

1968 Bill 14

First Session, 16th Legislature, 17 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 14

**An Act to amend The Artificial Insemination of
Domestic Animals Act**

THE MINISTER OF AGRICULTURE

First Reading

Second Reading

Third Reading

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An Act to amend The Artificial Insemination of Domestic Animals Act

(Assented to , 1968)

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

1. *The Artificial Insemination of Domestic Animals Act* is hereby amended.

2. Section 2 is amended

- (a) by striking out clause (a) and by substituting the following:
 - (a) "domestic animal" means cattle, horses, swine, sheep, goats and poultry;
- (b) by striking out clause (c) and by substituting the following:
 - (c) "semen bank" means a person who stores semen of domestic animals from one or more semen producing businesses for distribution;

3. Section 4 is amended

- (a) by striking out clause (c) and by substituting the following:
 - (c) designating different types or classes of inseminating businesses, semen producing businesses, semen banks or technicians, which designating may, without in any way restricting the generality of the foregoing, be done using as a basis the kind or kinds of domestic animals in respect of which a particular business, bank or technician operates or proposes to operate, and prescribing
 - (i) different classes or types of licences, and
 - (ii) exemptions from licensing requirements for different types or classes of such businesses, banks or technicians,
- (c1) defining and prescribing circumstances in which persons shall be deemed to not be *bona fide* assembling their respective herds or flocks

Explanatory Notes

1. This Bill amends chapter 15 of the Statutes of Alberta, 1959.

2. "Domestic animal" is redefined and the definition of "semen bank" is broadened. Section 2 (a) and (c) presently read:

(a) "domestic animal" includes poultry;

.....

(c) "semen bank" means a person who stores semen of domestic animals from one or more semen producing business for distribution to inseminating businesses or technicians;

3. These amendments, respectively, give the Lieutenant Governor in Council authority to:

- (a) set up a flexible licensing system, including exemptions from licensing requirements,
- (b) define and prescribe circumstances under which a person may properly exempt himself from the Act,
- (c) prescribe health tests for female teaser animals, and
- (d) prevent false advertising and false practising.

Section 4 (a), (b), (c) and (f) presently read:

4. The Lieutenant Governor in Council may make regulations

- (a) providing for the licensing of technicians, inseminating businesses, semen producing businesses and semen banks, or any of them, and prescribing the duration of the licences and the fees payable therefor,
- (b) prescribing the conditions under which any class or type of licence may be issued, suspended or revoked and the conditions under which any person may be prohibited from acting as a technician or from operating a semen producing business, inseminating business or semen bank,
- (c) prescribing classes of technicians,
.....
- (f) prescribing health tests, necessary for male domestic animals kept by a semen producing business,
.....

within the meaning of subsection (2) of section 6,

- (b) as to clause (f) by striking out the word "male",
- (c) by adding the following clause after clause (h):

(h1) prohibiting any person from publishing or advertising false, deceptive or misleading advertising or news of any service relating to artificial insemination, and prohibiting any person from falsely asserting or holding himself out to be a licensed technician or a licensed inseminating business, licensed semen producing business or licensed semen bank or a representative of any such business or bank,

4. Section 5, subsection (1) is amended

- (a) as to clause (b) by adding at the end thereof the word ", or",
- (b) by adding the following clause after clause (b):
 - (c) where the offender is other than a technician, semen producing business, semen bank or inseminating business, to a fine of not more than \$100 for a first offence and not more than \$250 for a subsequent offence.

5. Section 6 is struck out and the following section is substituted:

6. (1) This Act does not apply

- (a) to the collection of semen from domestic animals by the person who owns the animals for the artificial insemination of other animals owned by the person, or
- (b) to the artificial insemination of domestic animals by the person who owns the animals.

(2) In this section "person who owns the animals" includes, where two or more persons have *bona fide* assembled their respective herds or flocks of domestic animals into a single breeding unit, any one or more of such persons in the group.

6. This Act comes into force on the day upon which it is assented to.

4. The addition of this clause is designed to impose liability on persons who infringe the Act but who are not technicians, inseminating businesses, semen producing businesses, or semen banks. Section 5 (1) presently reads:

5. (1) A person who contravenes this Act or the regulations hereunder is guilty of an offence and liable on summary conviction

- (a) where the offender is a technician to a fine of not more than twenty-five dollars for a first offence and not more than one hundred dollars for a subsequent offence, or
- (b) where the offender is a semen producing business, a semen bank or an inseminating business to a fine of not more than one hundred dollars for a first offence and not more than two hundred and fifty dollars for a subsequent offence.

5. Section 6 presently reads:

6. This Act does not apply

- (a) to the collection of semen from domestic animals by the person who owns the animals, or his servant, for the artificial insemination of other animals owned by the person, or
- (b) to the artificial insemination of domestic animals by the person who owns the animals, or his servant.