

1981 BILL 20

Third Session, 19th Legislature, 30 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 20

**THE ARTIFICIAL INSEMINATION OF DOMESTIC
ANIMALS AMENDMENT ACT, 1981**

MR. LYSONS

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 20

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1981

THE ARTIFICIAL INSEMINATION OF DOMESTIC ANIMALS AMENDMENT ACT, 1981

(Assented to _____, 1981)

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

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

2 Section 2 is amended

*(a) by renumbering clause (a) as (a.1) and by adding the fol-
lowing before clause (a.1):*

*(a) "artificial insemination business" means the business of
collecting, acquiring, processing, storing, distributing or in-
seminating semen, as the case may be;*

*(b) clause (a.1) is amended by striking out "and poultry" and
substituting ", poultry and any other animal prescribed in the
regulations as a domestic animal";*

(c) by adding the following after clause (a.1):

*(a.2) "embryo transfer business" means the business of col-
lecting, acquiring, processing, storing, distributing or im-
planting embryos, as the case may be;*

(d) clauses (b), (c) and (d) are repealed;

(e) clause (e) is repealed and the following is substituted:

*(e) "technician" means a person who engages in the tech-
nical processes involved in artificial insemination or embryo
transfer, including collecting, processing, storing, insemi-
nating or implanting, as the case may be;*

Explanatory Notes

1 This Bill will amend chapter 23 of the Revised Statutes of Alberta 1970.

2 Section 2 presently reads:

2 In this Act,

(a) “domestic animal” means cattle, horses, swine, sheep, goats and poultry;

(b) “inseminating business” means a person who provides an artificial insemination service for domestic animals;

(c) “semen bank” means a person who stores semen of domestic animals;

(d) “semen producing business” means a person who undertakes the collection of semen to be used for the artificial insemination of domestic animals;

(e) “technician” means a person who engages in the technical processes involved in the artificial insemination of domestic animals, including the collection of semen and the processing of semen.

3 Section 3 is amended

(a) in subsection (1)

(i) by striking out “an artificial insemination advisory committee” and substituting “committees”;

(ii) by adding “and embryo transfer” after “insemination”;

(b) in subsection (2) by striking out “the committee” and substituting “committees”.

4 Section 4 is amended

(a) in clause (a) by striking out “inseminating businesses, semen producing businesses and semen banks” and substituting “artificial insemination businesses and embryo transfer businesses”;

(b) in clause (b) by striking out “a semen producing business, inseminating business or semen bank” and substituting “an artificial insemination business or embryo transfer business”;

(c) in clause (c)

(i) by striking out “inseminating businesses, semen producing businesses, semen banks” and substituting “artificial insemination businesses, embryo transfer businesses”;

(ii) by striking out “, bank”;

(iii) by striking out “, banks”;

(d) in clause (f) by striking out “semen producing businesses, semen banks and inseminating businesses, or any of them” and substituting “any class of artificial insemination business or embryo transfer business”;

(e) by repealing clause (g) and substituting the following:

(g) prescribing health tests necessary for

(i) domestic animals kept by an artificial insemination business or embryo transfer business, or

(ii) domestic animals that

(A) receive semen or embryos from, or

(B) donate semen or embryos to,

3 Section 3 presently reads:

3(1) The Minister of Agriculture may appoint an artificial insemination advisory committee, consisting of one or more persons, to advise him on matters relating to artificial insemination.

(2) The members of the committee shall receive such allowances and expenses as may be determined by the Lieutenant Governor in Council.

4 Section 4 presently reads in part:

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) 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,

(d) defining and prescribing circumstances in which persons shall be deemed to not be bona fide assembling their respective herds or flocks within the meaning of section 6, subsection (2),

(e) prescribing the qualifications required by technicians or by any class of technicians,

(f) prescribing requirements and minimum standards of sanitation, equipment and construction for the premises of semen producing businesses, semen banks and inseminating businesses, or any of them,

(g) prescribing health tests, necessary for domestic animals kept by a semen producing business,

a business referred to in subclause (i),

(f) by repealing clause (h) and substituting the following:

(h) prescribing standards that must be complied with in respect of semen or embryos collected, acquired, processed, stored, distributed, transferred, inseminated or implanted, as the case may be, by an artificial insemination business, embryo transfer business or technician,

(g) in clause (i) by striking out “inseminating businesses, technicians, semen producing businesses and semen banks” and substituting “a technician, artificial insemination business or embryo transfer business”;

(h) by adding the following after clause (i):

(i.1) prescribing an animal as a domestic animal for the purposes of this Act,

(i) by repealing clause (j).

5 *The following is added after section 4:*

4.1 A person who

(a) advertises or otherwise publishes false, deceptive or misleading advertising of any service relating to artificial insemination or embryo transfer,

(b) falsely holds itself out to be a licensed artificial insemination or embryo transfer business or himself to be a representative or agent of that business,

(c) falsely holds himself out to be a licensed technician, or

(d) falsely holds itself out to be a licensed artificial insemination or embryo transfer business or himself to be a licensed technician or a representative or agent of that business or technician of a class other than the class of business or technician to which the licence applies

commits an offence.

6 *Section 5(1) is amended*

(a) in clause (b) by striking out “a semen producing business, a semen bank or an inseminating business” and substituting “an artificial insemination business or embryo transfer business”;

(h) prescribing the standards that must be complied with in respect of semen that

(i) is stored by a semen bank or inseminating business, or

(ii) is used by an inseminating business or technicians, or

(iii) is distributed by a semen producing business,

(i) requiring the keeping of records and the making of returns or the furnishing of information by inseminating businesses, technicians, semen producing businesses and semen banks,

(j) 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,

5 False advertising.

6 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 \$25 for a first offence and not more than \$100 for a subsequent offence, or

(b) in clause (c) by striking out "semen producing business, semen bank or inseminating business" and substituting "artificial insemination business or embryo transfer business".

7 Section 6(1) is amended

(a) by repealing clause (a) and substituting the following:

(a) to the collection of semen or embryos from domestic animals by the person who owns the animals for the artificial insemination of or embryo transfer to other animals owned by the person, or

(b) clause (b) is amended by adding "or embryo transfer to" after "of".

8 This Act comes into force on Proclamation.

(b) where the offender is a semen producing business, a semen bank or an inseminating business to a fine of not more than \$100 for a first offence and not more than \$250 for a subsequent offence, or

(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.

7 Section 6(1) presently reads:

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.