B I L L

No. 73

An Act respecting Boundary or Line Fences, Stray Animals, Identifiers, and the Production, Sale, Transport and Inspection of Animals and Animal Products and making consequential amendments to other Acts

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(Assented to)

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

PART 1
Preliminary Matters

Short title

1-1 This Act may be cited as *The Animal Production Act*.

Definitions

1-2 In this Act:

"administration agreement" means an agreement entered into pursuant to section 2-1;

"animal" means an animal owned by a person for the purposes of animal production, competition or personal use, including:

(a) bovines, including cattle and bison;

(b) camelids, including alpacas and llamas;

(c) caprines, including goats;

(d) cervids, including deer, elk, and any other prescribed domestic game farm animal;

(e) equines, including horses and donkeys;

(f) fowl, including quail, peafowl, pheasants, guinea fowl and pigeons;

(g) fur farm animals as prescribed;

(h) insects as prescribed, including bees;

(i) ovines, including sheep;

(j) porcines, including swine and wild boar;

(k) poultry, including chickens, turkeys, ducks and geese;

(l) ratites, including ostriches and emus;

(m) any inter-species hybrid of any of the animals mentioned in clauses (a) to (l); and

(n) any other prescribed animal;

"animal product" means any product produced by or from an animal and includes:

(a) any part of an animal, whether edible or non-edible; and

(b) reproductive animal material including ova, embryos and semen;

"appeals committee" means an appeals committee established pursuant to section 9-2;

"assurance fund" means a fund established pursuant to section 9-1;

"business day" means a day other than a Saturday, Sunday or statutory holiday;

"document" includes any physical or electronic communication material, including written documents, photographs, recordings or any other form of record;

"identifier" means an identifier showing ownership or origin registered in accordance with this Act and includes the following on or in an animal or animal product:

(a) brands;

(b) implants;

(c) radio frequency identification devices;

(d) any other prescribed mark or device or label;

"inspector" means a person designated by the minister as an inspector for the purposes of this Act;

"line fence" means a fence that is on a property line of adjoining parcels of land;

"minister" means the member of the Executive Council to whom for the time being the administration of this Act is assigned;

"ministry" means the ministry over which the minister presides;

"person" includes an individual, unincorporated association, corporation, partnership or other organization;

"premises" means an area of land described by a legal land description where animals are kept;

"prescribed" means prescribed in the regulations;

"producer" means any person engaged in the production of animals or animal products;

"property" means all or any type of property;

"provincial association" means a corporation, body corporate, organization, non-profit corporation, board, partnership, firm or business whose members or shareholders are producers;

"record" means any document and includes any information that is recorded or stored by physical or electronic means;

"restrain" means to capture, seize, confine or otherwise keep an animal under control and to place the animal in an area surrounded by a fence or enclosure;

"service agreement" means an agreement entered into between the minister and a service provider;

"service provider" means any person or entity that provides services related to the inspection or handling of animals or animal products pursuant to an agreement with the minister and includes a service provider pursuant to an administration agreement;

"vehicle" means a car, truck, trailer or any conveyance in or on which animals or animal products may be transported.

Responsibilities and powers of minister

1-3(1) The minister is responsible for all matters not by law assigned to any other minister or government agency relating to the production, restraint, manufacture, identification, licensing, sale, purchase, transport and inspection of animals and animal products.

(2) For the purposes of carrying out the minister's responsibilities, the minister may:

(a) create, develop, adopt, coordinate and implement policies, codes, standards, strategies, objectives, guidelines, programs, services and administrative procedures;

(b) undertake and coordinate planning, research and investigations;

(c) provide information to the public; and

(d) do any other thing that the minister considers appropriate to carrying out the minister's responsibilities or to exercising the minister's powers pursuant to this Act and the regulations.

(3) The minister may, in writing, delegate any or all of the minister's powers or responsibilities pursuant to this Act and the regulations to another person with terms and conditions that the minister considers appropriate to define the purpose and extent of the delegation.

(4) A person designated by the minister pursuant to subsection (3) to act for the purposes of this Act or the regulations may, in writing, delegate any or all of that person's designated powers or responsibilities pursuant to this Act or the regulations to another person subject to the terms and conditions set out by the minister pursuant to subsection (3).

(5) A person designated as a delegate pursuant to subsection (3) or (4) shall comply with any terms and conditions set out by the minister pursuant to subsection (3).

Service agreements

1-4 Subject to the regulations, the minister may enter into a service agreement with any person for the purpose of providing services related to the production, restraint, manufacture, identification, licensing, sale, purchase, transport, handing and inspection of animals or animal products.

PART 2
Administration Agreements

Agreements

2-1(1) Subject to the approval of the Lieutenant Governor in Council, the minister, on behalf of the Government of Saskatchewan, may enter into an administration agreement with any person for the purpose of administering services as authorized pursuant to the authority of this Act and the regulations.

(2) In an administration agreement entered into pursuant to subsection (1), the minister may delegate all or any of the minister's powers and duties pursuant to this Act and the regulations with respect to all inspections of animals or animal products or with respect to any category of inspections of animals, animal products, animal identification, or any other service authorized pursuant to this Act or the regulations as listed in the agreement.

(3) An administration agreement must include provisions that specify all of the following:

(a) the powers and duties being delegated to the person with whom the agreement is entered into;

(b) the expected outcomes to be achieved by the person;

(c) the acceptance by the person of the person's responsibility to exercise the powers and fulfil the duties delegated to the person;

(d) the requirement that the person report to the minister whenever required by the minister and in the manner and within the period directed by the minister;

(e) the requirement that the person provide the minister, within a period after the end of a year that is specified in the agreement, with an annual report on the person's activities during the year in carrying out the provisions of the agreement and an audited financial statement satisfactory to the minister respecting the person's carrying out of the provisions of the agreement;

(f) if the administration agreement is for less than a full year, the requirement that the person provide the minister, within a period specified in the agreement, with a report on the person's activities during the period of the agreement and, if requested, an audited financial statement or other form of financial report satisfactory to the minister respecting the person's carrying out of the provisions of the agreement;

(g) the requirements for records management by the person, including, but not limited to, record keeping in compliance with *The Freedom of Information and Protection of Privacy Act* and *The Archives and Public Records Management Act*;

(h) the requirement that the person report to the minister any matters with respect to the exercise by it of the powers and the fulfilment by it of the duties delegated to the person;

(i) the requirement that the person carry adequate insurance;

(j) the indemnification between the person and the Government of Saskatchewan;

(k) the procedure for termination of the agreement and the obligations of the parties if the agreement is terminated;

(l) the period of the agreement or the procedure for the review of the agreement by the minister and the person;

(m) the settlement of disputes;

(n) the liability of the person arising out of the person's carrying out of the provisions of the agreement;

(o) the terms and conditions that are to be imposed on the person in carrying out the provisions of the agreement;

(p) any additional prescribed matters.

(4) The delegation to the person of the administration of all or part of this Act and the regulations in accordance with this section does not constitute the person as an agent of the Crown in right of Saskatchewan.

(5) Notwithstanding any provision of an administration agreement or any other Act or law but subject to subsection (6), the minister may terminate the administration agreement if the minister is satisfied that the person with whom the agreement is entered into is not complying with the administration agreement or this Act or the regulations.

(6) An administration agreement may be terminated only in accordance with the procedures and on the terms and conditions specified in the agreement.

(7) The maximum term for an administration agreement between the minister and a service provider is 5 years from the date it is entered into.

(8) In accordance with section 13 of *The Executive Government Administration Act*, the minister shall lay before the Legislative Assembly every administration agreement entered into by the minister within 90 days after the agreement is entered into.

Matters arising from entering into an administration agreement

2-2(1) In this section, **"specified provisions"** means the provisions of this Act and the regulations that are mentioned in an administration agreement.

(2) Notwithstanding any other provision of this Act or the regulations or any other Act or law but subject to subsection (3), if the minister and a person enter into an administration agreement:

(a) a reference in the specified provisions to an inspector is deemed to be a reference to an inspector appointed or designated by the person, and the inspector appointed or designated by the person may exercise the powers of, and shall fulfil the duties imposed on, an inspector pursuant to the specified provisions;

(b) a reference to the minister in the specified provisions is deemed to be a reference to the person, and the person may exercise the powers of, and shall fulfil the duties imposed on, the minister that are mentioned in those specified provisions;

(c) duties imposed by the specified provisions on the minister, the ministry, an official or employee of the ministry or an inspector and powers granted by the specified provisions to the minister, the ministry, an official or employee of the ministry or an inspector are delegated to the person or an inspector appointed or designated by the person, as the case may be, unless specifically exempted in the administration agreement;

(d) all persons who are required in the specified provisions to pay to the minister, the ministry or an inspector a fee shall instead pay to the person any fee charged by the person for the purposes of this Act and the regulations;

(e) the person may exercise any powers given to the minister, the ministry or the Government of Saskatchewan pursuant to the specified provisions to enforce payment of any fee charged by the person for the purposes of the specified provisions, including the power to cancel or suspend any document or licence issued pursuant to this Act for non-payment of that fee;

(f) all reports, records or documents that are required to be made to the minister or an inspector pursuant to the specified provisions, and all information and documentation that is required to be provided to the minister, the ministry, an official or employee of the ministry or an inspector pursuant to the specified provisions, must be made or provided to the person or an inspector appointed or designated by the person, as the case may be;

(g) every valid licence or certificate issued by the minister or an inspector pursuant to the specified provisions that is in force on the day before the coming into force of this section remains in force and may be dealt with by the person in accordance with this Act as if it had been issued by the person; and

(h) every exemption, prohibition, notice, decision or requirement issued by the minister or an inspector pursuant to the specified provisions that is in place on the day before the coming into force of this section remains in force and may be dealt with by the person as if it had been issued by the person.

(3) In an administration agreement, the minister and the person may provide that all or any of the matters mentioned in subsection (2):

(a) do not apply; or

(b) are to apply in the manner and with the modifications set out in the agreement.

PART 3
Licences

Licences

3-1(1) Subject to subsections (2) and (3), the Lieutenant Governor in Council may require the following persons to be licensed:

(a) any person engaged in the business of producing, raising, grading, slaughtering, processing, identifying, inspecting, dealing or otherwise handling animals or animal products, whether as principal or agent;

(b) any other prescribed person or prescribed service provider engaged in animal or animal product commerce.

(2) The Lieutenant Governor in Council may, by regulation, exempt any person or any class of persons from the requirement to obtain a licence on any conditions that the Lieutenant Governor in Council may prescribe.

(3) For the purposes of subsection (1), the Lieutenant Governor in Council may prescribe:

(a) classes of licences;

(b) the conditions under which a licence may be granted, refused, cancelled, suspended, amended or reinstated;

(c) the fees payable with respect to a licence;

(d) the form of a licence and its duration;

(e) procedures for renewal of a licence.

(4) The Lieutenant Governor in Council may, by regulation, require any person applying for a licence to provide a guarantee or surety bond or other security in the amount and form specified by the Lieutenant Governor in Council, and may prescribe the conditions under which and the manner in which the bond or other security may be forfeited.

(5) Subject to the regulations, the minister may:

(a) grant and issue a licence to a person whom the minister considers suitable to be licensed; or

(b) refuse to grant a licence if the minister considers it necessary and in the public interest to do so.

Suspension or cancellation of licence

3-2(1) Subject to subsection (2), the minister may amend, suspend or cancel any licence if, in the opinion of the minister, the holder of the licence has failed to comply with the requirements of this Act or the regulations or with the conditions of the licence.

(2) The minister shall not amend, suspend or cancel a licence pursuant to subsection (1) without giving the holder of the licence an opportunity to be heard.

(3) Notwithstanding subsection (2), if the minister considers that it is necessary to protect the public interest, the minister may immediately amend, suspend or cancel a licence pursuant to subsection (1) without giving the holder of the licence an opportunity to be heard, but the minister shall give the holder of the licence an opportunity to be heard within 30 days after the date on which the minister takes any of those actions.

Unlicensed activity prohibited

3-3(1) A person who is required by this Act to hold a licence shall conduct prescribed licensed activities only if that person's licence is current and valid.

(2) Any person who conducts prescribed licensed activities without a licence or while the licence is suspended or cancelled is guilty of an offence.

PART 4
Inspections

Appointment of inspectors

4-1(1) Every member of the Royal Canadian Mounted Police and every member of a municipal police service is, by virtue of that position, an inspector for the purposes of this Act and the regulations and has the same powers and duties as are conferred or imposed on an inspector pursuant to this Act and the regulations.

(2) The minister may appoint any persons or category of persons as inspectors for the purposes of this Act and the regulations, including those employed by:

(a) the Government of Saskatchewan;

(b) the Government of Canada;

(c) a service provider as indicated in an administration agreement pursuant to section 2-1; and

(d) any other prescribed person considered necessary to carry out inspections required by this Act and the regulations.

(3) The minister may appoint any persons or category of persons as inspectors if, in the minister's opinion:

(a) an emergency or other circumstance has arisen or may arise that, in the public interest, requires or may require the appointment of additional inspectors pursuant to this Act; and

(b) the persons or category of persons to be appointed have the training or expertise to carry out the duties of inspectors pursuant to this Act and the regulations.

(4) Subject to subsection (5), a person appointed as an inspector pursuant to subsection (3):

(a) holds that position for a term not exceeding 6 months; and

(b) is eligible for reappointment.

(5) The minister may, at any time, revoke the appointment of a person as an inspector pursuant to subsection (2) or (3).

(6) The appointment of a person as an inspector pursuant to subsection (2) is deemed to be revoked if the person ceases to be employed in the capacity mentioned in the appointment.

(7) The minister may provide remuneration and reimbursement for expenses to any person appointed as an inspector pursuant to subsection (3), other than a person who is a member of the public service of Saskatchewan, at the rates approved by Treasury Board.

(8) Notwithstanding any other provision of this section, the minister may restrict the authority of an inspector appointed pursuant to subsection (2) or (3) to the enforcement of certain provisions of this Act or of the regulations, as specified in the appointment.

Certificate of appointment of inspector

4-2 A certificate of the appointment of an inspector pursuant to subsection 4-1(2) or (3) is, without proof of the signature or official position of the person purporting to have signed the certificate, proof of the appointment of the inspector, in the absence of evidence to the contrary.

Powers of inspector

4-3(1) Subject to subsection (2), an inspector may, for the purposes of preventing or detecting the contravention of any of the provisions of this Act or the regulations, without a warrant:

(a) enter and search any place other than a private dwelling; and

(b) examine, sample, test, seize and detain any animal, animal product or record that the inspector has reasonable grounds to believe is evidence of the contravention of any provision of this Act, the regulations or any prescribed code.

(2) The powers granted pursuant to subsection (1) may be exercised at any reasonable time or at any other time if the inspector has reasonable grounds to believe that a time sensitive or urgent situation exists.

(3) No person who is in charge of any place or premises shall refuse or fail to admit an inspector demanding to enter pursuant to this section in the execution of the inspector's duties.

(4) No person shall obstruct or attempt to obstruct an inspector in the exercise of any of the powers granted pursuant to this Act, the regulations or any prescribed code.

(5) An inspector may request from a licence holder proof of licence and any related documentation required to hold the licence.

(6) An inspector may cancel a licence if the inspector finds that the licence holder is not in compliance with this Act, the regulations or the conditions of the licence or any prescribed code.

(7) An inspector may, without a warrant, arrest any person found committing an offence pursuant to this Act or the regulations.

(8) An inspector, in the exercise and discharge of the inspector's powers and duties pursuant to this Act and the regulations, is a peace officer for the purposes of the enforcement of this Act and the regulations.

Routine inspection

4-4(1) For the purposes of administering this Act and the regulations, an inspector may make any inspection, test or inquiry that the inspector considers necessary, and for that purpose may enter onto private property at reasonable times.

(2) Every person who owns or holds animals or animal products shall:

(a) cause the place where the animals or animal products are kept to be open for inspection by an inspector at all reasonable times;

(b) cause all documents, records, equipment or other evidence pertaining to the animals or animal products to be available for inspection by an inspector at all reasonable times.

(3) Subject to subsection (4), an inspector may not enter a private dwelling to make an inspection or inquiry without the consent of the occupant of the private dwelling.

(4) A justice of the peace or a judge of the Provincial Court of Saskatchewan may issue a warrant requiring a person to give up to any inspector for the purpose of inspection any documents, records, equipment or other evidence pertaining to the animals or animal products in question if an inspector believes, on reasonable grounds presented under oath, that:

(a) documents, records, equipment or other evidence pertaining to the animals or animal products in question are present in the person's private dwelling; and

(b) the person has refused to permit the inspector to enter the private dwelling.

(5) No person shall fail to comply with a warrant made pursuant to subsection (4).

Inspector may search vehicle

4-5(1) An inspector may, on production of the inspector's badge or identification card, at any time stop and search without a warrant any vehicle in or on which the inspector has reason to believe any animal or animal product is being carried in contravention of this Act or the regulations and may inspect any such animal or animal product.

(2) A person operating or in charge of any vehicle mentioned in subsection (1) shall:

(a) if the vehicle is in motion, bring the vehicle to a stop;

(b) permit the inspector to inspect the vehicle and any animal or animal product that is being carried in or on the vehicle;

(c) produce to the inspector all required documents for any animal or animal product that is being carried in or on the vehicle; and

(d) transport the animal or animal product to the nearest point where it can be inspected.

Inspector may detain animal or animal product

4-6(1) An inspector may cause any animal or animal product to be detained for the purposes of:

(a) inspection; or

(b) establishing proof of ownership of the animal or animal product.

(2) Subject to the regulations, no animal or animal product detained pursuant to subsection (1) may be removed from the place of inspection without the authorization of the inspector.

(3) An inspector may destroy any animal product detained pursuant to this section or section 4-7 in accordance with the regulations.

Inspector may acquire sample of animal product and detain animals or animal products

4-7 An inspector may, for the purposes of enforcing this Act and the regulations:

(a) without being charged a fee, take samples of any animal product in the manner authorized by the regulations;

(b) place under detention, in the manner authorized by the regulations, any animal or animal product that is, or may be, in contravention of this Act or the regulations;

(c) require the return of any animal or animal product that has been detained pursuant to clause (b) to the place from which it was moved, at the expense of the owner or any person purporting to be the owner.

Inspectors forbidden to purchase certain animals or animal products

4-8 No inspector shall, directly or indirectly, purchase or acquire an interest of any kind in any animal or animal product detained or offered for sale by an inspector pursuant to this Act.

Powers of inspector at auction

4-9 An inspector may inspect any animal or animal product at a public auction sale, and may enter any premises for that purpose at any reasonable time.

Inspector may cancel document

4-10(1) Subject to subsections (4) to (6), an inspector may notify a person to whom a document was issued by the inspector advising the person that the inspector intends to cancel the document, demand the return of the document and may subsequently cancel the document if an inspector has reason to believe the any of following:

(a) that the document issued by the inspector was improperly issued;

(b) that the person to whom the document was issued was, for any reason, not entitled to it.

(2) If a document has been cancelled pursuant to subsection (1) and its return demanded, the person to whom the demand is addressed shall return the document to the inspector.

(3) Nothing in this section affects the rights of any person, other than the person to whom the document was issued, who has acted in good faith and in reliance on the validity of the document issued.

(4) Subject to subsection (6), the inspector shall not cancel a document pursuant to subsection (1) without giving the person to whom the document was issued an opportunity to make written representations to the inspector within 10 days after the notice is received.

(5) If written representations are received by an inspector pursuant to subsection (4), the inspector shall make a decision with respect to cancellation and provide written reasons for the decision to the person.

(6) Notwithstanding subsection (1), if an inspector believes it is necessary for the public interest that a document be cancelled immediately, the inspector may immediately cancel the document and shall:

(a) immediately notify the person of the decision and the reasons for it;

(b) provide an opportunity for the person to respond with written representations within 10 days to request the inspector to reconsider the decision; and

(c) if written representations are received within 10 days, respond in writing with reasons why a decision to cancel is maintained or reversed.

Inspection certificate

4-11 Any inspection certificate or other document purporting to be signed by an inspector or other person on whom duties have been conferred pursuant to this Act or the regulations is proof, in the absence of evidence to the contrary, of the facts stated in the certificate or other document, without proof of the signature or official position of the person signing the certificate.

Collection of fees

4-12 Persons authorized by the minister to collect inspection fees may receive a commission in the prescribed amount.

Cooperation with inspectors

4-13 No person shall resist, obstruct, hinder or interfere with an inspector who is acting in the course of the inspector's duties.

Duty to provide facilities and assistance

4-14 The owner or operator of an inspection site or any other place where inspections are to be carried out shall, subject to the regulations, ensure that the inspector is provided with facilities in which to carry out an inspection and that the inspector is given any assistance that is reasonably necessary to enable the inspector to carry out the inspection in a safe and efficient manner.

Search for evidence of offence

4-15(1) A justice of the peace or a judge of the Provincial Court of Saskatchewan may issue a warrant authorizing an inspector to enter and search any place, premises or vehicle named in the warrant if the justice or judge is satisfied by information given under oath that there are reasonable grounds to believe that:

(a) an offence against this Act or the regulations has been committed; and

(b) there is evidence of the offence to be found at the place, premises or vehicle proposed to be searched.

(2) With a warrant issued pursuant to subsection (1), an inspector may:

(a) enter and search any place, premises or vehicle named in the warrant; and

(b) seize and remove from any place, premises or vehicle searched anything that may be evidence of an offence against this Act or the regulations.

(3) Subject to subsection (4), an inspector may, without a warrant, do any of the things mentioned in subsection (2), if the conditions for obtaining a warrant exist and the inspector believes, on reasonable grounds, that the delay necessary to obtain a warrant would result in the loss, removal or destruction of evidence.

(4) An inspector shall not enter a private dwelling without a warrant issued pursuant to this section unless the occupant of the private dwelling consents to the entry.

PART 5
Premises Identification Numbers and Identifiers

Premises identification

5-1(1) Every producer must obtain the prescribed premises identification number to be obtained in the prescribed manner.

(2) The premises identification number, together with any prescribed information that must accompany an application for a premises identification number pursuant to subsection (1), may be used by the minister:

(a) in emergency situations;

(b) for the purposes of *The Animal Health Act*;

(c) for the purposes of a national animal identification system;

(d) to assist law enforcement investigations; and

(e) for any other prescribed purpose.

Prohibition

5-2 No person shall apply an identifier unless the identifier is registered in accordance with this Act and the regulations.

Certificate of registration

5-3(1) Any producer of a prescribed animal or animal product may apply to the minister to register, transfer, renew or revise an identifier in the prescribed manner.

(2) On receipt of an application pursuant to subsection (1), the minister may approve or refuse the application in the prescribed manner and for the prescribed term.

(3) After registering, transferring, renewing or revising the registration of an identifier, the minister shall forward a certificate of registration to the person in whose name the identifier is registered.

(4) A certificate of registration is proof, in the absence of evidence to the contrary, that the person in whose name the identifier is registered has, during the period shown in the certificate, the exclusive right to the use and benefit of that identifier.

Registered animal identifier proof of ownership

5-4 The presence an identifier on or within an animal is proof, in the absence of evidence to the contrary, that the animal is owned by the person in whose name the identifier is registered.

Notice of cancellation

5-5(1) The minister may give to a person in whose name an identifier has been registered a written notice that the minister intends to cancel the registration of the identifier if, in the opinion of the minister:

(a) the person in whose name the identifier has been registered has contravened any provision of this Act or the regulations; or

(b) the identifier:

(i) is a duplicate of another identifier or so similar to another identifier as to create the possibility of confusion; and

(ii) was registered after the registration of the identifier mentioned in subclause (i).

(2) If a person to whom notice is given pursuant to this section does not establish to the satisfaction of the minister within 30 days after receiving the notice that the registration of that person's identifier should not be cancelled, the minister may cancel the registration.

(3) The minister may, without charge, register an identifier to replace an identifier to which clause (1)(b) applies.

Re-registration of expired or cancelled registration

5-6 The minister may re-register an expired or cancelled identifier in the prescribed manner.

Revision of registration

5-7 On application by the person in whose name an identifier has been registered, the minister may make a change in the registration of that identifier in the prescribed manner.

Restriction on registration

5-8 The minister shall refuse to register any identifier that, in the minister's opinion, is identical or similar to:

(a) a registered identifier; or

(b) an identifier with respect to which the registration has expired or has been cancelled.

Records

5-9 With respect to an identifier, the minister or other prescribed person shall keep a record in the prescribed form containing the prescribed information.

List of identifiers

5-10 The minister may publish a list of registered animal identifiers at the times and in the manner that the minister considers advisable and may charge a prescribed fee to anyone who requests a printed copy of the list.

Regulations

5-11 For the purposes of this Part, the Lieutenant Governor in Council may make regulations:

(a) defining premises identification number;

(b) prescribing the process to obtain a premises identification number;

(c) prescribing the information that may be required to accompany an application for a premises identification number;

(d) with respect to identifiers:

(i) prescribing the period for which a registration is valid;

(ii) respecting the terms and conditions for renewal of a registration;

(iii) respecting the cancellation of a registration;

(iv) respecting prohibited registrations;

(v) prescribing standards for the use of identifiers, including prescribing:

(A) types of approved identifiers;

(B) allowable uses of identifiers;

(C) requirements for the use of an identifier for an animal, including the identification method and location on an animal;

(D) the administration of an identifier database, including record keeping and accessibility requirements;

(E) fees or administrative charges for services provided;

(F) the requirements of and processes for an identifier service provider, including a person who has entered into an administrative agreement pursuant to section 2-1;

(vi) prescribing animals or animal products for the purposes of identifier registration, transfer, renewal or revision applications to the minister;

(vii) respecting the manner of application to the minister for identifier registration, transfer, renewal or revision;

(viii) respecting the manner of acceptance or refusal of the minister of an application for identifier registration, transfer, renewal or revision;

(ix) respecting the prescribed term of an identifier registration, transfer, renewal or revision;

(x) any other matter related to identifiers and their administration;

(xi) respecting persons who are required to keep records of identifiers;

(xii) respecting the form and contents of records of identifiers;

(e) respecting any other matter or thing that the Lieutenant Governor in Council considers necessary for the purposes of administering premises identification numbers and identifiers.

PART 6

Fencing

Producer responsibility with respect to fencing

6-1 A producer is responsible for the construction and maintenance of structures related to the enclosure of animals under that producer's care and shall:

(a) subject to sections 6-2 and 6-3, construct, repair and maintain a fence or other animal enclosure, appropriate to each type of animal, that is capable of keeping the animals contained;

(b) on the discovery of an animal under that producer's care found outside the fence or enclosure of that producer, immediately restrain that animal and return it to the area enclosed by the fence or to an appropriate enclosure;

(c) if a fence or enclosure is damaged, immediately take steps to repair the damage;

(d) if the current fence or enclosure is not capable of ensuring that an animal stays within the fence or enclosure, take immediate action to ensure the fence or enclosure meets the acceptable industry standards for that animal type; and

(e) pay any fees, fines or penalties in accordance with Part 7 and the regulations related to the costs incurred by any person, municipality or service provider taken to capture, restrain, care for or maintain an animal under the producer's care that was not contained in the producer's fence or enclosure, including compensating any person, municipality or service provider for actions taken to capture, restrain, care for or maintain the animal outside the fence or enclosure.

Fencing requirements

6-2(1) The Lieutenant Governor in Council may make regulations prescribing minimum fencing and enclosure standards for animals or classes of animals.

(2) Subject to the regulations, the minister may, by order, approve a fence or enclosure code for a specific class of animal if a provincial association that, in the minister's opinion, represents producers of that class of animal, has passed a resolution and accompanying code that reflects minimum and acceptable fencing or enclosure standards for that class of animal.

Fence cost sharing

6-3(1) For the purposes of this section, **"occupier"** includes a renter or a lessee.

(2) Subject to subsections (3) to (5), if 2 owners or occupiers of adjoining parcels of land wish to erect a line fence between the adjoining parcels for the common advantage of both, they shall pay:

(a) the expense of building a fence in equal shares; and

(b) the expense of maintaining and repairing the fence in equal shares.

(3) Subject to subsection (4), if the owner or occupier of a parcel of land erects a line fence and the owner or occupier of the adjoining parcel of land receives any benefit or advantage from the line fence due to the enclosure of that person's land or a portion of that person's land and the pasturing of animals at any time of the year, the owner or occupier of the adjoining parcel shall, subject to the regulations, pay on request:

(a) to the owner or occupier who owns the fence an equitable proportion of its current value; and

(b) an equitable proportion of the expense of maintaining and repairing the fence.

(4) Owners or occupiers of adjoining parcels of land are exempted from subsections (2) and (3) if the owners or occupiers have entered into an alternative cost sharing agreement.

(5) Unless otherwise prescribed, owners or occupiers who erect 2 separate fences, not on the property line, are exempt from subsections (2) and (3).

Settling fencing disagreements—arbitration

6-4 Subject to the regulations, *The Arbitration Act, 1992* applies to disputes with respect to fencing pursuant to this Part.

PART 7
Stray Animals

Definitions for Part

7-1 In this Part and in section 10-1:

"dangerous stray" means a dangerous stray as defined in the regulations;

"owner" means a person who owns an animal or any other prescribed person;

"pound" means a pound as defined in the regulations;

"poundkeeper" means a poundkeeper as defined in the regulations;

"proprietor" means the owner, lessee or other person in lawful possession of any property;

"running at large" means, with respect to an animal, not being on the premises of its owner and not under the immediate, continuous and effective control of its owner;

"stray" means an animal that is:

(a) unlawfully running at large; or

(b) is found outside its owner's fence or enclosure and on public or private property without permission;

"valueless stray" means a stray that has no commercial value.

Animals not to run at large

7-2 Subject to the provisions of this Act, the regulations and any bylaw created in accordance with section 7-3, no owner shall at any time allow any of the owner's animals to run at large.

Time and place which animals may run at large

7-3 Notwithstanding section 7-2, a municipality may, by bylaw:

(a) define the portion of the municipality within which an animal may run at large;

(b) specify the type of animal allowed to run at large;

(c) determine the period of the year during which animals may be permitted to run at large;

(d) determine the maximum number of each kind of animal that an owner may graze in the municipality on unfenced lands which that owner does not own; and

(e) determine any other prescribed matter.

Restraint

7-4(1) Any person may restrain a stray in accordance with this Act and the regulations.

(2) If a person who restrains a stray pursuant to subsection (1) knows who the owner is, the person shall notify that owner, in accordance with the regulations, of the discovery of the stray and the subsequent restraint of the stray.

Liability of owner

7-5(1) The owner of a stray shall be liable:

(a) to a proprietor for any damage caused by the stray to the property of the proprietor; and

(b) the municipality, province or other public entity for any damage caused by a stray to public property.

(2) If a municipality passes a bylaw pursuant to section 7-3:

(a) no action for damages to property caused by an animal while lawfully running at large in accordance with a bylaw shall be maintained; and

(b) no animal that is lawfully running at large in accordance with a bylaw may be restrained or impounded for causing damage to property unless the property is surrounded by a fence.

Liability of proprietor

7-6(1) Subject to subsection (2), no proprietor shall be liable for the injury or death of a stray while the stray is on the proprietor's land.

(2) Nothing in subsection (1) authorizes a proprietor to wilfully injure or cause the death of a stray, unless the proprietor acts in accordance with the requirements of section 7-9.

Liability of the municipality

7-7 Unless specified otherwise in a contract entered into pursuant to subsection 7-9(2), a municipality shall be responsible for any negligent acts or omissions of the service provider it hires in the performance of the service provider's duties, and shall be liable for all resulting loss and damage.

Public safety and the destruction of a dangerous stray

7-8 A dangerous stray may be destroyed only in accordance with the regulations.

Municipal authority to act respecting stray animals

7-9(1) A municipality may take action with respect to strays only in accordance with this Act and the regulations.

(2) On the approval of a council, a municipality may enter into a contract with an individual, organization, another municipality or any service provider for the purposes of dealing with strays.

(3) Any contract entered into pursuant to subsection (2):

(a) must comply with this Act and the regulations;

(b) must specify the financial compensation the service provider will receive for the services provided; and

(c) may include any other conditions that the municipality considers necessary.

(4) On the approval of a council, a municipality may enter into an agreement with another municipality to hire a service provider for the purposes of handling stray animals in the area.

Regulations respecting strays

7-10(1) For the purposes of this Part, the Lieutenant Governor in Council may make regulations:

(a) prescribing the requirements that an owner, proprietor, municipality or any other person assisting in the handling of a stray shall follow with respect to stray animals in Saskatchewan;

(b) respecting the processes to be followed in circumstances of strays in which the owner is known and in which the owner is unknown;

(c) respecting the reasonable inquiry that must be made to attempt to identify the owner of a stray;

(d) respecting the reimbursement of costs incurred by a proprietor, municipality or any other person assisting in the restraint, care, holding, sale, destruction or disposal of a stray or dangerous stray;

(e) respecting the fees, fines, penalties or other financial compensation that a municipality can charge an owner and the administration of those fees, fines, penalties or other financial compensation;

(f) respecting the compensation rate payable by the owner for anyone who is employed to perform, or who otherwise assists with, the identification, restraint, care, sale or destruction of, or any other service relating to, a stray;

(g) respecting the conditions that must be met to release a stray to an owner;

(h) respecting any conditions related to the sale of a stray, including the method of sale, advertisement, timeframe, record of sale and distribution of proceeds;

(i) respecting the process to be followed in circumstances in which a stray is valueless or dangerous;

(j) respecting notification to owners and the public with respect to strays;

(k) respecting record keeping requirements with respect to strays;

(l) respecting the actions that a municipality must follow with respect to strays;

(m) respecting the municipal appointment of employees or service providers to deal with strays;

(n) respecting the operation and maintenance of pounds;

(o) respecting the appointment and duties and qualifications of poundkeepers;

(p) respecting the actions that the owner of a stray must follow; and

(q) respecting any other matter related to the handling of or dealing with a stray.

(2) No owner of a stray shall fail to comply with any requirements imposed on the owner in the regulations, including the requirement to pay any fine or penalty.

PART 8
Animal Liens

Animal keeper's lien

8-1(1) In this section and in section 8-2, **"animal keeper"** means a person who, for money or its equivalent, provides care for animals.

(2) Every animal keeper has a lien on any animal for the price of food, care, attendance, accommodation, treatment or services provided for that animal and, in addition to all other remedies provided by law, may detain in the animal keeper's custody and possession and sell, subject to section 8-2 and the regulations, the animal of any person who is indebted to the animal keeper for feeding, grazing, sheltering, housing, confining, boarding, training, exercising, treating, transporting or caring for that animal.

(3) The right pursuant to subsection (2) has priority over and is not subject to any existing lien, security interest, purchase-money security interest or any other charge or encumbrance affecting that animal.

Resolution of animal keeper's lien by arbitration or otherwise

8-2 Subject to the regulations, *The Arbitration Act, 1992* applies to disputes with respect to animal keeper's liens pursuant to this Part.

PART 9
Assurance Funds

Regulations respecting assurance fund

9-1(1) Subject to subsection (5), the Lieutenant Governor in Council may make regulations respecting an animal or animal product:

(a) requiring the establishment of one or more assurance funds by one or more of the following:

(i) producers;

(ii) the provincial association representing producers;

(iii) any person in addition to those mentioned in subclause (i) or (ii);

(b) establishing an assurance fund committee to administer each assurance fund;

(c) authorizing the assurance fund committee to fund the assurance fund through a levy on the animal or animal product with respect to which the assurance fund is established that is not refundable to producers of the animal or animal product;

(d) respecting the establishment and operation of assurance funds;

(e) respecting the amount of levies and timing and method of paying them to an assurance fund by producers of the animal or animal product;

(f) respecting the administration of each assurance fund, including the investments that may be made using moneys in the assurance fund and the disposition of the income earned from those investments;

(g) respecting the circumstances and manner in which claims on an assurance fund are to be paid;

(h) respecting setting a minimum amount that must be retained in an assurance fund, below which claims against the fund may not be paid;

(i) respecting the financial solvency of an assurance fund, including:

(i) requiring producers of the animal or animal product to pay a special levy following a payment of a claim out of the assurance fund; and

(ii) respecting the right of the assurance fund to recover the amount of a claim against a person who is the subject of the claim;

(j) respecting the amount of moneys to be paid to a producer from an assurance fund, and the timing and method of payment of those moneys;

(k) respecting the duties and powers of assurance fund committees;

(l) prescribing the manner in which assurance fund committees are to conduct their business;

(m) prescribing limits with respect to remuneration and reimbursement for expenses mentioned in subsection (2);

(n) prescribing circumstances in which an assurance fund may be subject to seizure, garnishment, attachment or claim by any person;

(o) respecting any other matters involving assurance funds that the Lieutenant Governor in Council considers necessary or appropriate.

(2) Subject to subsection (3), the members of any assurance fund committee established pursuant to this section are entitled to any remuneration and reimbursement for expenses that may be approved at an annual general meeting of the provincial association following establishment of the assurance fund.

(3) The remuneration and reimbursement for expenses mentioned in subsection (2) are not to exceed any prescribed limits.

(4) An assurance fund established pursuant to this section:

(a) may consist of contributions made by one or more producers or a class of producers, as specified in the regulations;

(b) is to be used solely to repay, in accordance with the regulations, moneys, or a portion of moneys, owed to a producer for the sale of a specified animal or animal product; and

(c) notwithstanding any other Act or law, is not subject to seizure, garnishment, attachment or claim by any person, including any creditor of a producer or the person administering the assurance fund, except as prescribed in the regulations.

(5) No assurance fund and no assurance fund committee are to be established pursuant to this section with respect to an animal or animal product unless the provincial association representing producers of the animal or animal product has:

(a) passed a resolution in favour of the establishment of an assurance fund; and

(b) provided the resolution to the minister.

Appeals committee

9-2(1) The Lieutenant Governor in Council may make regulations:

(a) establishing an appeals committee to hear appeals from any person making a claim against an assurance fund established pursuant to section 9-1;

(b) respecting the number of members who are to sit on the appeals committee;

(c) respecting the amount of remuneration to be paid to the members of the appeals committee; and

(d) prescribing the procedure and manner by which appeals are to be conducted pursuant to this Act.

(2) Subject to the regulations, if an appeals committee is established pursuant to subsection (1), the committee may:

(a) set the period within which an appeal is to be brought;

(b) set the rules and procedures for the conduct of an appeal, including what documents are to be filed on the appeal;

(c) make any investigation it considers necessary for the purposes of the appeal;

(d) require the production of books and records that may relate to the appeal; and

(e) confirm, vary or stay a decision of an assurance fund committee administering an assurance fund established pursuant to section 9-1.

Appeal to appeals committee

9-3 Any person who is directly affected by an act or omission of an assurance fund committee may appeal that act or omission to the appeals committee in the prescribed manner.

Appeal to Court of Queen's Bench

9-4(1) A person who is directly affected by a decision of the appeals committee may appeal the decision to a judge of the Court of Queen's Bench on a question of law only.

(2) A person who is directly affected by a decision of the appeals committee and who intends to appeal that decision shall file the appeal within 15 business days after the date of service of the decision of the appeals committee.

(3) A notice of appeal is to be served on:

(a) the appeals committee; and

(b) the other parties to the proceedings before the appeals committee.

(4) The record of an appeal pursuant to this section is to consist of:

(a) any written decision of an assurance fund committee respecting the matter that is the subject of the appeal;

(b) the written decision of the appeals committee;

(c) the notice of appeal commencing the appeal; and

(d) any other material that the Court of Queen's Bench may require.

(5) If an appeal is taken pursuant to this section, a judge of the Court of Queen's Bench may:

(a) dismiss the appeal;

(b) allow the appeal;

(c) allow the appeal subject to terms;

(d) vary the decision or order of the appeals committee;

(e) refer the matter back to the appeals committee for further consideration and decision; or

(f) make any other order that the judge considers appropriate.

PART 10
Offences and Penalties

Offences and penalties

10-1(1) No person shall:

(a) resist, obstruct, hinder, interfere with, or make false or misleading statements to an inspector who is carrying out duties or functions pursuant to this Act or the regulations;

(b) conduct a prescribed licensed activity without a current and valid licence;

(c) describe an animal or animal product incorrectly on any prescribed form;

(d) without the consent of an inspector, remove, substitute or add any animal or animal product to a document or transaction for which an inspection document has been issued;

(e) alter or destroy a prescribed document or record;

(f) fail to give notice as required by this Act or the regulations;

(g) neglect to provide any report or information required by this Act or the regulations;

(h) buy, sell, offer to buy or sell, or transport any animal or animal product without the consent of the owner, unless permitted by this Act or the regulations;

(i) direct or aid a person to falsify an identifier or otherwise use an unregistered identifier;

(j) use an identifier for an animal or animal product of which the person is not the owner;

(k) remove, deface, tamper with or otherwise alter an identifier;

(l) remove the hide from a carcass of a dead animal without the consent of the owner;

(m) wilfully allow animals to be stray and run at large unless in accordance with a municipal bylaw pursuant to section 7-3;

(n) fail to maintain a fence or enclosure that is capable of keeping an animal from running at large;

(o) harbour, transport, offer for sale or otherwise dispose of an animal or animal product in a manner other than that authorized by this Act and the regulations;

(p) demand or receive any fees or other compensation not authorized by this Act or the regulations;

(q) fail to pay any fines, penalties, or compensation for services provided as authorized by this Act or the regulations;

(r) if acting in accordance with this Act and regulations, fail to provide proper animal care as required by *The Animal Protection Act, 2018*; or

(s) contravene any provision of this Act, the regulations, an agreement made pursuant to section 2-1, a service agreement or an order made pursuant to this Act.

(2) In a prosecution for an offence mentioned in subsection (1), the fact that an animal carrying an identifier that is registered in the accused's name is found in the possession of the accused is proof, in the absence of evidence to the contrary, that the accused caused, directed, assisted or permitted the identifier to be placed on or implanted in the animal.

(3) Every person who contravenes any provision of subsection (1) is guilty of an offence and liable on summary conviction:

(a) in the case of a first offence, to a fine of not more than $15,000 and to a further fine of not more than $1,000 for each day or part of a day during which the offence continues or to imprisonment for a term of not more than 1 year or to both;

(b) in the case of a second or subsequent offence, to a fine of not more than $25,000 and to a further fine of not more than $2,000 for each day or part of a day during which the offence continues or to imprisonment for a term not of not more than 1 year or to both.

Administrative penalty

10-2(1) The minister may assess a penalty in the prescribed amount against a prescribed person, or prescribed class of persons, for prescribed contraventions of this Act or the regulations.

(2) Before assessing a penalty, the minister shall provide notice to the person:

(a) setting out the facts and circumstances that, in the minister's opinion, render the person liable to a penalty;

(b) specifying the amount of the penalty that the minister considers appropriate in the circumstances; and

(c) informing the person of the person's right to make representations to the minister.

(3) No penalty is to be assessed by the minister more than 12 months after the day on which the act or omission that renders the person liable to a penalty first came to the knowledge of the minister.

(4) A person to whom notice is sent pursuant to subsection (2) may make representations to the minister respecting whether or not a penalty should be assessed and the amount of any penalty.

(5) Representations pursuant to subsection (4) must be made within 30 days after the person received the notice pursuant to subsection (2).

(6) After considering any representations, the minister may:

(a) assess a penalty and set a date by which the penalty is to be paid in full; or

(b) determine that no penalty should be assessed.

(7) The minister shall serve a copy of his or her decision pursuant to subsection (6) on the person who made the representations.

(8) The minister may file in the Court of Queen's Bench a certificate signed by the minister and setting out:

(a) the amount of the penalty assessed pursuant to subsection (6); and

(b) the person from whom the penalty is to be recovered.

(9) A certificate filed pursuant to this section has the same force and effect as if it were a judgment obtained in the Court of Queen's Bench for the recovery of a debt in the amount set out in the certificate, together with reasonable costs and charges with respect to its filing.

(10) The minister may assess a penalty pursuant to this section notwithstanding that the facts and circumstances giving rise to the penalty arose due to the actions of an employee, helper, contractor or agent of the person required to pay the penalty.

Appeal to Court of Queen's Bench re administrative penalty

10-3(1) Any person aggrieved by a decision of the minister to impose a penalty pursuant to section 10-2 may appeal that decision on a question of law to a judge of the Court of Queen's Bench within 30 days after the date of service of the minister's decision.

(2) The record of an appeal pursuant to subsection (1) consists of:

(a) the minister's decision;

(b) any written representations made to the minister by the person named in the decision;

(c) the notice of appeal commencing the appeal;

(d) any other prescribed documents or material; and

(e) any other material that the Court of Queen's Bench may require.

(3) On hearing an appeal pursuant to this section, the judge of the Court of Queen's Bench may issue an order:

(a) confirming the penalty;

(b) amending the amount of the penalty; or

(c) quashing the minister's decision to assess a penalty.

Minister may apply for compliance order

10-4(1) The minister may apply to a judge of the Court of Queen's Bench for all or any of the following:

(a) an order compelling a person to comply with this Act or the regulations;

(b) an order enjoining any person from proceeding contrary to this Act or the regulations.

(2) On an application pursuant to this section, the judge of the Court of Queen's Bench may make the order requested or any other order that the judge considers appropriate on any terms and conditions that the judge considers appropriate.

(3) The minister may apply for an order pursuant to subsection (1) regardless of whether an order pursuant to this Act or the regulations has been issued with respect to the matter.

PART 11
General

Disposition of detained animals or animal products

11-1(1) Any animal or animal product detained for a contravention of a provision of this Act or the regulations must be sold, returned or destroyed in the prescribed manner.

(2) Any animal or animal product detained for a contravention of a provision of this Act or the regulations or dealt with pursuant to this Act or the regulations is at the risk and expense of the owner or any person purporting to be the owner.

Time constraint for prosecutions

11-2 No prosecution for an offence pursuant to this Act or the regulations shall be commenced after 12 months from the date of the offence.

Immunity

11-3 No action or proceeding lies or shall be commenced against the Crown in right of Saskatchewan, the minister, any inspector, any person lawfully accompanying an inspector, any officer, employee or agent of the Crown in right of Saskatchewan or any other person engaged in the administration of this Act pursuant to an administration agreement or a service agreement if that person is acting pursuant to the authority of this Act or the regulations, for anything in good faith done, caused or permitted or authorized to be done, attempted to be done or omitted to be done by that person or by any of those persons pursuant to or in the exercise or supposed exercise of any power conferred by this Act or the regulations or in the carrying out or supposed carrying out of any order made pursuant to this Act or any duty imposed by this Act or the regulations.

Notices

11-4 Unless a contrary intention is expressed, a notice required to be given by this Act may be given by personal service or by registered mail, and, in the case of a notice given by registered mail, is deemed to have been received on the fifth day after it is mailed, unless the person to whom it is given establishes that, through no fault of that person, it was not received or was not received until a later date.

PART 12
Regulations

Regulations

12-1 The Lieutenant Governor in Council may make regulations:

(a) defining, enlarging or restricting the meaning of any word or expression used in this Act, including words or expressions defined in this Act, and defining, enlarging or restricting the meaning of any word or expression differently for different provisions in this Act;

(b) prescribing any animal as an animal for the purposes of this Act;

(c) for the purposes of section 1-4, respecting any matter relating to service agreements;

(d) for the purposes of section 2-1, prescribing any matters to be included in an administration agreement;

(e) respecting the physical, chemical and biological standards and conditions under which:

(i) animals may be raised, slaughtered, bought, sold or handled in Saskatchewan; and

(ii) animal products may be produced, processed, bought, sold, stored and handled in Saskatchewan;

(f) prescribing minimum standards for the fencing and enclosure of animals in Saskatchewan;

(g) for the purposes of section 6-2, respecting animals or classes of animals for the purposes of fence or enclosure codes;

(h) prescribing the minimum standards for cleanliness and sanitation of all places where animals or animal products are produced, housed, stored, slaughtered, processed, packaged or otherwise handled;

(i) prescribing the standards of equipment, maintenance and operation of a facility handling slaughtering or processing animals or animal products;

(j) respecting the conditions under which animals or animal products must be considered unfit for human consumption and the manner of sale or other handling of those animals or animal products;

(k) prohibiting or regulating the use of any medicinal or chemical substance that may impair the quality of an animal or animal product;

(l) respecting the destruction of animals or animal products and prescribing the manner in which animals or animal products may be destroyed;

(m) for the purposes of section 7-8, respecting the destruction and disposal of a stray;

(n) for the purposes of section 7-9, respecting the actions a municipality may take with respect to strays, including entering into contracts for the purposes of dealing with strays;

(o) respecting the manner in which a complaint against a person operating pursuant to this Act shall be made and investigated;

(p) respecting the fees and charges payable for any service performed pursuant to this Act and the manner of collecting and administering those fees and charges;

(q) respecting the sale and use of technology or products that are used in relation to identifiers;

(r) respecting measures to forestall or prevent imitation, counterfeiting or adulteration of an animal or animal product;

(s) respecting the manner in which a sample of any animal product may be taken;

(t) respecting the seizure, retention and disposal of an animal or animal product;

(u) prohibiting or restricting the manufacture, marketing or possession for sale of any animal, animal product or imitation animal product;

(v) requiring persons selling or distributing devices or substances for use as identifiers to be licensed;

(w) respecting any matter relating to the licensing of a person engaged in activities related to identifiers;

(x) respecting the parameters and placement of identifiers on or in an animal or animal product;

(y) setting and defining the grade standards or quality levels for animals and animal products and prescribing the minimum price differentials with respect to those grades or quality levels;

(z) respecting the manner and condition of the grading, inspection, packaging and marketing of animals and animal products;

(aa) respecting the manner and conditions of transportation, delivery, advertising, sale or display for sale of animals or animal products, and the size, kind, branding and labelling of packages or containers in which animal products may be contained;

(bb) respecting the manner in which a seller or shipper shall identify ungraded animals and animal products for the purposes of grading individual producers' lots in that shipment;

(cc) respecting the manner in which a person in charge of a vehicle shall report accidents in which animals are injured or killed;

(dd) respecting the method of payment by the purchaser of animals or animal products, the preparation and presentation of the statements of account of the sale of animals or animal products, and the investigation of those statements and the transactions represented in them;

(ee) prescribing any forms, schedules, or other required documents to carry out the provisions of this Act;

(ff) respecting the fees, fines, penalties, or matters of compensation for any service performed pursuant to this Act or the regulations and the manner of collecting or administering any amount payable;

(gg) prescribing limits on reimbursement for remuneration and expenses;

(hh) prescribing the manner in which records are to be kept, seized, detained and disposed of;

(ii) for the purposes of section 8-1, respecting the detention and sale of an animal by an animal keeper;

(jj) respecting the procedures for parties to resolve disputes by means of mediation, arbitration, or other dispute resolution method;

(kk) with respect to any matter regulated pursuant to this Act:

(i) adopting, as amended from time to time or otherwise, all or any part of any relevant code or standard;

(ii) amending for the purposes of this Act or the regulations a code or standard adopted pursuant to subclause (i); and

(iii) requiring compliance with a code or standard adopted pursuant to subclause (i);

(ll) respecting administrative penalties, including:

(i) prescribing the contraventions of this Act or the regulations for which a penalty may be assessed; and

(ii) prescribing the amount of an administrative penalty and, for that purpose, may prescribe different amounts for different contraventions or breaches;

(mm) prescribing any matter or thing required or authorized by this Act to be prescribed in the regulations;

(nn) respecting any other matter or thing the Lieutenant Governor in Council considers necessary to carry out the intent of this Act.

PART 13
Repeal, Transitional, Consequential Amendments and Coming into Force

DIVISION 1
Repeal

RSS 1978 (Supp), c A-20.1 repealed

13-1 *The Animal Identification Act* is repealed.

RSS 1978 (Supp), c A-20.2 repealed

13-2 *The Animal Products Act* is repealed.

RSS 1978, c L-17 repealed

13-3 *The Line Fence Act* is repealed.

RSS 1978, c S-60 repealed

13-4 *The Stray Animals Act* is repealed.

DIVISION 2
Transitional

Transitional

13-5 Every licence issued pursuant to *The Animal Identification Act* or *The Animal Products Act* that is valid on the day on which section 1-1 of this Act comes into force:

(a) continues in force as if it had been issued pursuant to this Act and may be dealt with as if issued pursuant to this Act; and

(b) unless sooner cancelled or terminated pursuant to this Act and the regulations, expires on the date set out in the licence.

Transitional—decisions and acts

13-6(1) In this section:

"administrator" is the administrator appointed pursuant to *The Stray Animals Act*;

"director" is the director appointed pursuant to *The Animal Products Act*.

(2) All decisions and acts made by the director and duly authorized by *The Animal Products Act* remain in place after the coming into force of section 1-1 of this Act as if made and authorized by the minister pursuant to this Act until any decision or act is replaced explicitly or by consequence of any decision or act made by the minister pursuant to this Act.

(3) All decisions and acts made by the administrator and duly authorized by *The Stray Animals Act* remain in place after the coming into force of section 1-1 of this Act as if made and authorized by the minister pursuant to this Act until any decision or act is replaced explicitly or by consequence of any decision or act made by the minister pursuant to this Act.

DIVISION 3

Consequential Amendments and Coming into Force

SS 2019, c A-20.01, section 7-2 amended

13-7 Clauses 7-2(1)(c) and (d) of *The Animal Health Act* are repealed and the following substituted:

"(c) any information mentioned in *The Animal Production Act* and any regulations made pursuant to that Act**".**

SS 2018, c A-21.2, section 28 amended

13-8 Section 28 of *The Animal Protection Act, 2018* is amended in clause (b) of the definition of "protected animal" by striking out "*The Animal Products Act***" and substituting "***The Animal Production Act***".**

SS 1989-90, c F-8.001 amended

13-9(1) *The Farm Financial Stability Act* is amended in the manner set forth in this section.

(2) Clause 41(d) is amended by striking out "subsection 15.1(1) of *The Animal Products Act*" **and substituting "**subsection 8-1(1) of *The Animal Production Act*".**

(3) Section 50 is amended:

(a) in subsection (9) by striking out "section 15.1 of *The Animal Products Act*" **and substituting "**section 8-1 of *The Animal Production Act*"; and**

(b) in subsection (10) by striking out "section 15.1 of *The Animal Products Act*" **and substituting "**section 8-1 of *The Animal Production Act*".**

(4) Clause 63.1(d) is amended by striking out "subsection 15.1(1) of *The Animal Products Act*" **and substituting "**subsection 8-1(1) of *The Animal Production Act*".**

(5) Section 63.41 is amended:

(a) in subsection (9) by striking out "section 15.1 of *The Animal Products Act*" **and substituting "**section 8-1 of *The Animal Production Act*"; and**

(b) in subsection (10) by striking out "section 15.1 of *The Animal Products Act*" **and substituting "**section 8-1 of *The Animal Production Act*".**

SS 2004, c T-18.1, section 97 amended

13-10 Subclause 97(2)(b)(iii) of *The Traffic Safety Act* is amended by striking out "*The Animal Products Act***" and substituting "***The Animal Production Act***".**

Coming into force

13-11 This Act comes into force by order of the Lieutenant Governor in Council.

SECOND SESSION

Twenty-ninth Legislature

SASKATCHEWAN

B I L L

No. 73

An Act respecting Boundary or Line Fences, Stray Animals, Identifiers, and the Production, Sale, Transport and Inspection of Animals and Animal Products and making consequential amendments to other Acts

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Received and read the

First time

Second time

Third time

And passed

Honourable David Marit

Printed under the authority of
The Speaker of the Legislative Assembly
of Saskatchewan
2021