock permit or horse permit issued in accordance with this Act and the regulations or, where a domestic cervid has just been imported into, or is about to be exported from, Alberta, with a permit under section 58 or 59, as the case may be, of the Wildlife Act, no livestock may be transported or driven within Alberta unless the livestock is accompanied with a livestock manifest completed in accordance with the regulations.

(2) Notwithstanding subsection (1), no livestock manifest or permit is required for livestock that

(a) is driven on foot to a destination that is not more than 30 kilometres distant, other than to a community pasture, forest reserve, feedlot or market, or

(b) is being transported for the purpose of receiving veterinary services, or of being returned to the original point of shipment after having received veterinary services.

(3) Subject to subsection (4) and section 6(5), no livestock may be transported or driven from Alberta to a destination outside Alberta unless the livestock is accompanied with a livestock permit issued

(a) by an inspector or the inspector's designate, in a case to which section 15 or 16 applies, or

(b) by an inspector, in any other case.

(4) If livestock is being transported or driven to an inspected market outside Alberta for sale or slaughter, the livestock shall be accompanied with a livestock manifest completed in accordance with the regulations.

(5) The operator of a vehicle or driver of the livestock shall deliver each shipment of livestock to the person to whom the livestock is consigned as indicated on the livestock manifest or livestock permit.

(6) Notwithstanding subsection (5) or any regulations under the Traffic Safety Act, the operator of the vehicle or driver of the livestock may deliver the livestock to a person other than the person

to whom the livestock is consigned if authorized by the owner of the livestock or the owner's agent.

(7) Subsections (3) and (4) do not apply to domestic cervids.

RSA 2000 cL-16 s3;RSA 2000 cT-6 s201;2003 c26 s18

Horse permits

4(1) Where a person desires to transport the same horse more than once in a calendar year within or outside Alberta other than for the purpose of selling or offering it for sale or slaughter, an inspector may issue to that person a horse permit on payment of the prescribed fee.

(2) Where a horse permit is issued under subsection (1), no livestock manifest or livestock permit referred to in section 3 is required unless the horse is being transported for the purpose of selling or offering it for sale or slaughter.

(3) A permit issued under subsection (1) is valid for the calendar year in which it is issued.

1985 cL-22.5 s4

More than one owner

5(1) When livestock to be transported or driven are owned by more than one person, there shall be a separate livestock manifest or livestock permit, as the case may be, for the livestock of each owner.

(2) When livestock are owned by more than one person and included in a single shipment, the operator of the vehicle transporting the livestock to a community pasture, forest reserve, feedlot or market shall ensure that the livestock owned by each person are distinctively marked in accordance with the regulations so as to be readily identifiable from the livestock in the shipment owned by any other person.

(3) Subsection (2) does not apply to domestic cervids.

RSA 2000 cL-16 s5;2003 c26 s18

Inspection before shipping

6(1) Except when livestock is to be delivered directly to an inspected market outside Alberta for sale or slaughter, every person who proposes to transport livestock out of Alberta from any place other than from a place where the livestock has been inspected shall, at least 48 hours before the proposed time of shipment, advise the supervisor or local inspector of the proposed shipment, setting out

- (a) the date and time of shipment,
- (b) the shipping point and the number of head of livestock, and

(c) the destination.

(2) An inspector shall attend the shipping point prior to the shipping time to inspect the livestock.

(3) The owner of the livestock or the owner's agent shall at the shipping point provide the inspector with the information prescribed in the regulations in the form and manner prescribed.

(4) On being satisfied that the livestock is being shipped by the owner of the livestock or the owner's agent, the inspector shall issue a livestock permit on the payment of the inspection fee.

(5) Notwithstanding subsection (1), a person who wishes to transport pedigreed livestock out of Alberta may do so without advising the supervisor or local inspector of the person's intention to do so or obtaining a livestock permit if the livestock is accompanied with

(a) a livestock manifest completed in accordance with the regulations and a valid registration certificate for each head of livestock, or

(b) a livestock manifest completed in accordance with the regulations and a bill of sale on which the registration number and tattoo for each head of livestock is set out.

(6) Subsection (4) and the exception in subsection (1) relating to delivery to an inspected market outside Alberta do not apply with respect to domestic cervids.

RSA 2000 cL-16 s6;2003 c26 s18

Delivery of manifest

7(1) Every market operator or person employed by the market operator to receive livestock for sale, slaughter or shipment shall obtain from the operator of any vehicle delivering any livestock or the driver of the livestock 2 copies of a completed livestock manifest and shall distribute the copies as prescribed by the regulations.

(2) When livestock of the same owner in a shipment are separated into more than one pen, the market operator or person employed by the market operator shall identify the livestock in each pen in accordance with the regulations.

1985 cL-22.5 s7

Inspection at market

8 On delivery of livestock to a market, an inspector shall, subject to section 18, inspect the livestock.

1985 cL-22.5 s8

Market facilities

9(1) Every market operator shall

(a) provide suitable buildings, alleys, pens, chutes and gates adequate for an inspector to carry out the inspector's duties under this Act,

(b) install and maintain sufficient artificial light where inspections are carried out in buildings or when inspections are necessary other than during daylight hours, and

(c) when required, lease an office to the Department for use by the inspector.

(2) The facilities shall be adequate and suitable in the opinion of the supervisor.

1985 cL-22.5 s9;1998 c1 s2

Bills of sale

10 A market operator shall, on delivery of livestock to a purchaser, issue a bill of sale in accordance with the regulations to each purchaser in respect of livestock purchased by the purchaser and is the agent of the vendor for that purpose.

1985 cL-22.5 s10

Inspection on resale

11 If more than one sale of the same livestock takes place at a market before the livestock has been removed from that market, the person who was the owner immediately prior to the resale or the person's agent shall

(a) provide the inspector with the information prescribed in the regulations in the form and manner prescribed in the regulations,

(b) have the livestock re-inspected by an inspector, and

(c) pay the inspection fee.

1985 cL-22.5 s11

Country sales

12(1) A person who proposes to conduct a country sale shall give a notice in writing to the supervisor at least 7 days prior to the date of the sale setting out

(a) the date, time and place of the sale, and

(b) the number of head of livestock to be offered for sale.

(2) The supervisor may

(a) send an inspector to the place at which the country sale is to be held to inspect the livestock, or

(b) give permission to the operator of the country sale for the sale to be held without inspection.

1985 cL-22.5 s12;1998 c1 s2

Inspection at country sale

13 If the supervisor considers it necessary for the livestock at a country sale to be inspected, the person in charge of the sale shall provide the inspector with the information prescribed in the regulations in the form and manner prescribed in the regulations.

1985 cL-22.5 s13;1998 c1 s2

Bills of sale

14 The operator of a country sale shall, on delivery of livestock to a purchaser, issue a bill of sale in accordance with the regulations to each purchaser in respect of livestock purchased by the purchaser and is the agent of the vendor for that purpose.

1985 cL-22.5 s14

Shipping to abattoir

15(1) A person who

(a) purchases livestock at a market or country sale where the livestock has been inspected,

(b) wishes to transport the livestock directly to an abattoir for immediate slaughter,

(c) applies to an inspector or the inspector's designate on the day the livestock is purchased, and

(d) presents bills of sale that are satisfactory in the opinion of the inspector or the inspector's designate

may be granted, without payment of an inspection fee, a livestock permit authorizing the person to transport the livestock to the specified abattoir.

(2) A permit issued under subsection (1) is valid for the period of time prescribed by the regulations.

(3) Any other livestock being transported to an abattoir with the livestock described in the livestock permit shall be distinctively marked in accordance with the regulations so as to be readily identifiable from the livestock described in the permit.

(4) If bills of sale presented under subsection (1)(d) are not satisfactory,

(a) the livestock may be detained at the owner's expense until satisfactory bills of sale have been provided, or

(b) the livestock may be re-inspected by an inspector.

(5) If the inspector considers it necessary for the livestock to be re-inspected, the owner of the livestock or the owner's agent shall, prior to the inspection,

(a) provide the inspector with the information prescribed in the regulations in the form and manner prescribed in the regulations, and

(b) pay the prescribed inspection fee.

(6) Livestock delivered to an abattoir pursuant to subsection (1) may not be removed from the abattoir unless the livestock is inspected and the inspection fees are paid.

(7) Subsection (3) does not apply to domestic cervids.

RSA 2000 cL-16 s15;2003 c26 s18

Transportation out of Alberta

16(1) A person who

(a) purchases livestock at a market or country sale where the livestock has been inspected,

(b) wishes to transport the livestock directly out of Alberta,

(c) applies to an inspector or the inspector's designate on the day the livestock is purchased, and

(d) presents bills of sale that are satisfactory in the opinion of the inspector or the inspector's designate,

may be granted, without payment of an inspection fee, a livestock permit authorizing the person to transport the livestock outside Alberta.

(2) A permit issued under subsection (1) is valid for the period of time prescribed by the regulations.

(3) If bills of sale presented under subsection (1)(d) are not satisfactory,

(a) the livestock may be detained at the owner's expense until satisfactory bills of sale have been provided, or

(b) the livestock may be re-inspected by an inspector.

(4) If the inspector considers it necessary for the livestock to be re-inspected, the owner of the livestock or the owner's agent shall, prior to the inspection,

(a) provide the inspector with the information prescribed in the regulations in the form and manner prescribed in the regulations, and

(b) pay the prescribed inspection fee.

(5) This section does not apply to domestic cervids.

RSA 2000 cL-16 s16;2003 c26 s18

Inspections at feedlots

17(1) A person who is the owner or operator of a feedlot and who accepts livestock for entry on the feedlot premises, other than livestock purchased directly from a market where the livestock has been inspected, shall notify the supervisor or local inspector within 24 hours after the livestock has entered on the premises.

(2) The operator of the feedlot shall keep the livestock separate from any other livestock until it has been inspected or the operator has been notified that no inspection is necessary, and shall provide facilities considered adequate by the supervisor for any inspection required.

(3) The supervisor may

(a) send an inspector to a feedlot to inspect livestock, or

(b) notify the operator of the feedlot that no inspection is necessary.

(4) When an inspection is made pursuant to this section, the operator of the feedlot shall provide the inspector with the information prescribed in the regulations in the form and manner prescribed in the regulations.

1985 cL-22.5 s17;1998 c1 s2

Livestock from other jurisdictions

18 Livestock that is being transported within Alberta or is being transported through Alberta from another jurisdiction and is brought into a market or feedlot for weighing, rest or feeding may be inspected and, if the movement of the livestock is not related to a sale of the livestock in Alberta, no inspection fee shall be charged.

1985 cL-22.5 s18

Information required for inspection

19 An owner of livestock or the owner's agent who ships or delivers livestock to a country sale, a market or a feedlot shall, when an inspection is required, provide the inspector with the information prescribed in the regulations in the form and manner prescribed in the regulations.

1985 cL-22.5 s19

Requirements re bills of sale

20 An owner of livestock or the owner's agent who has received written authorization to sell livestock on behalf of the owner shall provide a bill of sale to any person acquiring livestock from the owner or the owner's agent.

1985 cL-22.5 s20;1989 c17 s15

Inspection fees

21(1) When livestock is delivered to a place where an inspection under this Act is required, the person in charge of the place shall collect from the contributor the prescribed inspection fee for each head of livestock inspected and shall pay the inspection fee to the Minister when requested to do so by an inspector.

(2) A person who collects an inspection fee pursuant to subsection (1) may receive a commission in accordance with the regulations.

1985 cL-22.5 s21

Return of livestock

22 When an inspector determines that livestock is owned by a person other than the contributor, the owner of the livestock or the owner's agent may demand that the livestock be returned and the contributor is liable for all expenses incurred.

1985 cL-22.5 s22

Detention of livestock

23 When an inspector at a market or country sale is not satisfied as to the ownership of any livestock, the inspector may detain the livestock or allow the livestock to be offered for sale.

1985 cL-22.5 s23

Prohibition of sale

24(1) If an inspector detains the livestock under section 23, the inspector shall give to the market operator or the operator of the country sale a notice in the prescribed form requiring the market operator or the operator of the country sale not to sell the livestock and a notice in the prescribed form to be forwarded to the contributor of the livestock.

(2) The market operator or the operator of the country sale shall forthwith forward the notice to the contributor of the livestock.

(3) No market operator or operator of a country sale to whom a notice has been given under subsection (1) nor any person on behalf of a market operator or an operator of a country sale shall offer the livestock for sale until so directed by the inspector.

(4) If the inspector is unable after reasonable inquiry to determine the ownership of the livestock, the inspector shall allow the livestock to be offered for sale in accordance with section 25.

1985 cL-22.5 s24

Withholding of settlement

25(1) If the inspector allows the livestock to be offered for sale under section 23 or 24, the inspector shall give to the market operator or the operator of the country sale, as the case may be, a notice in the prescribed form requiring the market operator or the operator of the country sale to withhold settlement and a notice in the prescribed form to be forwarded to the contributor of the livestock.

(2) The market operator or operator of the country sale, as the case may be, shall withhold settlement and shall forthwith forward the notice to the contributor of the livestock.

(3) No market operator or operator of a country sale to whom a notice has been given under subsection (1) nor any person on behalf of a market operator or an operator of a country sale shall make settlement until a release in the prescribed form, signed by an inspector, is obtained.

(4) No inspector shall issue a release, except in accordance with section 26, unless the inspector is satisfied ownership of the livestock has been established.

1985 cL-22.5 s25

Release

26(1) If the ownership of the livestock cannot be established, the inspector shall issue a release in the prescribed form instructing the person withholding settlement to forward the amount so withheld to be paid into the General Revenue Fund.

(2) The Minister may pay the amount so withheld to a person who

- (a) claims, within one year from the date of the sale of the livestock, and
- (b) establishes to the satisfaction of the Minister

that the person was the owner of the livestock before the sale.

RSA 2000 cL-16 s26;2006 c23 s47

Cancellation of permits

27(1) If an inspector has reason to believe

(a) that a livestock or horse permit issued by the inspector was improperly issued, or

(b) that the person to whom a livestock or horse permit was issued was for any reason not entitled to it,

the inspector may demand the return of the permit for cancellation and the person to whom it was issued shall return the permit to the inspector.

(2) If the permit is not returned by the person on whom the demand was made, the person shall be advised that the permit is invalid.

(3) Nothing in this section affects the rights of any person, other than the person to whom the permit was issued, who has acted in good faith and in reliance on the validity of the permit issued.

1985 cL-22.5 s28

Right to enter

28(1) An inspector may, on production of the inspector's badge or certificate of appointment,

(a) at any reasonable time enter any place, other than a dwelling place, for the purpose of making inspections under this Act and for the purpose of inspecting hides, and

(b) require the production of any bills of sale, books, records or other documents that are relevant to the purpose of the inspection and examine them, make copies of them or remove them temporarily for the purpose of making copies.

(2) Where an inspector removes any bills of sale, books, records or other documents under subsection (1)(b), the inspector shall

(a) give to the person from whom the items were taken a receipt for the items, and

(b) forthwith return the items to the person from whom they were taken when they have served the purposes for which they were taken.

(3) When an inspector finds any thing that the inspector has reasonable and probable grounds to believe affords evidence of the contravention of this Act or the regulations, the inspector may forthwith seize the thing and shall subsequently deal with it as if the seizure had been effected under a search warrant issued pursuant to the provisions of the Criminal Code (Canada) that apply to the Provincial Offences Procedure Act.

1985 cL-22.5 s29;1988 cP-21.5 s48

Right of entry on land

29(1) An inspector who on reasonable and probable grounds believes

(a) that there is on the land livestock that is not owned by the owner or occupier of the land, and

(b) that obtaining a warrant is not practicable in the circumstances

may enter on the land, whether fenced or not, for the purpose of determining ownership of the livestock.

(2) In this section, “land” includes any cattle enclosure, corral, barn, lean-to, feed shed, windbreak or any other structure that may be used to house, protect or conceal livestock, but does not include a dwelling place.

1985 cL-22.5 s30

Inspection of vehicles

30(1) An inspector, on production of the inspector’s badge or certificate of appointment, may at any time search without a warrant any vehicle in or on which livestock is being carried.

(2) A person operating or in charge of a vehicle on which livestock is being carried, when required by an inspector to do so, shall

(a) bring the vehicle to a stop and remain stopped until the person is permitted by the inspector to leave,

(b) permit the inspection of the vehicle and livestock by the inspector,

(c) truthfully answer all questions put to the person by the inspector concerning the information required to complete a livestock manifest,

(d) produce to the inspector livestock manifests or permits for all livestock that is being carried on the vehicle, and

(e) transport the livestock to the nearest point where reasonable unloading facilities are available and unload the livestock for inspection, for which no compensation may be claimed.

1985 cL-22.5 s31

Detention of livestock

31(1) An inspector may, for the purpose of carrying out the inspector’s duties under this Act, detain livestock at the owner’s expense.

(2) When an inspector detains livestock under subsection (1), no livestock may be removed from the place where the livestock was detained until authorization to remove the livestock is given by an inspector.

1985 cL-22.5 s32

Self-government

32(1) The Minister may make regulations

- (a) respecting the establishment of delegated authorities;
- (b) delegating to one or more delegated authorities any of the powers, duties or functions of the Minister or of a supervisor or livestock inspector under this Act or the regulations, except the power of the Minister to make regulations under this section or section 41;
- (c) imposing conditions on the delegated powers, duties or functions;
- (d) limiting the liability of a delegated authority and its employees, agents, directors or officers in an action for negligence with respect to the delegated power, duty or function when the delegated authority and its employees, agents, directors or officers act in good faith pursuant to the delegation, including but not limited to providing that any limitation of liability applicable to a supervisor or livestock inspector may be made applicable to a delegated authority and its employees, agents, directors or officers when they carry out the supervisor's or livestock inspector's power, duty or function;
- (e) respecting an appeal from an action or a decision of a delegated authority or its employees, agents, directors or officers;
- (f) authorizing a delegated authority to collect money by the levy of fees and charges with respect to the delegated power, duty or function on persons or classes of persons specified in the regulations, respecting how the fees and charges are to be imposed, collected and accounted for and authorizing the delegated authority to use the money for any purpose related to the operation of the delegated authority in the carrying out of a delegated power, duty or function;
- (g) respecting the payment of a fee to a delegated authority for the carrying out of a delegated power, duty or function;
- (h) authorizing a delegated authority to collect, on behalf of the Crown, any money lawfully due to the Crown under this Act and respecting how the money is to be collected and accounted for and remitted to the Minister;
- (i) notwithstanding anything contained in section 26, respecting the withholding, release and disposition of settlement funds;
- (j) respecting records that a delegated authority is required to maintain;
- (k) respecting the annual report under section 38;
- (l) respecting the terms and conditions on which a market operator must lease an office to a delegated authority when required by the delegated authority;
- (m) respecting the confidentiality of information obtained by the delegated authority and its employees, agents, directors or officers while carrying out a delegated power, duty or function;

(n) respecting the inspection of premises where a delegated authority or its employee, agent, director or officer is carrying out a delegated power, duty or function and authorizing the Minister to make copies of any document or other record related to the delegated power, duty or function;

(o) respecting the carrying out of an audit of the delegated authority with respect to its delegated powers, duties and functions and authorizing the Minister to charge reasonable costs incurred in carrying out the audit.

(2) When a delegation is made under subsection (1),

(a) a reference in this Act or the regulations to the Minister or to a supervisor or livestock inspector with respect to delegated powers, duties or functions is to be read as if it were a reference to the delegated authority, and

(b) a person who is affected by an action taken or a decision made by a delegated authority pursuant to the delegation may appeal the action or decision in accordance with the regulations under subsection (1).

(3) Notwithstanding the Financial Administration Act, any money collected by a delegated authority pursuant to subsection (1)(f) or (g) or section 37 belongs to the delegated authority.

(4) If the regulations establish a maximum amount of a fee that a delegated authority may charge for providing a service, the delegated authority may not charge or collect a fee that is greater than that maximum amount.

RSA 2000 cL-16 s32;2006 c23 s47

Rules

33(1) A delegated authority may make rules

(a) respecting the carrying out of a delegated power, duty or function;

(b) delegating to the employees or agents of the delegated authority and, in the case of a corporation, to its employees, agents, directors or officers, the carrying out of a delegated power, duty or function, except the power to make rules under this subsection.

(2) A rule made under subsection (1) is not in force until it is approved by the Minister.

(3) The Regulations Act does not apply to a rule made under this section.

1998 c1 s2

Not Crown agent

34 With respect to a delegation, a delegated authority and its employees, agents, directors or officers are not agents of the Crown.

1998 c1 s2

Financial Administration Act not applicable

35 The Financial Administration Act does not apply to a delegated authority with respect to a delegated power, duty or function.

1998 c1 s2

Business Corporations Act, s122(4)

36 Section 122(4) of the Business Corporations Act does not apply to a corporation that is a delegated authority in respect of the carrying out of a power, duty or function under this Act.

1998 c1 s2

Collections

37 A fee or charge levied pursuant to the regulations under section 32(1)(f) is recoverable by the delegated authority as a debt due to the delegated authority.

1998 c1 s2

Reports

38(1) A delegated authority shall, after the end of its fiscal year, prepare and submit to the Minister an annual report with respect to its powers, duties and functions under this Act.

(2) The annual report must include a general summary of the delegated authority's policies and activities in that year, any rules made under section 33 in that year and a financial report that includes an audited financial statement.

(3) The Minister shall lay a copy of the annual report before the Legislative Assembly if it is then sitting, and if it is not then sitting, within 15 days after the commencement of the next sitting.

(4) A delegated authority shall on the written request of the Minister provide the Minister with other reports as specified by the Minister in the request.

1998 c1 s2

Forms

39 A delegated authority may establish and use forms other than those prescribed by regulation.

1998 c1 s2

Regulations

40 The Lieutenant Governor in Council may make regulations

(a) respecting the completion, distribution, retention and production of livestock manifests and bills of sale;

- (b) governing commissions for the collection of inspection fees;
- (c) respecting the marking of livestock so that the livestock may be distinguished from other livestock owned by the same or another person;
- (d) respecting information to be provided to inspectors under this Act and the regulations;
- (e) governing the issuance, cancellation and expiry of livestock manifests, livestock permits and horse permits authorized by this Act;
- (f) prescribing the form of the livestock manifests, livestock permits, horse permits, notices and any other documents required for the purposes of this Act and the regulations;
- (g) prescribing other animals to be livestock for the purposes of this Act and the regulations;
- (h) defining “carcass” for the purposes of this Act and the regulations;
- (i) respecting the form, issuing and receipt of bills of sale.

1985 cL-22.5 s33;1989 c17 s15

Fees

41 The Minister may make regulations prescribing fees for the purposes of this Act and the regulations and designating places for the purposes of section 1(j).

1989 c17 s15;1994 c20 s5

Misleading manifests

42 A person who

- (a) does not fully complete the information required,
- (b) provides false information, or
- (c) describes livestock incorrectly,

on a livestock manifest is guilty of an offence and liable to a fine not exceeding \$1000.

1985 cL-22.5 s34

Altering forms

43(1) A person who, without the consent of the livestock owner or the owner’s agent, alters a livestock manifest is guilty of an offence and liable to a fine not exceeding \$1000.

(2) A livestock manifest or permit that has been altered without the consent of the owner or the owner's agent at the time it is tendered by an operator of a vehicle for acceptance is proof, in the absence of evidence to the contrary, that the alteration was made by the operator of the vehicle.

1985 cL-22.5 s35

Use of alias

44 A person who

- (a) buys livestock,
- (b) sells livestock, or
- (c) offers livestock for shipment,

in any name other than in the name of the owner of the livestock is guilty of an offence and liable to a fine not exceeding \$1000.

1985 cL-22.5 s36

Changes to livestock lots

45 A person who, without the consent of an inspector, removes, substitutes or adds livestock to a lot of livestock for which an inspector has issued a livestock permit is guilty of an offence and liable to a fine not exceeding \$1000.

1985 cL-22.5 s37

Altering forms

46 A person who alters or obliterates any part of any form prescribed by this Act or the regulations, other than an inspector acting in the performance of the inspector's duty, is guilty of an offence and liable to a fine not exceeding \$1000.

1985 cL-22.5 s38

Shipment of livestock without inspection

47(1) A livestock owner or an agent acting on the owner's behalf who transports or attempts to transport livestock out of Alberta, other than pedigreed livestock in accordance with section 6(5) or livestock delivered directly to an inspected market outside Alberta, for sale or slaughter, without first having the livestock inspected and paying the prescribed inspection fees, is guilty of an offence and liable to a fine not exceeding \$5000.

(2) The owner or operator of a market or country sale where inspection service is required who slaughters or offers livestock for sale without first having the livestock inspected is guilty of an offence and liable to a fine not exceeding \$5000.

(3) The exception in subsection (1) relating to delivery to an inspected market outside Alberta does not apply with respect to domestic cervids.

RSA 2000 cL-16 s47;2003 c26 s18

Payment of proceeds

48 A market operator who, without authorization in writing from an inspector, makes the proceeds of a sale payable to a person by any name other than that shown on the relevant livestock manifest is guilty of an offence and liable to a fine not exceeding \$5000.

1985 cL-22.5 s40

Transportation of uninspected livestock

49(1) A person who

(a) being the operator of a vehicle knowingly uses the vehicle in Alberta for the purpose of transporting livestock out of Alberta, other than pedigreed livestock, to any place other than directly to an inspected market outside Alberta, for sale or slaughter, that is not accompanied with the necessary livestock manifest, livestock permit, horse permit or, in the case of a domestic cervid, a permit under section 59 of the Wildlife Act, or

(b) being the owner of a vehicle knowingly allows the vehicle to be used in Alberta for the purpose of transporting livestock out of Alberta, other than pedigreed livestock, to any place other than directly for sale at an inspected market outside Alberta, for sale or slaughter, that is not accompanied with the necessary livestock manifest, livestock permit, horse permit or, in the case of a domestic cervid, a permit under section 59 of the Wildlife Act,

is guilty of an offence and liable to a fine not exceeding \$1000.

(2) The exception in subsection (1) relating to transportation to an inspected market outside Alberta does not apply with respect to domestic cervids.

RSA 2000 cL-16 s49;2003 c26 s18

Transportation without manifest or permit

50 A person who transports livestock or causes livestock to be transported without the necessary livestock manifest, livestock permit or horse permit, as the case may be, or, where a domestic cervid has just been imported into, or is about to be exported from, Alberta, without a permit under section 58 or 59, as the case may be, of the Wildlife Act, is guilty of an offence and liable to a fine not exceeding \$1000.

RSA 2000 cL-16 s50;2003 c26 s18

Removal of hides

51 A person other than the owner of the livestock or the owner's agent who removes the hide from the carcass of any livestock found dead is guilty of an offence and liable to a fine not exceeding \$1000.

1985 cL-22.5 s43

Obstructing an inspector

52 A person who obstructs or hinders an inspector in the exercise of the inspector's powers or the performance of the inspector's duties is guilty of an offence and liable to a fine not exceeding \$1000.

1985 cL-22.5 s44

General offence

53(1) A person who contravenes this Act or the regulations is guilty of an offence and, except where a penalty is specifically provided, is liable to a fine not exceeding \$1000.

(2) A prosecution under this Act may be commenced within one year of the commission of the offence but not afterwards.

1985 cL-22.5 s45;1990 c29 s15

Agents

54 In any prosecution for any offence against this Act or the regulations, the fact that any livestock is offered for shipment or sale by an agent of an owner is proof, in the absence of evidence to the contrary, that it was done with the authorization of the owner.

1985 cL-22.5 s46