

The Livestock Dealer Regulations, 1995

being

Chapter A-20.2 Reg 9 (effective March 1, 1996;
subsection 20(3) effective December 13, 1995) as amended by
the *Statutes of Saskatchewan*, 2000, c.50; and by
Saskatchewan Regulations 91/2000.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER A-20.2 REG 9

The Animal Products Act

Title

- 1 These regulations may be cited as *The Livestock Dealer Regulations, 1995*.

Interpretation

- 2 In these regulations:

- (a) “**Act**” means *The Animal Products Act*;
- (b) “**animal pedigree association**” means an animal pedigree association as defined in the *Animal Pedigree Act* (Canada);
- (c) “**auctioneer**” means a person licensed pursuant to *The Auctioneers Act*;
- (d) “**contributor**” means a person who sends livestock to a market for sale or for entry into a feedlot, or who offers livestock for sale, transport, or slaughter;
- (e) “**Crown**” means the Crown in right of Saskatchewan;
- (f) “**department**” means the department over which the minister presides;
- (g) “**licence**” means a licence issued pursuant to these regulations;
- (h) “**licensee**” means a person licensed pursuant to these regulations;
- (i) “**livestock**” means any head of cattle or other animal of the bovine species, horse or other animal of the equine species, bison, sheep, goat, swine or any interspecies hybrid of any of those animals, and includes a domestic game farm animal as defined in *The Domestic Game Farm Animal Regulations*;
- (j) “**livestock agent**” means an agent or representative of a livestock dealer;
- (k) “**livestock dealer**” means a person who buys or sells livestock or who offers to buy or sell livestock in Saskatchewan, on his or her own account or on account of some other person, whether he or she buys directly from producers or from others having livestock for sale, regardless of the use to which the livestock is to be put;
- (l) “**livestock dealer’s branch**” means any stationary permanent place of business of a livestock dealer in addition to the principal place of business of the livestock dealer;
- (m) “**livestock manifest**” means a completed and executed:
 - (i) livestock manifest in the form issued by the department;
 - (ii) livestock manifest valid in the Province of Alberta; or
 - (iii) bill of lading valid in the Province of Manitoba;

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- (n) **“livestock permit”** means the completed form issued by an inspector after livestock are inspected;
- (o) **“mark”** has the same meaning as in *The Animal Identification Act*;
- (p) **“market operator”** means the owner or person in charge of a stockyard, abattoir or auction market where livestock is held for sale, slaughter, inspection or assembly;
- (q) **“official identification card”** means an official identification card issued pursuant to section 9;
- (r) **“stockyard”** means an area of land used for purchasing, selling, assembling or inspecting livestock, and includes the buildings, fences, gates, chutes, weigh scales and other equipment situated on that area of land and used in connection with the purchasing, selling, assembling or inspecting.

5 Jan 96 cA-20.2 Reg 9 s2; 10 Nov 2000
SR 91/2000 s3.

Licences

3(1) No person shall, except under the authority of a licence issued pursuant to these regulations, carry on business or operate as:

- (a) a livestock dealer;
- (b) a livestock agent; or
- (c) a livestock dealer's branch.

(2) Licences are to be in the form issued by the department and signed by the minister.

(3) Subject to subsection (6), no person shall hold more than one licence except where the minister, due to special circumstances, grants permission for the person to do so.

(4) A partnership, firm, association or body corporate shall, in its application for a livestock dealer's licence, designate one of its officials as the authorized representative of the livestock dealer, and the licence, where granted, is to state the name of the official so designated.

(5) Where the licensed livestock dealer is a partnership, firm, association or body corporate, no person who is a member or employee of the partnership, firm, association or body corporate other than its authorized representative shall engage in the business of a livestock dealer unless the person is licensed as a livestock agent.

(6) Every livestock dealer who operates more than one stationary permanent place of business shall obtain a livestock dealer's branch licence for each of those places of business.

(7) A livestock dealer may, in writing, and with the written approval of a market operator, authorize another livestock dealer to purchase livestock on behalf of the authorizing livestock dealer at the market operator's market.

- (8) Notwithstanding subsection (1), a livestock dealer may, with the approval of a market operator, provide written authorization to a person to purchase livestock in the presence of the authorizing livestock dealer or his or her livestock agent at the market operator's market.
- (9) Notwithstanding subsection (1), a livestock dealer may authorize a person to purchase livestock in the presence of the authorizing livestock dealer or provide written authorization to a person to purchase livestock in the presence of his or her livestock agent.
- (10) Cheques in payment for livestock purchased pursuant to subsection (7), (8) or (9) must bear the same name and number as on the licence of the authorizing livestock dealer.
- (11) A licence is not transferable.
- (12) Every licence, unless previously cancelled, expires on December 31 of each year.

5 Jan 96 cA-20.2 Reg 9 s3.

Licensing exemptions

- 4(1) Notwithstanding section 3, no licence is required by a person who operates a farm or ranch and who purchases or sells livestock solely in connection with that operation if:
 - (a) the person retains title of each head of livestock purchased for at least 30 days from the date of purchase; or
 - (b) the minister gives permission for the livestock to be sold before the 30-day period mentioned in clause (a) expires.
- (2) Notwithstanding section 3, no licence is required by a person, including an unincorporated livestock association, who conducts a sale of purebred livestock that is registered or identified pursuant to the *Animal Pedigree Act* (Canada) if that person, in the conduct of the sale, is employed by or is under contract with an animal pedigree association whose members are the contributors to the sale.
- (3) Notwithstanding section 3, no licence is required by a 4-H club or agricultural society to sponsor two or fewer cattle or horse sales in any one year.
- (4) Notwithstanding section 3, no licence is required by a non-resident person operating a farm or ranch who uses livestock facilities in Saskatchewan to sell or dispose of purebred livestock that is registered or identified pursuant to the *Animal Pedigree Act* (Canada) where the person notifies the minister prior to the time the livestock are to be sold.
- (5) Notwithstanding section 3, no licence is required by an auctioneer licensed pursuant to *The Auctioneers Act* who is selling livestock as part of a liquidation of farm assets if:
 - (a) there are no livestock offered for sale at the auction other than the livestock contributed by the person for whom the sale is being conducted;

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- (b) there are no more than 25 animals disposed of at the sale;
- (c) the auctioneer notifies an inspector of the sale at least 72 hours before the sale;
- (d) the auctioneer maintains a trust account:
 - (i) into which the funds received through the sale of the livestock are deposited; and
 - (ii) the trustee of which is a party at arm's length to the auctioneer; and
- (e) within three business days after the sale, the auctioneer causes the contributor of the livestock to be paid from the trust account for all livestock purchased or sold through the auctioneer.

5 Jan 96 cA-20.2 Reg 9 s4; 10 Nov 2000
SR 91/2000 s4.

Application for licence

- 5(1)** Every person required to be licensed pursuant to these regulations shall apply to the minister for a licence in the form issued by the department.
- (2) Every person who applies for a licence or a renewal of an existing licence shall pay a fee of \$100.
- (3) On application and payment of the fee, the minister may issue a licence to the applicant.
- (4) The minister may withhold the issuance of a licence until the full nature of the applicant's business can be ascertained.
- (5) The minister may refuse any application for a new licence or the renewal of an existing licence where an applicant has failed to comply with any provisions of the Act or these regulations or any other Act or regulations of Saskatchewan that apply to the applicant.

5 Jan 96 cA-20.2 Reg 9 s5.

Conditions of licence

- 6(1)** A livestock dealer is accountable and responsible for the acts of his or her livestock agents.
- (2) Every licensee shall, at all times, comply with the Act and these regulations and any other Act or regulations of Saskatchewan regulating the licensee.

5 Jan 96 cA-20.2 Reg 9 s6.

Surety bond

- 7(1)** Before the minister issues a licence to an applicant who has not previously held a licence, the applicant shall:
 - (a) make a statutory declaration in the form specified by the minister stating the estimated number of livestock that the applicant will purchase in Saskatchewan in a 12-month period; and
 - (b) provide a surety bond in Form A, in favour of the Crown, on any conditions that are required pursuant to these regulations.

(2) The amount of the surety bond to be entered into for an applicant who has not previously held a licence is to be based on the estimated number of livestock that the applicant will purchase in Saskatchewan in a 12-month period, in accordance with the following table:

Column 1 (Number of head of cattle)	Column 2 (Amount of security)
500 or less	\$ 25,000
501 to 20,000	40,000
20,001 to 30,000	50,000
30,001 to 40,000	60,000
40,001 to 50,000	70,000
50,001 to 60,000	80,000
60,001 to 70,000	90,000
70,001 to 80,000	100,000
80,001 to 90,000	110,000
90,001 to 100,000	120,000
100,001 to 125,000	150,000
125,001 to 150,000	175,000
150,001 to 200,000	200,000
over 200,000	250,000.

(3) Where an applicant or livestock dealer purchases or proposes to purchase livestock other than cattle, the following equivalency ratios are to be used for the purposes of the table set out in subsection (2):

1 horse	=	1 cattle
1 bison	=	4 cattle
6 sheep	=	1 cattle
6 goats	=	1 cattle
6 hogs	=	1 cattle
1 elk	=	15 cattle
1 mule deer	=	7 cattle
1 white-tailed deer	=	7 cattle.

(4) Before the expiration or cancellation of a livestock dealer's surety bond, the livestock dealer shall provide a new surety bond in accordance with the table set out in subsection (2), in an amount based on the actual number of livestock purchased in Saskatchewan by that livestock dealer in the 12-month period ending on the October 31 preceding the expiration of the livestock dealer's licence and, for that purpose, subsection (2) applies with any necessary modification.

(4.1) The minister may require that a livestock dealer enter into a new surety bond at any time in accordance with the table set out in subsection (2) if:

- (a) the number of livestock purchased in Saskatchewan by the livestock dealer has increased; and
- (b) in the opinion of the minister, a larger amount is required for the surety bond.

(4.2) For the purposes of subsection (4.1), subsection (2) applies with any necessary modification.

(5) If a claim is made or paid under a surety bond the livestock dealer who provided it shall immediately provide a new surety bond satisfactory to the minister.

(6) Notwithstanding that the Crown has not suffered any loss or damages, every surety bond is deemed to be a penal bond.

(7) Where a surety bond is forfeited, the amount due as a debt to the Crown by the person bound by the surety bond shall be determined as if the Crown had suffered loss or damage that would entitle the Crown to be indemnified to the maximum amount of liability prescribed by the surety bond.

(8) No licence is to be issued to a livestock agent unless the livestock dealer responsible for the agent has provided a surety bond pursuant to this section.

5 Jan 96 cA-20.2 Reg 9 s7; 10 Nov 2000
SR 91/2000 s5.

Forfeiture of security

8(1) Every surety bond provided pursuant to section 7 shall be forfeited on demand of the minister where:

(a) a judgment or order of a court with respect to a claim arising from the sale of livestock has been given against the livestock dealer or against any livestock agent of that livestock dealer, and the judgment or order has become final by reason of lapse of time or of having been confirmed by the highest court to which any appeal may be taken; or

(b) a decision has been rendered by the minister in writing stating in effect that, after consideration and investigation of a complaint, and giving the livestock dealer an opportunity to be heard, the minister is satisfied that the livestock dealer or a livestock agent of the livestock dealer has violated any provision of the Act, or the regulations made pursuant to the Act, or has failed to comply with any of the terms, conditions or restrictions to which the licence is subject or is in breach of contract, and that it is appropriate to protect the interests of persons dealing with the livestock dealer that the surety bond be forfeited.

(2) The minister may, by order, direct that all or any portion of any moneys recovered under a surety bond be:

(a) paid over in accordance with and on the conditions set forth in the order with respect to sales of livestock in Saskatchewan:

(i) to the local registrar of the Court of Queen's Bench to be held for creditors of the livestock dealer with respect to claims arising out of sales of livestock in Saskatchewan; or

(ii) to any trustee, custodian, interim receiver, receiver or liquidator of the livestock dealer; or

- (b) paid over to the persons whom the minister considers to be entitled to the moneys in respect of livestock bought or sold in Saskatchewan by the livestock dealer, or any livestock agent of the livestock dealer.
- (3) Entitlement to moneys paid over to the local registrar pursuant to sub-clause (2)(a)(i) may be determined on application to the Court of Queen's Bench.
- (4) Any moneys not expended by direction of the minister pursuant to subsection (2) are to be refunded to the surety or obligor under the surety bond.

5 Jan 96 cA-20.2 Reg 9 s8.

Licences to be displayed or produced

- 9(1) Every licensee shall ensure that his or her licence is displayed at all times in a conspicuous place in his or her business premises.
- (2) Subject to subsection (3), a licensee shall:
 - (a) have in his or her possession at all reasonable times a valid official identification card in the form issued by the department and signed by the minister; and
 - (b) produce the card mentioned in clause (a) when requested to do so by an inspector or person with whom he or she is doing business.
- (3) An official identification card shall not be issued to a partnership, firm, association or body corporate where a member or employee is licensed as a livestock agent.

5 Jan 96 cA-20.2 Reg 9 s9.

Conditions for payment by a livestock dealer

- 10(1) Subject to subsection (1.1), a livestock dealer shall ensure that the contributor of livestock is paid for all livestock purchased or sold by the livestock dealer within three days, excluding weekends and statutory holidays, from the date:
 - (a) the livestock dealer purchases or takes possession of the livestock; or
 - (b) the price is calculated in railgrade settlement or price pooling.
- (1.1) Subsection (1) does not apply where the livestock dealer and the contributor have entered into a written agreement to extend the date for payment with respect to the contributor's livestock being purchased or sold by the livestock dealer.
- (2) Cheques in payment for livestock purchased by a livestock dealer or a livestock agent must bear the same name as that indicated on the livestock dealer's licence and all cheques must bear the livestock dealer's licence number.
- (3) Where a livestock dealer fails to make payment for livestock purchased or sold in accordance with subsection (1) the contributor may, at any time within 30 days of the purchase or sale, or any further period that may be authorized by the minister, provide a statutory declaration to the minister declaring:
 - (a) the value and description of the original loss;
 - (b) the amount recovered by any other action; and

- (c) the action taken to recover the portion of his or her original loss still unpaid.
- (4) All moneys received by a livestock dealer on account of the sale of livestock that are in the hands of the livestock dealer are to be held for the benefit of the contributor of the livestock, and the livestock dealer shall not appropriate the money or convert it to his or her own use or to any use not authorized by the contributor until the livestock dealer has:
 - (a) set aside the inspection fees, less any commission, for payment to the minister in accordance with section 11.1; and
 - (b) paid the contributor any amounts owing to the contributor for that livestock.
- (5) Notwithstanding any other provision of these regulations, where a livestock dealer and a contributor have entered into a written agreement in accordance with subsection (1.1), the livestock dealer's surety bond provided pursuant to section 7 is not subject to any claims related to the livestock dealer's failure to make payment for the livestock under the agreement.

5 Jan 96 cA-20.2 Reg 9 s10; 10 Nov 2000
SR 91/2000 s6.

Operational procedures required of a licensee

- 11(1) Every licensee or person employed by a livestock dealer to receive livestock for sale, slaughter or assembly shall obtain, on receipt of the livestock from the operator of the vehicle transporting the livestock or the person accompanying the livestock on foot, a livestock manifest respecting the livestock.
- (2) Where livestock of an owner are separated into more than one pen, the market operator shall identify the livestock in each pen.
- (3) Every licensee who purchases or sells livestock by weight shall supply to the contributor or purchaser, as the case may be, a copy of the scale ticket, computerized scale printout or other serial-numbered document stating:
 - (a) the date;
 - (b) the weight and description of the livestock;
 - (c) the appropriate livestock manifest number; and
 - (d) the name of the contributor of the livestock.
- (4) Except in the case of a computerized scale printout, every scale ticket and serial-numbered document is to be signed by the operator of the weigh scale.
- (5) Every licensee who purchases or sells livestock without weighing it shall supply to the contributor and purchaser a copy of the scale ticket or other serial-numbered document stating the date, the description of the livestock, the appropriate livestock manifest number and the name of the contributor of the livestock.
- (6) Where a licensee accepts livestock on a consignment basis, after the livestock have been sold he or she shall provide or cause to be provided to the contributor:
 - (a) a signed statement setting out:

- (i) the total weight;
 - (ii) the full selling price;
 - (iii) the charges for transportation, sales commission, yardage or any other costs that may properly be charged against the livestock; and
 - (b) a copy of the scale tickets or other serial-numbered documents or other documents required by these regulations respecting the livestock.
- (7) Every licensee shall ensure that livestock weights are determined on weigh scales approved pursuant to the *Weights and Measures Act* (Canada).
- (8) A licensee shall not transport or assign livestock for transportation after inspection until he or she receives a livestock permit.
- (9) A licensee shall notify an inspector prior to purchasing livestock from a farm or ranch.
- (10) All livestock listed on any livestock permit is subject to re-inspection.
- (11) A licensee shall ensure that livestock is only offered for sale in the name of the owner of the livestock.
- (12) A licensee shall ensure that when livestock are sold, the surname, commonly used given name and initial or initials, or computerized identification number of the purchaser is placed on the scale ticket or other serial-numbered document.
- (13) A licensee may use code names on scale tickets or other serial-numbered documents where the livestock dealer's surname or the first letters of the surname are a part of the code name.
- (14) A licensee may offer livestock for resale in the name of the livestock dealer but, before doing so, shall complete a livestock manifest and meet all the requirements that apply to a contributor who offers livestock for public sale.
- (15) A licensee shall ensure that every scale ticket or other serial-numbered document matches the livestock invoiced or sold and that the true weight of the livestock is stated at the time of the sale.

5 Jan 96 cA-20.2 Reg 9 s11.

Inspection fees

11.1 Every livestock dealer shall:

- (a) collect from a contributor any inspection fees owing by the contributor pursuant to *The Livestock Inspection and Transportation Regulations, 1978*, being Saskatchewan Regulations 242/78, with respect to the livestock being purchased or sold by the livestock dealer, by setting aside the appropriate amount from the moneys received by the livestock dealer on account of the sale of the contributor's livestock; and
- (b) remit the inspection fees mentioned in clause (a), less any commission, to the minister within 30 days after receiving an invoice from the minister for those fees.

10 Nov 2000 SR 91/2000 s7.

Requirements for stockyards

12 A licensee operating a stockyard shall:

- (a) keep the stockyard, including floors, walls, fences, pens, chutes, and scales in a sanitary condition;
- (b) provide an adequate water supply and suitable facilities for watering livestock in all pens where livestock are held for more than 12 hours after the initial sale of the livestock;
- (c) operate weigh scales that are approved pursuant to the *Weights and Measures Act* (Canada);
- (d) attach the livestock manifest to the gate of the pen in which the livestock are held for the purposes of inspection;
- (e) maintain facilities that possess or are made up of:
 - (i) walls, fences, partitions, gates and chutes of adequate height and strength to restrain the types of livestock handled, and free of projections that might bruise or injure livestock;
 - (ii) subdivisions permitting horses, cattle, calves under 200 kilograms, hogs, sheep, goats and sick or crippled animals to be penned separately according to their class;
 - (iii) a floor area the majority of which is constructed of concrete or other impervious material and that is scored or otherwise finished or treated to prevent animals from slipping;
 - (iv) a totally enclosed area or permanent building of sufficient size to house, at all times, calves under 75 kilograms and hogs;
 - (v) a chute that:
 - (A) is designed for the proper inspection of cattle;
 - (B) is connected to an alley that is not wider than 0.75 metres, that is at least 8.0 metres long, and that has direct access to a pen of sufficient size to hold at least 20 head of cattle; and
 - (C) is designed to facilitate access to the backs and sides of the cattle for the inspection of identifying marks;
 - (vi) lighting of sufficient illumination to permit inspection of the animal;
 - (vii) a 110-120 volt A.C. grounded electrical outlet; and
 - (viii) a quarantine area for the segregation of crippled or sick animals.

5 Jan 96 cA-20.2 Reg 9 s12.

Reporting and records to be maintained

13(1) Every livestock dealer shall provide the department with a report of all purchases, sales, holdings or other information pertaining to livestock handled, in the forms and at the times directed by the minister.

- (2) Every licensee shall:
 - (a) maintain a complete record of all transactions;
 - (b) retain those records for a period of not less than 36 months; and
 - (c) provide an inspector or the minister, on demand, with any information that he or she may require for the purposes of administering and enforcing these regulations.
- (3) Notwithstanding subsection (2), where a scale ticket is used, livestock manifests and livestock permits are not required to be retained.
- (4) The minister may require a livestock dealer to provide, in a form acceptable to the minister, information that is relevant for the purposes of these regulations respecting persons employed by the livestock dealer for the purchase of livestock.
- (5) Every livestock dealer shall, on the cancellation of the appointment of any livestock agent, notify the minister in writing within seven days of the cancellation of the appointment.
- (6) Every licensee shall, on request, provide the minister with information respecting the names of all persons with whom he or she is associated or from whom he or she buys, sells or receives livestock on consignment.
- (7) Every licensee shall, on request, provide the minister with copies of the forms of cheque used by the licensee in the course of his or her business.

5 Jan 96 cA-20.2 Reg 9 s13.

Procedures where ownership is in doubt

- 14(1) Where an inspector is of the opinion that the ownership of any livestock may be in doubt, he or she may order its detention and, if necessary, he or she may:
 - (a) order the transportation of the livestock to a stockyard until rightful ownership is established; or
 - (b) subject to subsection (2), allow the livestock to be offered for sale.
- (2) Where an inspector allows any livestock to be offered for sale pursuant to subsection (1), he or she shall give to the market operator a notice to withhold settlement in the form issued by the department.
- (3) The market operator, on receiving notice to withhold settlement pursuant to subsection (2), shall withhold settlement and forward to the contributor a notice in the form issued by the department notifying the contributor that the proceeds are being withheld.
- (4) No market operator to whom a notice to withhold settlement has been given nor any person on his or her behalf shall make settlement until he or she receives a notice to release in the form issued by the department and signed by an inspector.
- (5) No inspector shall issue a notice to release until he or she is satisfied that ownership has been established by the contributor.

(6) Where an inspector determines that livestock are owned by a person other than the contributor and the rightful owner of the livestock demands that the livestock be returned to the place from which they were transported, the contributor is responsible for all expenses occasioned by their return.

(7) Where an inspector issues a notice to withhold settlement pursuant to subsection (2), the inspector shall make reasonable inquiries as to the rightful ownership of the livestock and, where, after a period of 30 days, he or she is not satisfied as to rightful ownership, he or she shall issue a notice to release instructing the person withholding settlement to forward the amount being held to the minister.

(8) An amount forwarded pursuant to subsection (7):

- (a) is to be made payable to the Minister of Finance; and
- (b) on receipt, forms part of the general revenue fund.

5 Jan 96 cA-20.2 Reg 9 s14.

Duties of the minister

15(1) Where money is forwarded to the minister pursuant to subsection 14(7) and the notice to release by the inspector shows that the livestock bore a mark or marks, the minister shall make all further inquiries that he or she considers necessary, and shall hear any persons claiming ownership of the livestock.

(2) On the receipt of proof of ownership satisfactory to the minister, the Minister of Finance, on the requisition of the minister and without any other further authority, shall, out of the general revenue fund, pay the amount of the sales proceeds to:

- (a) the person to whom the mark is registered; or
- (b) the contributor of the livestock.

(3) Where the contributor of the livestock cannot provide proof of ownership, the minister shall, within 30 days of the date payment was received, direct the proceeds to be paid to the person to whom the mark is registered.

(4) The minister shall notify the contributor of the disposal of the proceeds.

(5) Notwithstanding subsection (3), where the livestock are not identified by a mark or where they are sold and not re-marked by the new owner, the minister, on receiving proof of ownership satisfactory to him or her, shall direct and authorize the release of the sales proceeds to the rightful owner of the livestock.

(6) Where rightful ownership cannot be satisfactorily determined for the purposes of subsection (5), the minister shall, within 30 days of the date the proceeds were deposited in the general revenue fund, direct that the proceeds be paid to the local registrar of the Court of Queen's Bench.

(7) Rightful ownership of proceeds paid to the local registrar pursuant to subsection (6) may be determined on application to the Court of Queen's Bench.

5 Jan 96 cA-20.2 Reg 9 s15.

False advertising prohibited**16** No licensee shall:

- (a) publish in any printed, lithographed, written or other advertising medium or make in any radio or television broadcast any statement or announcement that is inaccurate or misleading or that misrepresents in any degree the policies or services of his or her business; or
- (b) use or permit any employee, servant or agent to use any form or manner of sales technique that might deceive, tend to deceive or mislead the public.

5 Jan 96 cA-20.2 Reg 9 s16.

Licence suspension, cancellation and restrictions

17(1) Subject to the other provisions of this section, the minister may suspend or cancel a licence where the licensee:

- (a) has failed to comply with any provision of the Act or of these regulations or has failed to comply with any provisions of any other Act or regulations regulating the licensee;
- (b) has failed to comply with any terms, conditions or restrictions to which the licence is subject;
- (c) has made a material misstatement in the application for his or her licence;
- (d) has been guilty of misrepresentation, fraud or dishonesty;
- (e) has defaulted on payment of any sum payable by him or her to the Crown pursuant to the Act or these regulations.

(2) The minister may, after giving the licensee an opportunity to be heard, suspend or cancel a licence and give notice of suspension or cancellation in writing to the licensee within 15 days from the date of the suspension or cancellation.

(3) Notwithstanding subsection (2), the minister may suspend a licence without giving the licensee an opportunity to be heard where the minister is of the opinion that to do so is necessary in the public interest.

(4) Where the minister suspends a licence pursuant to subsection (3), the minister shall give notice of suspension in writing to the licensee within 15 days from the date of the suspension, and give the licensee an opportunity to be heard as to why the licence should be reinstated.

(5) A person whose licence is suspended or cancelled shall return his or her licence and official identification card to the minister promptly after receiving notice of the suspension or cancellation.

(6) The minister may reinstate a suspended licence if the licensee, within 30 days of receiving notice of his or her suspension, furnishes evidence to the satisfaction of the minister that he or she can correct the matter on account of which the licence was suspended.

- (7) The minister shall:
- (a) give to the licensee notice in writing that his or her licence has been removed from suspension, together with the reinstatement of the licence and official identification card; or
 - (b) where the licence has not been removed from suspension within the 30 days mentioned in subsection (6), cancel the licence and promptly give notice of the cancellation.
- (8) Where a livestock agent's licence is suspended, reinstated or cancelled, the minister shall submit a copy of the notice to the livestock dealer under whom the licensee is bonded.
- (9) Where a livestock dealer's licence is suspended, reinstated or cancelled, the licences of all of his or her livestock agents and livestock dealer's branches are suspended, reinstated or cancelled, as the case may be.
- (10) Every notice required to be given by the minister pursuant to this section is to be given by personal service or by registered mail, and if given by registered mail is deemed to have been received on the fifth day after it is mailed.

5 Jan 96 cA-20.2 Reg 9 s17.

18 Repealed. 2000, c.50, s.33.

Repeal

- 19(1)** "The Stockyard Regulations", being Saskatchewan Regulations 241/78, are repealed.
- (2) "The Livestock Dealer Regulations", being Saskatchewan Regulations 240/78, are repealed.

5 Jan 96 cA-20.2 Reg 9 s19.

Appendix
FORM A
Livestock Dealer's Bond

I/We _____ ("the Principal") as Principal and
 we _____ ("the Surety") as Surety are held
 and firmly bound unto the Crown in right of Saskatchewan (the "Obligee") in the sum
 of _____ dollars (\$ _____),

to be paid to the Obligee, her successors and assigns, for which payment we jointly and
 severally bind ourselves, our executors, administrators, successors and assigns.

Sealed with the respective seals of the Principal and of the Surety and dated
 the _____ day of _____ 19 ____ .

If the obligation does not by reason of any act, matter or thing at any time become
 forfeit pursuant to *The Livestock Dealer Regulations, 1995*, as amended from time to
 time, under *The Animal Products Act*, the obligation is void, but otherwise it remains
 in force and is subject to forfeiture as provided by those regulations and that Act.

If the Surety at any time gives notice in writing to the member of the Executive Council
 (the "minister") to whom for the time being is assigned the administration of *The*
Livestock Dealer Regulations, 1995 of intention to terminate this obligation, then this
 obligation shall cease and determine with respect to any act, matter or thing taking
 place, arising or done subsequent to 27 calendar months after receipt by the minister of
 the notice.

If notice of termination has been given, any claim under this obligation shall be made
 on the Surety before the expiration of the 27 months, and no proceeds of this bond shall
 be paid to any person with respect to the buying or selling of livestock three calendar
 months or more after receipt by the minister of the notice.

SIGNED, SEALED and DELIVERED

in the presence of:

 Witness

 Principal

 Surety

