

# *The Animal Custom Care Regulations, 2006*

*being*

[Chapter A-20.2 Reg 11](#) (effective June 1, 2006).

**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 11

### *The Animal Products Act*

#### **Title**

1 These regulations may be cited as *The Animal Custom Care Regulations, 2006*.

#### **Interpretation**

2(1) In these regulations:

- (a) “**Act**” means *The Animal Products Act*;
- (b) “**animal keeper**” has the same meaning as in subsection 15.1(1) of the Act;
- (c) “**lien**” means a lien pursuant to subsection 15.1(2) of the Act;
- (d) “**market operator**” has the same meaning as in clause 15.2(1)(c) of the Act;
- (e) “**owner**” includes any person acting for or on behalf of the owner of an animal.

(2) These regulations apply to any animal of the equine species, any animal of the bovine species or any sheep, goat, swine or interspecies hybrid of such animals, including a domestic game farm animal as defined in *The Domestic Game Farm Animal Regulations*.

12 May 2006 cA-20.2 Reg 11 s2.

#### **Proper care of animals**

3(1) Every animal keeper must, while he or she has custody of an animal, supply the animal with any sustenance, shelter and care to which the owner and the animal keeper agreed.

(2) Every animal keeper who exercises the right of detention pursuant to section 15.1 of the Act shall keep in his or her possession and be responsible for the proper care of the detained animal for the period of detention.

12 May 2006 cA-20.2 Reg 11 s3.

#### **Sale by public auction**

4(1) To sell an animal by public auction pursuant to section 15.2 of the Act, the animal keeper must:

- (a) subject to subsection (6), deliver a notice of sale to the owner at least seven days before the sale, by personal delivery or registered mail 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 before the animal is sold.
- (2) A public auction where an animal is to be sold pursuant to section 15.2 of the Act must be a regularly scheduled sale by a licensed dealer as defined in *The Livestock Dealer Regulations, 1995*.
- (3) Any animal to be sold at a public auction pursuant to section 15.2 of the Act must be listed in the sale catalogue if one is published for that sale.
- (4) 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 name of the licensed dealer;
  - (f) the location where the animal will be offered for sale; and
  - (g) the date of the sale.
- (5) If an animal keeper is not able to deliver a notice of sale to the owner pursuant to clause 4(1)(a) because the owner's whereabouts are unknown, the animal keeper must make reasonable inquiries to locate the owner.
- (6) If the animal keeper is not able to locate an owner after making reasonable inquiries, he or she can proceed with the sale as if the notice of sale had been delivered to the owner.

12 May 2006 cA-20.2 Reg 11 s4.

**Manifest**

5 If an animal is sold by public auction pursuant to the Act 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.

12 May 2006 cA-20.2 Reg 11 s5.

**Statement regarding disposition**

**6(1)** If an animal is sold by public auction pursuant to section 15.2 of the Act, the market operator must provide a written statement showing the disposition of the proceeds from the sale of the animal:

- (a) to the owner; or
- (b) if 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.

12 May 2006 cA-20.2 Reg 11 s6.

**Arbitrations**

**7** *The Arbitration Act, 1992* applies to arbitrations pursuant to section 15.2 of the Act.

12 May 2006 cA-20.2 Reg 11 s7.

**Regulations to be available**

**8** Every animal keeper shall keep a copy of these regulations conspicuously posted at the premises the animal keeper owns or operates.

12 May 2006 cA-20.2 Reg 11 s8.

**R.R.S. A-20.2 Reg 3 repealed**

**9** *The Animal Custom Care Regulations, 1983* are repealed.

12 May 2006 cA-20.2 Reg 11 s9.

**Coming into force**

**10(1)** Subject to subsection (2), these regulations come into force on the day on which sections 6 and 7 of *The Animal Products Amendment Act, 2002* come into force.

**(2)** If these regulations are filed with the Registrar of Regulations after the day on which sections 6 and 7 of *The Animal Products Amendment Act, 2002* come into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

12 May 2006 cA-20.2 Reg 11 s10.

