

RSNL1990 CHAPTER L-20

**LIVESTOCK ACT**

Amended:

2006 c40 s21

CHAPTER L-20

AN ACT RESPECTING LIVESTOCK

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Short title

1. This Act may be cited as the Livestock Act.

RSN1970 c210 s1

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Definitions

2. In this Act

(a) "class of livestock" means a species of livestock or a variety or a breed of a species of livestock;

(b) "ground gates" means an arrangement of horizontal bars placed in a gateway upon the ground;

(c) "livestock" means horses, cattle, sheep, goats, swine, fur bearing animals raised in captivity, and live poultry;

(d) "minister" means the minister appointed under the Executive Council Act to administer this Act; and

(e) "mischievous" as applied to animals means a cross or dangerous animal or an animal which has been shown to have trespassed upon land enclosed by a lawful fence by breaking or jumping over the fence.

RSN1970 c210 s2; 1973 No37 Sch; 1979 c49 Sch B; 1989 c18 Sch B; 2006 c40 s21

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Particulars of livestock may be sent to minister

3. (1) A person who allows his or her livestock to run at large upon enclosed lands may send to the minister a statement setting out the number, kind, age and description of the livestock and the manner in which the livestock is branded or marked.

(2) The minister shall maintain a book in which shall be recorded the particulars sent to him or her in accordance with subsection (1).

RSN1970 c210 s3

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Driving cattle without owner's consent

4. A person shall not drive an animal, without the consent of the owner, beyond the distance of 1 mile from the place where it is running at large, but where the owner of an animal in taking it from unenclosed lands finds it necessary to drive other animals a greater distance than 1 mile before being able to separate his or her own animal from among them that person is not liable to the penalties imposed by this Act where he or she at once drives back these animals to the place from which he or she drove them.

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Impounding of cattle

5. (1) A person authorized by the minister in general or specific terms may impound an animal running at large.

(2) Where a person locates animals which are suffering from injury, sickness or other hardship that person may impound the animals, but he or she shall, within 48 hours of the impounding, notify the minister that he or she has done so, and shall provide the minister with a description of the animals and of marks or brands on them.

(3) Where an animal is impounded under subsection (1) or (2) the owner of the animal shall pay to the impounder the reasonable costs, to be determined by the minister, for its care and maintenance while so impounded.

(4) Where the animal is not claimed the impounder shall notify the minister that it is not claimed and the minister shall, at his or her discretion, make arrangements for the sale of the animal by public auction, and out of the proceeds shall pay all reasonable costs of the sale and the costs of impounding, and shall hold the balance for the owner for a period of 1 year following the date of sale, and at the end of that time where the money is still unclaimed shall pay it into the Consolidated Revenue Fund.

RSN1970 c210 s5

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Prohibition against cattle running at large

6. The minister may by order prohibit the running at large of a class of livestock within an area specified in the order.

RSN1970 c210 s6

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Bulls, stallions, rams

7. An owner shall not permit a bull over the age of 9 months or a stallion over the age of 1 year or a ram over the age of 4 months to run at large without the written consent of the minister.

RSN1970 c210 s7

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Liability of owner for damage

8. (1) The owner of livestock shall be liable for damages caused by that livestock to property.

(2) Subsection (1) does not apply to damage caused by livestock to crops within 3 feet of a fence.

(3) Nothing in this section affects the liability of an owner of livestock where the livestock is involved in a collision with a motor vehicle.

1984 c21 s1

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Ground gates

9. A person shall not place a ground gate in a place accessible to livestock running at large unless the gate is constructed as follows; the horizontal bars shall consist of boards from 3/4 of an inch to 1 inch in thickness placed on edge at an angle of 45 degrees and firmly secured not more than 2 1/2 inches apart.

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Dealing in livestock

10. (1) The minister may, upon application on a form prescribed by him or her, issue a licence to a person approved by the minister to engage in the business of dealing in livestock whether for resale or butchering.

(2) A person shall not engage in the business referred to in subsection (1) unless that person is the holder of a licence issued under that subsection.

(3) The holder of a licence shall

(a) keep a record showing the kind and number and description of livestock and their marks and brands which he or she purchased, sold or butchered; and

(b) submit the record to the minister at the end of each calendar year or upon request by the minister, and shall make it available at reasonable times for inspection by a constable, or by a person authorized by the minister.

(4) This section does not apply to a person who is a farmer or rancher and who buys and sells livestock within the ordinary course of his or her farming operations or to livestock brought into the province for immediate slaughter.

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Duty where cattle killed on railway

11. Where livestock is killed or injured by a railway train the engineer or conductor on the train shall immediately notify the nearest section head of the description of the livestock killed or injured and of all brands or marks on it and the section head shall immediately send the information to the minister.

RSN1970 c210 s12

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Cattle killed on highway

12. A driver of a motor vehicle who injures or kills livestock on a highway shall immediately notify the nearest peace officer of the description of the livestock killed or injured and of their brands or marks.

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Mischievous animals

13. A person shall not permit to run at large livestock which is mischievous.

RSN1970 c210 s14

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Regulations

14. The Lieutenant-Governor in Council may make those regulations that he or she considers necessary for the control and protection of livestock or a class of livestock running at large or for ensuring the carrying out of the provisions of this Act according to their true intent and meaning and for supplying a deficiency in them.

RSN1970 c210 s15

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#### Penalty

15. A person who contravenes this Act or the regulations or an order made under this Act or the regulations is liable on summary conviction to a fine not exceeding \$100 and in default of payment to imprisonment for a period not exceeding 3 months or to both a fine and imprisonment.

RSN1970 c210 s16

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