

The Brand Regulations

being

[Chapter A-20.1 Reg 1](#) as amended by Saskatchewan Regulations [6/85](#), [106/88](#), [129/92](#), [83/96](#); [42/1999](#), [83/2003](#), [3/2004](#), [1/2011](#), [99/2014](#), and an [Errata Notice](#) published in Part II of *The Saskatchewan Gazette*, April 1, 2011.

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-20.1 REG 1
The Animal Identification Act

TITLE AND INTERPRETATION

Title

- 1** These regulations may be cited as *The Brand Regulations*.

Interpretation

- 2** In these regulations:

- (a) **“Act”** means *The Animal Identification Act*;
- (b) **“brand”** means a permanent mark applied to the hide of a head of cattle, or other animal of the bovine species, or of a horse or other animal of the equine species, with a hot or cold metal device intended for that purpose;
- (b.1) **“brand design”** means all characters that make up a brand;
- (c) **“character”** means an acceptable component of a brand design as described in section 11;
- (c.01) **“corporate brand registration”** means a lifetime mark registered in the name of a corporation pursuant to the Act;
- (c.02) **“Form”** means a form set out in the Appendix;
- (c.1) **“immediate family”** means the spouse, child, child’s spouse, parent, sibling, nephew, niece, aunt, uncle, grandparent or grandchild of the person in whose name the brand is or was registered;
- (c.2) **“notch”** means a permanent mark applied to sheep consisting of an indentation or a pattern of indentations made by removing a portion of the edge of the sheep’s ear or ears;
- (d) **“special category code”** means a brand design that must be coded in the special allotment of 99, 9999 and 999999 range, and that cannot be described without the use of a directory that shows each brand design.

11 Dec 81 cA-20.1 Reg 1 s2; 8 Nov 96 SR 83/96
s3; 11 Jun 99 SR 41/1999 s3; 21 Jan 2011 SR
1/2011 s3.

BRAND REGISTRATION

Application for registration, renewal or transfer

3 An application to register, renew or transfer a brand or notch is to be in a form acceptable to the minister.

5 Dec 2014 SR 99/2014 s3.

Re-registration of brands and notches

4(1) If a four-year brand registration has expired and the person in whose name it was registered wishes to re-register the brand, that person shall apply within five years after the date on which the last registration expired.

(2) If a four-year notch registration has expired and the person in whose name it was registered wishes to re-register the notch, that person shall apply within five years after the date on which the last registration expired.

(3) If a person who has a registered lifetime brand dies and the person's spouse or child wishes to re-register the lifetime brand, the person's spouse or child shall apply within five years after the date on which the registration expired.

(4) If a person who has a registered lifetime notch dies and the person's spouse or child wishes to re-register the lifetime notch, the person's spouse or child shall apply within five years after the date on which the registration expired.

(5) If a corporate brand registration has expired on the 20th anniversary of the registration and the corporation wishes to re-register the brand, the corporation shall apply within five years after the date on which the registration expired.

(6) If a corporate notch registration has expired on the 20th anniversary of the registration and the corporation wishes to re-register the notch, the corporation shall apply within five years after the date on which the registration expired.

5 Dec 2014 SR 99/2014 s4.

5 Repealed. 8 Nov 96 SR 83/96 s6.

6 Repealed. 8 Nov 96 SR 83/96 s6.

Fees

7(1) A fee of \$50 is required with each application for any one of the following:

- (a) initial registration of a four-year brand or notch;
- (b) renewal of a registered four-year brand or notch;
- (c) transfer of a registered four-year brand or notch;
- (d) re-registration of a registered four-year brand or notch;
- (e) transfer of a lifetime brand or notch to a four-year brand or notch, as the case may be, by the person in whose name the brand or notch is registered;
- (f) in the case of a joint registration, transfer of a lifetime brand or notch to the remaining registrants.

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- (2) A fee of \$600 is required with each application for any one of the following:
- (a) in the case of an application by a person other than a corporation for a lifetime brand or notch;
 - (b) in the case of an application by a corporation for a corporate brand registration;
 - (c) re-registration of a lifetime brand or notch following the death of the original registrant by that registrant's spouse or child;
 - (d) transfer of a lifetime brand or notch to a person who is not described in clause (1)(f);
 - (e) re-registration of a corporate brand registration.
- (3) No fee is required with an application to transfer a four-year rib brand or a lifetime rib brand to another available position.

8 Nov 96 SR 83/96 s7; 11 Jun 99 SR 42/1999
s6; 21 Jan 2011 SR 1/2011 s6; 5 Dec 2014 SR
99/2014 s5.

ERROR IN BRANDING

Declaration re error

8 Where a person in whose name a brand or notch is registered has knowledge that the brand or notch has been applied incorrectly to any animal owned by that person, he or she shall:

- (a) submit to the director a declaration, on a form acceptable to the minister, describing the branding or notching errors; and
- (b) retain a true copy of the declaration for presentation to the inspector at the time of inspection of such animal.

11 Dec 81 cA-20.1 Reg 1 s8; 8 Nov 96 SR 83/96
s8; 11 Jun 99 SR 42/1999 s7.

BRAND SPECIFICATIONS

Cattle brands

- 9(1)** Brands for use on cattle are to consist of at least two characters.
- (2) Each brand for use on cattle is to measure at least 75 millimetres in height and 50 millimetres in width when applied to an animal.
- (3) Brands for use on cattle may be applied to the shoulder, rib or hip position on the left or right side of the animal;
- (4) Notwithstanding subsections (1) to (3), the mark “**C[^]N**” may be applied to cattle if the cattle are intended to be fed in the United States of America.
- (5) The mark mentioned in subsection (4) may be applied without registering it as a brand.

11 Dec 81 cA-20.1 Reg 1 s9; 8 Nov 96 SR 83/96
s9; 11 Jun 99 SR 42/1999 s8; 21 Jan 2011
SR 1/2011 s7.

Horse brands

10(1) Subject to section 11, brands for use on horses are to consist of:

- (a) one or more capital letters of the English alphabet, Arabic numerals or other characters; or
 - (b) a combination of capital letters of the English alphabet, Arabic numerals and other characters.
- (2) Each brand for use on horses is to measure at least 50 millimetres in height and 25 millimetres in width when applied to an animal.
- (3) Subject to subsections (4) and (5), brands for use on horses may be applied to the shoulder, hip, neck or jaw position on the left or right side of the animal.
- (4) Brands registered in the neck position prior to the coming into force of these regulations may only be transferred, renewed or re-registered.
- (5) No new registrations are to be issued for brands in the neck position.

11 Dec 81 cA-20.1 Reg 1 s10; 8 Nov 96 SR 83/96 s10.

Characters

11(1) The following characters are acceptable components of a registered brand design:

- (a) capital letters of the English alphabet, except the letter Q;
- (b) Arabic numerals, except the numerals zero and one;
- (c) a triangle;
- (d) a diamond;
- (e) a bar in the horizontal position that is applied:
 - (i) above or below any letters or numerals; or
 - (ii) before, after or between the letter(s) or numeral(s);
- (f) a cross or plus;
- (g) a flying wing;
- (h) a shelter symbol, as prescribed in any regulation made pursuant to Parts VI or VI.1 of *The Farm Financial Stability Act*;
- (i) a slash that is applied:
 - (i) at a 45° angle from horizontal; and
 - (ii) to the left or right of a letter or numeral;
- (j) a quarter circle that is applied:
 - (i) above the letters or numerals of a brand with the ends of the arc pointing upward; or
 - (ii) below the letters or numerals of a brand with the arc pointing downward;

- (k) a half diamond that is applied:
 - (i) above the letters or numerals of a brand with the apex pointing upward; or
 - (ii) below the letters or numerals of a brand with the apex pointing downward.
- (2) The capital letters C and E of the English alphabet are to be registered only in the forward position.
- (3) The capital letters M and W of the English alphabet are to be registered only in the upright and forward position.
- (4) The capital letters F and G of the English alphabet are to be registered only in the reverse position.
- (5) Capital letters of the English alphabet and Arabic numerals that are applied in the horizontal position are classified as lazy characters.
- (6) The capital letters N, I, U and V of the English alphabet cannot be lazy.
- (7) The capital letter L of the English alphabet and the Arabic numeral 7 cannot be lazy right.

8 Nov 96 SR 83/96 s11; 11 Jun 99 SR 42/1999 s9;
30 Jan 2004 SR 3/2004 s2.

12 Repealed. 8 Nov 96 SR 83/96 s11.

Unclassified brands

13(1) In this section, “**unclassified brand**” means a brand:

- (a) that has the letters, numerals or characters joined or enclosed in any manner;
 - (b) that is coded in the special category code; or
 - (c) that has letters, numerals or characters that do not comply with section 11.
- (2) Notwithstanding any other provision of these regulations, a person may apply to register an unclassified brand.
 - (3) On receipt of an application pursuant to subsection (2) and if the minister is satisfied that the brand is not identical or similar to any other brand, that the brand is clear and that it is in the public interest to do so, the minister may approve the registration of the unclassified brand.
 - (4) If the registration of an unclassified brand has not expired, that brand may be:
 - (a) renewed;
 - (b) registered to be applied to another available position on an animal; or

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- (c) if registered in the name of an individual:
 - (i) transferred to any member of the immediate family of the individual in whose name that brand is registered; or
 - (ii) transferred to any member of the immediate family of the individual in whose name that brand is registered to be applied to another available position on an animal.
- (5) Subject to subsection (6), if the registration of an unclassified brand has expired, that brand may be re-registered at any time but only:
 - (a) in the name of the person in whose name that brand was registered; or
 - (b) if the registration is in the name of an individual, in the name of a member of the immediate family of the individual in whose name that brand was registered.
- (6) Re-registration of an unclassified brand pursuant to subsection (5) is subject to the approval of the minister.

21 Jan 2011 SR 1/2011 s8.

Additional identifying numerals

14 Notwithstanding sections 9 and 10, the holder of a registered brand may, to facilitate individual animal identification and without registering such numerals, apply one or more Arabic numerals immediately below the registered brand.

11 Dec 81 cA-20.1 Reg 1 s14.

14.1 Repealed. 21 Jan 2011 SR 1/2011 s9.

Notches

15 Notches for use on sheep are to consist of one to four permanent indentations made:

- (a) in a unique pattern in the edge of a sheep's ear or ears; and
- (b) in accordance with generally accepted standards of animal health and welfare.

11 Jun 99 SR 42/1999 s11.

Electronic record and publication of marks

16(1) The director shall:

- (a) for the purposes of section 16 of the Act, keep an electronic record of all registered brands and notches; and
- (b) for the purposes of section 18 of the Act, publish a list of all registered brands and notches, either in paper or electronic format, in a publication to be known as the *Saskatchewan Registered Livestock Brands Book*.

(2) The fee to purchase a copy of the *Saskatchewan Registered Livestock Brands Book*, either in paper or electronic format, is the cost, as determined by the minister, of making and distributing the copy.

(3) For the purposes of section 17 of the Act, any person wishing a search of the electronic record mentioned in subsection (1) shall submit to the director:

- (a) an application, in the form determined by the director; and
- (b) a fee of \$30 per hour based on the time estimated to perform the search.

11 Jun 99 SR 42/1999 s11; 21 Jan 2011 SR
1/2011 s10.

Appendix

Repealed. 5 Dec 2014 SR 99/2014 s6.

Editorial Appendix

Please note that for the convenience of the user the heading “BRAND SPECIFICATIONS” has been added before section 9 of these regulations.

