

1982 BILL 206

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Fourth Session, 19th Legislature, 31 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 206**

**AN ACT TO AMEND THE STRAY ANIMALS ACT**

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MR. LYSONS

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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*Bill 206*  
*Mr. Lysons*

## **BILL 206**

1982

### **AN ACT TO AMEND THE STRAY ANIMALS ACT**

*(Assented to \_\_\_\_\_, 1982)*

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

- 1 The Stray Animals Act is amended by this Act.*
  
- 2 Section 1 is amended by adding the following after clause (b):*  

*(b.1) "home livestock" means livestock that is legitimately on land and is not trespassing;*
  
- 3 Section 5(a) is amended by adding ", home livestock" after "land".*
  
  
- 4 Section 7(1)(c) is amended by adding ", to home livestock" after "land".*

## Explanatory Notes

**1** This Bill will amend chapter S-23 of the Revised Statutes of Alberta 1980.

**2** Adds definition to distinguish livestock that has trespassed from livestock legitimately on land.

**3** Section 5(a) presently reads as follows:

*5 When livestock trespass and*

*(a) damage is done to land or any agricultural product by the livestock or by any person in capturing the livestock, or*

**4** Section 7(1)(c) presently reads as follows:

*7(1) When a person*

*(a) opens and fails to close a gate, or*

*(b) tampers with, damages or destroys a gate or fence,*

*as a result of which livestock escape, the person doing or failing to do the act or thing referred to in clause (a) or (b) is liable to the persons referred to in subsection (2) for*

*(c) any damage done to land or to any agricultural product by the livestock or by any person in capturing the livestock, and*

5 *The following is added after section 7:*

**7.1** Impregnation of home livestock shall not be counted as damage for the purposes of this Part and Part 2.

6 *Section 15(2)(e) is amended by adding “, to home livestock” after “land”.*

7 *Section 15(3)(b) is amended by adding “, to home livestock” after “land”.*

8 *Section 16(1)(b) is amended by adding “, to home livestock” after “land”.*

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*In accordance with section 4(1) of the Interpretation Act,  
this Bill comes into force on the date it receives Royal  
Assent.*

**5** Impregnation of home livestock not to be counted as damage.

**6** Section 15(2)(e) presently reads as follows:

*15(2) If the owner and the last person in possession of the livestock are not known, the proceeds of sale of the livestock shall be disbursed in the following priority:*

*(e) to pay for any damage to land or to an agricultural product caused by the livestock or by any person in capturing the livestock*

**7** Section 15(3)(b) presently reads as follows:

*15(3) When livestock is sold by public auction pursuant to this Act and a dispute exists or arises between*

*(b) any person claiming to have suffered damage to land or to an agricultural product as a result of the trespass of the livestock,*

**8** Section 16(1)(b) presently reads as follows:

*16(1) When livestock is impounded pursuant to this Act and*

*(b) a person claiming to have suffered damage to land or to an agricultural product as a result of trespassing livestock and an inspector do not agree on the amount of damage done by the livestock and by any person in capturing the livestock,*