



Province of Alberta

LIVESTOCK IDENTIFICATION AND COMMERCE ACT

**LIVESTOCK MARKET AND LIVESTOCK
ASSEMBLING STATION OPERATOR'S
LICENCE REGULATION**

Alberta Regulation 110/2009

With amendments up to and including Alberta Regulation 211/2009

Office Consolidation

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Note

All persons making use of this consolidation are reminded that it has no legislative sanction, that the amendments have been embodied for convenience of reference only, and that the original Regulations should be consulted for all purposes of interpreting and applying the law.

(Consolidated up to 211/2009)

ALBERTA REGULATION 110/2009

Livestock Identification and Commerce Act

**LIVESTOCK MARKET AND LIVESTOCK ASSEMBLING
STATION OPERATOR'S LICENCE REGULATION**

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Schedules

Definitions

1 In this Regulation,

- (a) "Act" means the *Livestock Identification and Commerce Act*;
- (b) "inspector" means an inspector appointed under the *Livestock Identification and Commerce Act*;
- (c) "livestock assembling station" means any area of land, including buildings, pens, fences, gates, chutes, weigh scales and any other equipment located on the land that is operated to assemble livestock for shipment by any form of transportation and includes any premises maintained with respect to the movement of livestock by a common carrier as a convenience to the public,

but does not include the following:

- (i) a facility that is associated with an abattoir for the purpose of holding livestock for slaughter;
 - (ii) any area of land or facility used in respect of the sale of livestock by a producer or feedlot operator where the livestock offered for sale have been held on that land for maintenance, feeding or fattening purposes;
 - (iii) any area of land or facility used for the purpose of holding a sale of registered purebred livestock;
 - (iv) any area of land or facility used for the purpose of holding a sale of livestock on behalf of members of recognized 4-H clubs;
- (d) “livestock market” means any area of land, including buildings, pens, fences, gates, chutes, weigh scales and any other equipment located on the land that is operated as a public market for the purchase and sale, or either of them, of livestock or for the receiving of livestock by a livestock dealer or a livestock dealer’s agent licensed under the *Livestock Identification and Commerce General Regulation* (AR 208/2008) on consignment;
- (e) “local authority” means
- (i) a city, town, village, municipal district or county, or specialized municipality, or
 - (ii) the Minister of Municipal Affairs, in the case of an improvement district or a special area;
- (f) “operator” means a person who operates a livestock market or a livestock assembling station.

Operator’s licence required

2 No person shall operate

- (a) a livestock market unless that person holds
 - (i) a livestock market operator’s licence issued under this Regulation, and
 - (ii) a livestock dealer’s licence issued under the *Livestock Identification and Commerce General Regulation* (AR 208/2008),

or

- (b) a livestock assembling station unless that person holds a livestock assembling station operator's licence issued under this Regulation,

and the livestock market or the livestock assembling station that the person intends to operate is licensed under this Regulation.

Location specified in operator's licence

3(1) A livestock market operator's licence or a livestock assembling station operator's licence issued under this Regulation must state the location of the livestock market or the location of the livestock assembling station that the holder of the licence may operate under the authority of that licence.

(2) A person must obtain a separate livestock market operator's licence and livestock assembling station operator's licence for each livestock market or livestock assembling station that is operated by that person.

Application for operator's licence

4(1) An application for a livestock market operator's licence must

- (a) be made to the Minister in the form set out in Schedule 1 of this Regulation, and
- (b) be accompanied with the fee of \$20.

(2) An application for a livestock assembling station operator's licence must

- (a) be made to the Minister in the form set out in Schedule 2 of this Regulation, and
- (b) be accompanied with the fee of \$20.

(3) Where a person applies for a licence to operate a livestock market or a livestock assembling station for which no operator's licence was issued in the immediately preceding year, that person must provide the Minister with a written statement

- (a) from the local authority in which the livestock market or livestock assembling station is located certifying its approval of the location of the livestock market or livestock assembling station,
- (b) from the Minister of Transportation approving the location of the livestock market or livestock assembling station and the entrances to and exits from the livestock market or livestock assembling station, where that

livestock market or livestock assembling station is situated adjacent to a highway as defined in the *Public Highways Development Act*, and

- (c) from a veterinarian licensed to practise in the province of Alberta that the facility, in the veterinarian's professional opinion, does not create an undue hazard to livestock being handled and complies with all applicable construction and sanitation requirements under the *Livestock Market and Livestock Assembling Station Regulation* (AR 70/2000).

(4) If the Minister is satisfied that the livestock market or the livestock assembling station conforms to the requirements of the Act, the regulations under the Act, the *Animal Health Act* and the regulations under the *Animal Health Act*, and that the appropriate approvals have been given under subsection (3), the Minister shall issue a livestock market operator's licence or a livestock assembling station operator's licence.

AR 110/2009 s4;211/2009

Application refused or licence cancelled or suspended

5(1) The Minister may

- (a) refuse an application made under section 4 where the applicant has failed to comply with the provisions of
 - (i) the *Livestock Identification and Commerce Act*,
 - (ii) the *Animal Health Act*, or
 - (iii) the *Livestock and Livestock Products Act*,
- or
- (b) cancel or suspend a licence issued under section 4 where the holder of that licence fails to comply with the provisions of
 - (i) the *Livestock Identification and Commerce Act*,
 - (ii) the *Animal Health Act*, or
 - (iii) the *Livestock and Livestock Products Act*.

(2) Where the Minister cancels or suspends a licence under this section, the Minister shall serve the holder of that licence with written notice of that cancellation or suspension

- (a) by means of personal service, or

- (b) by sending it by registered mail to the last address of that person on file with the Minister.

Notice of closure

6(1) Where a licence is cancelled or suspended under section 5, an inspector may place on the livestock receiving chutes of the livestock market or the livestock assembling station signs reading "Premises Closed by Order of the Minister".

(2) The signs placed on the livestock receiving chutes under subsection (1) must be removed by an inspector if a person presents the inspector with a new or reinstated livestock market operator's licence or livestock assembling station operator's licence permitting the operation of that livestock market or livestock assembling station.

(3) No person shall operate a livestock market or a livestock assembling station during the time that a sign referred to in subsection (1) remains on a livestock receiving chute.

Records

7 Every operator of a livestock market or a livestock assembling station shall

- (a) keep a detailed record of each transaction relating to livestock that takes place at that livestock market or livestock assembling station, and
- (b) retain the record for 24 months from the date that the transaction took place.

Request for information

8 Every operator shall, not later than the 10th day of each month, forward to the Minister such information as may be requested by the Minister.

Change of address

9 Every operator shall notify the Minister in writing of any change in that operator's address.

Misleading statements

10(1) No operator shall publish in any form or by any medium a statement that misrepresents in any manner the goods or services offered by that operator.

(2) No operator shall make or permit an employee or a person who is under contract to the operator to make any statement or representation that is likely to deceive or mislead or that is intended to deceive or mislead any person with respect to a transaction that takes place at or in respect of that operator's livestock market or livestock assembling station.

Expiry of licence

11 A licence issued under this Regulation expires on December 31 of the year in which the licence was issued.

Licence must be displayed

12 The holder of a licence issued under this Regulation must display the licence at all times in a prominent location within the livestock market or the livestock assembling station.

Licence not transferable

13 A licence under this Regulation is not transferable.

Form of licence

14 Where

- (a) a livestock market operator's licence is issued under this Regulation, the licence must be in the form shown in Schedule 3, and
- (b) a livestock assembling station operator's licence is issued under this Regulation, the licence must be in the form shown in Schedule 4.

Expiry

15 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on December 31, 2015.

Schedule 1

**Application for Livestock Market
Operator's Licence**

Under the Livestock Identification
and Commerce Act

**Property where
Livestock Market
is located**

Qtr	Sec	Twnp	Rge	W of

OR

Other legal description

Name of operator		
Mailing address		
Town or city	Province	Postal code
Phone number	Fax number	

Please read carefully	<ul style="list-style-type: none"> • The applicant acknowledges that any licence granted will be subject to cancellation or suspension pursuant to the <i>Livestock Market and Livestock Assembling Station Operator's Licence Regulation</i> and agrees that, upon such cancellation or suspension of a licence, the applicant will immediately return the licence.
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**Licence fee:
\$20**

Signature of applicant	Date
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For office use only:	
Date received	Class of licence
Receipt number	

Schedule 2

**Application for Livestock Assembling
Station Operator's Licence**

Under the Livestock Identification
and Commerce Act

**Property where
Livestock Assembling
Station is located**

Qtr	Sec	Twnp	Rge	W of

OR

Other legal description

Name of operator				
Mailing address				
Town or city	Province	Postal code		
Phone number	Fax number			

**Livestock Assembling
Station will be
operated by**

Operated under the name of:				
Name of operator				
Mailing address				
Town or City	Province	Postal code		
Phone number	Fax number			

Class of Livestock Assembling

Station (check only one) Auction Market Assembly Yard
Agricultural Society Other _____

Please read carefully	<ul style="list-style-type: none"> ● The applicant acknowledges that any licence granted will be subject to cancellation or suspension pursuant to the <i>Livestock Market and Livestock Assembling Station Operator's Licence Regulation</i> and agrees that, upon such cancellation or suspension of a licence, the applicant will immediately return the licence.
	<ul style="list-style-type: none"> ● The applicant agrees that the Livestock Assembling Station facilities may be inspected by a veterinarian at any time determined by Alberta Agriculture and Rural Development.

Licence fee:
\$20

Signature of applicant	Date
------------------------	------

For office use only:	
Date received	Class of licence
Receipt number	

AR 110/2009 Sched. 2;211/2009

Schedule 3

**Livestock Market
Operator's Licence**

Under the Livestock Identification
and Commerce Act

Licence No. _____

This is to certify that the person named herein is hereby licensed under the *Livestock Identification and Commerce Act* to operate a Livestock Market located at _____ between the _____ day of _____ and the 31st day of December _____.

(Name of Livestock Market Operator) Date _____

(Signature of Minister or Minister's Delegate)

Schedule 4

**Livestock Assembling Station
Operator's Licence**

Under the Livestock Identification
and Commerce Act

Licence No. _____

This is to certify that the premises described herein are hereby licensed as a Livestock Assembling Station between the _____ day of _____ and the 31st day of December _____.

(Name of Livestock
Assembling Station)

(Location of Livestock
Assembling Station)

Date _____

(Signature of Minister or Minister's Delegate)