

The Animal Custom Care Regulations, 1983

Repealed

by Chapter A-20.2 Reg 11 (effective June 1, 2006).

Formerly

Chapter A-20.2 Reg 3 (effective September 15, 1983)
as amended by Saskatchewan Regulations 81/87 and 78/2001.

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-20.2 REG 3

The Animal Products Act

Title

- 1 These regulations may be cited as *The Animal Custom Care Regulations, 1983*.

Interpretation

- 2 In these regulations:

- (a) “**Act**” means *The Animal Products Act*;
- (b) “**animal**” means any animal of the equine species, any animal of the bovine species or any sheep, goat, swine or interspecies hybrid of such animals and includes a domestic game farm animal as defined in *The Domestic Game Farm Animal Regulations*;
- (c) **Repealed.** 2 Nov 2001 SR 78/2001 s3.
- (d) “**lien**” means a lien pursuant to section 15.1 of the Act;
- (d.1) “**market operator**” means the owner or person in charge of a stockyard or auction market where livestock is held for sale;
- (e) “**owner**” includes any person acting for or on behalf of the owner of an animal;
- (f) “**public auction**” means a public sale in which articles are sold to the highest bidder.

23 Sep 83 cA-20.2 Reg 3 s2; 7 Aug 87 SR 81/87
s2; 2 Nov 2001 SR 78/2001 s3.

Proper care of animals

- 3(1) Every animal keeper shall, while he has custody of an animal, supply the animal with any wholesome sustenance, shelter and care that may be agreed upon between the owner and the animal keeper.
- (2) Every animal keeper who exercises the right of detention pursuant to section 15.1 of the Act shall keep in his possession and be responsible for the proper care of the animal detained by him for the period of detention.

23 Sep 83 cA-20.2 Reg 3 s3.

Sale where animal not reclaimed

- 4(1) An owner may reclaim a detained animal by paying his indebtedness in respect of the lien and the detention within 30 days from the day of the commencement of detention.
- (2) Where an animal is not reclaimed pursuant to subsection (1), the animal keeper may offer the animal for sale to recover costs with respect to the lien and the detention.
- (3) A sale pursuant to subsection (2) must be by public auction.

23 Sep 83 cA-20.2 Reg 3 s4; 2 Nov 2001
SR 78/2001 s4.

A-20.2 REG 3**ANIMAL PRODUCTS****Notice of sale**

5(1) Where an animal keeper intends to offer an animal for sale by public auction pursuant to section 4, the animal keeper shall:

- (a) subject to subsection (3), deliver a notice of sale to the owner at least seven days before the sale, by personal delivery, registered mail or confirmed courier delivery to the owner's last known address;
 - (b) post a copy of the notice of sale for at least seven consecutive days before the sale:
 - (i) at the premises where the sale is to be held;
 - (ii) in the office of the municipality in which the animal is detained; and
 - (iii) in one other conspicuous place within the municipality in which the animal is detained; and
 - (c) provide a copy of the notice of sale to an inspector at the public auction prior to the animal being sold.
- (2)** The notice of sale mentioned in subsection (1) must state:
- (a) the name of the owner of the animal, if known;
 - (b) the amount for which a lien is claimed;
 - (c) a description of the animal;
 - (d) the name of the animal keeper;
 - (e) the location where the animal will be offered for sale; and
 - (f) the date of the sale.
- (3)** Where the owner's whereabouts are unknown to the animal keeper after reasonable inquiry, the animal keeper is not required to meet the requirements of clause (1)(a).

2 Nov 2001 SR 78/2001 s5.

Manifest

5.1 Where an animal is sold by public auction pursuant to section 4 and a manifest is required with respect to that animal pursuant to *The Livestock Inspection and Transportation Regulations, 1978*, being Saskatchewan Regulations 242/78, the animal keeper must ensure that the manifest is completed in the owner's name with the animal keeper identified as the contributor.

2 Nov 2001 SR 78/2001 s5.

Payment of proceeds

6(1) Where an animal is sold by public auction pursuant to section 4, the market operator shall, as soon as is practicable after the third business day after the date of sale, apply the proceeds derived from the sale in priority of payment:

- (a) first, to the expenses incurred in connection with the detention, advertising and sale of the animal; and
- (b) second, to the animal keeper for the debt for which the animal was detained.

(2) The market operator shall, as soon as is practicable, pay to the owner any funds remaining after payments are made pursuant to subsection (1).

(3) Where the owner's whereabouts are unknown after reasonable inquiry, the market operator shall, as soon as is practicable, remit the funds mentioned in subsection (2) to the administrator or clerk of the municipality in which the animal was sold.

(4) Where the owner does not claim the funds remitted to the administrator or clerk pursuant to subsection (3) within 12 months after the remittance, those funds become part of the general funds of the municipality, and any claim or right of the owner to those funds is extinguished.

2 Nov 2001 SR 78/2001 s5.

Statement regarding disposition

7(1) Where an animal is sold by public auction pursuant to section 4, the market operator shall provide a written statement showing the disposition of the proceeds from the sale of the animal:

(a) to the owner; or

(b) where the owner's whereabouts are unknown after reasonable inquiry, to the administrator or clerk of the municipality in which the animal was sold.

(2) The written statement mentioned in subsection (1) is to be delivered personally or by registered mail.

(3) Any proceeds from the sale that are to be paid to the owner or the municipality pursuant to section 6 are to accompany the written statement mentioned in subsection (1).

2 Nov 2001 SR 78/2001 s5.

Regulations to be available

8 Every animal keeper shall keep a copy of these regulations conspicuously posted or readily available at the premises owned or operated by him.

23 Sep 83 cA-20.2 Reg 3 s8.

Repeal

9 *The Animal Custom Care Regulations, 1982*, being chapter A-20.2 Reg 1 of *The Revised Regulations of Saskatchewan* are repealed.

23 Sep 83 cA-20.2 Reg 3 s9.

