

1972 Bill 48

First Session, 17th Legislature, 21 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 48

The Livestock Brand Inspection Amendment Act, 1972

MR. MILLER (LLOYDMINSTER)

First Reading

Second Reading

Third Reading

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1972

THE LIVESTOCK BRAND INSPECTION AMENDMENT ACT, 1972

(Assented to _____, 1972)

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

1. *The Livestock Brand Inspection Act is hereby amended.*

2. *Section 3 is amended by striking out subsection (1) and by substituting therefor the following subsections:*

3. (1) No livestock may be transported or driven within Alberta unless the livestock is accompanied by a livestock manifest.

(1.1) No livestock may be transported or driven from Alberta to any other place unless the livestock is accompanied by a permit issued by an inspector under this Act.

3. *Section 6, subsection (1) is amended by adding thereto the words "except as may otherwise be provided by the regulations".*

4. *Section 8 is amended by adding thereto the following subsection:*

(3) Where livestock of the same owner in a shipment are separated into more than one pen the market operator, his agent or employee shall, if so directed by an inspector, identify the livestock in each pen with a gate ticket showing the owner's name and the number and description of the livestock of that owner in that pen.

5. *Section 16, subsection (5) is amended as to clause (c) by striking out the words " the livestock manifest or".*

Explanatory Notes

1. This Bill will amend chapter 63 of the Statutes of Alberta, 1971.

2. Transport of livestock. This amendment is to clarify the requirements. Section 3 (1) reads:

3. (1) No livestock may be transported or driven within Alberta or from Alberta to any other place unless the livestock is accompanied by a livestock manifest or a permit issued by an inspector under this Act.

3. Preparation of manifest. Section 6 (1) reads:

6. (1) A livestock manifest in the prescribed form shall be fully completed by the vehicle operator or driver of the livestock.

This amendment will permit other persons to be permitted to prepare the manifests in certain cases.

4. When a shipment is divided the inspector may require a gate ticket breakdown.

5. Section 16, subsection (5) reads:

(5) The inspector shall

- (a) issue a permit in the prescribed form in quadruplicate,
- (b) collect the prescribed fee for each head of livestock inspected,
- (c) give the original copy of the permit to the person in charge of the livestock, who shall attach the permit to the livestock manifest or the railroad waybill to accompany the livestock out of Alberta, and
- (d) give a copy of the permit to the shipper.

6. *Section 18 is struck out and the following section is substituted therefor:*

18. Any livestock that is moved from point to point within Alberta and brought into a market or custom feed lot for weighing, rest or feeding, shall be inspected, and if the movement of the livestock is not related to a sale or prospective sale of the livestock, no inspection fee shall be charged.

7. *The following section is added after section 21:*

21.1 (1) Any person who proposes to conduct at a point other than a market, a public livestock sale where more than 100 head of livestock are to be offered for sale, shall give notice in writing to the Supervisor advising him of the date, time and place, and the number of livestock offered, at least seven days prior to the sale.

(2) The Supervisor may

- (a) send an inspector to the public livestock sale to inspect the livestock, or
- (b) give permission to the person conducting the sale for the sale to be held without inspection.

(3) If the Supervisor considers it necessary for the livestock to be inspected the provisions of sections 20 and 21 apply.

(4) Subsection (1) does not apply to a sale of finished slaughter cattle or to the sale of livestock at a country sale.

8. *Section 22 is amended*

(a) *as to subsection (1) by striking out the words "delivered to the sale, abattoir shipping location or feed lot" at the end thereof and by substituting therefor the words "presented to an inspector for inspection", and*

(b) *by striking out subsection (2) and by substituting therefor the following subsection:*

(2) Where any person contravenes subsection (1), he is guilty of an offence and, in addition, an inspector shall have the livestock detained in locked pens at the expense of the contributor until the contributor or that person's agent or employee has made the brands visible.

9. *Section 28 is amended by inserting after the words "public livestock sale," the words "market or feed lot".*

6. Section 18 reads:

18. Any livestock that is moved from point to point within Alberta and brought into a market for weighing, rest or feeding, shall be inspected, and if the ownership of the livestock has not changed within a 30 day period prior to the movement of the livestock, no inspection fee shall be charged.

7. This amendment will provide for inspections at public livestock sales subject to certain exceptions.

8. Visibility of brands. Section 22 reads:

22. (1) Any person who offers for sale, slaughter, shipment out of Alberta or for entry into a feed lot for custom feeding, any livestock that is

- (a) branded with other than his registered brand, or
- (b) branded with his registered brand but that brand has been applied within the preceding 30 days,

must prepare the branded area on the hide so that the last brand on which a transaction has been recorded is plainly visible to an inspector before the livestock is delivered to the sale, abattoir shipping location or feed lot.

(2) Where any person contravenes subsection (1), he is guilty of an offence and in addition, an inspector shall have the livestock detained in locked pens until the contributor or that person's agent or employer, has made the brands visible.

9. Right to inspect. Section 23 reads:

23. An inspector may inspect the livestock at any public livestock sale, and may enter any premises for that purpose.

10. Section 29 is struck out and the following section is substituted therefor:

29. (1) Any person who delivers livestock to a public livestock sale, a market or a feed lot shall, where an inspection is required,

- (a) describe the brand on each head of livestock or each lot of livestock on a livestock manifest before delivering the livestock to the public livestock sale, market or feed lot, and
- (b) furnish to an inspector all information concerning brands and bills of sale necessary to establish ownership of the livestock and any other information which the inspector may require in the course of his duties.

(2) When any person fails to comply with subsection (1) the inspector, notwithstanding any prescribed penalty for the failure to comply, shall assess a double inspection fee for each head of livestock not accurately described on the livestock manifest and shall cause the proceeds of sale to be held as provided in sections 31 and 32 until ownership is established.

(3) If any person fails to comply with subsection (1) an inspector may cause the livestock to be placed under seizure in locked pens at the expense of the contributor until the subsection is complied with.

11. Section 45 is amended by adding after subsection (2) the following subsection:

(3) A market operator who, without authorization in writing from an inspector, makes the proceeds of a sale payable to a person by any name other than that shown on the relevant livestock manifest, is guilty of an offence.

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

10. Identification procedures and penalties will be widened to cover others than just sale contributories.

11. Payments must be made to the person or organization named in the manifest unless otherwise permitted.