



Province of Alberta

STRAY ANIMALS ACT

Revised Statutes of Alberta 2000
Chapter S-20

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Office Consolidation

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Alberta Queen's Printer
Suite 700, Park Plaza
10611 - 98 Avenue
Edmonton, AB T5K 2P7
Phone: 780-427-4952
Fax: 780-452-0668

E-mail: qp@gov.ab.ca
Shop on-line at www.qp.alberta.ca

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Note

All persons making use of this consolidation are reminded that it has no legislative sanction, that amendments have been embodied for convenience of reference only. The official Statutes and Regulations should be consulted for all purposes of interpreting and applying the law.

Regulations

The following is a list of the regulations made under the *Stray Animals Act* that are filed as Alberta Regulations under the Regulations Act

	Alta. Reg.	<i>Amendments</i>
Stray Animals Act		
Horse Capture	59/94	200/98, 251/2001, 63/2003, 5/2008, 220/2008, 123/2017
Stray Animals.....	301/96	201/98, 63/2003, 239/2007, 60/2008, 201/2008, 237/2008, 90/2014, 109/2017
Stray Animals Delegation	206/2008	238/2008, 104/2014, 118/2017

STRAY ANIMALS ACT

Chapter S-20

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

Definitions

1 In this Act,

- (a) “highway” has the same meaning as it has in the *Traffic Safety Act*;
- (b) “inspector” means
 - (i) a person appointed or designated as an inspector pursuant to section 4, or
 - (ii) a member of the Royal Canadian Mounted Police;
- (c) “livestock” means livestock as defined in the regulations;

- (d) “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act;
- (e) “public land” means land of the Crown in right of Alberta.
RSA 2000 cS-20 s1;RSA 2000 cT-6 s211;
2005 c19 s2

Interpretation

2 For the purposes of this Act,

- (a) the “last person in possession of the livestock” means the last person in actual possession of the livestock, but does not include a person who captures, confines or impounds livestock pursuant to this Act, and
- (b) when livestock are captured, confined or impounded pursuant to this Act, the “last person in possession of the livestock” means the person who was the last person in actual possession of the livestock before the capture, confinement or impoundment of the livestock.

RSA 1980 cS-23 s2

Crown bound

3 The Crown in right of Alberta is bound by this Act.

RSA 1980 cS-23 s3

Staff

4 The Minister may appoint inspectors and any other persons required for the purposes of this Act and the regulations, and may prescribe the duties and fix the remuneration and travelling and living expenses for any person appointed who is not an employee as defined in the *Public Service Act*.

RSA 2000 cS-20 s4;2005 c19 s3

Part 1 Liability for Trespassing Livestock

Liability for trespassing livestock

5(1) Subject to section 6, when livestock trespass, the owner of the livestock and the last person in possession of the livestock are jointly and severally liable for

- (a) damage done to real or personal property caused by the trespass of the livestock or by any person in capturing the livestock, and

(b) expenses incurred as described in subsection (2).

(2) Expenses, for the purposes of subsection (1)(b) and sections 7(2)(b), 17(a)(ii) and 18(1) and (2)(a), are expenses incurred in the following:

- (a) capturing, confining and impounding the livestock;
- (b) identifying the livestock;
- (c) attempting to ascertain the owner or the last person in possession of the livestock;
- (d) maintaining the livestock;
- (e) transporting the livestock;
- (f) selling the livestock.

RSA 2000 cS-20 s5;2005 c19 s4

Exemption from liability

6(1) A person is not liable under section 5 for any damage or expense that is due wholly to the fault of the person suffering the damage or expense.

(2) In determining whether liability for any damage or expense under section 5 is excluded by subsection (1), the damage or expense shall not be treated as due to the fault of the person suffering it by reason only that the person could have prevented it by fencing the person's land.

RSA 1980 cS-23 s6;1990 c29 s26

Liability for opening and not closing gate

7(1) When a person

- (a) opens and fails to close a gate, or
- (b) tampers with, damages or destroys a gate or fence,

as a result of which livestock escape, the person doing or failing to do the act or thing referred to in clause (a) or (b) is liable as provided in subsections (2) and (3).

(2) The person doing or failing to do the act or thing referred to in subsection (1) is liable for

- (a) any damage done to real or personal property by the livestock or by any person in capturing the livestock, and
- (b) any expenses described in section 5(2).

(3) The person doing or failing to do the act or thing referred to in subsection (1) is liable for the damage and expense referred to in subsection (2) to

- (a) the owner of the livestock, and
- (b) when the last person in possession of the livestock was required to pay for any damage or expense under section 5, to that person.

(4) Nothing in this section restricts the liability under section 5 of the owner and the last person in possession of the livestock.

RSA 2000 cS-20 s7;2005 c19 s5

Part 2 Capture of Stray Livestock

Capture of trespassing livestock

8(1) If livestock trespass on land, the owner or occupier of the land may, while the livestock are on the owner's or occupier's land, capture and confine them or authorize another person to capture and confine them in a place appropriate to enable an inspector to identify them.

(2) No owner, occupier or person on their behalf capturing trespassing livestock under subsection (1) shall permit or allow the captured livestock to be

- (a) transported or driven along a highway, or
- (b) transported or driven over any land of which the owner or occupier is not the owner or the person in possession,

unless authorized to do so by an inspector.

(3) When an owner or occupier or a person on the owner's or occupier's behalf captures livestock trespassing on the owner's or occupier's land, the owner or occupier or the person on the owner's or occupier's behalf shall, within 48 hours of the time that the livestock is confined, complete a statement of capture and claim any expenses incurred in connection with the capture of the livestock on the statement of capture and send it to the inspector.

(4) When an owner or occupier or a person on the owner's or occupier's behalf captures livestock trespassing on the owner's or occupier's land and the owner of the livestock or the last person in possession of the livestock has been identified, the owner or occupier or the person on the owner's or occupier's behalf must as soon as possible notify the owner of the livestock or the last person

in possession of the livestock of the capture and confinement of the livestock.

RSA 2000 cS-20 s8;2005 c19 s6

Licence

9(1) The Minister responsible for the administration of the *Public Lands Act* may designate public land for which a licence under this section may be issued if, in the opinion of the Minister, it is necessary to protect, maintain or conserve the range, forage, soil, reforestation, wildlife habitat or other resource or for the safety of the public or of horses or as provided for in the regulations.

(2) The Minister responsible for the administration of the *Public Lands Act* may, in accordance with the regulations, issue licences that authorize the licence holder to capture horses on public land designated under subsection (1) and to confine, transport and dispose of those horses.

(3) The Minister may

- (a) prescribe how many horses may be captured pursuant to the licence, and
- (b) include any other terms and conditions in the licence that the Minister considers appropriate.

(4) A person who holds a licence under this Act shall comply with the terms and conditions of the licence and the person may capture, confine, transport and dispose of a horse captured on public land only in accordance with the licence and the regulations.

(5) The Minister may delegate the Minister's powers and duties under this section to an inspector or a forest officer appointed under the *Forests Act*.

(6) Notwithstanding subsection (7), a person who owns a horse or who is the agent of a person who owns a horse does not require a licence to capture, confine or transport that horse on public land.

(7) If land is designated under subsection (1), no person shall capture, confine or transport a horse on that land unless the person holds a licence that authorizes the capturing, confinement or transportation of the horse.

1993 c25 s3

Suspension, cancellation

10(1) An inspector or a forest officer appointed under the *Forests Act* may suspend or cancel a licence if the inspector or forest officer, on reasonable and probable grounds, is of the opinion that

the licence holder does not comply with the terms or conditions of the licence, this Act or the regulations under this Act.

(2) A person whose licence is suspended or cancelled may appeal the suspension or cancellation to the Minister responsible for the administration of the *Public Lands Act*.

(3) The Minister may confirm, vary or revoke a suspension and may confirm or revoke a cancellation, and the Minister's decision is final.

1993 c25 s3

Exemption

11 Sections 17 and 18 do not apply to horses captured on public land pursuant to a licence.

1993 c25 s3

Powers of inspector

12 An inspector may at any time, if the inspector is satisfied that livestock are trespassing, capture and impound the livestock or authorize a person to capture and impound them.

RSA 1980 cS-23 s9;1984 c39 s5

Destruction of dangerous livestock

13 An inspector who is satisfied that

- (a) livestock are trespassing on land,
- (b) attempted capture of the livestock will likely result in injury to some person, and
- (c) after reasonable inquiry the owner or the last person in possession of the livestock is unknown, or the owner or last person in possession of the livestock is unwilling or unable to remove the livestock,

may destroy and arrange for the disposal of the livestock or authorize another person to destroy and arrange for the disposal of the livestock.

1984 c39 s6

Impoundment

14(1) An inspector may impound livestock captured or confined pursuant to this Act by issuing a notice of impoundment containing at least the following:

- (a) a description of the livestock,

- (b) the date of impoundment,
- (c) a description of the place where the livestock was captured,
- (d) a statement that the livestock is impounded, and
- (e) the signature of the inspector impounding the livestock.

(2) On the issue of a notice of impoundment, the livestock described in the notice becomes subject to the control of the inspector and shall not be transported or disposed of except

- (a) in accordance with this Act, and
- (b) with the consent of an inspector.

(3) No person shall transport, move or dispose of livestock impounded pursuant to this Act without the prior consent of an inspector.

RSA 1980 cS-23 s10

Entry on land

15 An inspector may enter on any land or premises without the consent of the owner or occupier of it for the purpose of capturing trespassing livestock and removing it from the land or premises.

RSA 1980 cS-23 s11

Confinement of livestock

16 When an inspector receives a statement of capture of livestock pursuant to section 8(3), the inspector shall impound the livestock and

- (a) leave the livestock with the person who has the livestock confined, or
- (b) transport or arrange for the transport of the livestock to a livestock market, a stockyard or other place that, in the opinion of the inspector, is a suitable place to keep the livestock.

RSA 1980 cS-23 s12

Duties of inspector

17 When an inspector impounds livestock, the inspector shall

- (a) if the inspector knows or is able to determine the owner or the last person in possession of the livestock,

- (i) notify one or both of them of the impoundment of the livestock, and
- (ii) by notice in writing warn the owner or the last person in possession of the livestock, or both, that, unless the expenses described in section 5(2) are paid to the inspector within 14 days after the date of the notice, the livestock will be sold by public auction without further reference to either of them,

or

- (b) if the inspector does not know and after reasonable inquiry is unable to determine who is the owner or the last person in possession of the livestock, sell the livestock by public auction.

RSA 2000 cS-20 s17;2005 c19 s7

Release of impounded livestock

18(1) If, before livestock impounded pursuant to this Act is sold by public auction, the owner or the last person in possession of the livestock claims it and pays the expenses described in section 5(2), the inspector shall release or authorize the person confining the livestock to release the livestock to the owner or the last person in possession of the livestock.

(1.1) The inspector shall distribute the money received from the owner of the livestock under subsection (1) to pay the expenses incurred by the owner, the occupier or the person on the occupier's behalf who captured the livestock as claimed in the statement of capture completed under section 8(3).

(2) When livestock is impounded pursuant to this Act and

- (a) the owner or the last person in possession of the livestock refuses to pay the expenses described in section 5(2), or
- (b) no person claims the livestock,

the inspector shall, on expiry of the notice referred to in section 17(a) or after the reasonable inquiry referred to in section 17(b), sell the livestock by public auction.

RSA 2000 cS-20 s18;2005 c19 s8

Disposition of proceeds of sale of livestock

19(1) When livestock are sold by public auction pursuant to this Act, the proceeds of the sale of the livestock must be paid to the Minister and be disbursed in accordance with this section.

(2) The proceeds of the sale of the livestock must first be disbursed in the following order on proof of the expenses having been incurred as claimed in the statement of capture under section 8(3) or as claimed in any other manner the Minister determines:

- (a) for expenses incurred in selling the livestock;
- (b) for expenses incurred in transporting the livestock;
- (c) for expenses incurred in identifying the livestock;
- (d) for expenses incurred in maintaining the livestock;
- (e) for expenses incurred in capturing, confining and impounding the livestock;
- (f) for expenses incurred in ascertaining or attempting to ascertain the owner or the last person in possession of the livestock.

(3) The Minister shall make a payment under subsection (2) only to the extent that the claim is reasonable, in the opinion of the Minister, and to the extent that money is available.

(4) The Minister shall pay compensation out of any balance of the proceeds of the sale of the livestock remaining after compliance with subsection (2), to the extent that money is available, to any person substantiating a claim to the satisfaction of the Minister of damage to real or personal property caused by the livestock or by any person capturing the livestock.

(5) The Minister must maintain a trust account into which any balance of the proceeds of the sale of livestock remaining after compliance with subsections (2) and (4) must be deposited.

(6) The Minister may pay out of the trust account the balance of the proceeds of sale pertaining to the livestock sold under section 18(2) to any person who proves to the satisfaction of the Minister that the person was the owner of the livestock prior to the sale.

(7) The claim for the balance of the proceeds of the sale of the livestock under subsection (6) must be made within one year from the date the livestock is sold by public auction.

(8) When livestock are sold by public auction pursuant to this Act and a dispute exists or arises between the former owner or the last person in possession of the livestock and a person claiming to have suffered damage to real or personal property caused by the livestock or by any person capturing the livestock, the proceeds of the sale of the livestock must be disbursed in accordance with subsections (2) and (4) unless

- (a) the parties to the dispute agree in writing to the disposition of the balance of the proceeds of the sale of the livestock, in which case the Minister shall pay the balance of the proceeds of the sale of that livestock in accordance with the agreement, or
- (b) a court awards damages and directs payment of an amount from the balance of the proceeds of the sale of the livestock to one or both of the parties to the dispute, in which case the Minister shall pay an amount in accordance with the direction of the court and pay any balance of the proceeds of the sale of the livestock to the former owner of that livestock.

RSA 2000 cS-20 s19;2005 c19 s9

20 Repealed 2005 c19 s10.

Insufficient proceeds

21 Where livestock are sold by public auction under section 18(2) and the proceeds of the sale are insufficient to pay the expenses referred to in section 19(2), the Minister may pay the expenses out of the aggregate amounts deposited in the trust account under section 19(5), but the amount of the expenses paid must not be greater than the amount in the trust account.

RSA 2000 cS-20 s21;2005 c19 s11

Dispute over expenses

22 When a dispute arises as to the reasonableness of any claim for expenses under this Part, the Minister may determine what expenses are reasonable in the circumstances, and the Minister's decision is final.

RSA 2000 cS-20 s22;2005 c19 s12

Sale of unclaimed nursing calves

23(1) In this section,

- (a) "community pasture" means land of the Crown in right of Alberta that is
 - (i) established and operated as a community grazing reserve, or
 - (ii) held under a grazing lease by a grazing association, under the *Public Lands Act*;

- (b) “grazing association” means a grazing association incorporated under the *Societies Act* or the *Co-operative Associations Act* or incorporated, continued or registered under the *Cooperatives Act*.

(2) Notwithstanding any other provision of this Act, if a nursing calf is found on a community pasture during roundup and an inspector is satisfied that the owner of the calf cannot readily be determined, the inspector may, as soon as possible, sell the calf by public auction.

(3) The net proceeds of the sale under subsection (2) after deducting the expenses of maintaining, transporting and selling the calf shall be paid to the grazing association or other association that utilizes the community pasture on which the calf was found.

RSA 2000 cS-20 s23;2001 cC-28.1 s470;2001 c23 s1(19)

Part 3

Protection of Property from Dogs and Designated Animals

Definitions

24 In this Part,

- (a) “designated animal” means an animal designated under the regulations under section 26.1;
- (b) “domestic fowl” means any domestic variety of fowl.

RSA 2000 cS-20 s24;2005 c19 s14

Right to kill dog

25 The owner or the person in actual possession of livestock or domestic fowl or any person authorized by either of them may kill a dog in the act of pursuing, worrying or destroying that livestock or domestic fowl on land owned or occupied by the owner or person in actual possession of that livestock or domestic fowl.

RSA 1980 cS-23 s21

Order to kill dog

26(1) When a person believes that any other person owns or has in that other person’s possession a dog that within one month before the date of an application under this section has worried, injured or destroyed livestock or domestic fowl outside land owned or occupied by the owner or person in possession of the dog, the person who so believes may apply to the Provincial Court for an order that the dog be killed.

(2) When the Provincial Court finds that a dog has, within one month before the date of the application under subsection (1), worried, injured or destroyed livestock or domestic fowl outside the land occupied by the owner or person in possession of the dog, the Provincial Court may

- (a) order the dog to be killed, or
- (b) make any other order the Court considers appropriate in the circumstances.

RSA 1980 cS-23 s22

Regulations respecting designated animals

26.1 The Lieutenant Governor in Council may make regulations

- (a) designating a species of animal as a designated animal for the purposes of this Part;
- (b) requiring persons who import designated animals into Alberta or keep designated animals in captivity to obtain a registration certificate in respect of that activity from the Minister, and governing the issuing of registration certificates;
- (c) requiring persons who keep designated animals in captivity to confine them, and governing the manner in which designated animals must be confined;
- (d) requiring persons who keep designated animals in captivity to identify them, and governing the manner in which designated animals must be identified;
- (e) authorizing an inspector to
 - (i) enter and inspect any place, other than a private dwelling, for the purpose of ensuring that the regulations under this section are complied with, and
 - (ii) enter any land for the purpose of hunting, trapping, capturing or destroying designated animals that are running at large;
- (f) authorizing an inspector, an owner or occupier of land or a municipal bylaw enforcement officer to hunt, trap, capture or destroy designated animals that are running at large, and governing the circumstances under which and the terms and conditions subject to which those powers may be exercised;

- (g) governing the manner in which and the means by which designated animals running at large may be hunted, trapped, captured or destroyed;
- (h) authorizing the Minister to designate an area in Alberta as a control area for the purposes of preventing the destruction by designated animals of land, livestock or other property in the control area;
- (i) authorizing the hunting, trapping, capture or destruction of designated animals in a control area, and governing the circumstances under which and the terms and conditions subject to which those powers may be exercised.

2005 c19 s15

Part 4

General Matters

Self-government

27(1) The Minister may make regulations

- (a) respecting the establishment of delegated authorities;
- (b) delegating to one or more delegated authorities any of the powers, duties or functions of the Minister or of an inspector under this Act or the regulations, except
 - (i) the Minister's power to make regulations under this section or section 36, and
 - (ii) the Minister's powers, duties and functions under section 9;
- (c) imposing conditions on the delegated powers, duties or functions;
- (d) limiting the liability of a delegated authority and its employees, agents, directors or officers in an action for negligence with respect to the delegated power, duty or function when the delegated authority and its employees, agents, directors or officers act in good faith pursuant to the delegation, including but not limited to providing that any limitation of liability applicable to an inspector may be made applicable to a delegated authority and its employees, agents, directors or officers when they carry out the inspector's power, duty or function;
- (e) respecting an appeal from an action or a decision of a delegated authority or its employees, agents, directors or officers;

- (f) authorizing a delegated authority to collect money by the levy of fees and charges with respect to the delegated power, duty or function on persons or classes of persons specified in the regulations, respecting how the fees and charges are to be imposed, collected and accounted for and authorizing the delegated authority to use the money for any purpose related to the operation of the delegated authority in the carrying out of a delegated power, duty or function;
- (g) respecting the payment of a fee to a delegated authority for the carrying out of a delegated power, duty or function, including payment for reasonable expenses incurred from the trust account under section 19(5);
- (h) authorizing the delegated authority to collect the proceeds from a public auction and respecting the manner in which those proceeds are to be dealt with by the delegated authority;
- (i) authorizing a delegated authority to collect, on behalf of the Crown, any money lawfully due to the Crown under this Act and respecting how the money is to be collected and accounted for and remitted to the Minister;
- (i.1) respecting the manner in which the aggregate amounts deposited in the trust account under section 19(5) must be disposed of when a delegation is revoked;
- (j) respecting records that a delegated authority is required to maintain;
- (k) respecting the annual report under section 33;
- (l) respecting the confidentiality of information obtained by the delegated authority and its employees, agents, directors or officers while carrying out a delegated power, duty or function;
- (m) respecting the inspection of premises where a delegated authority or its employee, agent, director or officer is carrying out a delegated power, duty or function and authorizing the Minister to make copies of any document or other record related to the delegated power, duty or function;
- (n) respecting the carrying out of an audit of the delegated authority with respect to its delegated powers, duties and functions and authorizing the Minister to charge reasonable costs incurred in carrying out the audit.

- (2) When a delegation is made under subsection (1),
- (a) a reference in this Act or the regulations to the Minister or to an inspector with respect to delegated powers, duties or functions is to be read as if it were a reference to the delegated authority, and
 - (b) a person who is affected by an action taken or a decision made by a delegated authority pursuant to the delegation may appeal the action or decision in accordance with the regulations under subsection (1).
- (3) Notwithstanding the *Financial Administration Act*, any money collected by a delegated authority pursuant to subsection (1)(f) or (g) or section 32 belongs to the delegated authority.
- (4) If the regulations establish a maximum amount of a fee that a delegated authority may charge for providing a service, the delegated authority may not charge or collect a fee that is greater than that maximum amount.

RSA 2000 cS-20 s27;2005 c19 s16

Rules

28(1) A delegated authority may make rules

- (a) respecting the carrying out of a delegated power, duty or function;
 - (b) delegating to the employees or agents of the delegated authority and, in the case of a corporation, to its employees, agents, directors or officers, the carrying out of a delegated power, duty or function, except the power to make rules under this subsection.
- (2) A rule made under subsection (1) is not in force until it is approved by the Minister.
- (3) The *Regulations Act* does not apply to a rule made under this section.

1998 c1 s4

Not Crown agent

29 With respect to a delegation, a delegated authority and its employees, agents, directors or officers are not agents of the Crown.

1998 c1 s4

Financial Administration Act not applicable

30 The *Financial Administration Act* does not apply to a delegated authority with respect to a delegated power, duty or function.

1998 c1 s4

Business Corporations Act, s122(4)

31 Section 122(4) of the *Business Corporations Act* does not apply to a corporation that is a delegated authority in respect of the carrying out of a power, duty or function under this Act.

1998 c1 s4

Collections

32 A fee or charge levied pursuant to the regulations under section 27(1)(f) is recoverable by the delegated authority as a debt due to the delegated authority.

1998 c1 s4

Reports

33(1) A delegated authority shall, after the end of its fiscal year, prepare and submit to the Minister an annual report with respect to its powers, duties and functions under this Act.

(2) The annual report must include a general summary of the delegated authority's policies and activities in that year, any rules made under section 28 in that year and a financial report that includes an audited financial statement.

(3) The Minister shall lay a copy of the annual report before the Legislative Assembly if it is then sitting, and if it is not then sitting, within 15 days after the commencement of the next sitting.

(4) A delegated authority shall on the written request of the Minister provide the Minister with other reports as specified by the Minister in the request.

1998 c1 s4

Forms

34 A delegated authority may establish and use forms other than those prescribed by regulation.

1998 c1 s4

Regulations

35 The Lieutenant Governor in Council may make regulations

- (a) governing the application by persons for payment of expenses referred to in section 21;
- (b) governing the method and manner in which livestock is to be captured, confined, transported and sold under this Act;
- (c) authorizing the Minister to prescribe forms for the purposes of this Act and the regulations;
- (d) defining livestock for the purposes of this Act;
- (e) respecting applications for licences and the issuing of licences;
- (f) respecting fees for licences;
- (g) respecting the manner in which horses may be captured pursuant to a licence and the manner in which those horses may be confined, transported and disposed of.

RSA 2000 cS-20 s35;2005 c19 s17

Tariff

36 The Minister may make regulations prescribing a tariff of expenses that may be charged by a person for the capture, maintenance, transportation and confinement of livestock under this Act.

1989 c17 s25

Livestock straying on highway

37(1) No person shall permit or allow any livestock owned by the person or in the person's possession to trespass on land owned by another person.

(2) No person shall permit or allow any livestock owned by the person or in the person's possession to be on a highway unless it is in the person's or another person's direct and continuous charge and the person or that other person is competent to control the livestock.

(3) Subsection (2) does not apply to a highway, other than a provincial highway under the *Highways Development and Protection Act*,

- (a) within the boundaries of land in an Indian reserve, or
- (b) within the boundaries of land
 - (i) held under a grazing lease or a grazing permit under the *Public Lands Act*,

- (ii) established and operated as a community grazing reserve under the *Public Lands Act*,
- (iii) designated for grazing use under the *Forest Reserves Act*, or
- (iv) designated for grazing use by a municipal authority within the meaning of the *Municipal Government Act*.

(4) A person who contravenes this section is guilty of an offence and liable to a fine of not more than \$2000.

RSA 2000 cS-20 s37;2004 cH-8.5 s74;2005 c19 s18

Civil liability unaffected

38 Nothing in section 37 imposes any civil liability for damages on the owner or person in control of livestock that is on a highway contrary to that section and any question of liability for damages arising in a civil action shall be determined as if that section had not been enacted.

RSA 1980 cS-23 s25

Offence and penalty

39 A person who

- (a) opens and fails to close a gate, or
- (b) tampers with, damages or destroys a gate or fence,

as a result of which livestock escape, is guilty of an offence and liable to a fine of not more than \$5000.

RSA 1980 cS-23 s26;1998 c2 s9

40 Repealed 2005 c19 s19.

Offence

41 A person who contravenes section 9(7) or a regulation under section 35(g) is guilty of an offence and liable to a fine of not more than \$5000.

1993 c25 s5

General penalty

42 A person who contravenes this Act or the regulations is guilty of an offence and liable to a fine of not more than \$2000.

RSA 1980 cS-23 s27;1998 c2 s9



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