

# **Cattle Pest Control Act**

## CHAPTER 61

### OF THE

#### REVISED STATUTES, 1989

amended 1998, c. 18, s. 552

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### An Act Respecting the Control of Cattle Pests

#### Short title

1 This Act may be cited as the Cattle Pest Control Act. R.S., c. 61, s. 1.

#### Interpretation

2 In this Act,

(a) "area" means the area for which a board is established;

(b) "board" means a livestock health services board established under the Livestock Health Services Act;

(c) "cattle" includes domestic bovidae;

(d) "cattle pest" means the insect known as *Hypoderma bovis* or *Hypoderma lineatum* and commonly known as the warble fly;

(e) "Director" means the Director of Cattle Pest Control;

(f) "Minister" means the Minister of Agriculture and Marketing;

(g) repealed 1998, c. 18, s. 552.

(h) "treatment program" means a program for treating cattle for cattle pests. R.S., c. 61, s. 2; 1998, c. 18, s. 552.

## TREATMENT PROGRAM

### Treatment program

3 (1) A board may formulate a treatment program for the area and may submit the treatment program for the approval of the Minister.

(2) When a board submits a treatment program for approval in accordance with subsection (1), the board shall prepare and submit a budget for the treatment program indicating each item of expense and the total cost of the treatment program for a year and the fees to be payable by cattle owners.

(3) When a treatment program is approved by the Minister, the board shall carry out and enforce the treatment program in the area in accordance with this Act.

(4) At the end of each year in which a treatment program is carried out, the board shall make a report of its activities and expenditure to the Minister and shall make a copy of the report available for public inspection. R.S., c. 61, s. 3; 1998, c. 18, s. 552.

## ADMINISTRATION

### Powers of board

4 (1) A board may, as part of or in addition to a treatment program,

(a) classify cattle for treatment and include or exclude classes of cattle;

(b) prescribe the time and place at which cattle shall be made available for inspection and treatment by the owner or person in control of the cattle;

(c) prescribe the method or system of treatment and the materials to be used for treatment;

(d) establish the fees payable by owners of cattle for treatment and services related to the treatment program;

(e) do such other things as are necessary to administer and implement a treatment program.

(2) The board may appoint one or more inspectors to assist the board in the administration, implementation and enforcement of a treatment program and may designate one of the inspectors as the chief inspector.

(3) Persons appointed as inspectors may include a person in the public service with the consent of the Minister.

(4) A board may co-operate with and assist another board that has established a treatment program and two or more boards may jointly implement treatment programs. R.S., c. 61, s. 4; 1998, c. 18, s. 552.

## CATTLE OWNERS

### Duties of cattle owners

5 (1) Each person who owns cattle or has cattle under his control in an area for which a treatment program has been approved in accordance with Section 3 shall

(a) make the cattle available for inspection and treatment at the time and place prescribed by the board;

(b) permit the board or any inspector to have access to his buildings, premises or place at which cattle are kept at all reasonable times;

(c) pay, upon demand, the fees prescribed for treatment and services related to the treatment program.

(2) Any person who fails to comply with clause (a), (b) or (c) of subsection (1) is guilty of an offence and is liable on summary conviction to a penalty not exceeding fifty dollars.

(3) In addition to the penalty provided by subsection (2), the court, judge or justice that convicts a person of a violation of clause (c) of subsection (1) shall make an order requiring the person to pay the amount of the fees that have not been paid by the person.

(4) The fees prescribed for treatment and services related to the treatment program may be recovered as a debt by action in any court of competent jurisdiction by the board to which the fees are payable. R.S., c. 61, s. 5; 1998, c. 18, s. 552.

## DIRECTOR

### Director of Cattle Pest Control

6 (1) The Minister may appoint the Director of Livestock Health Services or some other person in the service of the Department of Agriculture and Marketing as the Director of Cattle Pest Control.

(2) The Director shall assist each board in the formulation and administration of a treatment program and shall

(a) examine each treatment program and budget for the treatment program submitted to the Minister;

(b) provide assistance to and training for inspectors;

(c) report to the Minister on the administration of treatment programs.

(3) The Director and a person authorized by him shall have the powers of an inspector appointed by a board under this Act.

(4) The Director may require a board that has established a treatment program to furnish such information respecting the implementation of the program as the Director requires. R.S., c. 61, s. 6.

## FINANCES

### Cost of program

7 The cost of a treatment program established by a board shall be recovered from the fees charged pursuant to Section 5. 1998, c. 18, s. 552.

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